



INDIANA DEPARTMENT OF TRANSPORTATION

PERMIT GUIDE

May 31, 2019

PREFACE

This guide is current as of the date of its publication shown on the cover. The user should be aware that policies, regulations, standards and forms may be subsequently revised, added or deleted. The user should contact the INDOT Central Permits Division with questions pertaining to pending or approved changes. In the effort of continuous improvement, this first ever INDOT Permit Guide will be reviewed and updated in 6 months from the effective date and then bi-annually, or as needed.

This document is intended as an open reference for anyone who wishes to obtain guidance or information on INDOT's Permits program. Although certain sections of the publication are tailored towards a particular audience (INDOT staff, permit applicants, interested third parties), the document provides transparent and comprehensive policy guidance on how INDOT's Permits program operates.

This guide is for informational purposes only. The policies and procedures herein are not an adjudication or regulation. This guide describes the framework within which INDOT will administer the program. INDOT reserves the right to deviate from this guide, if circumstances warrant.

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1.0 General Information

1.1 Introduction

General Information about INDOT & permits:

The Indiana Department of Transportation (INDOT) is the steward of the Indiana State Highway System. The safety of the traveling public, highway workers and permittees is our primary concern. INDOT also cooperates with other public agencies and with private parties to promote the safe use of our highways.

INDOT issues permits in order to:

- Ensure the safety of the traveling public, highway workers and permittees,
- Establish basic standards and requirements for any work performed within right-of-way,
- Protect, maintain, and enhance the quality of the State highway system during and after permitted work,
- Ensure that the proposed work is compatible with the primary uses of the State highway system,
- Protect the State's and public's investment in the highway facility,
- Ensure that temporary uses of State highway right-of-way for special events, etc. are conducted safely and with minimum inconvenience to the traveling public, and
- Control Outdoor Advertising in conformance with the Highway Beautification Act of 1965.

INDOT permits are issued under the authority of law. In processing permit applications, INDOT draws upon the extensive experience of its workforce in advising permittees to use safe procedures and equipment.

How to use this Permit Guide:

This manual has been written with the INDOT employee and INDOT Permit applicant in mind. This document provides a summary of the most critical aspects of applying for and receiving an INDOT permit. It includes a comprehensive set of definitions, references, and links to INDOT manuals and forms. This guide is a living document and it is the responsibility of the permit applicant to ensure that they access the most current version of the manuals and forms as listed in this document.

This permit guide is designed to provide procedural comprehension for the permitting process as well as to support a general understanding of the comprehensive requirements to obtaining an INDOT permit. It should be considered a source secondary to the primary sources of law and should be used to provide technical assistance only. Where requirements are explained or detailed, the permit applicant is responsible for having sufficient knowledge of the law to make

a decision related to obtaining a permit and making representations on a permit application. In no way should this permit guide be construed as offering legal advice. It should be used for educational and practical purposes only.

1.2 Statutory Authority

Per IC 8-23-2-5.5, IC 8-23-6-6 and 105 Article 7. Permits for highways, INDOT is authorized to determine and establish requirements and restrictions for permits for all work performed in the public rights-of-way and utility easements in the State where the State maintains the roadways and easements.

1.3 What is an INDOT Permit?

What is an INDOT Permit?

An INDOT permit:

- Is a valid contract between INDOT and the Permittee;
- Authorizes only the permittee or the permittee's agent to perform approved work in the manner and timeframe proposed and authorized by the permit;
- Is not a property right; and
- Is not transferrable or assignable to another party.

Remember: An INDOT right-of-way permit is not transferred with the property to a new owner at the time of sale. New property owners must apply for and obtain their own permit.

A permit issued by INDOT (or issued by an authorized local agency in certain circumstances), is permissive authority for the permittee to enter Indiana State highway right-of-way to construct, alter, repair, improve facilities or conduct specified activities. Acceptance of the permit is acknowledged when any of the specified acts or work is performed under the conditions of the INDOT permit agreement.

Purpose:

The purpose of the INDOT permit is to minimize the impact to all modes of travel, protect the public and workers from hazardous conditions that may occur during construction activities, and ensure that existing infrastructure including, but not limited to, roadways, sidewalks, curbs,

gutters, lighting, landscaping, utilities, etc. are protected. Furthermore, the INDOT permit ensures that all work or activities performed within the INDOT's right-of-way is done in a manner that is applicable to the current code, standards, and construction methods. These standards and requirements are in place to ensure the permittee provides a safe and effective work area that warns, controls, and protects vehicular, bicycle, and pedestrian movements.

1.4 Who Needs a Permit & when is one required?

When is an INDOT Permit Required?

Permitted activities range from single-family residential driveway connections to multi-million dollar construction projects. An INDOT permit must be obtained prior to:

- Performing work within INDOT's right-of-way,
- Conducting any activity or placing any installations within, under, or over the State highway right-of-way,
- Performing work within utility easements where INDOT has ownership or maintenance responsibilities,
- Performing work within the public right-of-way where INDOT has ownership or maintenance responsibilities, or
- Restricting/closing any mode of travel within INDOT's right-of-way.

Who is required to obtain an INDOT Permit?

Unless exempt or [performing work under a qualified exception](#) to the permit requirements, anyone performing work that would require a permit must first obtain an INDOT permit including:

- Individuals,
- Contractors,

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- Corporations,
- Utilities,
- Cities,
- Counties, and
- Government agencies.

Examples of Work Requiring an INDOT Permit:

- Utilities,
- Excavation,
- Advertisement (if not prohibited by statute),
- Planting or trimming vegetation,
- Surveys,
- Driveway construction or alteration,
- Modifications to or installation of pedestrian facilities,
- Special events (including festivals, sidewalk sales, community sponsored or approved activities).
- Broadband installations,
- Work on or installation of utilities above and below ground,
- Sewer and drainage work
- Work involving the release of steam,
- Remediation of environmental spills,
- Monitoring wells,
- Tree trimming,
- Landscaping including adding aggregate to culverts,
- Railroad crossing work,
- Installation of or maintenance to facilities providing communications,
- Addition of a logo to a permitted facility,
- Cell tower work,
- Hanging banners,
- Road closures, and
- Outdoor advertising.

Consider: Would the proposed type and location of work generally require a permit?

Is the permittee **exempt** from the permit requirements, or are there specific **exceptions** for the type of work to be performed?

If the work requires a permit **and** no exceptions for the specific work type exist and the permittee itself is not exempt, then the work requires an INDOT permit.

1.5 Who Issues INDOT Permits?

INDOT issues permits at the district level. Some permits will require additional approval at the central level before the permit will be issued. INDOT divides its jurisdiction into 6 (six) geographical districts. Applicants should direct inquiries and permit applications to the appropriate District Permits Office having jurisdictional authority over the proposed site/roadway.

INDOT District Offices:

CRAWFORDSVILLE DISTRICT

41 West County Road 300 North
Crawfordsville, Indiana 47933
Phone: 765-362-3700

FORT WAYNE DISTRICT

5333 Hatfield Road
Fort Wayne, Indiana 46808
Phone: 260-484-9541

GREENFIELD DISTRICT

32 South Broadway Street
Greenfield, Indiana 46140
Phone: 317-462-7751

LAPORTE DISTRICT

315 E. Boyd Blvd.
LaPorte, Indiana 46350
Phone: 219-362-6125

SEYMOUR DISTRICT

185 Agrico Lane
Seymour, Indiana 47274
Phone: 812-522-5649

VINCENNES DISTRICT

3650 South US Highway 41
Vincennes, Indiana 47591
Phone: 1-800-279-5758

Indiana State Agencies are open for the transaction of business from 8:45a.m. to 4:45p.m. except weekends and holidays.

See the link below for contact information and map of the INDOT districts. The geographical boundaries are subject to change and this map will provide the most current information.

<https://entapps.indot.in.gov/dotmaps/districtmaps/>

INDOT Customer Service:

You may also contact the INDOT Customer Service Center to determine which INDOT district your proposed work will be completed in. That number is:



The INDOT Customer Service Center may also be reached online at www.indot4u.com.

Can a City or County Issue my Permit?

The respective INDOT District has authority to approve and issue permits for activities on Indiana State highway right-of-way. However, INDOT may delegate permit issuing authority to cities and counties for routine permits by agreement, but typically retains sole authority over the Indiana State highway right-of-way even after delegation. Agreements must contain provisions for city or county-issued permits.

1.6 Permit Applications

Applications for different permit categories have their own review and approval processes, but in all cases the District Permit Manager follows appropriate policies and procedures for the permit type.

Regardless of permit type, an application for a permit:

- Must be submitted utilizing the Electronic Permit System (EPS), and
- Must be signed by the property owner or an authorized representative.

The application forms and related documents for all permit types can be found and completed at: <https://www.in.gov/indot/2727.htm>

1.7 Permit Processing Time

The actual time needed to review and approve an application is dependent on:

- The completeness and correctness of your application,
- The scope of work, and
- The complexity of the proposed work.

The following time frames are provided for planning purposes only. The actual time it takes to process your permit will depend largely upon the above factors as well as INDOT's available resources.

Table 1.7(1) Standard INDOT Permit Review Time Frames

Permit Type	Review Time Frame (Planning)
Short Term Permits (Buried Utilities Miscellaneous, Pole Lines, Broadband Access, and Addendum)	30 Calendar Days
Long Term Permits (Buried Utilities, Miscellaneous, Pole Lines, and Broadband Access in <i>Limited Access ROW</i>)	90 Calendar Days
Private Drives	30 Calendar Days
Sub-Minor Commercial Driveway	90 Calendar Days
Minor Public Road Approach	90 Calendar Days
Major Public Road Approach	90 Calendar Days
Commercial Drives not in Limited Access ROW	90 Calendar Days
Commercial Drives in Limited Access ROW	280 Calendar Days
Billboards	30 Calendar Days
Railroads	30 Calendar Days

1.8 Waivers or Work Exempt from INDOT Permits

Exemptions to INDOT Permit Requirements Exist for:

- INDOT's own workforce completing work and operating within their contract limits;
- Consultants under contract with INDOT, operating within the scope of their agreements and a Notice to Proceed. If a Notice to Proceed has not been issued, then a permit is required; and
- Local public agency workforces with a delegation of a maintenance agreement operating within their jurisdictional boundaries and within the scope of their maintenance responsibilities.

1.9 Liability during Construction

The permittee assumes all liability resulting from the permit from the beginning of the permitted work until final approval of the completed work. The permittee is required to hold harmless the state for any and all injury, loss or damage occasioned to or by persons or property resulting directly or indirectly from such work (105 IAC 7-1-29).

1.10 Prohibited Hours of Work

Most permitted work should be completed during daylight hours. Permitted work must not be performed on the Indiana State highway right-of-way between sunset and sunrise, unless specifically allowed by special provision or unless the work is subject to a “nighttime only” requirement.

Without a written exception from INDOT, the permitted work will not be performed on the Indiana State highway right-of-way during the period beginning at 12:00 noon on the last weekday preceding and continuing until sunrise on the following: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving or Christmas (105 IAC 7-1-26).

In addition, the [“Interstate Highways Congestion Policy”](#) outlines times of day that are required for certain types of work on the interstate. Some of the work is limited exclusively to “nighttime only” work.

1.11 Term of Permit

All work on the highway right-of-way authorized by an INDOT permit must be completed within one (1) year after the permit is issued; otherwise, the permit will be cancelled unless an extension is requested, in writing, by the permittee, and is approved by the respective INDOT District Permit Manager. Once construction authorized by the permit is initiated it must be completed with 30 days, unless otherwise expressly approved as a special condition (105 IAC 7-1-28).

1 Year – term of permit

30 Days –to complete work once construction begins.

1.12 Display of Permit

The permittee must have the INDOT permit complete with drawing(s) and special provisions present on the job site at all times and be able to produce the INDOT permit, on demand, to any police officer or INDOT department employee (105 IAC 7-1-27).

1.13 Revocation of a Permit and Permit Inspections

An inspection **may** be conducted at any time by INDOT and a final inspection of the INDOT permit job site **must** be conducted when construction is complete. For the work to be considered compliant, the permitted work must be found (by INDOT) to be in accordance with the plans and specifications filed in the application as amended by INDOT, together with any special conditions noted and previously approved by INDOT.

The INDOT permittee must adjust or stop operations upon direction of any police officer or authorized INDOT department employee. The permit may be revoked at any time by INDOT for non-compliance with any or all provisions and conditions of the permit.

The permittee is required to pay INDOT for any inspection costs, including labor, vehicular mileage, and equipment expenses when it is necessary to assign an INDOT employee to inspect work. The permittee will be required to immediately reimburse INDOT upon receipt of an itemized statement (105 IAC 7-1-21). INDOT, at its discretion, may require the permittee to hire a prequalified third party inspector or project supervisor to oversee the permitted work project or inspection.

1.14 Definitions

The following terms, as used in this document, will have the following meanings unless the context indicates the contrary.

AASHTO: American Association of State Highway and Transportation Officials, which publishes documents in this manual, including *A Policy on Geometric Design* (Green Book).

Acceleration Lane: A speed-change lane, including tapered areas, for the purpose of enabling a vehicle entering the roadway to increase its speed to a rate at which it can more safely merge with through traffic.

Access: Entrance to or exit from land adjacent to a public road which allows vehicular or pedestrian traffic to cross the highway right-of-way line.

Access Rights: The right of ingress to and egress from a property that abuts a street or highway

Active Permits: Permits that have been reviewed and approved.

ADA: Americans with Disabilities Act.

Addendum: Any physical or usage change to a permitted facility contrary to that prescribed by the permit and plan.

Above Ground Occupancy Permit: A permit required for the installation of poles and/or aerial lines on the state right-of-way. This includes the placement of poles or lines in the rebuilding of an existing pole line and lines that cross over state right-of-way.

Adjacent: Work zones are “adjacent” to an intersection when they are located within 300 feet of the intersection measured from the curb point of curvature away from the intersection.

ADT: Average Daily Traffic. The total volume during a given time period (in whole days), greater than one day and less than a year, divided by the number of days in that time period.

Agreement: A contract between the Department and another entity which describes acceptable use of rights-of-way.

Airspace: The space located above or below the highway’s established grade line lying within the approved right-of-way limits.

Air Rights: Real property interests defined by agreement and conveyed by deed, lease, or permit for the use of airspace.

Applicant: The person, partnership, company, corporation, association or agency making application for a permit.

Application: A formally prepared request for a permit that is submitted via the Electronic Permit System to perform work on a highway right-of-way.

Application Form: A standard form of application which must be submitted through the departments Electronic Permitting System before a permit is issued.

Auxiliary Lane: The portion of the traveled way that is used to supplement through traffic movement.

Below Ground Occupancy Permit: required for any activity performed on State right-of-way including some form of excavation or grading.

Bond: A written obligation which binds the signatory to answer for the debt, default, or miscarriage of the terms of a permit.

Blanket Bond: It is a bond covering several persons, projects, or properties, providing coverage to the state if any of the work contracted in INDOT’s right-of-way is not completed adequately or is considered negligent.

Broadband Access Corridor Permit: The right, granted and governed by agreement, to install improvements on, below, or above State Property for the purposes of data transmission and related services as defined in the provisions of the applicant’s INDOT approved Broadband Access Agreement.

Broadband Access Permit: Permit for the installation of fiber infrastructure along Indiana highways for the purposes of data transmission and related services.

Business days: Monday through Friday excluding holidays observed by the State of Indiana.

Cancellation Date: The date by which a permit application is terminated.

Complied Date: Permits that have been completed, all work inspected, and released.

Categorical Exclusion (C.E.): Refer to Programmatic Categorical Exclusion.

Central Business District: An area characterized by considerable commercial and retail businesses, banks, and churches, with sidewalks and concentrated pedestrian activity, curb and gutter, speed limits 35 MPH and below, and sometimes on-street parking.

Clear Zone: The total roadside border area starting at the edge of the traveled way, available for safe use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a non-recoverable slope, or the area at the toe of a non-recoverable slope available by an errant vehicle.

Commercial Driveway: Any private entrance, exit, ramp, tunnel, bridge, side road or other vehicular passageway to any property used for commercial purposes, 20 feet or larger (one way), or 24 feet or larger (two way), except a farm or dwelling house not exceeding a four-family capacity, and leading to or from any public road on the State highway system.

Commissioner: The Commissioner of INDOT.

Conceptual Review: A preliminary review of a site or proposed development for initial comment and discussion on access location and design considerations.

Conditional Exemptions: An exemption dependent on certain conditions or circumstances, granted to an entity by the state, to an existing policy.

Conforming Sign: A sign that meets the current criteria or standards according to all state and federal highway rules and regulations.

Controlled Access: A highway where pedestrians or animals are prevented from entering the roadway with fencing.

Control Routes: Consist of the Interstate System, federal-aid primary system, National Highway System or Intermodal Connector Highway.

Deceleration Lane: A speed-change lane, including tapered areas, for the purpose of enabling a vehicle that is making an exit turn from a roadway to slow to a safe turning speed after it has left the mainstream of faster-moving traffic. It denotes a right turn lane or a left turn lane into a development.

Department or DOT: The Indiana Department of Transportation (INDOT).

Department Plan: INDOT's current plans that are based on plans at the time of contract letting together with any subsequent changes in access control in conformance with applicable laws and regulations.

Design Policies: The proper design of driveways involves a number of design elements. Due to the complexity of the interaction between these design elements, exact design criteria cannot

be specified for every possible situation. Therefore, design guidelines are included to assist the designer.

District Permit Manager: The authorized agent of the Commissioner in matters pertaining to permits.

Driveway: A way or place not on INDOT's right-of-way that is used for vehicles to access property.

Driveway Width: The narrowest width of a driveway measured perpendicular to the centerline of the driveway, from edge of pavement to edge of pavement or edge of gutter to edge of gutter.

Emergency: When a break in a conduit, cable, pipeline or any other existing structure over or under the pavement presents a definite public hazard or serious interruption of service.

Entity: Any organization, business, or governmental body.

Encroachment: The use of state rights-of-way by anyone other than Department personnel or authorized agents for any specific purpose other than that generally intended.

Excessive Violations: A recurrence of the same violation within a thirty-day period.

Expiration Date: The last calendar day that the valid permit is in effect.

FHWA: Federal Highway Administration.

Field Approach: An approach that joins the highway with a driveway to private property that is vacant, in an unimproved condition, or a farm field.

Highway: Any roadway under the jurisdiction of INDOT that is designated as a state route, a U.S. route, or an interstate.

Inspection: The act of observing work performed within the right-of-way. Inspection/observation includes inspection of anything located within the public right of way.

Intersection Sight Distance: As used in this document, sight distance refers to intersection sight distance, which is the distance that can be seen along the main roadway by the driver of a vehicle on the driveway. The distance is measured based on an eye height of 3.5 feet and an object height of 3.5 feet. Sight Distance should be determined to provide adequate time for an entering vehicle to accelerate to within 10 mph of posted speed limit, prior to being overtaken by approaching vehicles. (Refer to AASHTO, Green book.)

Interstate Highway: A highway, road, street, access facility, bridge, or overpass which is designated as a portion of the National System of Interstate and Defense Highways as established by law or designated by the Indiana Department of Highways and the U.S. Department of Transportation, Federal Highway Administration (FHWA).

Island: A device used to separate or direct traffic in order to facilitate the safe and orderly movement of vehicles. An island may be a raised area that provides a physical barrier to channel traffic movements or a painted area.

Issue Date: A calendar day that the permit is granted to the applicant.

ITE: Institute of Transportation Engineers.

Jurisdiction: Any organization, business, or governmental body.

Limited Access: A highway where it is especially designed for through traffic and over, from, or to which owners or occupants of abutting land or other persons have no right or easement or only a limited right or easement of direct access.

Major Commercial Driveway Permit: This type of approach connects the highway to the private property used for commercial purposes or to a public property which attracts enough traffic to require auxiliary lane(s), as determined by INDOT. The location for this type can be in either an urban or rural area. It can also be designated as either a Class III or IV driveway approach.

Major Public Road Approach: This type of approach connects the highway to public right-of-way in the form of a city street or county road and attracts enough traffic to require auxiliary lane(s), as determined by INDOT.

Median: The portion of a divided highway separating the traveled way for traffic proceeding in opposite directions.

Median Crossover: An opening constructed in the median strip of a divided highway designed to allow traffic movements to cross from one side of the highway to the other. In some cases, the Traffic Engineer may require the design to be such that some movements are physically prohibited.

Milepost: The small green and white signs located along state routes numbered in sequence, approximately one mile apart, usually running from south to north or from west to east. All proposed developments are referenced to the nearest milepost at one-tenth mile increments.

Minor Commercial Driveway Permit: This type of approach connects the highway to private property used for commercial purposes, or to a public property, and which does not attract sufficient traffic to warrant an auxiliary lane(s), as determined by INDOT. The location for this type can be in either an urban or a rural area. It can also be designated as either a Class III or IV driveway approach (See Section 4 in the Driveway Permit Manual for details.)

Minor Public Road Approach: This type of approach connects the highway to public right-of-way in the form of a city street or county roadway and does not attract enough traffic to require auxiliary lane(s), as determined by INDOT.

Miscellaneous Permits: Permits for various activities on INDOT controlled right-of-way that do not permanently alter the roadway, right-of-way, or supporting appurtenances. This type of permit is used for such activities as temporary banners announcing community events, or temporary lane or road closures with no disturbance to the road or right-of-way.

Mitigation: The partial reduction of the loss of green space by replanting, ground restoration and stabilization, fees for the appraised value of removed vegetation that cannot be replaced, and punitive fees for unauthorized removal of vegetation from the disturbed area. Removal of vegetation within buffers of state waters is not allowed.

Moratorium: A suspension or authorized period to delay permitted work activities.

MUTCD: The Manual on Uniform Traffic Control Devices. (Current Edition.)

Non-Commercial Driveway: A driveway serving a school, government building, church, hospital or other non-commercial organization inviting public use. Design guidelines relating to commercial driveways will be applicable to driveways serving these land uses.

Nonconforming Sign: A sign which was lawfully erected but does not comply with the provisions of state law or state regulations passed at a later date or later fails to comply with state law or state regulations due to changed conditions.

Notice to Start Work: Call to the respective District Permit Office five (5) business days before starting work in right-of-way.

Occupancy Permit: Refer to Right-of-Way permit.

Outdoor Advertising Control/Billboard Permits: A required permit from the Indiana Department of Transportation in order to erect or maintain any outdoor advertising Sign, display or device, intended to be read from the traveled way.

Parking Area: A place set apart from the travel way and used for the purpose of parking vehicles.

PCMS: Portable Changing Message Board/Sign.

Performance Bond: An insurance policy required on construction projects that covers 100 percent of the project costs. If the contractor does not perform the work it contracted to do, the insurance company will either hire someone else to complete the job or will pay off the resulting damages, up to policy limits. Typically, this is a one time permit bond, that only covers one permitted project.

Permit: A legal document issued by INDOT authorizing an applicant to do specific work on state right-of-way.

Permittee: The applicant (i.e. person, agency, public utility, municipality or company) to whom a permit is issued.

Permit Investigator: An investigator assigned to a INDOT Area Office, with the responsibility of working with the applicant or the applicant's contractor while actual construction is ongoing to ensure construction is in compliance with INDOT's policies, regulations, and standards as stated on the approved permit plans.

Private Driveway Permit: This type of access connects the highway to private property having a residence, barn, or private garage, in improved or unimproved condition, used by the owner or

occupant of the premises, guests, and necessary service vehicles. The location for this type of driveway can be in either an urban or a rural area. Private driveways can also be used as farm field entrances when accessing unimproved land. It can also be designated as either a Class I, II, or V driveway approach. (See Section 4 in the Driveway Permit Manual for details.)

Programmatic Categorical Exclusion (PCE): An environmental document required by the Federal Highway Administration on any permits that will not induce any significant impacts to planned growth, land use, natural, cultural, recreational, or historical sites. This document will also be required for areas that will not involve significant impacts to air, noise, or water quality.

Railroad Permit: Railroad permits are used by railroad companies when they close the road to do work on the railroad. (Railroad permits are submitted through EPS and directed to the Utility and Rails Division for review and approval.)

Residential Driveway: Any private passageway to any property used for dwelling purposes. However, if a driveway provides access for more than four dwelling units, it will be considered a commercial driveway. Any private access connecting property zoned and used for a residential dwelling. Residential driveways may connect to a public street, roadway, or state route. These driveways may vary from 14 feet to a maximum of 20 feet for two way residential traffic. Driveways providing access to more than four dwelling lots will be considered commercial access and must comply with commercial design requirements.

Real Property: Land and any improvements thereto, including but not limited to, fee interests, easements, air or access rights, and the rights to control use, leasehold, and leased fee interests.

Revocation: The cancellation of the permit.

Roadway: The portion of a highway, including shoulders, for vehicle use.

Right-of-Way (ROW): All land under the jurisdiction of, and whose use is controlled by INDOT.

Right-of-Way Line: A line that defines the limits of the ROW of a public road as it relates to adjacent property.

Right-of-Way Permit: Any work or activity conducted in the right-of-way controlled by the Indiana Department of Transportation (INDOT) that creates a permanent change other than a driveway installation requires an Above Ground Occupancy Permit or a Below Ground Occupancy Permit. This does not apply to contractors working for INDOT or work covered by a legal agreement between INDOT and another entity.

Scenic Byway: Any designated highway, street, road, or route which significantly features certain intrinsic qualities that should be protected or enhanced. Intrinsic qualities are the resources present along a byway that define its character, interest, and appeal. There are six types of intrinsic qualities: scenic, historic, natural, cultural, archeological, and recreational. Intrinsic qualities should be within the view shed of the byway and must relate or contribute to the distinctive character of the region.

Shoulder: Part of the highway right-of-way contiguous with the traveled way for accommodation of stopped vehicles, emergency use, and lateral support of roadway base and surface courses.

Sidewalk: A pathway dedicated within INDOT's right-of-way for the exclusive travel of pedestrians, bicycles and the like. This may consist of a pathway constructed of concrete, asphalt, or compacted gravel.

Sight Distance: The length of roadway visible to the driver of a vehicle at a given point on the roadway when the view is unobstructed.

State Highway System: A system of highways which includes State primary highways, State secondary highways, State special service highways, and all highways in the interstate highway system, pursuant to the General Statutes of Indiana as revised.

Stopping Sight Distance: The sum of two distances: the distance traversed by the vehicle from the instant the driver sights an object necessitating a stop to the instant the brakes are applied and the distance required to stop the vehicle from the instant brake application begins. (A Policy on Geometric Design of Highways and Streets, {"AASHTO Green Book"}, 2011, 3.2.2). Stopping sight distance is measured based on an eye height of 3.5 feet and an object height of 3.5 feet (AASHTO Green Book, 2011, 3.2.6.), or calculated based on future conditions.

Sub minor Commercial Driveway Permit: This permit allows approaches that connect the highway to private property used for commercial purposes, and which does not attract more than 25 vehicles per day, as determined by INDOT. The location of this type can be in either an urban or rural area. It can also be designated as either a Class I, II, III or IV driveway approach (See Section 4 for approach class descriptions.)

TCP: Traffic Control Plan.

Traffic: Pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any highway for purposes of travel.

Traffic Control: Means devices, such as, signs, barricades, pavement markings, and signalization used to direct traffic in a safe orderly use of the highway.

Traffic Impact Analysis Study: A specialized study of the impact a given type and size of new land use has or will have on a nearby public transportation system, that is prepared by or under the supervision of a registered professional engineer with experience in traffic engineering operations.

Traffic Restrictions: Any reduction to the normal flow of vehicular or pedestrian signalization traffic in the public right of way or any reduction of vehicular or pedestrian access to the public right-of-way, including any act or item that causes said reductions.

Traveled Way: The portion of the roadway used for the movement of traffic, exclusive of shoulders and auxiliary lanes.

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Utility: All privately, publicly or cooperatively owned water distribution and sanitary sewer facilities and systems for producing, transmitting or distributing telephonic communication, power, electricity, light, heat, gas, oil, crude products, steam, waste and storm water not connected with highway drainage, including river gages, fire and police signals, traffic control devices, and street lighting systems, which directly or indirectly serve the public or any part thereof. The term “utility” may also be used to refer to the owner of any above described utility or utility facility.

Utility Driveways: Drive for access to utility sites such as water tanks, water meters, sewer lift stations, telephone service cabinets, power substations or gas regulator sites.

Utility Facility: The term will include but is not limited to, any and all poles, wires, guys, anchors, buried cable, conduit, pedestals, pipe lines, hydrants, valve boxes, manholes, casings, river gages and related fixtures authorized in the permit or agreement.

Work Days: Monday through Friday excluding holidays observed by the State of Indiana.

Weekdays: The days of the week starting at 6 am Monday and ending at 10 pm Friday.

Weekends: The days of the week starting at 10 pm Friday and ending at 6 am on Monday.

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2.0 General Permit Requirements & Resources

2.1 Section Overview

The INDOT Permit Department utilizes various manuals, documents, and computer applications. This section is intended to introduce these various resources, provide a brief discussion of the resource contents, and to provide an understanding of the navigation of these resources and their applications.

2.2 Basic Permit Requirements

Most permits should include the following:

- Appropriate Type of Permit Application submitted via EPS
- Fee paid by credit or debit card (unless waiver completed by a school, church, local government, etc.)
- Blanket bond or performance bond sufficient enough to cover scope of work (unless waiver completed by a school, church, local government, etc.)
- Plans of sufficient detail to make a determination of proposed work following INDOT standards, policy or guidelines.
- Traffic Control (also known as Maintenance of Traffic or Work Zone Set Up)
- Other forms as needed – i.e. additional disclosure, consultant consent form, maintenance agreement, warranty deed, and 20 year title search for driveway permits etc.

2.3 INDOT Manuals, Policies, & Guidelines

All INDOT standards and rules must be followed on all permits. These include the following manuals, policies, and guidelines:

- [Indiana Design Manual](#)
- [Memo updates to the Indiana Design Manual](#)
- [Standard Specifications](#)
- [Utility Accommodation Policy](#)
- [Broadband Guidelines](#)
- [Driveway Manual](#)
- [INDOT Standard Drawings](#)

- [INDOT Access Management Guide](#)
- [Indiana Code](#)
- [INDOT Hydraulics](#)
- [Outdoor Advertising Control Manual](#)
- [Indiana Manual on Uniform Traffic Control Devices \(IMUTCD\)](#)
- [Interstate Highways Congestion Policy](#)

In some instances, the AASHTO Green Book standards may be used with approval of District Design personnel.

2.4 INDOT Permits Website

The INDOT Permits website <https://www.in.gov/indot/2727.htm> provides general permit information and access to common resources. Some of the topics and information that can be found on the website include:

- Applying for a permit via the Electronic Permit Systems (EPS),
- Permit Types and Definitions,
- INDOT Permit Forms,
- Permit Fees, and
- Links to Maps, Handbooks, Checklists, and Manuals.

2.5 Activities and Maintenance

For circumstances when [maintenance agreements](#) are needed as part of a permit, a legal request form, to be completed by INDOT Permits staff, can be obtained from the INDOT District Attorney.

[Ops Memo 10-03 Maintenance of County Road and City Street Separated Crossings](#)

[Ops Memo 17-03 Maintenance Responsibilities for Drainage on State Highway System in Cities and Towns](#)

2.6 Traffic Control

A specific traffic control plan or a work zone set up must:

- be uploaded to each permit, and

- followed as work is performed,
- unless all work will be done exclusively outside of roadway and shoulder areas.

This is to ensure a safe environment for crews, motorists and pedestrians while work is being performed in state right-of-way. This traffic control is required for all permits unless equipment or crews will not be using a shoulder, lane, intersection, etc. and working from private property or a grassy right-of-way area such as a median.

Work Zone Traffic Control Guidelines:

<https://www.in.gov/indot/files/WorkZoneTCH.pdf>

Indiana Manual on Uniform Traffic Control Devices (IMUTCD):

<https://www.in.gov/dot/div/contracts/design/mutcd/mutcd.html>

Section 801 Traffic Control Lane Closures (TCLC) Standard Specifications:

<https://www.in.gov/dot/div/contracts/standards/drawings/sep18/e/800e/e800%20combined%20pdfs/E801-TCLC.pdf>

2.7 Excavation, Backfilling, Surface Restoration

Permits which will disturb the surface or involve excavation must adhere to the excavation and backfilling requirements of the 2018 INDOT Standard Specifications.

Excavation and backfilling-see section 200 in the INDOT Standard Specifications:

<https://www.in.gov/dot/div/contracts/standards/book/sep17/2018Master.pdf>

Excavation and Backfilling section is covered in INDOT Standard Drawings Section 715 BKFL-01-10:

<https://www.in.gov/dot/div/contracts/standards/drawings/sep18/e/700e/e700%20combined%20pdfs/E715-BKFL.pdf>

2.8 Environmental Requirements

The following environmental considerations and erosion control standards are important to consider during permit develop, review, and inspections.

Storm Water Management Field Guide:

<https://www.in.gov/indot/files/Indiana Storm Water Field Guide.pdf>

2018 Indiana Design Manual Chapter 205 Temporary Erosion and Sediment Control:

https://www.in.gov/indot/design_manual/files/Ch205_2013.pdf

Temporary Erosion and Sediment Control-Section 205 in the INDOT Standard Specifications:

<https://www.in.gov/dot/div/contracts/standards/book/sep17/2018Master.pdf>

<https://www.in.gov/dot/div/contracts/standards/drawings/sep18/e/sep1to3.htm>

INDOT's Environmental Website:

<https://www.in.gov/indot/2675.htm>

For more information on wildlife and endangered species as it relates to tree trimming and vegetation click on the link below:

U.S. Fish & Wildlife Endangered Species:

<https://www.fws.gov/midwest/endangered/>

2.9 Real Estate

An environmental review and approval by INDOT's Real Estate Division is required before any real estate transactions take place on the dedication of property or limited access right-of-way breaks.

2018 INDOT Real Estate Division Manual:

Chapter 5 of the 2018 Real Estate Division Manual discusses real estate buying procedures in more detail: <https://www.in.gov/indot/2493.htm>.

INDOT Research and Archive Request:

If a request for historical constructions plans or right-of-way information is needed, a request can be submitted by completing the INDOT Research and Archive Request Form via:

<https://entapps.indot.in.gov/OPSM/Dashboard/UserRequest>.

2.10 As-Built Plans

As-built plans will be required for all Broadband permits once the Broadband Policy has been finalized. In addition, As-built plans may be required for commercial drives and emergency permits at INDOT's request.

As-built plans should show the exact location and elevation (more commonly known as X, Y, and Z coordinates) on both plan and profile within ninety (90) days of completion of construction. This will be required to be submitted both in hard copies and electronically in a format compatible with INDOT GIS standards. INDOT reserves the right to use the bond to have “as-built” drawings created. As-built plans may be required on other permits on an as needed basis to determine exact locations of new and existing lines to verify any conflicts.

2.11 Moratoriums

INDOT reserves the right to place moratoriums on any permit type, without notice, as deemed necessary by INDOT Executive Staff.

2.12 Retention of Permit Records

Pursuant to the General Records Retention and Disposition Schedule for all State of Indiana Administrative Agencies, permits that have been granted for driveways, Occupany (below ground), Occupany (above ground), broadband, and miscellaneous files are to be destroyed ten (10) years after the permit has been complied, and after receipt of State Board of Accounts Audit Report and Satisfaction of unsettled charges.

2.13 Title VI Requirements

INDOT values each individual’s civil rights and wishes to provide equal opportunity and equitable service for the citizens of this state. As a recipient of federal funds, INDOT is required to conform to Title VI of the Civil Rights Act of 1964 (Title VI) and all related statutes, regulations, and directives, which provide that no person will be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation (DOT) on the grounds of race, color or national origin.

Pursuant to Title VI, INDOT is required to include certain nondiscrimination language and assurances into its agreements, which includes permits and it is INDOT’s responsibility to ensure the assurances of nondiscrimination are properly included and executed as part of permits issued.

Also See 23 CFR 200: <https://www.fhwa.dot.gov/legregs/directives/fapg/cfr0200.htm>

Title VI Permittee Assurances

The permittee for himself, his heirs, personal representatives, successors in interest, and assigns, as part of the consideration hereof, does hereby covenant and agree that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this permit for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the permittee will maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said regulations may be amended. That in the event of breach of any of the above nondiscrimination covenants, INDOT will have the right to terminate the permit and to re-enter and repossess said land and the facilities thereon, then hold the same as if said permit had never been made or issued.

2.14 Americans with Disabilities Act Requirements

Technical Assistance with Accessibility Requirements:

INDOT's ADA Technical Advisory Committee (TAC) can provide technical assistance to assist Permit managers in implementing ADA requirements appropriately. The TAC can be reached by email at: ADA@indot.in.gov. Driveway crossings and permits impacting sidewalks, curb ramps and pedestrian signals are likely to result in accessibility challenges during and after construction. Even a temporary sidewalk closure may result in an accessibility violation if no alternative accessible route is provided. Technical Service Directors (TSDs) in each district are responsible for maintaining our ADA Asset Inventory and may also provide district-level technical assistance.

ADA Compliance for Sidewalk, Curb Ramps, Blended Transitions and Pedestrian Facilities:

[General Instructions to Field Employees \(GIFE\) section 22](#)

[Operations Memorandum 14-01 Accessible Pedestrian Signals \(APS\) Studies](#)

2.15 Inactive Facilities

Inactive facilities fall into two categories.

1. Facilities that are no longer in use and will be restored to service are called out of service facilities.

2. Facilities that are no longer in use and will not be restored to service are called retired in place facilities. Retired in place facilities remain the responsibility of the facility owner until such are removed from the State highway right-of-way.

INDOT does not allow a permit holder to absolve themselves of accountability and responsibility for their facilities by abandoning those facilities on public property. The permit holder must maintain accurate, complete and understandable records of all inactive facilities.

INDOT prefers that underground facilities that are out of service be removed from the right-of-way when reasonable. The permit holder will remove underground out of service facilities that may impair the safety or integrity of the highway or adversely impact the environment. A fiber company must remove all above ground inactive facilities within 60 calendar days of the facility becoming inactive.

The permit holder may remove underground out of service facilities provided that such removal does not impair the safety or integrity of the highway or adversely impact the environment.

2.16 Access Control

INDOT has the authority to control and regulate access to all highways under its jurisdiction. Access control is used to limit the degree of interference with vehicular traffic from other vehicles or pedestrians which are entering, exiting or crossing the highway. The level of access control determines the type and extent of utility facility installations that are allowed on public right-of-way. Contact the appropriate INDOT District to obtain information on the type of access control in effect for a specific location. The access control line is normally but not always at the same location as the right-of-way line.

There are three categories of access control:

1. **Non-Limited Access.** INDOT has the authority to regulate the location and details of access, but INDOT has not purchased access control rights from adjoining properties. This type is typical of most highways with frequent driveways and intersections.
2. **Partial Limited Access.** INDOT has declared or purchased access control rights from adjoining property owners. Access is controlled to give preference to vehicular traffic, but there may still be some intersecting streets at grade and some driveway connections. This type is typical of many divided highways with some intersections and driveways.
3. **Full Limited Access.** INDOT has declared or purchased access control rights from adjoining property owners. Access is controlled to give priority to mainline vehicular traffic by providing access to vehicles and pedestrians only from

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selected public roads, by prohibiting crossings at grade and by prohibiting driveway connections. This level is typical of interstate highways and some divided highways.

If a Partial or Full Limitation of access exists, the facility is known as a limited access facility:

Limited Access Facility: A highway or street designed for through traffic, over, from, or to which owners or occupiers of abutting land or other persons have either no right or easement, or a limited right or easement of direct access, light, air or view because their property abuts upon the limited access facility or for any other reason. The highways or streets may be parkways from which trucks, buses, or other commercial vehicles are excluded, or freeways open to use by all customary forms of highway or street traffic.

INDOT has authority to Limit Access to its roadways under Indiana Law:

[Indiana Code 8-23-8-1](#), Planning, construction, maintenance, and regulation

INDOT and the highway authorities of the counties and municipalities, acting alone or in cooperation with each other or any federal agency, or state or local agency of another state having authority to participate in the construction and maintenance of highways, may plan, designate, establish, regulate, vacate, alter, improve, maintain, and provide limited access facilities for public use on all or any part of a highway whenever the department or authority that has jurisdiction over the highway determines that traffic conditions, present or future, will justify the facilities. The department or a highway authority that has jurisdiction over a highway may regulate, restrict, or prohibit the use of limited access facilities on that highway by various classes of vehicles or traffic.

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3.0 Permit Application Provisions

3.1 General Right-of-Way Permit Provisions

1. **Applicability of Permit Guide:** The permittee will follow all guidelines, policies and procedures in the Permit Guide.
2. **Inspection and Stop Operations Orders:** All work described in the permit will be subject to the inspection of the Department of Transportation and the permittee will adjust or stop operations upon direction of any police officer or Department of Transportation employee.
3. **Permit Rescission:** The permit may be rescinded at any time by the Department of Transportation at its discretion or for noncompliance with any provisions of the permit or the Permit Guide.
4. **Notice Prior to Commencing Work:** The permittee will notify the Department of Transportation District by and through the assigned Permit Investigator, five (5) working days preceding the beginning of any work activity.
5. **Contact information:** The permittee will provide a list of names and contact numbers for its representatives who may be contacted on a 24-hour basis related to the permitted work.
6. **Notice of Completion of Work:**
The permittee will notify the Department of Transportation District that the work is complete. This notice is to be provided within seven (7) days from completion of all work on this permit.

The 5/7 Notice Rules:

5 Working Days' Notice is required *prior* to permit work;

7 Calendar Days' Notice is required *upon* work completion.
7. **Complete Permit in Possession & Available for Inspection:** The permittee will have the permit complete with drawings and additional special provisions in their possession during work operations and will show the permit on demand, to any police officer or authorized Department of Transportation employee.

8. **Permittee to Pay INDOT Inspection Costs:** The permittee will pay the Department of Transportation for any inspection costs where it is necessary to assign a Department of Transportation employee to inspect the work. The permittee will immediately reimburse the State upon receipt of an itemized statement.
9. **Permit Valid through Expiration Date:** The permit is valid through the stated expiration date. If work is not completed within the allotted time, the permit is automatically canceled unless an extension is requested prior to the expiration date and said request is approved by the Department of Transportation. If a permit is canceled, a new application must be submitted and approved before the proposed work can be accomplished.
10. **Permittee Compliance with IMUTCD / MUTCD:** The permittee will erect and maintain all necessary signs, barricades, detour signs, and warning devices required to safely direct traffic over or around the part of the highway where permitted operations are to be done so long as the work does not interfere with traffic, in accordance with Section “VI” of the Indiana Manual on Uniform Traffic Control Devices.

The permittee will at all times adhere to the traffic control measures found in the most recent version of the Indiana Manual on Uniform Traffic Control Devices, as then-currently adopted by the Department of Transportation. All trenches, excavation and any other installation activities must be closed or properly barricaded when work is not in progress.

Traffic must be maintained at all times as set out in the Indiana Department of Highways Uniform Traffic Control Manual and as shown in the permit drawings. Driving lanes must not be closed when work is not in progress unless noted otherwise (u.n.o.) in the permit. The permittee will provide, erect and maintain all necessary signs and barricades for any proposed detour or road closure that is included in this permit.

11. **Conforming Construction Requirements & Workmanship Requirements:** All construction and materials used within the highway right-of-way must conform to the current Department of Transportation “Standard Specifications” with the permittee being considered in the same status as the contractor. All work will be completed in a reasonable and respectable manner using principles of good workmanship.

The permittee will construct and maintain the Site pursuant to the Department of Transportation’s Standard Specifications in order to protect the highway’s safety, structural integrity and appearance. The permittee will cause no unreasonable interference with highway use.

12. **Property Damages and Operational Interference:** The permitted operations will not interfere with any existing structure on the Department of Transportation right-of-way without specific permission in writing from the Department of Transportation. In the event that any buildings, railings, traffic control devices, or other structures are damaged, the cost to repair any damage or replace any structure will be borne by the permittee.
13. **Implicit Permission and Conflict of Laws:** Approval of the permit application will be subject to the permittee obtaining all necessary authorizations from federal, state and local authorities and complying with all applicable laws, rules and regulations. The issuance of the permit will in no way imply Department of Transportation approval of, or be intended to influence any action pending before a federal, state or local board, commission, or agency. Failure to comply may result in revocation of the permit.
14. **Operating Hours & Holidays:** The permitted operations will be allowed on state highway right-of-way only between sunrise and sunset unless specifically allowed by an additional special provision to the permit. No work may be performed during the period beginning at 12:00 noon on the last weekday preceding and continuing until sunrise on the following: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas in accordance with 105 IAC 7-1-26.
15. **No work during inclement weather:** No work will be conducted or done during inclement weather or when snow fall is predicted or snow removal equipment is present on the roadway.
16. **Equipment must not be stored on State right-of-way** when work is not in progress. Aggregates and excavated materials must not be stored on or loaded from existing shoulders and pavements. Highway pavements must be kept clean and free of debris at all times.
17. **Maintenance of Traffic Plans:** The permittee will adhere to the Maintenance of Traffic (MOT) plan during construction if such activities require lane closures or traffic restrictions. Traffic will not be permitted to pass directly beneath personnel or equipment working over any travel lanes. Traffic stoppage during an overhead operation will not exceed 10 minutes at one time, u.n.o. There will be enough time between consecutive stoppages to permit traffic to return to normal flow.
18. **INDOT Interstate Highways Congestion Policy:** Any and all work and operations allowed in this permit that are on an Indiana Interstate Highway will strictly follow the 2017 INDOT Interstate Highways Congestion Policy. If the permit is for work on the Indiana Interstate Highways System, then the work must be pre-approved and carried out as per

the 2017 INDOT Interstate Highways Congestion Policy and the attached specific IHCP exception request approval letter and traffic control plan (if applicable).

19. **Notice to INDOT immediately upon reopening the highway:** The permittee will notify INDOT immediately upon re-opening the highway. Call the District Permit Supervisor Permit Administrative Assistant, to give notice.
20. **Utility Location Required by Permittee:** All existing utilities and other underground facilities such as traffic signal appurtenances must be located prior to commencing evacuation. All Indiana Department of Transportation equipment in the State right-of-way, such as underground conduits and signal control devices, must be located prior to the start of work. Contact the District Signal Supervisor at least five (5) business days in advance before work begins. If highway signal equipment is damaged or removed in any manner, it must be repaired or replaced by a pre-qualified signal contractor at the permittee's expense.
21. **RSS Sign Protection:** The permittee will protect all Road Reference System (RRS) signs. The location of the signs (4 inches X 12 inches blue) will be referenced before they are temporarily relocated to allow the permitted work. The signs will be reset in the original location or as directed by INDOT.
22. **Traffic Control Interference:** The permittee will not disturb nor manipulate any existing traffic control devices. Any damages to a traffic control device will be required to be fixed immediately at the permittee's expense by a State prequalified contractor. Contact the Signal Technician at the appropriate District Office five (5) days prior to doing work in the right-of-way that will affect any existing traffic control devices.
23. **Grade Restoration by Permittee:** All disturbed areas will be fine graded and mulch seeded to the appropriate INDOT standards. Excavation of materials and restoration of existing grades and profiles will maintain and perpetuate existing drainage patterns and the State right-of-way must be restored to the original or better condition on or before the expiration date of the permit. Any and all existing drainage structures will be protected and maintained during the course of the permit.
24. **Pavement Protection:** The permittee will at all times protect the pavement surface and right-of-way from damage due to the use of heavy equipment, and will provide and use approved pads, planks or dirt cushion to protect against other damage. Immediately before any section of the highway is to be placed back in use for traffic, the permittee will remove all excess dirt and sweep the pavement surface to eliminate unnecessary dust hazards.

25. **Permittee responsible for pavement damage:** Any damage to existing asphalt or concrete pavements, pavement markings, shoulders or right-of-way facilities created by any work or installation operation will be repaired at the permittee's expense to INDOT standards.
26. **Driveway, Culvert and Pedestrian Facility Liability:** The permittee will be responsible for the proper replacement of any driveways, driveway pipes or sidewalks that are disturbed during the permit work.
27. **No unauthorized obstruction of drainage:** Drainage on shoulders, ditches, or otherwise on the right-of-way will not be obstructed. Appropriate control measures will be followed to protect the right-of-way from erosion.
28. **Conformance with Transportation Utility Accommodation Policy:** All permits will conform to the current Department of Transportation Utility Accommodation Policy, with the exception of Broadband and Outdoor Advertising Control.
29. **Restoration of Right-of-way:** Within seven (7) days after a new installation or repair to an existing installation is performed, all excess dirt or obstructions caused by the installation or repair must be removed and the area must be restored to a condition by the permittee so as not to interfere with mowing the highway right-of-way.
30. **Compliance of Work with work plan:** Work will be performed in accordance with the plans attached to the permit. The installation or removal of any specialized items/construction that will be allowed within the permit will be installed/removed as defined and described in the Project Description and Purpose of the permit along with all plans and specifications that were provided by the Permittee.
31. **Permittee Responsible for maintenance costs and repairs:** If at any time in the future, this installation should become damaged due to normal maintenance or roadwork by the Department of Transportation, the permittee will be responsible for all repairs and cost of repairs that may arise from such damage.
32. **Placement of Poles & Pole Lines by Permittee:** Any poles installed under a permit, including brace poles and guy poles should be placed within 1 ½ feet of the right-of-way line. Exceptions to this placement policy will be granted only for special conditions and must be explained in the application.

Any pole line installed under a permit will comply with all regulations outlined in the National Electrical Safety Code, and any other handbook issued by the Department of

Commerce Bureau of Standards, which refers to the installation and maintenance of communications lines.

33. **Unauthorized Tree Trimming Prohibited:** No trees or plants on the right-of-way of any interstate, federal highway, or state highway will be trimmed or removed without an approved Permit from INDOT.
34. **Interference with Existing Poles and Pole Lines Prohibited:** Work performed under a permit will not interfere in any way with any pole line or other existing structure along or across the interstate, federal highway, or state highway.
35. **Conditions for work on Sodded Areas:** Work within the sodded areas of the right-of-way is not to be performed during wet periods. Any damage to the sodded areas of the right-of-way must be repaired and properly seeded.
36. **One-year / 30-day Limitations for Permitted Work:** All work on highway right-of-way authorized by a permit must be completed within one (1) year after the permit is issued. Once construction authorized by the permit is initiated it must be completed within 30 days, unless otherwise expressly approved as a special condition.
37. **Coordination of Relocation Required:** Relocation, alteration, or addition of appurtenances, necessitated by a permit must be coordinated with INDOT and any and all third parties affected prior to any activities occurring within the right-of-way.
38. **Manhole, hand hole & Vault Cover Placement and Elevation Requirements:** The top elevation of all manholes, hand holes & vaults will be held to ground or road surface level. Placement of Manholes, hand holes and vaults will not unnecessarily obstruct pedestrian routes and will not be placed within curb ramps unless an exception is granted.
39. **Nondiscrimination Assurances Required:** The permittee for itself, its heirs, personal representatives, successors in interest, and assigns, as part of the consideration hereof, does hereby covenant and agree that in the event facilities are constructed, maintained, or otherwise operated on the property described in a permit for a purpose for which a INDOT program or activity is extended or for another purpose involving the provisions of similar services or benefits, the permittee will maintain and operate the facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, office of the Secretary, Part 21 Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation

and Review Procedures, and as said Regulations may be amended. In the event of breach of any of the above nondiscrimination covenants, INDOT will have the right to terminate the permit and to re-enter and repossess the land and the facilities thereon, and hold the same as if the permit had never been made or issued.

The permittee for itself, its personal representatives, successors in interest, and assigns, as part of the consideration hereof, does hereby covenant and agree that (1) no person on the ground of race, color, national origin, sex, sexual orientation, gender identity, age, disability, religion, income status or limited English proficiency will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination in the use of the facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of race, color, national origin, sex, sexual orientation, gender identity, age, disability, religion, income status or limited English proficiency will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the permittee will use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations.

Department of Transportation, Subtitle A, office of the Secretary, Part 21

Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as the Regulations may be amended. That in the event of breach of any of the above nondiscrimination covenants, INDOT will have the right to terminate the permit and to re-enter and repossess the land and the facilities thereon, and hold the same as if the permit had never made or issued.

- 40. Indemnification of INDOT Required:** The permittee agrees to indemnify, defend, save and hold harmless INDOT, the State of Indiana, and their officers, employees, agents, representatives, successors and assigns from all claims (including costs and expenses of defending against such claims, including attorney's fees) arising from any act or omission of the permittee or the permittee's agents, employees or contractors relating to a permit or breach of any provision of a permit by the permittee or the permittee's agents, employees or contractors. Indemnification will not be limited by reason of any insurance coverage. Neither INDOT nor the State will provide indemnification to the permittee. The permittee understands and agrees that the obligations in the general provisions survive expiration or termination of the permit.

Objections to the conditions, provision or terms of a permit as granted:

In accordance with the notice requirements of Indiana Code 4-21.5, any objection to the conditions and provisions of an approved permit must be submitted in writing to INDOT within 15 days from the issue date.

Revocation of Permit:

Failure to comply with laws regulations, policies, general provisions, and permit requirements issued will result in revocation of the Permit.

3.2 Broadband Permit Provisions

Permittee must comply with federal, state, and local laws, rules, and regulations. Permittee will follow all guidelines, policies, and procedures in the Broadband Guidelines Permit Manual.

Permittee must also comply with the general provisions

1. The permittee will follow all general right-of-way permit provisions (provided in Section 3.1 of this Manual above); and
2. The permittee will follow all guidelines, policies and procedures in the Broadband Permit Guidelines including the Special Provisions for Broadband Permits.

Boring Restrictions and Requirements: Boring under interstate, federal highway, or state highway pavements will be allowed when approved by the Department of Transportation. Conduit for bores will be specified on the plans. Boring methods and operations will be subject to the approval of the representative of the Department of Transportation assigned to inspect the work. Proper backfilling of bore pits must be completed in order to maintain right-of-way integrity and grade.

One year / 180 days Completion Rule for Broadband Permits: All work on highway right-of-way authorized by a permit must be completed within one (1) year after the permit is issued. Once construction authorized by the permit is initiated it must be completed within 180 days, unless otherwise expressly approved as a special condition.

Revocation of Broadband Permit:

Failure to comply with the Broadband Permit Guidelines and the General Provisions of the Permit will result in revocation of the permit.

Special Provisions for Broadband Permits:

1. The permittee acknowledges and agrees that it is not a displaced person and is not eligible for payment from INDOT or the State for relocation costs, services or other benefits under any laws, including without limitation, the Uniform Relocation Assistance and Real Property Acquisition Act. The permittee understands and agrees that the obligations in a special provision will survive expiration or termination of the permit.

2. **Relocation & Removal of Improvements:** The permittee acknowledges and agrees that the INDOT has the right to require the permittee to relocate the Improvements (all equipment, fixtures and structures installed under the provisions of a permit):

- if such relocation is necessary for highway or safety purposes or
- If the Improvements or the Site – to the extent within the permittee’s responsibility and control – do not conform to the as built plans and drawings provided by the permittee.

Permittee responsible for costs of relocation and removal: The permittee will be responsible for any and all costs associated with removing improvements. The permittee will be responsible for removing, in a good and workmanlike manner, any and all improvements installed in state-owned or controlled right-of-way under the provisions of this permit, and the permittee will be responsible for any damage caused by removing improvements.

If the permittee fails to remove the improvements, INDOT will have the right to keep the improvements or to enter the site and without liability disable or remove any and all of the improvements from the site. The permittee will bear the

Permittee Responsibility: *The Permittee’s responsibility to indemnify INDOT and to be responsible for relocating its improvements is an ongoing obligation that continues after the permit expires.*

costs for removing the improvements and will reimburse INDOT for the costs of removing within 120 days of removal. The permittee will indemnify and hold INDOT harmless from the costs of removal, or disposal, including any consequences to any third parties as a result of the removal. The permittee understands and agrees that the obligations in the special provision will survive expiration or termination of a Permit.

3. The permittee agrees to indemnify, defend, save and hold harmless INDOT, the State of Indiana, and their officers, employees, agents, representatives, successors and assigns from all claims (including costs and expenses of defending against such claims, including attorney’s fees) arising from any act or omission of the permittee or the permittee's agents, employees or contractors relating to a permit or breach of any provision of a permit by the permittee or the permittee’s agents, employees or contractors. Indemnification will not be limited by reason of any insurance coverage. Neither INDOT nor the State will provide indemnification to the permittee. The permittee understands and agrees that the obligations in a special provision will survive expiration or termination of a permit.

Revocation of Permit:

Failure to comply with the General & Broadband Permit Guidelines and the Special Provisions of a permit **will** result in revocation of the permit.

3.3 Outdoor Advertising Sign Provisions

The permittee will follow the guidelines, policies, and procedures in the Outdoor Advertising Permit Manual.

The permittee must comply with all federal, state and local laws, rules and regulations. The permittee must also comply with the general provision of this permit guide detailed in section 3.1 above. In addition:

1. No advertisement, sign or any portions thereof or sign structure may encroach upon the state's right of way, including air space.
2. The permittee must agree that (1) no person on the ground of race, color, sex, national origin or any other prohibited basis will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of its facilities, (2) that in the event facilities are constructed, maintained or otherwise operated on the property described in a permit for a purpose for which INDOT program or activity is extended or for another purpose involving the provision of similar services or benefits, the permittee will maintain and operate the facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the secretary, part 21 Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of title VI of the Civil Rights Act of 1964, and as the Regulations may be amended.
3. The permittee must obtain all federal, state and local permits required by each respective governmental entity, and all other entities with jurisdiction, before conducting any work under a permit. The issuance of a permit will in no way imply INDOT's approval of, or be intended to influence any action pending before a federal, state or local board, commission, or agency.
4. In accordance with the notice requirements of Indiana Code 4-21.5, any objection to the conditions and provisions of an approved permit must be submitted in writing to the Department of Transportation within 15 days from the issue date.
5. The permittee must notify the District Permits Manager at INDOT of a transfer of ownership within 90 days from the effective date of transfer.

The permittee should ensure sufficient familiarity with all standards and guidance referenced in section 3.1 of the general provisions, paying special attention to state and federal regulations governing outdoor advertising as well as MUTCD and IMUTCD requirements for signage. In addition, permittees planning to place signage along or adjacent to a pedestrian route should

be aware of all sign height and protrusion restrictions and ensure the signs are also placed in a manner consistent with Accessibility Standards (including the Americans With Disabilities Act Accessibility Guidelines, the Public Right-of-Way Accessibility Guidelines and INDOT's design standards.) to ensure no barriers to accessibility are created by placement of signage. A typical billboard installation is unlikely to create such an obstruction.

Revocation of Permit:

Failure to comply with the General & Outdoor Advertising Permit Guidelines and the Special Provisions of a Permit will result in revocation of the permit.

3.4 Driveway Permit Provisions

Permittee must comply with all federal, state, and local laws, rules and regulations. The permittee will follow all guidelines, policies and procedures in the Driveway Permit Manual. The permittee will also follow and adhere to the general permit guidelines in section 3.1 of this permit guide. In reviewing these requirements the permittee should pay special attention to the requirements related to traffic control, damage to nearby or appurtenant structures, sidewalk, drive crossing and curb ramps requirements, drainage and culvert requirements and pavement protection and cutting requirements.

If a driveway permit applicant has questions related to the design of accessible driveway, curb ramp or sidewalk crossings, the permittee may contact INDOT's ADA Technical Advisory Committee at ADA@Indot.in.gov.

Revocation of Permit:

Failure to comply with the Driveway Permit Manual, and the General and Special Provisions of a permit, will result in revocation of the permit.

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4.0 Application Process

4.1 Electronic Permit System (EPS)

All permit applicants are required to use INDOT's Electronic Permit System (EPS) when seeking a permit and making an electronic payment. INDOT is working to modernize and increase

INDOT's Electronic Permit System (EPS) Enables:

- Electronic Filing for all permits
 - Electronic document uploading and storage
 - Electronic payment via credit card or an IN.gov monthly subscriber account
 - Comprehensive user registration
 - Permanent archiving capabilities for all INDOT Permits
-

productivity to better improve our service offerings, and EPS makes it easy to apply for and update a permit. Utilizing INDOT's online system allows customers to track and manage their permits, enable direct email access to track communications , and provide a repository for all documents relevant to the permit.

For further information and instruction regarding Permit application via the INDOT Electronic Permit System please refer to the INDOT EPS User manuals below:

External (Non-INDOT Employee) Users:

https://www.in.gov/indot/files/EPS_Customer_User_Guide.pdf

Internal (INDOT Employee) Users:

https://www.in.gov/indot/files/EPS_User_Guide.pdf

INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

Accessing INDOT's EPS:

To access the Electronic Permit System (EPS), start here:

<https://secure.in.gov/indot/2727.htm>

The permit process should always start on INDOT's Permits home page to properly access EPS. Bookmarking EPS may cause computer issues accessing the system to file a permit.

Registering to use INDOT's EPS:

INDOT customers without an EPS account should register for an EPS account. To register for a new account, click on the **Register for a new account** link in the Log in box.

Indiana Department of Transportation
Electronic Permit System

Log in

Log in

INDOT Users Customers

Username

Password

Register for a new account
Forgot username/password

Log in

Electronic Permit System

Welcome to the Electronic Permit System (EPS). If you are a returning user, please log in using your EPS username and password. If you do not have an EPS account, click on "Register for a new account". If you are a first time user, after logging in, please review the help screens by clicking the help link in the upper right corner of each page.

If you have any questions or problems using EPS, please contact the IOT Helpdesk.

The Registration screen automatically displays after the link is clicked. Complete the fields as indicated, and click the "I'm not a robot" box before clicking **Register** to create an EPS log in.

Once registering successfully, all future access will be directly available through the INDOT Permit Website.

INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

Indiana Department of Transportation
Electronic Permit System

Register

User Name
Password
Confirm password
First Name
Last Name
Email
Address Line 1
Address Line 2
City
State
Zip Code
Phone #
Extension

<https://eps.indot.in.gov/Home/Index>

☐ I'm not a robot

reCAPTCHA
Privacy - Terms

Register

Logging in to INDOT's EPS:

Select **EPS Login** and the EPS log in screen will appear:

MENU IN.gov BUSINESS & AGRICULTURE RESIDENTS GOVERNMENT EDUCATION TAXES & FINANCE VISITING & PLAYING FAMILY & HEALTH

Doing Business With INDOT

Request for Information
Request for Qualifications
Request for Proposals
Consultants/Pre-Construction
Contractors/Construction
Standards & Specifications
Contract Letting Information
Indiana Design Manual
Permits
INDOT University
Economic Opportunity
Local Public Agency Programs

PERMITS

INDOT Permits is pleased to announce it is going completely paperless! As of October 1st, 2018, all permit applicants will be required to use INDOT's Electronic Permitting System (EPS) when seeking a permit and making an electronic payment. INDOT is working to modernize and increase productivity to better improve our service offerings, and EPS makes it easy to apply for and update a permit. Utilizing the INDOT's online system will allow customers to track and manage their permits, enable direct email access to track communications and provide a repository for all documents relevant to the permit. Once registered to use EPS, <https://eps.indot.in.gov/>, the applicant can just follow the instruction prompts for submitting the applications package.

All permit applications must be submitted electronically, however, certain exceptions will be allowed by law.

INDOT enables you to apply for permits online. Click on the links below for the appropriate INDOT permit.

Please be advised that certain permits will require a maintenance agreement to conduct work in INDOT's right-of-way. This process can take anywhere between 90 to 120 days. A permit will not be issued until there is a fully executed agreement in place. Contact your [district permits manager](#) as soon as possible for any questions and early coordination.

Online Permits - EPS Login

- [Sign Permit](#)
- [Cut Road and Pole-Line](#)
- [Driveway Permit](#)
- [Railroad Permit](#)
- [Broadband Access Permit](#) (Shared Use Permit)
- [Miscellaneous](#)

INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

Both INDOT employees and INDOT customers use the site; select the type of User in the upper right corner of the Log In box by clicking in the radio button next to Customers. Then enter the username and password associated with the account.

The screenshot shows the "Login" form within the EPS application. At the top left of the form is a "Login" tab. Below it are two radio buttons: "INDOT Users" (which is selected) and "Customers". The "Username" field contains the text "jdoe@indot.in.gov". The "Password" field is masked with dots. Below the password field are two links: "Register for a new account" and "Forgot username/password". At the bottom right of the form is a blue "Log in" button. A large red arrow points directly at this button.

Electronic Permit System

INDOT Users: please log in with your network username and password. If you have not already done so, please request access to the Electronic Permit System application in [ITAP](#). For additional assistance, please contact your supervisor or the Central Office Permit Program Coordinator.

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INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

Creating a New Permit Application:

To add a new permit application, Log in to EPS and click on the **New Permit** button in the Permits table header or select **New Application** from the **Permits** menu.

The screenshot shows the EPS dashboard with the 'Permits' menu open, highlighting 'New Application'. Below the menu, a table of permits is visible, with a red arrow pointing to the '+ New Permit' button in the table header.

Tracking #	Permit #	Type	District	County	Road	Initiative	Submit Date	Issue Date	Exp Date
T0000120572		Cut Road	Greenfield	Marion	I 65				
T0000120702		Cut Road	Laporte	Lake	I 65	Gregory Hartman	07/23/2018		
T0000120707		Cut Road	Fort Wayne	Kosciusko	SR 13	James Thomas	07/23/2018		
T0000120709		Cut Road	Seymour	Johnson	SR 135	Trenton Jewell	07/23/2018		
T0000120694		Broadband Access	Crawfordsville	Hendricks	US 36	James Herron	07/23/2018		
T0000120692		Cut Road	Fort Wayne	Allen	SR 14	Kevin Lacey	07/23/2018		
T0000120430		Pole Line	Greenfield	Jay	US 27	Shelley Haney	07/23/2018		
T0000120653		Broadband Access	Crawfordsville	Hendricks	SR 39	James Herron	07/23/2018		
T0000120687		Broadband Access	Seymour	Scott	SR 56	Jodi Parks	07/23/2018		
T0000120697		Cut Road	Fort Wayne	Whitley	SR 14	Jason Hanaway	07/23/2018		
T0000120696	M18VCR0003	Cut Road	Vincennes	Warrick	SR 68		07/23/2018	07/23/2018	07/23/2019

The screen will refresh and display the beginning of the permit application.

Read the terms and click **I Agree** to accept the terms and start the application or **Cancel** to stop the application creation process.

The screenshot shows the 'Applicant's Acceptance Agreement' form. It contains several paragraphs of legal text regarding indemnification, liability, and the terms of the permit. At the bottom, there are two buttons: 'I Agree' (green) and 'Cancel' (red).

Agreement

Applicant's Acceptance Agreement

The applicant agrees to indemnify, defend, exculpate, and hold harmless the state of Indiana, its officials and employees from any liability due to loss, damage, injuries, or other casualties of whatsoever kind, or by whomsoever caused, to the person or property of anyone on or off the right-of-way arising out of, or resulting from the issuance of this permit or the work connected therewith, or from the installation, existence, use, maintenance, conditions, repairs, alteration, or removal of any equipment or material, whether due in whole or in part to the negligent acts or omissions (1) Of the state, its officials, agents, or employees; or (2) Of the applicant, his agents, or employees, or other persons engaged in the performance of the work, or (3) The joint negligence of any of them; including any claims arising out of the workmen's compensation act or any other law, ordinance, order, or decree. The applicant also agrees to pay all reasonable expenses and attorney's fees incurred by or imposed on the state in connection herewith in the event that the applicant shall default under the provisions of this paragraph.

The applicant agrees to the General Provisions associated with all Indiana Department of Transportation permits.

The applicant agrees to any and all Additional Special Provisions attached to the issuance of this particular permit.

If at any time during an active phase of a permit the Indiana Department of Transportation is engaged in road work activity the Applicant/Permittee must get written permission from the project manager and contractor for the INDOT project before any permit work will be allowed in the same area.

Under the penalty of perjury, I certify the following statements to be correct to the best of my knowledge and belief of the undersigned who is authorized to sign this application. I certify that I have obtained authorization from any property owners associated with this application.

I Agree **Cancel**

Selecting Permit Types and Subtypes in EPS:

Select the **Permit Type** from the Permit Type dropdown. The **Permit Subtype** dropdown menu options change based on the Permit Type selected. Once the Permit Type and Permit Subtype are selected, click **Next** to continue the permit application process.

- Once the Permit Type and Subtype are selected and **Next** button is clicked, the Permit Type and Subtype cannot be changed. In order to select a different Permit Type or Subtype the original permit application must be **Cancelled** and then a new application needs to be created.

Permit Type Location Applicant Info Details Bond Info Attachments Review

New Permit Application

Select Permit Type / Subtype

Permit Type Pole Line

Permit Subtype Electric

Permit Description

Pole Line Permit: The installation of a utility pole line or attachments to an existing pole line in the right of way controlled by the Indiana Department of Transportation (INDOT) requires a Pole Line Permit. This does not apply to contractors working for INDOT or work covered by a legal agreement between INDOT and another entity.

Cancel Next →

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INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

Indicating the Location of proposed permitted work in INDOT's EPS (for all Permit Types except Railroad):

Indicate the location associated with the permit application in the **Location** selection. Click on the map in the exact location of the desired permit application. A blue pin will appear on the map to indicate the permit location. If the permit location is in the wrong location, click on the map again in the correct location to move the pin. The Permit Description fields will automatically populate based on the location of the pin.

Permit Type

Location

Applicant Info

Details

Bond Info

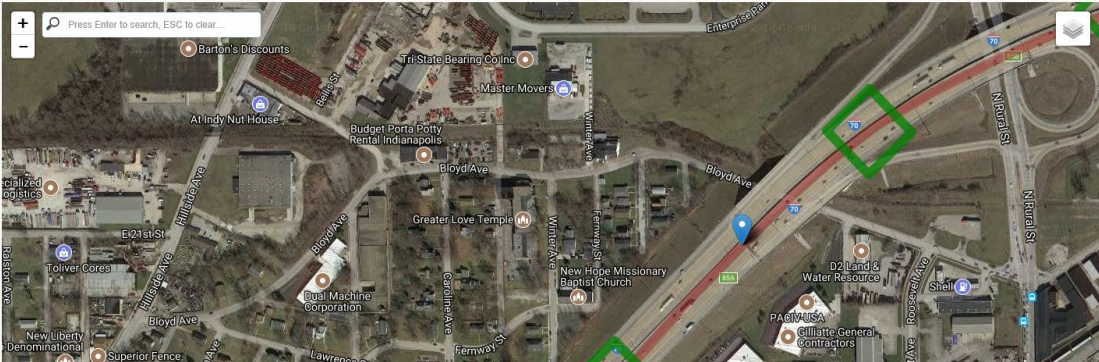
Attachments

Review

Select Location

Please click on the district investigator area map:
To navigate the map, use the mouse wheel to zoom in/out, click and drag the map to pan, or use the navigation tools in the toolbar. To create a permit, click on the map to identify the desired permit location.

Permit Map



Permit Description

District	GREENFIELD
County	MARION
Investigator	Andrea Throneburg
Investigator Phone	(W)317-467-3938 (C)317-402-1816
Road	I 70
Start RRP	84.47
Longitude	-86.12057089805604
Latitude	39.79549278856859
Is the road designated as being Limited Access?	☒ Yes ☐ No

Cancel

Back

Next

INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

Entering Applicant Info in INDOT's EPS (for all Permit Types except Railroad):

Fill out the Applicant Information as requested.

The screenshot shows the 'Applicant Info' step in a multi-step process. The steps are: Permit Type, Location, Applicant Info, Details, Bond Info, Attachments, and Review. The 'Applicant Info' section is active and contains two main panels. The top panel is for 'Applicant Info' and includes fields for: Select Prior Applicant Info (Optional) with a search box 'Type a user's name'; Applicant First Name; Applicant Last Name; Applicant Address; Applicant Address 2; City; State (a dropdown menu currently showing 'Indiana'); Zip Code; Applicant Phone; Extension; and Applicant Email. Below these fields is a checkbox labeled 'This company is a consulting firm doing work on behalf of a client.' with radio buttons for 'Yes' and 'No'. The bottom panel is for 'Contact Info' and includes checkboxes for 'This company is eligible to have its fees waived.' and 'This permit does not require a bond.', followed by fields for: Contact First Name; Contact Last Name; Contact Phone; Extension; and Contact Email. At the bottom of the form are three buttons: a red 'Cancel' button, a grey 'Back' button, and a blue 'Next' button.

Permit Type Location **Applicant Info** Details Bond Info Attachments Review

Applicant Info

Select Prior Applicant Info (Optional)

Applicant First Name

Applicant Last Name

Applicant Address

Applicant Address 2

City

State

Zip Code

Applicant Phone

Extension

Applicant Email

This company is a consulting firm doing work on behalf of a client. ☐ Yes ☐ No

This company is eligible to have its fees waived. ☐

This permit does not require a bond. ☐

Contact First Name

Contact Last Name

Contact Phone

Extension

Contact Email

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Completing Permit Details in INDOT EPS:

Complete the details as necessary. Many of the fields are pre-populated based on the Permit Type and Location information entered earlier in the application process. Additional (or fewer) fields may display based on the type of Permit. To expedite the application review process, the detail fields should be filled out completely and sufficiently.

Permit Type	Pole Line
Permit Subtype	Electric
Road	I 70
County	Marion
Start RRP	84.47
End RRP	
District	Greenfield
Investigator	Throneburg, Andrea
Investigator Phone	3174673938
Permit Fee	\$55.00
This company is eligible to have its fees waived.	No
Estimated Project Start Date	
Estimated Project End Date	

The project location should be identified from the nearest state road intersection and from the nearest city street or county road intersection. (ie. 2 Miles South of US-40 and 150ft north of Davis Rd)

Entering Bond Information into INDOT's EPS:

Click on the **Load Recent Bond Information** text to upload the most recent bond information. This option should be used for blanket bonds only. If no previous bond information exists the screen will refresh, but none of the fields will populate.

Bond #	Bond Amount	Bond Company	Bond Effective Date	Address	Address 2	City	State	Zip Code	Contact Person	Contact Phone
	\$						Indiana			

Uploading Attachments into INDOT's EPS:

Add any necessary files to the Permit Application on the **Attachments** screen. Click on the **Select File...** button to select the file to upload.

- Multiple files can be added as attachments, but they must be uploaded one at a time.

Reviewing all information entered into INDOT's EPS prior to application submission:

Review all the entered information and pay for the permit application on the **Review** screen. Select the permit application payment method by clicking in the radio button next to the desired choice-via credit card payment, subscriber payment, or check payment. Click **Submit** to submit the permit application and proceed to the payment screen.

Selecting Payment Method and Submitting Payment for permit applications in INDOT's EPS:

If paying by credit card, select payment type from the dropdown and click **Next**.

The screenshot displays the INDOT EPS payment interface. At the top, a black banner features the 'NIG' logo with the tagline 'the people behind eGovernment' and '20 YEARS'. Below this, a progress bar indicates four steps: 1. Payment Type (active), 2. Customer Info, 3. Payment Info, and 4. Submit Payment. The main content area is titled 'Payment' and contains a 'Payment Type' section with a dropdown menu labeled 'Payment Type *' and 'Select One'. A green 'Next >' button is positioned to the right of the dropdown. Below the 'Payment Type' section are two collapsed sections: 'Customer Information' and 'Payment Info'. To the right of the main form, a 'Transaction Summary' box shows 'Permit Fee DW' for '\$150.00' and a total of '\$150.00' including request and online fees. Below this is a 'Need Help?' section with the text 'Select Payment Method and Continue to proceed with payment.'

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INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

Enter the customer information and click **Next** to continue or click Cancel to return to the Permit Application without submitting payment.

1 Payment Type

2 Customer Info

3 Payment Info

4 Submit Payment

Payment

Payment Type

Credit Card

Customer Information

Country

United States

First Name *

Last Name *

Address *

Address 2

City *

State *

ZIP/Postal Code *

Phone *

Email *

Complete all required fields [*]

Next >

Payment Info

Cancel

Transaction Summary

Permit Fee PL	\$55.00
Total Includes Request and IN.gov Online Fees	\$55.00

Need Help?
Please complete the Customer Information Section

Need Help?
Please complete the Customer Information Section

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INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

Click **Edit** to change the entered customer information. Enter the required credit card information.



1 Payment Type

2 Customer Info

3 Payment Info

4 Submit Payment

Payment

Payment Type

Credit Card

Customer Information

Address

Eric Jones
123 Main St
Indianapolis, IN 46204

Country

United States

Phone

3175555555

Email Address

jonese@company.com

Edit

Transaction Summary

Permit Fee PL	\$55.00
Total Includes Request and IN.gov Online Fees	\$55.00

Need Help?

You have selected to pay by credit card. Complete Customer Information section and Payment Info section.

Click **Next** to complete the transaction.

Payment Info

Credit Card Number *

Credit Card Type *

Complete all required fields [*]

Expiration Month *

Expiration Year *

Name on Credit Card *

Next >

Cancel

Total Includes Request and IN.gov Online Fees

\$55.00

Need Help?

You have selected to pay by credit card. Complete Customer Information section and Payment Info section.

INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

Click the **Edit** button in either the Customer Information or Payment Info sections to change the entered information. When ready, click **Submit Payment** to submit the payment.



1 Payment Type

2 Customer Info

3 Payment Info

4 Submit Payment

Payment

Payment Type 

Credit Card

Customer Information 

Address

Eric Jones
123 Main St
Indianapolis, IN 46204

Phone

3175555555

Country

United States

Email Address

jonese@company.com

Edit

Transaction Summary

Permit Fee PL	\$55.00
Total Includes Request and IN.gov Online Fees	\$55.00

Need Help?

Review payment information. You may edit Billing and Payment Method here if needed by clicking the Edit button. When complete, select the Submit Payment button.

Payment Info 

Credit Card

Visa ****1111
Exp. 10/2019

Name on Credit Card

Eric Jones

Edit

Cancel

Submit Payment

Need Help?

Review payment information. You may edit Billing and Payment Method here if needed by clicking the Edit button. When complete, select the Submit Payment button.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

Selecting [Subscriber Payment](#) Method in INDOT's EPS:

If paying as a Subscriber, enter the subscriber Username and Password and click **Next**.

Payment

Payment Type ✓

Subscriber Account

Customer Information

User Name Complete all required fields [*]

Password

Next >

Payment Info

Transaction Summary

Permit Fee PL	\$55.00
Total Includes Request and IN.gov Online Fees	\$55.00

Need Help?

For support with making a payment, please call
 In.gov at: Phone - 317-233-2010 - Feature #1 Toll
 Free - 1-800-236-5446 - Feature #1

The information associated with the account displays. Click **Submit Payment** to have fees invoiced at a later date.

Payment

Payment Type ✓

Subscriber Account

Customer Information ✓

Subscriber User
epstest Edit

Address
Fred James
IN Gov Cntr N Rm N725
Indianapolis, IN 46204

Country
United States

Phone
232-5387

Email Address
scott.mcdonald@egov.com

Payment Info

This is a Subscriber Account transaction. You will be
 invoiced at a later date.

Submit Payment

Transaction Summary

Permit Fee PL	\$55.00
Total Includes Request and IN.gov Online Fees	\$55.00

Need Help?

Review payment information. You may edit Billing
 and Payment Method here if needed by clicking the
 Edit button. When complete, select the Submit
 Payment button.

Selecting Payment Received by Check in INDOT's EPS:

In the limited occasions that a check would be accepted by INDOT, click in the **Payment received by Check** radio button and enter the Receipt Number in the white text box that appears.

to the INDOT staff responsible.

Submission of an application to INDOT does not automatically guarantee approval; each application is reviewed on its merits to determine whether a permit should be issued.

Tracking #	T0000120790
Permit Type	Pole Line
Permit Subtype	Electric
Status	Entered
District	Greenfield
County	Marion
Road	I 70
Investigator	Throneburg, Andrea
Submit Date	7/25/2018

Application Fee: \$ 55

Please select a payment method: Which payment method should I choose ?

☒ Payment received by check
☐ I want to make a credit card payment.
☐ I want to make a subscriber payment.

Please Enter Receipt Number

Once payment has been submitted (the method does not matter), the Review screen displays with a confirmation message that the Permit was successfully submitted.

Once an applicant submits a permit application in EPS, the status will change from **Entered** to **Submitted** and the application can be viewed and printed but cannot be edited by the customer.

Click **Done** to return to the Permit Dashboard.

Permit Application Submitted

Your application has been received by INDOT and will be reviewed.

Tracking #	T0000097351
Permit Type	Cut Road
Permit Subtype	Tree Trimming
District	Greenfield
Status	Submitted
Company	
County	Marion
Road	I 69
Submit Date	4/28/2016 9:04:03 PM

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Tracking Numbers assigned to Permit Applications by INDOT's EPS:

The Tracking Number is assigned in EPS during the permit application process. Text in the columns, such as Tracking Number sometimes displays as blue. Clicking on the blue tracking # will take the User away from the table and open up the permit application.

Tracking #	Permit #	Type	District	County	Road	Submit Date	Issue Date	Exp Date	
T0000120668		Broadband Access	Greenfield	Delaware	SR 32	07/19/2018			
T0000120665		Broadband Access	Greenfield	Delaware	SR 32	07/19/2018			
T0000120666	E18FRR0003	Railroad	Fort Wayne	Whitley	MERIDAN RD	07/19/2018	07/23/2018	07/23/2019	
T0000120663		Driveway	Laporte	St. Joseph	SR 23	07/19/2018			
T0000120659	E18SPD0012	Driveway	Seymour	Lawrence	SR 446	07/19/2018	07/20/2018	07/20/2019	
T0000120657	E18GCR0324	Cut Road	Greenfield	Madison	SR 28	07/19/2018	07/20/2018	07/20/2019	
T0000120652		Broadband Access	Vincennes	Daviess	US 50	07/19/2018			

Tracking Permit Applications in INDOT's EPS:

To use the Tracking Number to search for an application that has been submitted or is the process of being submitted in the electronic system, type the Tracking Number in the **Search by Tracking Number** box in the Permits table header.

Tracking #	Permit #	Type	District	County	Road	Submit Date	Issue Date	Exp Date	
T0000120668		Broadband Access	Greenfield	Delaware	SR 32	07/19/2018			
T0000120665		Broadband Access	Greenfield	Delaware	SR 32	07/19/2018			
T0000120666	E18FRR0003	Railroad	Fort Wayne	Whitley	MERIDAN RD	07/19/2018	07/23/2018	07/23/2019	
T0000120663		Driveway	Laporte	St. Joseph	SR 23	07/19/2018			
T0000120659	E18SPD0012	Driveway	Seymour	Lawrence	SR 446	07/19/2018	07/20/2018	07/20/2019	
T0000120657	E18GCR0324	Cut Road	Greenfield	Madison	SR 28	07/19/2018	07/20/2018	07/20/2019	
T0000120652		Broadband Access	Vincennes	Daviess	US 50	07/19/2018			
T0000120655	E18FCR0192	Cut Road	Fort Wayne	Allen	SR 1	07/19/2018	06/20/2018	06/20/2019	
T0000120654	M18SM10040	Miscellaneous	Seymour	Ripley	US 50	07/19/2018	07/20/2018	07/20/2019	
T0000120480		Broadband Access	Greenfield	Marion	I 465	07/19/2018			
T0000120648		Cut Road	Greenfield	Marion	US 36	07/19/2018			

4.2 Application Requirements

A permit must be applied for and obtained prior to any work on INDOT right-of-way by an individual or agency other than INDOT or an agent of INDOT. Permit applications must be complete and submitted before they may be considered received and before they will be processed by INDOT.

A permit must be applied for electronically via EPS (See section 4.1 above). Exceptions for an online permit application will be made where the exception is required by law or as part of a reasonable accommodation for a person with a disability.

4.3 Bonds

What is a Bond?

A bond is a document used to guarantee that work performed on the right-of-way by an applicant (principal) will be completed as required by conditions and provisions of the permit. The bonding company (surety) is bound by the bond to see that the permit is completed satisfactorily.

INDOT requires a bond for all permits unless they are eligible for a [bond waiver](#):

A bond is required for every permit, unless the conditions for a bond waiver have been met. The requirement of a bond is to ensure sufficient coverage for the type of work being done.

Types of permit bonds:

There are two types of permit bonds:

- [performance bonds](#), and
- [blanket bonds](#).

All bonds are submitted at the time of permit application. A permit will not be approved without a bond sufficient to cover all proposed work or an approved bond waiver.

Performance Bonds

The bond required for an INDOT permit is a **performance bond** which is processed by a qualified surety company. The bond ensures that the work done will be completed in accordance with INDOT standards and specifications. The bond should be in an amount sufficient to cover all work within the right-of-way for the permitted project.

The current minimum standard amount of coverage for performance bonds is \$10,000. Each job will have to be reviewed to ensure that all costs of the permitted project are covered.

Performance bonds are kept on file at the Districts and a copy of each bond must be uploaded under the public attachment section of the permit in EPS.

Blanket Bonds

Blanket bonds are used by companies that typically submit more than 5 permits annually. The blanket bond is processed by a qualified surety and allows the liability of many permits to be assumed by one bond, with the penal sum covering all permits associated with it. INDOT will monitor the number of permits on each bond to be sure all work is covered. The blanket bond form is to be notarized and submitted with original signatures to INDOT Permits, 100 N. Senate Avenue Room N730, Indianapolis, IN 46204. If the original blanket bond is received at the District Office, the District will forward bond to INDOT Central Office for processing.

Once the bond is received at INDOT Central Office, the Program Coordinator records the blanket bond in EPS and the original is kept on file.

Bond and Fees Waivers:

The following are the categories for which the fee or bond may be waived. These exceptions are not based upon the tax exempt or non-profit status of the applicant:

- **Governmental Agencies:** Agencies of political subdivisions (Federal, State, County, City or Town) reporting to elected official. Note: A person or committee of persons elected by a group of people does not necessarily qualify as a governmental agency.
- **Churches:** Community of religious people professing the same faith and observing the same ritual and ceremonies.
- **Schools:** Private and public institutions providing first grade or higher education.
- **Railroad Companies:** Companies performing normal maintenance or construction activities, to railroad facilities.
- **Permits solely for Closing Existing Driveways:** Any applicant whose approved permit will result in work solely for the purpose of closing existing driveway approach(es) to the state highway system from the property.
- **Non-Commercial Applicants:** The performance bond may be waived at INDOT's discretion on any non-commercial application.

Bond Waiver Process and Requirements:

It is up to the applicant to claim a bond exception:

- **Complete the Bond Waiver Form:** The applicants who are claiming an exemption must complete the [Bond and/or Permit Fee Waiver](#) (State Form 35483, R4/8-04).
- **Submit the form via EPS with the application:** The form must be completed by the applicant and submitted via EPS with the permit application.

- **Await District Review of the Waiver Request:** The form will be reviewed by the District, and if it is determined that the bond is eligible to be waived, the application approval process will proceed.
- **INDOT will notify applicants whose bonds are not eligible for waiver:** If it is determined that the bond is not eligible to be waived, the district staff will notify the applicant via EPS, and the application approval process will stop until the applicant submits a bond in an amount sufficient to cover the cost of the proposed project.
- **EPS notes will address the reason for the waiver if granted:** The District Permit Manager will include a message in EPS explaining the reason that a bond was waived.

Releasing a Bond

Releasing Blanket Bonds:

The Central Office Program Coordinator will verify compliance with all permits under the bond. Once the compliance of permits has been verified, the Central Office Program Coordinator will send a standard release letter to the permittee (principal) with a copy of the blanket bond. The original blanket bond is kept in Central Office.

Releasing Performance Bonds:

One year after the permit has been completed, the permitted work will be inspected by District staff. If the permit requirements have been met, the permit will be complied, and the performance bond can be released by the Permit Manager. To release the bond, the District Permit Staff will send a standard release letter to the permittee (principal) with a copy of the performance bond signed by the Permit Manager. The original bond is kept in the District Office.

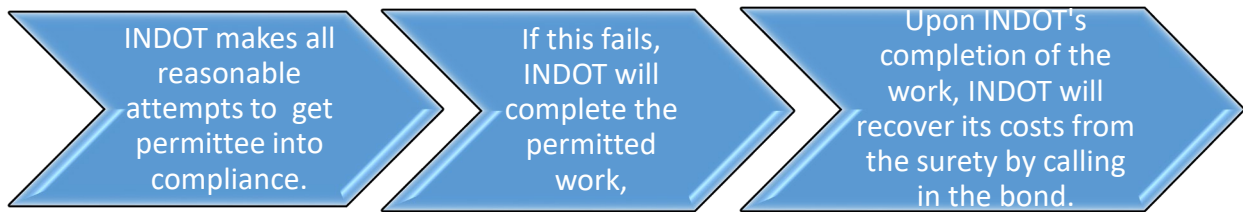
Utilizing a Bond

When all efforts to enforce compliance of a permit have failed, it may be necessary to utilize or “call in” a permit bond in order to complete work at a permitted site. The bonding company who issued the bond will be required to forfeit the bond. Utilizing a bond is the least desirable outcome of a project involving an INDOT permit. Every reasonable effort will be made by INDOT to have the permittee successfully conclude the permit work before involving the bonding company. This is to avoid the additional resource burden on INDOT to finish incomplete permitted work.

The procedural steps outlined in section [5.8 Permit Violations](#) will be followed by INDOT before utilizing or “calling in” a bond.

If the steps outlined in section 5.8 have been completed, and the permit still remains in a non-compliant state then it becomes INDOT's responsibility to complete the permitted work. INDOT will pay the costs to complete the work, then recover the cost from the permittee's surety by calling in the bond. Permit staff will work with INDOT legal staff for assistance with recovering the funds from the bonding company.

Any pending applications from the permittee may be denied until active permits that are not in compliance have met INDOT standards.



4.4 Permit Forms and Documents

For a full listing and description of permit forms currently being used by INDOT, please refer to the INDOT Permits website: <https://www.in.gov/indot/2501.htm>

4.5 Application Fees

The application fee for an INDOT permit is payable to INDOT. Payments can be made through EPS. The application fee is non-refundable and must be paid by credit card unless the applicant is a monthly fee subscriber. Payment is due upon receipt of an application or the application will not be processed.

Permit Type	Fee Amounts
Occupancy (Below Ground) Permit	\$55
Occupancy (Above Ground) Permit	\$55
Miscellaneous Permit	\$15
Private Driveway	\$55
Minor Commercial Driveway	\$150
Major Commercial Driveway	\$600
Outdoor Advertising Sign	\$100
Billboard Addendums	\$100
Transfer of Ownership of Billboard	\$40
Billboard Replacement Plate	\$25
Broadband Permit	\$55

Fee Waivers:

To request that the Districts' Permit Staff review an applicant's request for an application fee waiver, [State form 35483, R4/8-04](#) must be completed by the applicant and submitted via EPS with the permit application.

The form will be reviewed by the District:

- If the application fee is eligible to be waived, the application approval process will proceed.
- If it is determined that the fee is not eligible to be waived, the District Staff will notify the applicant via EPS, and the application approval process will stop until the application fee is paid in EPS.

The District Permit Manager will include a message in EPS explaining the reason that a fee has been waived.

Monthly Billing:

If an applicant does a lot of business with INDOT or other State agencies, they may be eligible to obtain an IN.gov monthly subscriber account. For monthly subscribers, IN.gov will send a consolidated billing at the end of each month necessitating only a single payment rather than payments for each transaction. This account will require an annual fee (currently \$95.00) and submission of IN.gov monthly Account Agreement Packet. Establishing this account will necessitate the filing of a credit card or direct debit to cover appropriate fees, and securing a username and password.

The IN.gov monthly Account Agreement Packet may be found at:

https://www.in.gov/accounts/files/IN_gov_Account%20agreement.pdf

Information on subscribing for monthly billing can be found at web address:

<https://www.in.gov/accounts/>

Application Fee Refunds:

Application fees are non-refundable. Denial of a permit, canceling of a permit, or applying for the wrong permit do not qualify for a refund. However, there are instances where fees need to be returned to an applicant. In these rare cases, the steps below should be followed.

Electronic Payment Refunds:

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In order to request an Electronic Refund for credit card transactions, send the following information to the central office Permit Coordinator:

- Tracking Number
- Name on credit card
- Last 3 digits of credit card
- Date of transaction
- Amount of transaction

The central office Permit Coordinator will send the electronic refund request to the IN.Gov refund page: <https://www.in.gov/inwp/2466.htm>

Check Refunds:

Check refunds take approximately 2 weeks once processed. When the district receives a check for an incorrect amount, the check will be returned to the customer with a request for a check with the correct amount. If a check is deposited by the district and a refund required, the money needs to be refunded to the customer using the following procedure:

1. The applicant must request a refund in writing (via letter or e-mail) to the appropriate district office. This letter must contain:
 - A. The permit number or application number.
 - B. The reason the refund is being requested.
 - C. Letter must be signed by the applicant requesting the refund.
 - D. Telephone number with a contact name.
 - E. Address where the refund check should be mailed. Request must be in the original form/or a copy of the email with the request attached.
2. The district office will check to verify that the refund request is justified.
3. A claim voucher is prepared by the district office.
4. A cover letter to accompany the claim voucher with the justification for the refund is signed by the district Permit Manager/Program Director.
5. INDOT's District office will keep the original for their files.

If a refund is generated by INDOT and not requested by an applicant, the district will include the reason for the refund in EPS to ensure INDOT accounting is provided with the reason for the refund.

State Form 11294 Information:

This information is included primarily for use by INDOT's Permit Staff:

[Copy of a Claim Voucher-State Form 11294](#)

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The numbers correspond to the blue numbers shown on the Copy of a Claim Voucher-State Form 11294 shown below:

1. Name of staff completing the form
2. Telephone number of the staff completing the form
3. Business unit is: Indiana Dept. of Transportation
4. Business Unit Number: 00800
5. Encompass Voucher Number: leave blank
6. Invoice Number: use the permit number that is being refunded
7. Invoice Date: Date of the request
8. Invoice Amount: the amount to refund
9. Name of the vendor requesting the refund
10. Address of the vendor requesting the refund (this is where the check will be sent)
11. Address of the vendor requesting the refund (this is where the check will be sent)
12. Date: current date
13. Line #: 1
14. Amount: amount of refund
15. Bud Ref: the current year budget reference – i.e. 2019
16. Fund: 30512
17. Account: 428132
18. Dept.: 065008
19. Program: 99112
20. Project: leave blank
21. Activity: leave blank
22. Handling code: leave blank
23. Line description: put the justification for the refund
24. Authorized Signature: Should be the INDOT representative that is verifying that the refund is due, (signature of the district regulatory supervisor)
25. Signature of Vendor: see attached request from vendor
26. Date: of INDOT signature
27. Date: of Vendor signature

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CLAIM -- VOUCHER

State Form 11294 (RT / 9-09)
Approved by Auditor of State, 2009
Approved by State Board of Accounts, 2009

Name of Business Unit personnel who prepared this claim.

Name:

1

Telephone number:

2

Name of Business Unit 3				Business Unit Number 4			
ENCOMPASS Voucher Number 5		Invoice Number 6		Invoice Date (<i>month, day, year</i>) 7		Invoice Amount 8	
Name of Vendor 9				Address (<i>number and street</i>) 10			
ENCOMPASS Vendor Number 5				Address (<i>city, state, and ZIP code</i>) 11			
AREA BELOW TO BE COMPLETED BY BUSINESS UNIT.							
Date	Line #	Amount	Fund	Department	Project	Handling Code	Line Description
		Bud Ref	Account	Program	Activity		
12	13	14	16	18	20	22	23
		15	17	19	21		
GROSS AMOUNT \$ 14				Furnished to: (<i>name of business unit</i>)			
I certify that this claim is correct and valid and is a proper charge against the chartfields indicated.							
Authorized Signature of Business Unit 24				Date (<i>month, day, year</i>) 26			
Pursuant to the provisions and penalties of Indiana Code 5-11-10-1, I hereby certify that the foregoing Fund and Account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.							
Signature of Vendor 25				Date (<i>month, day, year</i>) 27			

4.6 EPS Notifications

It is the responsibility of the permit applicant to complete all permitting information via EPS.

When an EPS permit application is filed, notifications concerning actions on the permit are sent from EPS to the customer's email. The applicant should log in to EPS using their log in and password to retrieve information on EPS. (See Section 4.1 for assistance logging in to EPS.)

4.7 Application Review Process

After submission of a permit application, the approval process begins on the INDOT side. There are multiple steps to the INDOT approval process:

- An INDOT field investigator will review the permit application for completeness and accuracy, and make the initial recommendation to Approve or Deny the permit application.
- If a request for more information from the customer is made by the investigator, the status of the application changes in EPS to "Customer Info Request".
- Once the INDOT field investigator completes the initial review, a **"Recommend Approve"** or **"Recommend Deny"** is submitted in EPS, and the application is forwarded to the Permit Manager for final review. No decision is considered final until approved by the District Permit Manager.
- The Permit Manager will conduct the final review and Approve or Deny the permit application.
- If a permit application is approved, the permit status changes to "Active".
- If a permit application is denied, the permit status changes to "Denied", and the application can only be printed.

Status of Permit in EPS:		
PENDING An Application is Pending during review: Recommend Approve Recommend Deny, and Customer Info Request are all pending statuses of a permit application.	APPROVED A permit application appears as "ACTIVE" when it has been approved.	DENIED A Permit application that has been denied will appear as "Denied."

4.8 Guidelines for Approving and Issuing Permits

Permit Approval Authority:

The following is the level of authority for all the right-of-way permits that are received by INDOT:

TYPE OF PERMIT	FINAL DETERMINATION	ISSUING AUTHORITY
Driveway	District Deputy Commissioner (or designee)	Permit Manager
Pole Line	District Deputy Commissioner (or designee)	Permit Manager
Right-of-way Occupancy	District Deputy Commissioner (or designee)	Permit Manager
Bridge Attachments	District Deputy Commissioner (or designee)	Permit Manager
Miscellaneous	District Deputy Commissioner (or designee)	Permit Manager
LARW (Utilities)	Deputy Commissioner of Capital Program Management (or designee)	Permit Manager
LARW (Driveways)	Highway Design and Technical Support Director (or designee)	Permit Manager
LARW Broadband (Corridor)	Broadband Corridor Director	Permit Manager

Permit Approval by District:

The Permit Approving Authority is the Deputy District Commissioner (DDC) or designee which in most cases is the District Permit Manager. All non-LARW permits may be issued at the district level.

Permit Approval by Central Office:

Permit applications that go against the Utility Accommodation Policy (UAP), and the applications for work to be performed inside Limited Access Right-of-way (LARW), other than crossings will be reviewed for final approval or denial by the Deputy Commissioner of Capital Program Management or their designee.

- Utility requests for longitudinal runs within LARW are not allowed on Full Access Control (Interstates). This is not for transverse crossing.

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- Permit applications that are requesting a limited access break or change in limited access, should follow the policy outlined in [Operation Memorandum 05-14](#).
- Access Approaches within LARW are not allowed on Full Access Control (Interstates).
- Federal Highway may be asked to review and give an approval when it comes to request for a permit within partial LARW.

In order to approve a permit request for work within the LARW, exceptions to certain INDOT policies have to be made. Operation memorandums and policy have been prepared to outline the procedures for handling permit requests inside LARW and for submitting the requests to Central Office for a final determination. These memorandums are linked below:

Utility Accommodation Policy Memorandum:

Exceptions to the Utility Accommodation policy have been outlined in the [Permit Operation Memorandum 06-14](#)

Issuing the Permit Package:

After an applicant submits a permit application, an INDOT Permit Investigator will review the application for completeness and accuracy. Once all the information from the applicant has been received, the investigator will review for outstanding issues and submit the application via EPS to the Permit Manager for final review. The Permit Manager will then review the permit application for a final determination and issue approval (Active status in EPS) or Denial (Denied Status in EPS). This guide is also used by district staff in reviewing permit applications.

Objections to Issued Permit:

Upon receipt of a permit issued by INDOT, the permittee is authorized to proceed with the work covered by the permit, subject to the conditions imposed by INDOT.

In accordance with [Indiana Code 4-21.5](#), any objection the permittee has to the conditions and provisions of an approved permit must be submitted in writing to INDOT within 15 days from the issue of the permit.

The permit does not apply to any highway right-of-way that is closed for construction purposes, except as allowed by the provision in the permit, nor does it apply to any county roads or city streets.

4.9 Pre-Construction Conference

INDOT recommends that a pre-construction conference be conducted before any major work begins. A pre-construction conference must be set-up with the contractor for a date prior to the beginning of work. The time and place for the meeting should be sent to all parties, on whose part action will be required in the construction of the work. This notice should be sent far enough in advance for all parties to arrange their representation at the pre-construction conference.

Who should attend the pre-construction conference?

At a minimum, the pre-construction conference attendees should include:

- Contractor,
- Applicants Consultant,
- Permit Manager,
- Permit Investigator, and
- Applicant

The following may also be important attendees:

- District Utility Section
- All involved utility representatives
- District Environmental Services
- Permit Agencies (e.g. Indiana Department of Environment Management (IDEM), United States Army Corps of Engineers (USACE), Indiana Department of Natural Resources (DNR) when applicable)
- District Office Materials and Tests
- District Public Information
- District Maintenance
- District Safety
- District Traffic

Depending on the scope of the permit application the following Local, State and Federal officials should also be invited to INDOT pre-construction conferences if work will have an impact on their community or agency:

- Federal Highway Administration (FHWA) (if not exempt from FHWA oversight)
- County officials
- Municipal officials
- Design Consultant
- District Local Programs Coordinator
- District Environmental Manager

- Railroads
- Affected industries

What should be accomplished during the pre-construction conference?

Lines of authority should be established during the pre-construction conference:

At the pre-construction conference, the lines of authority for all parties involved in the work should be clearly defined and determinations made as to notifications in emergencies. The contractor should be advised as to the authority of the Project Engineer/Supervisor (PE/S) and the Permit Investigator on the job, compliance with specifications, and that its cooperation will be expected in these respects.

The project schedule should be finalized during the pre-construction conference:

The contractor must be prepared to submit the required project schedule at the meeting. An effort should be made at this time to coordinate the contractor's schedule with utility schedules, permit schedule restrictions and with the interests of others affected by the construction.

Problems and project risks should be addressed during the pre-construction conference:

All problems cannot be resolved or even anticipated at the pre-construction conference, but known problems should be recorded at this time so that work toward early solutions can begin.

Additional Pre-construction conference resources:

[GIFE 2.4 List of Agenda Items for Pre-Construction Conferences](#)

[Pre Construction Agenda Checklist](#)

4.10 Joint Use and Maintenance Agreements

What is a Joint Use and Maintenance Agreement?

A joint use and maintenance agreement (JUMA) is a formal agreement between INDOT and separate government entities—often a city or county—setting forth the terms and conditions for shared use of public property or facilities. INDOT uses these primarily when a local entity wants to share use of INDOT right-of-way. These agreements need to be made with local municipalities ONLY, unless an exception is made by INDOT legal.

A permit with a local municipality may require a separate JUMA agreement between the applicant and INDOT to maintain long term conditions of the permit requirements.

It can take between 90 to 120 days to acquire a JUMA from INDOT. A permit will not be issued until there is a fully executed JUMA in place.

Templates should not be used for JUMA's, unless they have been provided by legal. If an agreement is needed, a request should be made through INDOT legal.

How do I request a JUMA?

Please ALWAYS use the "Request for Agreement" form to start the JUMA process:

Ask the INDOT attorney assigned to your District for a copy or check out the ERIN Page:
<http://intranet.indot.state.in.us/legal/services.asp>.

Emergency Joint Use and Maintenance Agreements:

A draft agreement that is needed in less than 30 days (an emergency) must be requested through the section director and sent to the director of legal services for assignment to the attorney that has capacity to complete the task.

Examples of permit situations requiring a JUMA:

- Future traffic signal (may be required to outline specific requirements of a Traffic Signal installation such as; electric costs, types of equipment etc.)
- Bridges and Structure crossings on INDOT right of way
- Trails and paths
- Decorative lighting
- Pavers
- Public art
- Landscaping
- Pre-emptive devices (Example for emergency services)
- Future traffic signal
- Future auxiliary lane (minor commercial driveway that may warrant in the upcoming 10 years)
- Drainage
- Broadband Corridor

Key Features of JUMA's:

- No funding implications for INDOT
- INDOT allows the locals and their contractors to be on INDOT's right-of-way

- The local authority owns the features and is responsible for all future maintenance, repair, inspection, and replacement at its own expense
- Specifies all responsibilities of the local entity, including financial and maintenance obligations (i.e. mowing, replacing light bulbs or fixtures, paying for utilities)
- The local authority is responsible and liable for any damage or injury to a person or property associated with the feature
- A permit is required for all future maintenance
- INDOT may remove the feature if it constitutes an imminent threat to the safety of the traveling public
- INDOT bills the local for removal costs
- Use of right-of-way remains secondary to INDOT's interest in the right-of-way
- Feature is removed if INDOT needs the right-of-way for future expansion, modification, or maintenance of its facilities

4.11 Procedures and Guidelines for Denying Permit Applications

A permit may be denied on the basis of safety or requests that do not meet INDOT standards, policies or guidelines. Additionally, inaccurate and or incomplete information submitted by the applicant may be reasons for denial.

Denial for Time Limit Considerations or Incomplete Submittals:

A permit application at the time of submittal should be complete in its entirety for INDOT review. Inaccurate or incomplete information may be reasons for immediate denial by INDOT. However, at INDOT's discretion, INDOT may allow additional time to the applicant to complete the application process. If additional time is allowed, all requested information should be submitted to INDOT with the following time restrictions:

Permit Type	Denial Time Allowed
Short Term Permits (Buried Utilities, Miscellaneous, Pole Lines, Broadband Access, and Addendum)	30 Calendar Days
Long Term Permits (Buried Utilities, Miscellaneous, Pole Lines, and Broadband Access in <i>Limited Access ROW</i>)	90 Calendar Days
Private Drives	30 Calendar Days
Commercial Drives not in Limited Access ROW	90 Calendar Days
Commercial Drives in Limited Access ROW	280 Calendar Days
Billboards	30 Calendar Days

If the requested information is not submitted via EPS, in the specified time frames, the permit application may be denied.

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The permit investigator will state the reasons for denial to the applicant in EPS. In addition, the permit investigator will document in EPS attempts made to notify the applicant of why the permit application does not meet INDOT requirements.

A minimum of two (2) attempts will be made by INDOT to contact the applicant via EPS to provide requested information. Any attempts to contact the applicant are recorded in the “EPS Clock: Customer Review” by INDOT. Once the initial notification has been made in EPS, the clock status should be “Stopped” pending customer response.

The permit manager may extend the recommended denial time if deemed justifiable at his or her discretion. A written request may be made by the applicant to the permit manager requesting to extend the denial date. The written request should be submitted to the permit manager or the permit inspector at least five (5) days prior to time extinguishment. The permit manager or the permit inspector will approve or deny the time extension within five (5) days of request. Notification of time extension should be sent via EPS Public Notices.

Denial for State Construction Projects; On-going or Planned:

Two additional scenarios for which permits can be denied are when permits are requested on:

- INDOT right-of-way when there is a planned INDOT construction project, and
- INDOT right-of-way when there is an ongoing INDOT construction project.

Permitted work will not typically be allowed when it would interfere with current or upcoming INDOT projects.

INDOT right-of-way with planned INDOT construction projects:

For situations where permit access is requested along INDOT ROW with planned construction, the INDOT permit investigator will check for upcoming projects via INDOT EPS Map or the Scheduling Project Management System (SPMS).

Figure 4.11.(1) Below: Screenshot of how to locate the INDOT map in EPS.

The screenshot shows the EPS interface with a top navigation bar containing links for Permits, Reports, Administration, Preferences, Help, and Logout. A dropdown menu is open, showing options: Dashboard, New Application, Illegal Signs, Upload Inventory Photos, and Permits Map. A red arrow points to the 'Permits Map' option. Below the navigation bar, there are several status cards: Recent (334), Nearing (75), Overdue (18), Watches (0), 30 Day (0), and Statewide. The main content area displays a table of permits with columns for Tracking #, Permit #, Type, District, County, Road, Initiative, Submit Date, Issue Date, Date, Status, and Last Message. The table contains three rows of data.

Tracking #	Permit #	Type	District	County	Road	Initiative	Submit Date	Issue Date	Date	Status	Last Message
T0000126896		Driveway	Vincennes	Martin	US 50	Donna Hastings	03/01/2019			Submitted	Application Submitted Sender: Jason Copperwaite Date: 03/01/2019
T0000126838		Pole Line	Seymour	Scott	I 65	Jodi Parks	03/01/2019			Submitted	Application Submitted Sender: Derek Coombs Date: 03/01/2019
T0000126899		Cut Road	Seymour	Monroe	SR 446	Sean Gray	03/01/2019			Submitted	Application Submitted Sender: Christopher yoh Date: 03/01/2019

<https://spms.indot.in.gov/spms/Dashboard/Home>

If a project is scheduled within 18 months of letting, the permit manager will check with the Project Manager who is handling the planned construction project to coordinate with the proposed upcoming project. Depending on the scope of work of the planned project, the proposed permit may be altered to accommodate the upcoming project. Every effort will be made to accommodate future planned projects. In some cases, a permit may be denied if the permit is deemed detrimental to the already planned project.

INDOT right-of-way with On-Going INDOT construction projects:

For situations where permit access is requested along an INDOT right-of-way with ongoing construction, the INDOT Permit Investigator will check the projects status via INDOT EPS Map and SPMS.

If a project has been let, the permit manager will contact the INDOT project supervisor and coordinate the new permit request.

It is recommended in most cases that the permit issuance be delayed until the current INDOT project is completed and accepted by INDOT. The INDOT project supervisor may accept permit work within the limits of the project during construction. The permit manager should first receive written permission from the project supervisor to do so.

INDOT Project Information in EPS:

The “Project Information” section in EPS application page will be completed by the permit investigator.

4.12 Addendums & Permit Amendments

What are Permit Addendums?

Addendums are amendments made to an Active Permit that can consist of, but are not limited to a design change, applicant change, transfer of a sign, or any item that needs review.

How are Permit Addendums Processed by INDOT?

When an addendum is submitted, the district staff will make certain they have a clear picture of what an approval of the permit would entail. Staff will look closely at the additional supporting documents that are submitted. It can be easy to overlook additions to supporting documents such as a note relating to extending the time period to complete the permitted work.

An **Addendum** is an amendment to an active INDOT Permit and must be completed by the permittee in EPS.

When a District permit manager approves an addendum, then the entire request is considered approved. When any addendum request is approved, all permit managers will note in the approval language in EPS exactly what the addendum IS and IS NOT being approved for.

Permit Addendums are submitted in EPS:

To submit a request to amend an active permit in EPS, Click “Addendum” to create an addendum to an approved Permit. A new permit application screen will open with the Permit Type and Subtype selected based on the previously approved permit.

4.13 Permit Extensions

When do permits expire?

A permit expires 365 days (one calendar year) after issuance. Once construction authorized by a permit is initiated, it must be completed within 30 days, unless otherwise expressly approved as a special condition.

105 IAC 7-1-28 Term of permit; extension; cancellation

Authority: Indiana Code 9-21-19-2

Affected: Indiana Code 8-9.5-4

Sec. 28. All work on highway right-of-way authorized by a permit must be completed within one (1) year after the permit is issued; otherwise, the permit will be cancelled unless an extension is requested, in writing, by the permittee, and is approved by INDOT.

How do I request an extension of my permit?

To request a permit extension, an applicant must submit an email request within EPS or provide a letter making the official request. Any request should be uploaded as an attachment in EPS, articulating the time frame and the reason for the request.

A time extension should not exceed more than one (1) year beyond the original expiration date unless approved otherwise by the department. If a permit is cancelled, a new application must be submitted and approved before the proposed work can begin.

Outdoor Advertising Sign Permits are NOT granted extensions!

An applicant must erect a permitted Sign within 365 days of issuance of the permit or the permit will be revoked. Although one extension is allowed, as practice, INDOT does NOT grant time extensions for Signs.

4.14 Notice of Completion

A permittee is required to notify the INDOT District that permitted work is complete. The notice must be provided within seven (7) days from completion of all work on a permit.

4.15 Closing out a Permit

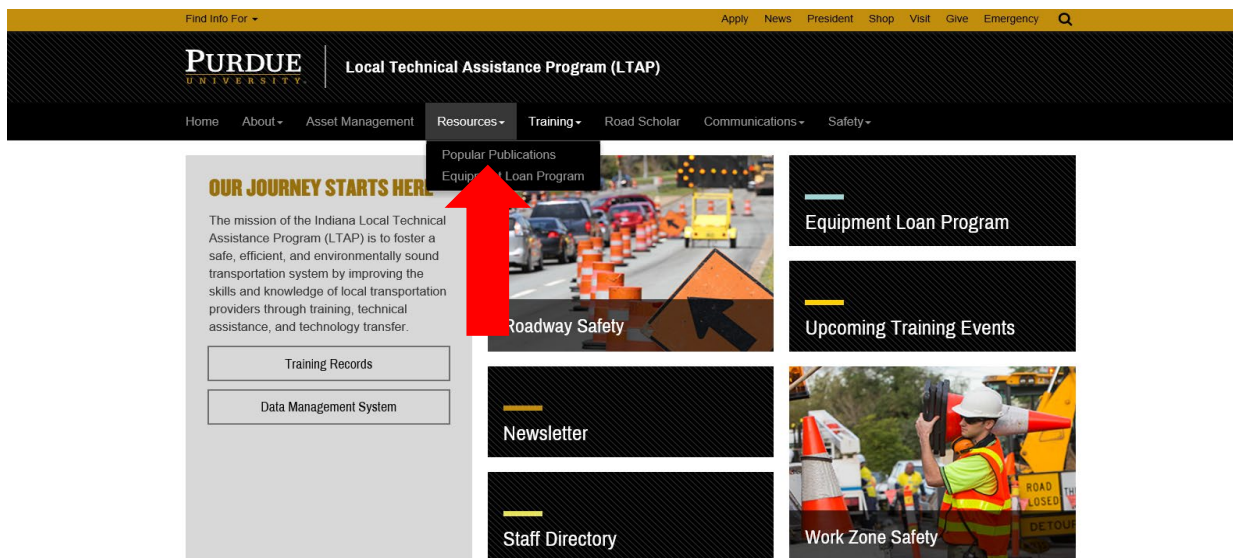
Closing out an INDOT Permit requires INDOT's permit staff to follow steps outlined in section [5.5 Compliance of a Permit](#). If the permitted work is found to be completed in accordance with the plans and specifications filed in the permit application as amended by INDOT and together with any special conditions that have been noted, the permit will be closed and the status of the permit will be noted as complied in EPS.

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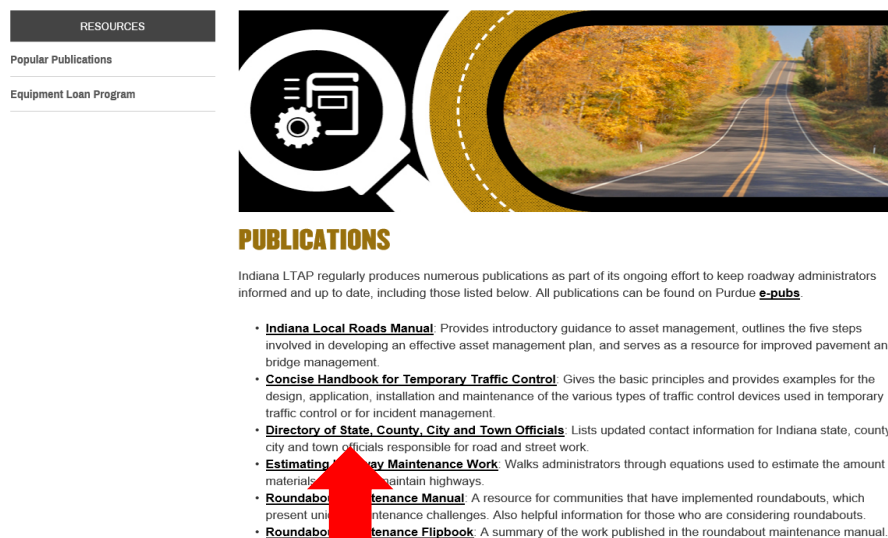
5.0 Permit Coordination and Notification

5.1 Notifying Cities, Towns, and other Local Public Agencies as a condition of applying for an INDOT permit:

If notifying a city, town, or a local Public Agency is required or necessary, a listing containing the names and addresses of city, town, or local county contacts can be found on the Local Technical Assistance (LTAP) website: <http://wpvecnltp01.itap.purdue.edu/LTAP/main.php>. Click on the **Resources** tab and select **Popular Publications**.



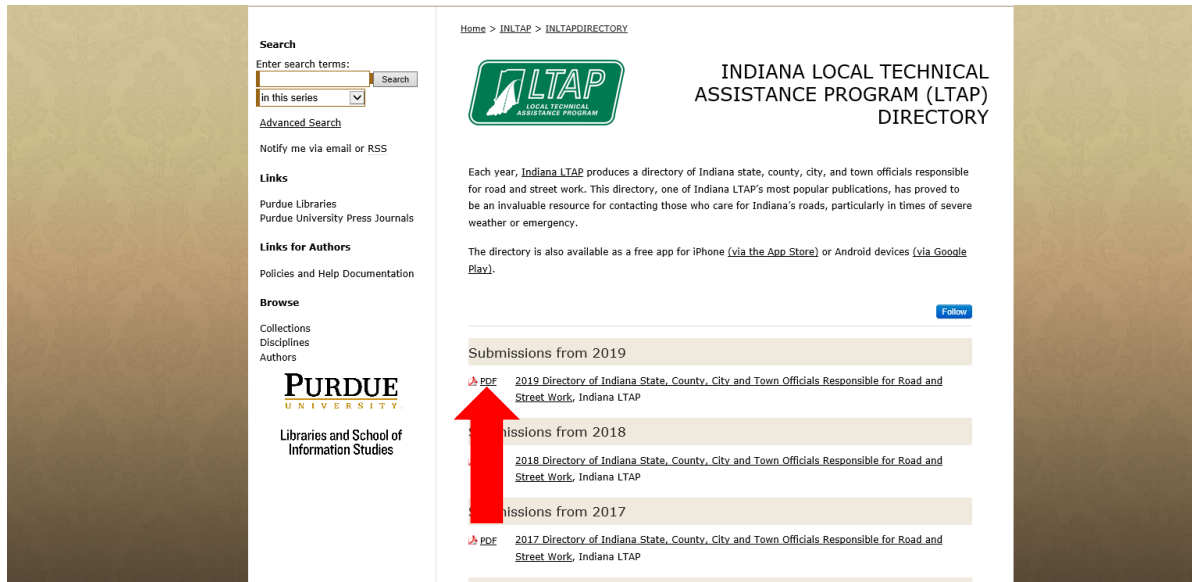
The Publications screen will display after the link is clicked. Under Publications, select **Directory of State, County, City and Town Officials**.



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The LTAP Directory page will display. Click on the  pdf icon under the Submissions of the most current year and a pdf copy of the LTAP Directory will populate.

[2019 Directory of Indiana State, County, City and Town Officials Responsible for Road and Street Work, Indiana LTAP](#)



Approval of an INDOT permit application will be subject to the permittee obtaining all necessary authorizations from federal, state, and local authorities and complying with all applicable laws rules and regulations. Failure to comply may result in revocation of the permit.

5.2 Notification Letter Templates

District Staff can find letter templates for notification purposes on the INDOT Permits SharePoint website. These documents are saved as Letter Templates under the Libraries dropdown.

If notification of any kind requires a letter that has legal implications, such as an encroachment letter, the letter must be sent by certified mail. Before sending the notice, it will need to be approved by the INDOT Permits Central Office and the INDOT legal staff assigned to the District Permit Section before distribution

5.3 Notifying Property Owners

If it is required or necessary to notify a property owner, the names and addresses can be found on the County's GIS web page or by visiting the County Court House. When searching a county's web page for property owners contact information, knowledge of the general area of the property in question will be needed.

How to research property owners on a County's GIS web page:

1. A web search can be conducted on the County's website by entering the County's name followed by the State and then GIS into an online search engine, i.e. Google, Bing. *(This will bring up multiple web sites, you will need to determine the one best for the County).*
2. Once the best website to use for a property search in a particular County has been determined, there should be a map on the website where the property location can be identified.
3. After determining the property location and opening the property card you may have two addresses. One address will be the property location and the second address will be the owner's address. The owner's address is the address that will be used to send the notification letters.

5.4 INDOT Permit Inspections

Once a permit application has been approved by INDOT permits, INDOT may conduct inspections of the permitted work at any time. However, it is general practice for INDOT to complete a minimum of three (3) inspections:

INDOT Initial Inspections:

An initial inspection of the permitted work will be completed by INDOT within 30 days of receiving the notice of start of work.

INDOT requires that a permittee give notice to the department district five (5) working days preceding the beginning of any work activity.

INDOT Inspection upon Notice of Completion by Permittee:

A second inspection will be completed by INDOT after receiving a notice of completion of work.

A permittee is required to notify INDOT that the permitted work is complete. The notice is to be provided within seven (7) days from completion of all work on a permit. The notice of completion allows INDOT permit investigators to inspect the completed work in case repairs are needed such as seeding and grading.

INDOT's Final Inspection of Permitted work:

A final inspection of the permitted work should be conducted at or within 365 days upon completion of construction.

The degree of inspection of a permit will vary considerably with the nature and location of the work and the type of contract involved. Judgment must be exercised regarding the manner and regularity of inspections. It will vary from spot checks on minor overhead installations to detailed inspections of underground facilities.

Preparing for an Inspection during Construction:

Inspections are simply a routine part of doing business with INDOT. To assist permittees in preparing for inspections, INDOT recommends the following practices:

- Be observant of proposed grade and alignment and check that the permit plans are compatible with the road structures, and construction features, etc.
- Ensure that proper backfill methods and materials are used where proposed and future road surfaces and berms are involved.
- Be observant for any substantial change in methods and materials from those approved, such as the use of sheeting, special backfill, etc. The inspector should immediately contact the permit applicant to discuss issued with the applicant.
- Be sure that the contractor foreman is familiar with symbols furnished on the construction stakes, such as cut and fill information.
- Spot checks should be made to ensure that plans are compatible with highway surface plans, vertical clearance of overhead utility installations are sufficient to insure minimum clearance above highway structures and horizontal alignment is compatible with construction limits, access lines, etc.
- Time dated pictures of the site should be taken and placed on EPS.
- Approval must be secured from the Permit Section for any substantial changes in the scope of work. In order to obtain approval, an addendum will need to be submitted in EPS. Examples of possible changes in the scope of work include, but are not limited to, changing a planned aerial road crossing to a buried crossing, changing the method of installation from trenching to directional bore, and any change to a permitted location. The permit applicant should include detailed information such as sketches, estimates, etc., when submitting the addendum.
- If applicable, verify all ADA/Title VI requirements have been met.

It is not possible to define the limits of “substantial change” due to variations in cost of work, its complexity, the variable situations, and terrain encountered. It is also not desirable to request approval for unsubstantial changes.

Please contact the District Permit Manager if there are questions regarding whether an addendum is needed.

INDOT's Determination of Compliance:

At the conclusion of the permitted work a final inspection should be made. At the discretion of INDOT, INDOT may require the presence of the permittee's representative and the contractor, to determine conformity with the approved original or modified plan. The issue of who needs to attend the inspection will need to be discussed with the permit supervisor. A report should be written by the permittee and submitted to INDOT where it will be saved to the file, with a copy going to the permit manager. The report should include:

- the date the final inspection occurred,
- who was in attendance, and
- the outcome of the final inspection.

The investigator should determine the permittee is in compliance if all permitting requirements have been met. The report must be uploaded into EPS. In EPS a "closed out" permit is identified as "Complied."

In the event of non-compliance a notice should be filed in EPS stating the reason for non-compliance. The applicant will have 15 calendar days to reply and begin corrective action.

SEE SECTION 5.7 for corrective action procedures.

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Special Considerations for finishing Shoulders, Ditches, and Slopes:

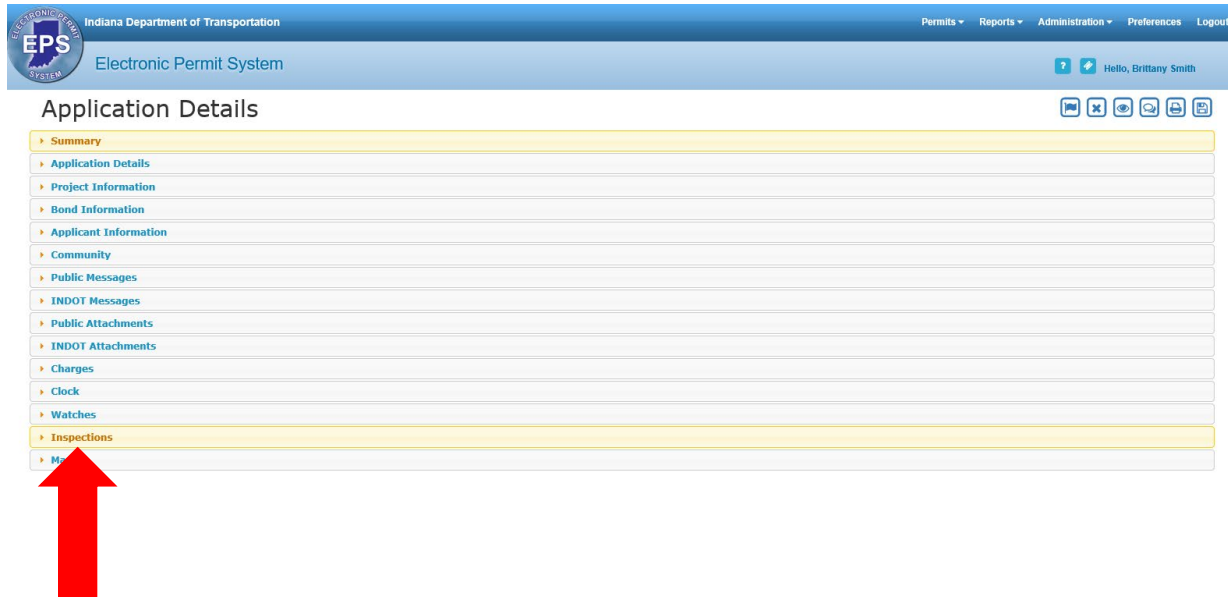
- The final shaping and dressing of shoulders, ditches and slopes is not a permit item, but is included in the cost of other bid items on the permit.
- This work consists of the final shaping and dressing of shoulders, ditches and slopes by machine or hand methods, or both, to the required smoothness, elevation and cross section as shown on the plans or as directed by the engineer.
- Shoulder construction should be in accordance with the typical sections and standards included as a part of the contract plans.
- Abrupt changes in alignment of side ditches should be avoided and any contemplated changes in ditch alignment or grade should be provided for during grading operations in order to avoid the necessity for major revision of slopes and ditches during the finishing operations.
- Slopes should be uniform and transitions from steep slopes to flat areas should be such that no abrupt changes or bulges result. It is also the policy to roll back the ends of cut slopes slightly in order to obtain a more pleasing appearance.
- In finishing the slopes of rock cuts the rock face should be carefully inspected for loose or overhanging rock that might be materially reduced if the contractor completes grading operations to the grade and cross section as work proceeds.
- It is neither economical nor good construction to include in the finishing operations, yardage that could and should have been moved during the grading operations.
- Should the contractor's methods result in rough or otherwise unsatisfactory shoulders, ditches or slopes, they should be corrected by equipment or hand methods.

General considerations for Seeding:

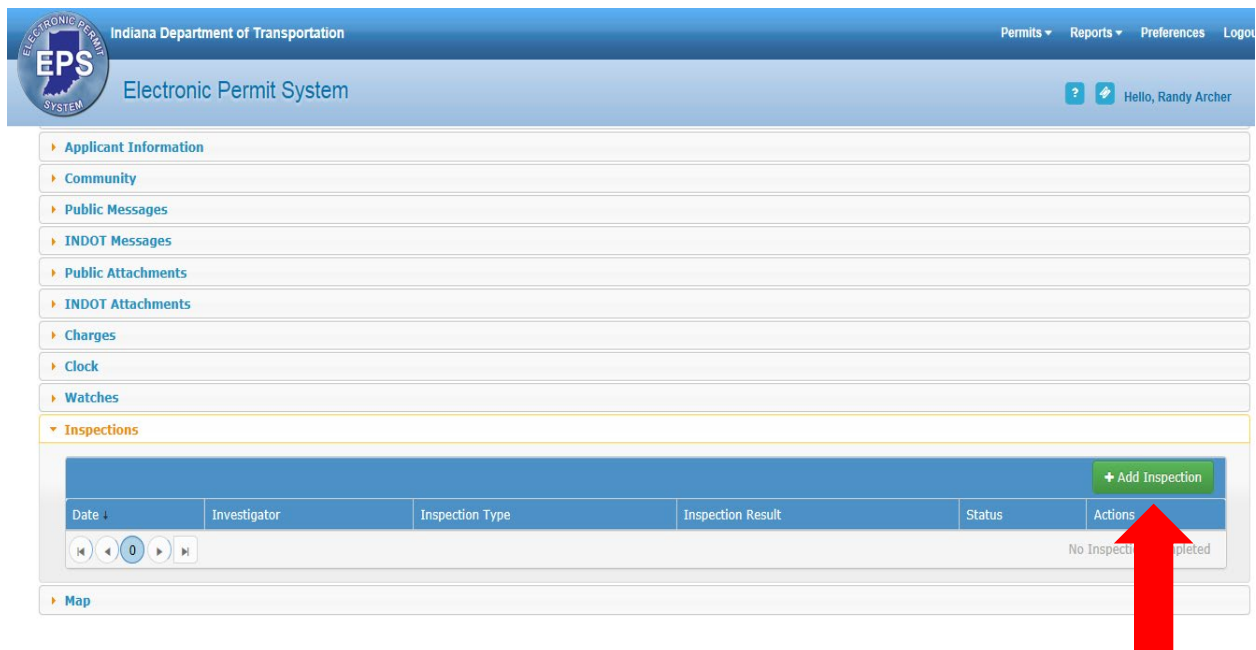
- The primary purpose of seeding is for erosion control and the secondary purpose is beautification.
- Sections of bare earth and the length of their exposure to erosion should be minimized.
- Large cut and fill slopes should be stage seeded as soon as they are finished.
- Taking time to include seeding operations as soon as possible, as often as possible, can help to reduce soil erosion. This should also prevent time lost to redress slopes after rain events.
- Temporary seeding is applied prior to permanent seeding as a temporary erosion control feature. This operation is usually done one or more times during the contract as graded areas are completed or nearly completed. This involves the moving in and out of the seeding equipment in a disjointed fashion as opposed to the massive, one time, application associated with the permanent seeding operation.

Inspection Reports in EPS:

To submit an inspection report in EPS, the INDOT staff will open the Inspection Tab in the Permits details section of the permit.



Then Click on the **Add Inspection** box.



The inspection report screen will display.

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INDOT staff should fill in the date of Inspection, then select the type of inspection from the Inspection Type drop down box. Next, click on the Results drop down box and select the applicable results. In the Explanation text box, INDOT staff should fill in commentary of the inspection. The commentary should include any information that is relevant to the permit inspection. Once finished, INDOT staff should click the Submit Inspection Report tab.

The report will automatically be sent to the Permit Manager for final approval of the inspection report. If the inspection report is approved by the Permit Manager in EPS, the status of the permit will change to reflect the results of the inspection. The Permittee will be able to view this information.

Indiana Department of Transportation
Electronic Permit System

County Name: Warrick

Date of Inspection: 7/27/2018

Inspection Type: Compliance

Result: Complies

Explanation: Permit Application has met all permitted requirements and has been substantially completed. Bond may be released if applicable.

Fees:

Date	Type	Amount	Actions
Balance:			

+ Add Inspection Fee

Submit Inspection Report Cancel

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5.5 Compliance of Permits

The work covered by a permit is not considered complete until inspected by INDOT permit staff and found to be in accordance with the plans and specifications filed in the application as amended by INDOT, together with any special conditions noted therein, and approved by the INDOT.

A final compliance inspection should be conducted 365 days upon completion of permitted work. If the final inspection completed by INDOT finds that the permitted work meets applicable standards and provisions, the permitted work is considered complete, and the permit can be closed. If there is a bond on the permit, it can be released, and the status of the permit can be updated to complies in EPS. (See section 5.4 above.)

When reviewing driveway permits or permits with limited access breaks for compliance, INDOT permit staff ensures that the completed project work is in compliance with ADA and Title VI standards.

A driveway permit or a permit with a limited access break, should not be approved as complied in EPS until a permit inspector or a construction staff member who has been trained in ADA compliance who has been trained in ADA compliance has reviewed the permitted work and confirmed that any sidewalks, ramps, and traffic devices, meet ADA and Title VI metrics.

INDOT has staff available to answer questions and concerns regarding ADA, they can be reached via email at ada@indot.in.gov.

5.6 Non-Compliance of Permits and Permit Revocation

If an inspection finds that the permitted work does not meet applicable standards and provisions, then a permit violation has occurred. The permit is then considered to be in a non-compliant status. For a permit that is in a Non-Compliant state, permit staff will submit an inspection report in EPS and the status of the permit should be updated to a Does Not Comply status in EPS.

A permit may be revoked at any time by the department for non-compliance with any provision or condition of a permit. The permittee must adjust or stop operations upon direction of any police officer or authorized INDOT employee.

The general procedures that should be taken to notify the applicant and the surety (bonding) company of a permit that remains in a Non-Compliant state are outlined in [section 5.7 Permit Violations and Enforcement](#).

State Rule referencing non-compliant permits:

Please see 105 IAC 7-1-22 Noncompliance of permits without bonds

Authority: IC 9-21-19-2

Affected: IC 8-9.5-4

Sec. 22. On permits not covered by a bond, work performed that is incomplete, improperly performed or otherwise does not follow the conditions or provisions of the permit shall be designated as "Does Not Comply". The department will follow procedures for corrective action, beginning with the notice action stated in 120 IAC 2-2-4(2) [105 IAC 7-2-4(2)]. Permit applications for existing approaches that are denied by the department shall be corrected by entering the same procedure in 120 IAC 2-2-4(2).

5.7 Permit Violations

When permitted work is not in compliance with the standards and provisions of the permitted application, INDOT takes the steps outlined below to notify the permit holder of the permit violation and the necessary corrective actions to remedy the violation. However, in the instance of an emergency or compelling agency need, if the permittee is in violation, INDOT retains the right to take actions necessary for the safety of the motoring public and the security of its assets. In such cases the permittee in violation may receive little to no notice from INDOT. The procedures below are followed when such conditions do not exist (See 105 IAC 7-2-4.)

INDOT Procedures for citing a permit violation:

Initial contact by INDOT citing a permit violation:

When a permit violation is found, District Permit Staff will:

- Complete an inspection report and contact the permit holder.
- A phone call will be made to the permittee, and
- A letter will be sent by U.S. certified mail to the permit holder citing the violation. The letter will include:
 - The remedy for the violation
 - Notice of a timeframe of not less than 30 days to correct.

The District permit staff will take care to ensure they enter any correspondence into the INDOT attachments of the permitted application in EPS.

Permittee Response upon receiving a citation from INDOT of a Permit Violation:

When the permittee receives a citation from INDOT alleging a violation of its permit, the permittee should take action consistent with the remedy specified in the citation letter it received. If the permittee has questions or concerns, the permittee should immediately contact the District Permit Manager or staff to discuss remediating the permit violation. It is the permittee's responsibility to remedy the conditions which created the violation.

Failure of the Permittee to Respond to the Initial Citation:

If there is no response from the initial attempt to contact the permit holder, permit staff may make a second phone call and send a second letter by certified mail along with a second inspection report notifying the permittee that they have 30 days to make arrangements for the work to be accomplished or further action will be taken.

Surety Notification will occur: At this point INDOT will also notify the surety company by email and attach a copy of the violation letter and second inspection report. INDOT staff will enter all correspondence into the INDOT attachments of the permit in EPS. District staff will make sure Central Office and INDOT's Legal Division are also notified.

A Fee will also be assessed to the permittee for the second inspection.

Final Attempt by Permit Staff to Obtain Performance by Permittee:

Ten day letter sent by INDOT: If there is still no response received from the permit holder, INDOT's permit staff will send a third letter by certified mail and an email addressed to the permittee stating that they have 10 days to make arrangements with the permit investigator to correct the deficiencies. The arrangements can be in the form of a letter or email sent to the investigator explaining a time frame of when the deficiencies will be corrected. INDOT's permit staff will be sure to enter all correspondence into the INDOT attachments of the permitted application in EPS. They will also ensure Central Office and INDOT's Legal Division are notified/involved.

The permittee will be assessed a fee for the third inspection.

INDOT contacts the Surety to attempt to obtain compliance by the Permittee:

If there is no response from the permittee or the permittee will not correct the deficiencies, the surety company will be contacted verbally and by email. INDOT will notify the surety company of the situation and inform the company that they will be responsible if the permittee does not correct the permit violation. INDOT staff will log all calls and correspondence in the INDOT attachments of the permitted application in EPS.

Every effort will be made to have the permittee or the bonding company correct the non-compliance. If INDOT collects on a bond then it becomes INDOT's responsibility to correct the permit deficiencies.

If the surety company does not take action to correct the permit deficiencies they will be contacted in writing by INDOT Legal. If there is still no response from the surety company and/or the deficiencies are not corrected, the work will be completed or removed by INDOT at the surety companies' expense for materials, labor, and INDOT equipment.

If the bond is waived, the INDOT District will use every means available to have the permittee successfully conclude the needed work. All previous steps above will be taken to encourage the permittee to complete the work whenever practicable or reasonable.

Waiver revoked for future permits where there has been a failure to perform: INDOT will also notify the permittee that any future permits will not have the fees or bond waived unless/until the work is completed satisfactorily. Additionally, all existing permits which are in the review phase or have been approved, but have yet to be constructed may be suspended or revoked by the permit manager.

Suspension or Revocation of a Permit:

A permit may be suspended or revoked at any time if it is found to be non-compliant with any provisions and conditions of said permit. It is necessary to make contact:

- verbally,
- by certified mail, and
- via email.

to the applicant stating the reason(s) for the revocation of the permit. The steps for citing a permit violation should be followed if the situation is not a safety hazard to the traveling public or detrimental to INDOT assets. If the deficiency in the permit work is a safety hazard to motorists or the general public or detrimental to INDOT assets, then the district should take action to correct the situation as soon as possible.

5.8 Encroachments & Unauthorized Activities in INDOT's Right-of-Way

INDOT's Encroachment Policy:

INDOT should control encroachments that are on or extending over a state highway right-of-way, or other INDOT property. This includes drainage into the highway right-of-way or other department property right-of-way. This control will be exercised to protect public property under control of INDOT and to ensure the safety and convenience of the highway user.

INDOT may remove, prevent, or terminate an encroachment pursuant to the legal authority granted in [Indiana Code 8-23-5-1](#). If an encroachment occurs, INDOT must give notice by certified mail to the owner and the occupant of the property where the encroachment occurred, as well as post a notice in a visible place on the property.

INDOT Encroachment Prevention & Control Guidelines:

The prevention of all types of encroachments should be a continuing priority of INDOT. Priorities for the correction of existing encroachments will be as follows:

1. Immediate hazard to traffic.
2. Potential hazard to traffic.
3. Damaging or potentially damaging to the highway or other property.
4. Within Limited Access right-of-way or on the National Highway System and constructed with federal funds.
5. INDOT is being petitioned to correct.
6. Permanent/temporary encroachments that do not qualify within any of the above listed priorities.

Certain encroachments extending over highway right-of-way in place on August 12, 1963 which are supported entirely from outside the right-of-way may be permitted to remain if INDOT determines the encroachment does not impair the highway or interfere with the free and safe flow of traffic on the highway. Approval from the Federal Highway Administration must be obtained for encroachments to remain on interstate highways and highways on the National Highway System which were constructed with federal funds or where there is an underlying federal aid project.

Implementation of Encroachment Control Practices by INDOT:

The utilization of resources to control encroachments will conform to the priorities established herein. The authority provided in [Indiana Code 8-23-5-1](#) will not be exercised until all reasonable alternatives have been exhausted. Encroachments discovered will be prioritized and corrective action scheduled in accordance with priority and manpower. It will be the responsibility of the district to schedule corrective action.

Corrective Action for Encroachments:

Initial Steps to Resolve an Encroachment Issue:

The following steps will be taken by INDOT when corrective action is required:

1. Ensure that an encroachment actually exists by verifying ownership and limits of the right-of-way or other INDOT property. Ownership may be verified by obtaining a copy of the recorded deed to the state or condemnation order.
2. Determine the identity of the owner and occupant of the adjacent real estate from which the encroachment occurs. Obtain the address and telephone number of the owner and occupant, if different from the owner.

3. Review conditions to determine what alternative solutions are possible, including but not limited to: removal from right-of-way, revocable permit, and sale of right-of-way or other INDOT property as surplus property, a written plan for removal and referral of the matter to the county drainage board for action. Early coordination with appropriate central divisions is advisable.
4. Advise the owner of and the occupant of the real estate from which the encroachment occurs of the problem and the necessity for corrective action. Point out alternative solutions. If the encroachment is an outdoor advertising sign, contact the Technical Services, Permit Section, for assistance in order to avoid violations of Indiana Code 8-23-20, Regulation of Billboards.

If the above steps for corrective action have been taken, and the encroachment remains and no arrangements have been made to remove the encroachment, the legal authority provided in Indiana Code 8-23-5-1 should be exercised.

Secondary Steps to resolve an Encroachment where Initial Action was not successful:

The following steps will be taken by INDOT when corrective action is required and initial attempts have failed. INDOT will:

1. Orally advise the owner and occupant of the real estate from which the encroachment occurs to terminate and remove the encroachment and restore the right-of-way to its original condition or to report a plan for removal within 10 days.
2. Document the conversation by a letter sent via certified mail to the owner and occupant no later than the following work day with copies to the district director and file. The letter should state who was advised, the date and the nature of the conversation. It should indicate that the owner and occupant will have 10 days from receipt of the letter to remove the encroachment or submit a written plan for removal.

Notice of Right-of-way Encroachment:

At the end of the 10 day time period, if the encroachment remains, send (by certified mail) a completed Notice of Right-of-Way Encroachment to the owner and occupant. The notice must specify the encroachment and the period of time within which the encroachment must be removed. The period of time specified for removal must not be less than 30 days. A copy of the notice must also be posted upon the real estate in a conspicuous place. Take a picture of this notice as evidence that the notice was posted conspicuously.

INDOT Action to terminate Encroachment:

If the encroachment is not removed at the end of the 30 days, INDOT is authorized by statute to enter the property and the district director should initiate action to remove or terminate the encroachment.

If it becomes necessary for INDOT to remove or arrange the removal of an encroachment, INDOT may remove the encroachment itself utilizing its workforce or by contract.

Removal of Encroachment by District forces:

- The district should maintain a record of the cost of removal.
- The owner of the real estate should be billed through INDOT Accounting and Control. The billing should state that payment is required within 30 days.
- If the bill remains unpaid after 30 days, INDOT Accounting and Control should file a bill with the Clerk of the Circuit Court of the county in which the real estate is located, as provided by law. The clerk should immediately enter the bill on the judgment docket against the property owner, and the bill is then a lien against the property.

Removal by Contract:

- A requisition will be prepared for the removal of the encroachment by an INDOT contractor.
- After the work is completed, INDOT Accounting and Control should file a bill with the property owner for the amount of payment to the contractor. The billing should state that payment is required within 30 days.
- If the bill remains unpaid after 30 days, INDOT Accounting and Control should file a bill with the Clerk of the Circuit Court of the county in which the real estate is located and the clerk should immediately enter the bill on the judgment docket against the property owner, and the bill is then a lien against the property.

Special considerations for encroachments involving advertising signs, signals or devices:

Pursuant to [Indiana Code 9-21-4-6](#), notice is not required for the removal of an advertising sign, signal or device in the following locations:

- On or over the roadway of a highway.
- On highway right-of-way.
- On a highway in a city between the curb and sidewalk.

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- Within 100 feet of a highway outside the corporate limits of an incorporated city or town if the sign, signal, or device obstructs the view of the highway or an intersecting highway, street, alley, or private driveway of a person traveling the highway for a distance of 500 feet or less from the sign, or device as the person approaches the highway or intersecting highway.

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6.0 Broadband Permits

6.1 General

Broadband is a term commonly used to refer to high speed internet. Broadband permits are requested by applicants who want to place fiber optic lines along or in INDOT right-of-way similar to telephone or communication cables. These fiber optic lines aid in providing high speed internet to consumers. In some cases, with proper agreements, a cell tower may be allowed to be placed along INDOT right-of-way. The section provides an outline of the requirements for a permit. All permit applicants must follow the detailed guidelines at <https://www.in.gov/indot/files/Broadband%20Permit%20Guidance.pdf>.

A Broadband Access Permit is required by INDOT when:

- The project relates to the construction and/or placement of new vertical structure(s) for the purpose of wireless data transmission within INDOT right-of-way.
- The project involves the placement of wireless data transmission equipment on existing structures within INDOT right-of-way.
- The project requires that fiber optic wire and cable duct be placed within INDOT right-of-way.

Broadband Access Permit Sub Issue Definitions:

- **New Vertical Structure:** Use this permit sub-type when applying to construct a vertical structure designed to support wireless data transmission improvements, and related services in INDOT right-of-way.
- **State-Owned Vertical Structure:** Use this permit sub-type when applying for the right to place data transmission equipment on existing state-owned structures.
- **State Facility:** For use when seeking the right to place data transmission equipment on State owned buildings.
- **Longitudinal Fiber:** For use when seeking the right to install fiber optic cable and conduit in INDOT right-of-way when any part of the installation runs approximately parallel to the roadway.
- **Transverse Fiber:** For use when seeking the right to install fiber optic cable and conduit in INDOT right-of-way where the installation is limited to approximately perpendicular passage over and under INDOT right-of-way.
- **Other:** For use when applying for a permit to access a site for the purpose of modification and maintenance of shared use improvements.

The INDOT Broadband Permit Guidelines have been prepared to outline the procedures to be followed for installations and operation of Broadband Improvements in INDOT's right-of-way. This process provides clear directives defining the requirements in a Broadband Access Permit application to ensure the permit review process is consistently, fairly, and safely implemented.

Broadband Permit Guidelines:

<http://www.state.in.us/indot/files/Broadband%20Permit%20Guidance.pdf>

6.2 Broadband Access Corridor

To accelerate the deployment of broadband infrastructure across the State of Indiana, INDOT instituted a broadband corridors program. This program removes barriers preventing broadband providers from accessing right-of-way along Indiana interstates and limited access highways.

Fees for using INDOT Right-of-Way in a Broadband Access Corridor:

Under this program, INDOT will assess a fee to the fiber optic and wireless industry for the ability to occupy space within INDOT's Limited Access right-of way (LARW) and intended to pay for maintenance and management of the broadband corridor. In some cases, INDOT may instead opt for resource sharing agreements with broadband providers in order to expand State owned data transport facilities in areas where the State does not have broadband infrastructure.

Broadband Corridor Agreement Required:

In order to install fiber optic cable along the identified routes on INDOT's Broadband Corridor, the applicant first must have a fully executed INDOT Broadband Corridor Agreement. The Broadband Corridor Agreement must apply to any and all Broadband Access Permit application that meets any of the following conditions: (1) longitudinal fiber, if any portion of the project falls within designated broadband corridors; (2) any new vertical (cell) structure; (3) use of State owned facilities; (4) use of State owned vertical structures.

Permit Application Required:

NO permit will be issued along the Broadband Corridor without a fully executed Broadband Corridor Agreement in place and a permit application which follows the standards of the provisions of the broadband permit guidance. All permit requests along the National Highway System (NHS) route must be reviewed and approved by Federal Highway before any permit will be issued by INDOT.

INDOT's Broadband Corridor Map:

To determine if proposed work falls in an area designated as Broadband Corridor, please refer to the [Broadband Corridor Map](#) to confirm the location of the project site.

6.3 Broadband Access in the Non-Corridor

The Broadband Access in the Non-Corridor are areas where right-of-way access rights have not been taken (Non-LARW) or full access right-of-way exist. Examples of these areas are two lane State Highways or some four lanes highways where there are drive accesses.

The Broadband corridor map delineates what is considered Broadband Corridor only. (See Section 6.2 above for a map of the broadband corridor.)

If a permit is requested in Non-LARW, the general permit guidance (section 3.1 of this guide) and broadband permit guidance (section 3.2 of this guide) should be followed by the applicant when submitting a permit application and by the permit investigator when reviewing the permit for compliance with INDOT standards and provisions.

6.4 Site Viability

One of the criteria for broadband permitting is site viability.

Sight Viability Form Completion Required:

- If during review an INDOT project is scheduled,
- If the proposed work is located in Limited Access Right-of-Way,
- or, if proposed work is located in the Broadband Corridor.

A site viability form should be signed by the District Technical Services Director (TSD) and the District Deputy Commissioner (DDC) and attached to the application in EPS. The intent of this form and signatures is to make aware the TSD or DDC, to assure the permit does not conflict with upcoming Projects, and communicate pertinent site information.

Site Viability Form:

<https://www.in.gov/indot/files/2017.07.06%20Shared%20Use%20Site%20Viability%20Checkoff.pdf>

6.5 Scheduling Project Management System (SPMS)

INDOT permit staff will review information for upcoming projects via SPMS prior to granting permit applications. <https://spms.indot.in.gov/spms/login> or INDOT EPS map.

If the permit request does impact an INDOT project(s), contact should be made with the INDOT Project Manager to reconcile any potential issues. A permit may be denied if the Broadband permit application negatively impacts an INDOT project.

6.6 Broadband Pre-Construction Meeting

At the issuance of the permit with major work, a pre-construction meeting should be held. See the general information related to preconstruction meetings in section 4.9 of this document.

6.7 Additional Broadband Permit-Permit Resources for INDOT Staff & Applicants

The Broadband Flowchart should help with the decision process and the “What do I do next?”: [Broadband Excel Flow Chart](#)

The broadband applicant and staff checklists can also be found in section 12.

[Broadband checklist for Permit Staff](#)

[Broadband checklist for Applicants](#)

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7.0 Driveway Permits

7.1 General

Regulation and control of driveway connections are necessary to provide efficient and safe operation on highways and to utilize the full potential of highway investment. Landowners adjacent to highways have certain rights of access consistent with their needs.

INDOT Jurisdiction related to Driveway Permits:

INDOT is authorized to determine and establish such requirements and restrictions for driveway approaches as may be necessary to provide for the drainage of the highway, preservation of the highway and the safety and convenience of traffic on the highway. An electronic permit application will be considered by INDOT and, if in accordance with properly established regulations and requirements, a permit may be granted subject to appropriate conditions and provisions contained therein. All work on the permit application must be performed to the satisfaction of INDOT.

State law requires the public to obtain permission from the governmental unit having jurisdiction over a street or highway to construct inside of the right-of-way line. INDOT has jurisdiction over the Indiana state highway system and has established a driveway permit process to be followed by all applicants.

The administrative requirements associated with the driveway access permit application process for all state highways are governed by the promulgated rules of Title 105, Article 7 of the Indiana Administrative Code (IAC): Permits for Highways

INDOT's Driveway Permit Manual provides guidance for Driveway Permits:

The INDOT Driveway manual has been prepared for the purpose of explaining the application rules for access to state highways and to help the applicant navigate through the Driveway permit process. It also includes the legal basis for the exercise of this authority and explains the procedures to be followed when applying for a driveway permit. This manual is incorporated by reference into INDOT's permit guide and should be adhered to when applying for a driveway permit.

<https://www.in.gov/indot/files/Driveway%20Permit%20Manual.pdf>

7.2 Types of Driveway Permits

Driveway permits are separated into six types:

- Commercial Major,
- Commercial Minor,
- Commercial Sub-minor,
- Minor Public Road Approach
- Major Public Road Approach, and
- Private.

These permit types require specific information appropriate policies, procedures and standards.

Commercial Major Driveway Permit:

This type of approach connects the highway to the private property used for commercial purposes or to a public property, which attracts enough traffic to require auxiliary lane(s), as determined by INDOT. The location for this type can be in either an urban or rural area. See **Figure 7.2(1)** Commercial Major Driveway Permit Application Process Diagram below for more information.

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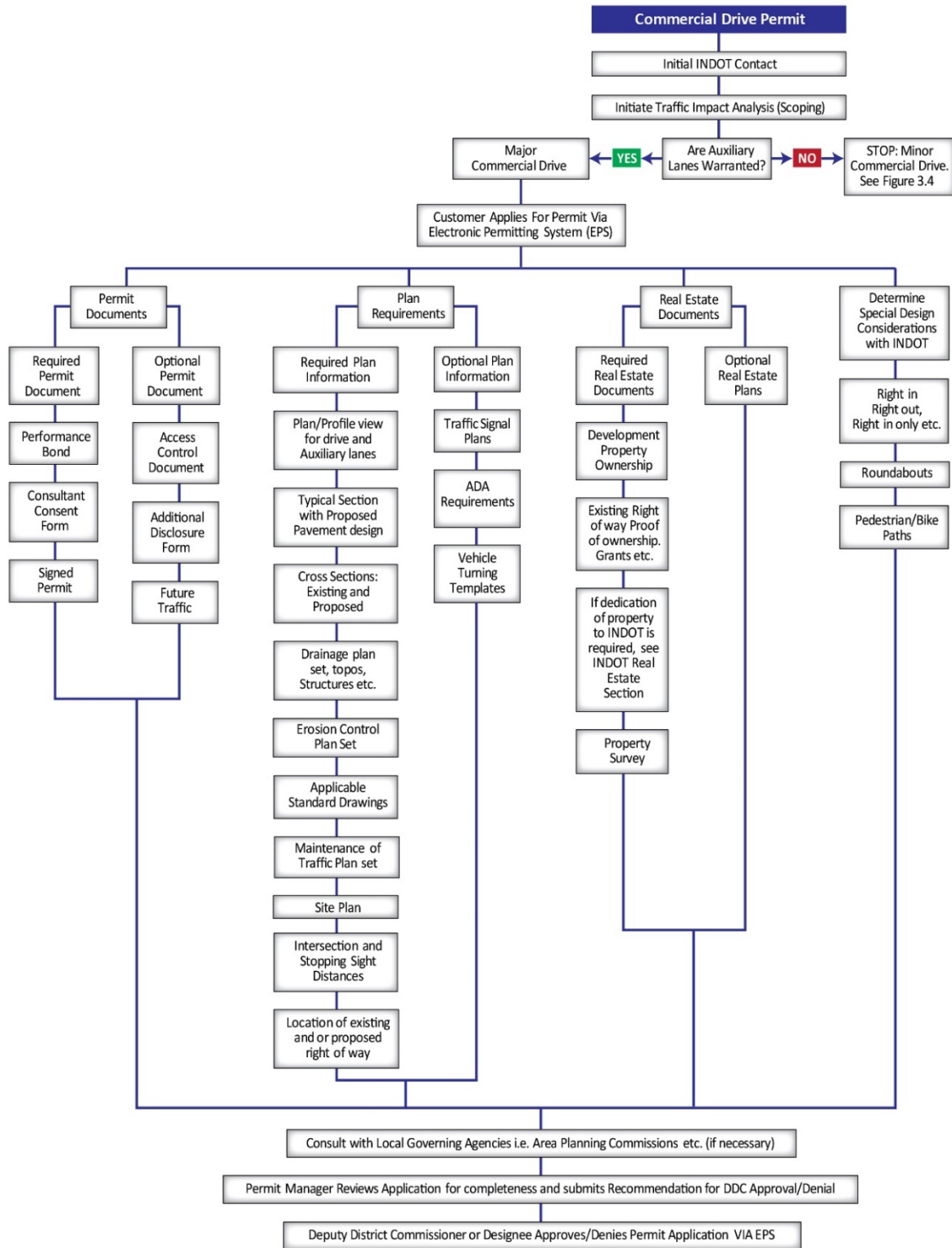


FIGURE 7.2(1) COMMERCIAL MAJOR DRIVEWAY PERMIT APPLICATION PROCESS DIAGRAM

Commercial Minor Driveway Permit:

This type of approach connects the highway to private property used for commercial purposes, or to a public property that attracts enough traffic to require auxiliary lane, as determined by INDOT. The location for this type can be in either an urban or a rural area. See **Figure 7.2(2) Commercial Minor Driveway Permit Application Process Diagram** below for more information.

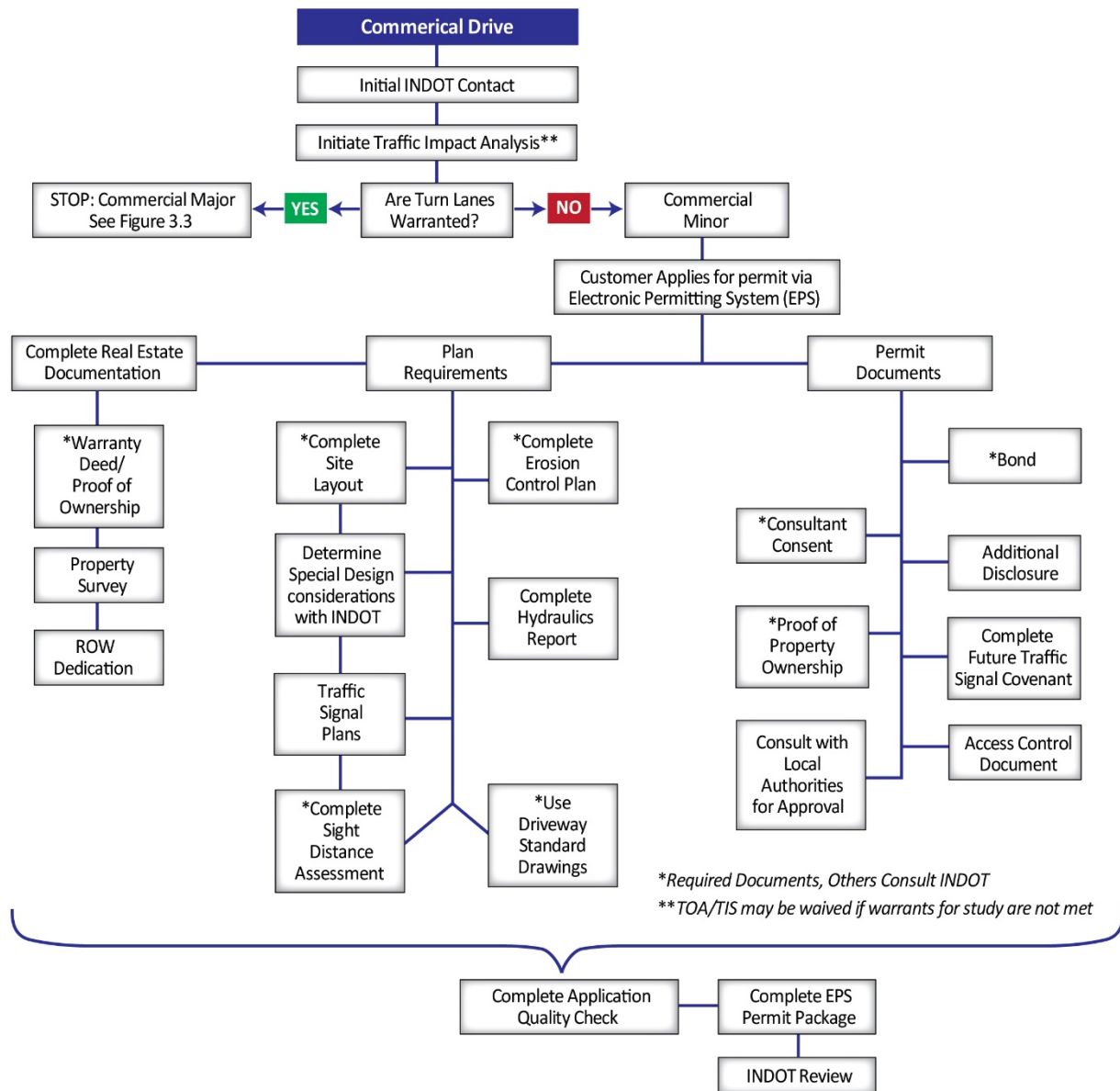
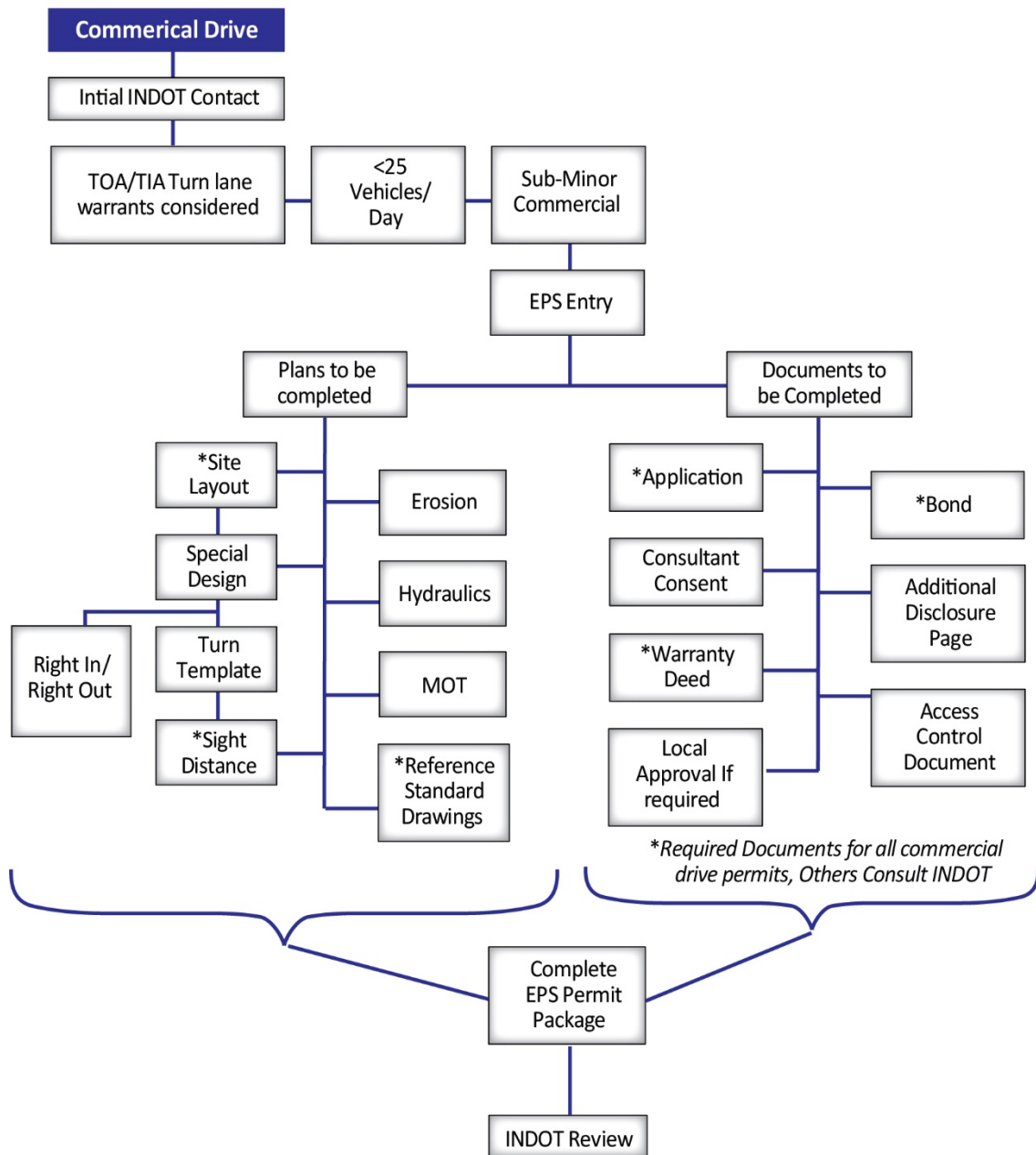


FIGURE 7.2(2) COMMERCIAL MINOR DRIVEWAY PERMIT APPLICATION PROCESS DIAGRAM

Commercial Sub-Minor Driveway Permit:

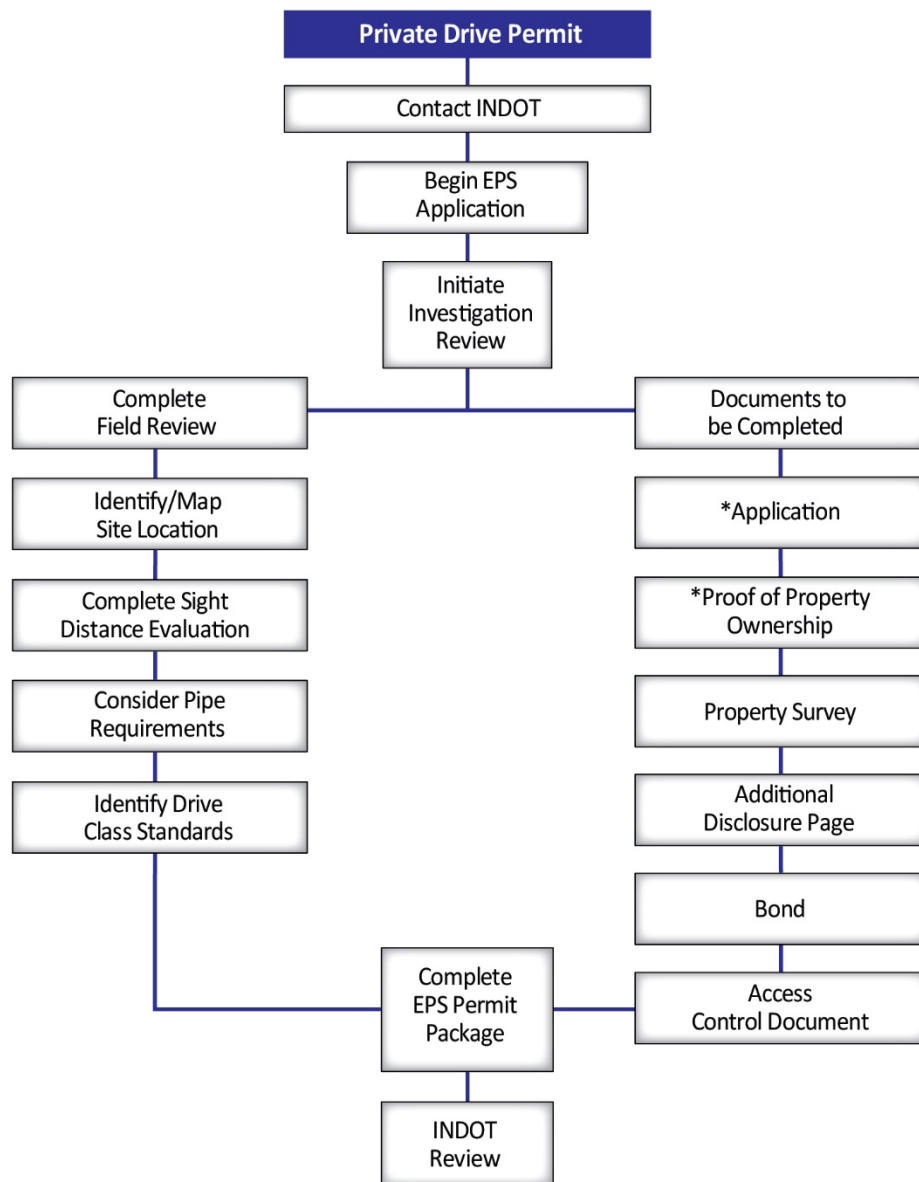
This type of approach connects the highway to private property used for commercial purposes, and which does not attract more than 25 vehicles per day, as determined by INDOT. The location of this type can be in either an urban or rural area. See below for more information:

Figure 7.2(3) Commercial Sub-Minor Driveway Permit Application Process Diagram

**FIGURE 7.2(3) COMMERCIAL SUB-MINOR DRIVEWAY PERMIT APPLICATION PROCESS
DIAGRAM**

Private Driveway Permit:

This type of approach connects the highway to private property having a residence, barn, or private garage, in improved or unimproved condition, used by the owner or occupant of the premises, guests, and necessary service vehicles. The location for this type of driveway can be in either an urban or a rural area. See **Figure 7.2(4) Private Driveway Permit Application Process Diagram** for more information.



**Required Documents, Other Documents to be confirmed with INDOT*

FIGURE 7.2(4) PRIVATE DRIVEWAY PERMIT APPLICATION PROCESS DIAGRAM

7.3 Determination Of Permit Type

The appropriate forms, detail, and level of review is dependent upon the type of driveway permit required. The schematic below shows the important process steps for each of the four types of permits. Each of the steps and forms are detailed throughout the Driveway Permit Manual. The following general flow illustrates the relationship between the types of Driveway Permits and the decisions required to determine the appropriate permit type. Detailed discussion and requirements of each permit type are contained within the Driveway Permit Manual 2018 v2. See **Figure 7.3(1)** Determination of Permit Type Below for more information.

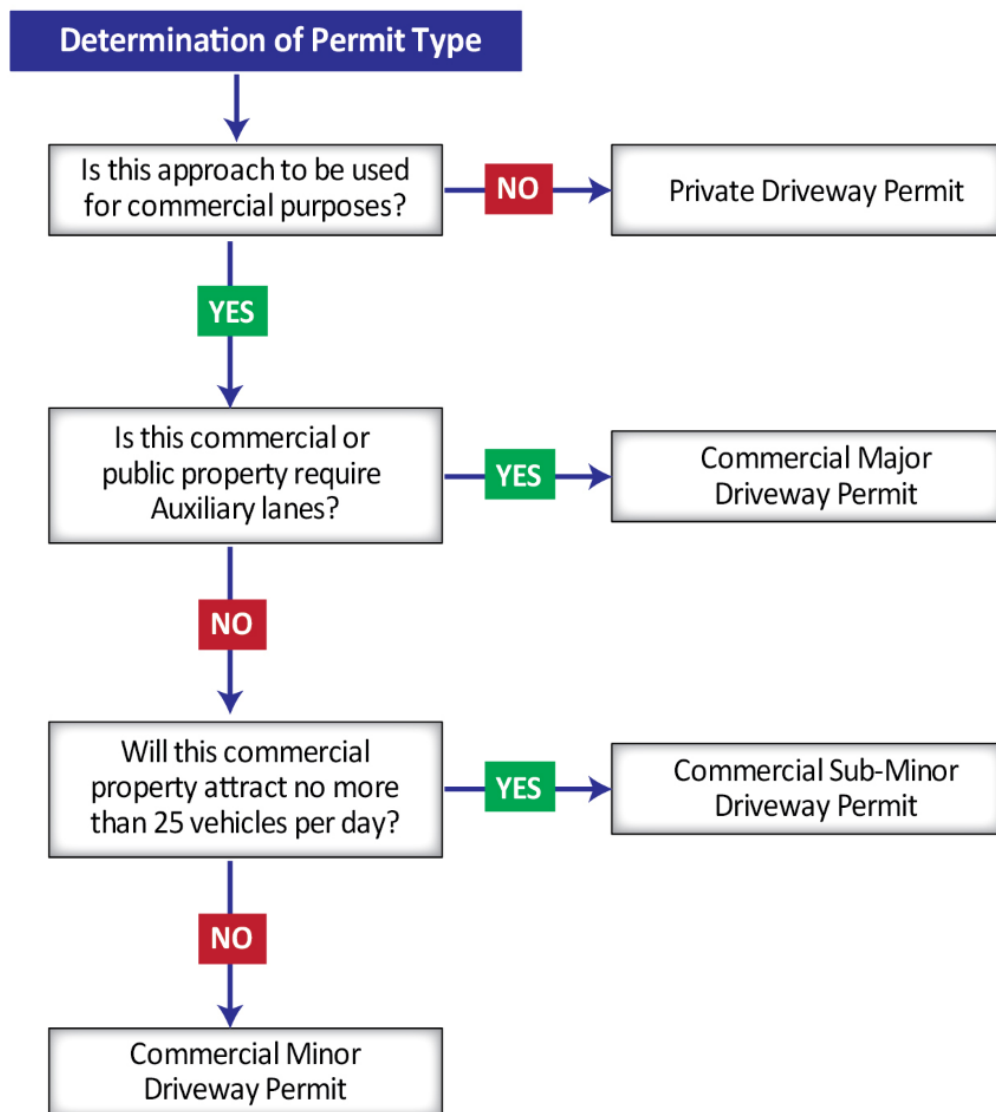


FIGURE 7.3(1) DETERMINATION OF PERMIT TYPE

7.4 Major Public Approach/Major Commercial Driveway Additional Special Provisions

Permittees seeking permits under this chapter will comply with all applicable general permit provisions in **section 3.0** of this guide as well as the following Major Public Approach / Major Commercial Driveway Provisions:

- **Subsequent change in use or character of drive:** Any subsequent change in the character of the use of the access, approach or crossover described in this permit due to any new developments on this or any adjacent parcels that use this access will require a new application for an INDOT driveway permit. Local zoning and planning agencies must also be contacted. The granting or denial of such new application will be governed by the same regulations judged by the same standards for a permit for a wholly new access, approach and/or crossover (Indiana Administrative Code Title 105: Article 7: Rule 1: Section 6: New application; when required).
- **Standards and independent consultant requirement:** All work to be completed on this permit will be in conformance to current INDOT Standards and Specifications. The Permittee will provide an independent consultant to conduct on-site inspection and testing. The independent consultant will be an INDOT certified inspector to conduct Construction and Management Engineering services for the permitted project. The independent consultant will provide all required documentation and test results to the Department of Transportation for review and approval.
- **Right-of-way Fence Replacement:** Any Right-of-Way replacement fence will be as follows:
 - The replacement fence will be constructed on the right-of-way alignment in accordance with current INDOT standards.
 - No advertising will be allowed on the fence.
 - The replaced fence will become the property of INDOT upon completion of installation.
- **Existing Drive Removal:** If this permit includes the removal of an existing driveway, then the location of the existing driveway must be restored to the overall original topography and/or better condition, re-establishing correct drainage patterns and a minimum of 12 inches of topsoil where required.
- **Driveway Pipe Installation:** The permittee will install a minimum 15 inch diameter corrugated metal driveway pipe with metal end sections under the driveway approach of adequate length to accommodate 4:1 side slopes unless otherwise noted.
 - If no pipe is required at this time, INDOT reserves the right to require a 15 inch pipe with metal end sections if a drainage problem occurs in the future.
 - The cost of the pipe installation will be by the current Fee Simple property owner of the parcel on which the driveway is located at no expense to INDOT.

- **Pavement Markings:** All permanent pavement markings required due to the proposed construction will be installed by the permittee at the direction of the INDOT District Traffic Engineer.
 - All incorrect pavement markings will be removed by sand blasting or other INDOT approved non-destructive methods. Grinding will not be allowed.
 - The permittee will temporarily field mark the proposed pavement markings for the review and approval by INDOT prior to placing the permanent pavement markings.
 - Please call INDOT's District Permit Supervisor three (3) days in advance to schedule an inspection.
- **Traffic Control (Temporary):** The Contractor will be responsible for the field layout, placement, operation, maintenance and removal of temporary traffic control devices.
 - A worksite traffic supervisor certified by the American Traffic Safety Service Association (ATSSA) or approved equal certifying organization, will direct all field layout, placement, operation, maintenance and removal of temporary traffic control devices.
 - The certified worksite traffic supervisor (CWTS) will ensure that all traffic control devices, except temporary concrete barrier, meet acceptable standards as outlined in the plans, specifications and ATSSA's "Quality Standards for Work Zone Traffic Control Devices" prior to installation.
- **Recorded Real Estate Documents:** Execution of and receipt of any required recorded Maintenance/Easement Agreement, Warranty Deeds, Right-of-Way transfer Documents, an Access Control Document and/or a Future Signal Covenant and entire driveway construction must be completed to the satisfaction of INDOT before the bond will be released.
- **Right-of-Way monuments** will be placed by the applicant at no expense to INDOT at any and all locations in which there is a change in alignment of INDOT right-of-way line within the boundaries of this permit.
 - The monuments and the placement of the monuments will be in accordance with current INDOT standards and specifications as shown on the attached permit drawings and/or as specified by INDOT.
 - Please call INDOT's Permit Supervisor two (2) weeks prior to the start of work to schedule the survey crew.
 - INDOT's F District Survey Crew will reference the right-of-way marker location.
- **Concrete Form Inspection:** The permittee will contact the Permit Investigator at least three (3) days in advance to schedule an inspection when the concrete forms are in place if applicable to this permit.
- **Pavement Edge Trimming:** The edge of the existing paved shoulder will be trimmed and straightened where any new pavement approach is to be attached.

- **Drive Approaches:** The concrete approach will be finished one-half inch below the adjacent paved shoulder, if applicable. The permittee will place the required asphalt pavements in accordance with Section 400 and/or Section 600 of the Indiana Standard Specifications dated September 2016 for Bituminous Items (a copy of these sections will be provided upon request).
- **HMA weather limitations** as per section 402.12 must be strictly followed. No differences in pavement elevations between the mainline pavement and new pavement sections can be left in place over the winter.
 - If conditions do not allow the placement of the surface course or any other courses, the Permittee must contact INDOT for approval and direction.
 - If intermediate or base courses are used in place of any surface courses for the winter period, it will need to be milled and an acceptable surface course be placed in the spring, weather permitting and as per section 402.12.
- **Certified Hot Mix Producer Requirements:** A Certified Volumetric Hot Mix Producer will be used for the paving operations.
 - All mix designs will be submitted for approval by the District Materials and Testing Engineer two (2) weeks prior to producing the mix, if requested and required.
 - All other applicable Standards will apply from the sections noted.
- **Revocation for failure to meet standards:** Failure to follow these Standards will be cause for the revocation of the permit and/or all pavement items associated with said permit.
- **Failed Material:** All failed material will be removed and replaced to INDOT minimum standards.
- **Traffic Sign and Control Relocation:** Please contact the District Paint/Sign Supervisor three (3) days in advance of the start of work to receive instructions for the proper removal and resetting of all affected traffic control signs and equipment.

Timeframes for Contacting INDOT's District Office for a Commercial Drive Permit:		
WHEN	WHAT ACTIVITY	WHO TO CONTACT
2 weeks prior to work	Survey for right-of-way Monument Replacement	District Survey Crew
2 weeks prior to producing mix	When utilizing hot mix asphalt	District Materials and Test Engineer
3 days prior	Traffic sign and control relocation	District Sign/Paint Engineer
3 days prior	Concrete form Installation	District Permit Investigator
3 days prior	Pavement Marking Installation	District Permit Supervisor
If conditions prohibit installation	When paving during winter or inclement weather	District Permit Supervisor

7.5 Minor Public Approach/Minor Commercial Driveway Additional Special Provisions

Permittees seeking permits under this chapter will comply with all applicable general permit provisions in **section 3.0** of this guide as well as the following Major Public Approach / Major Commercial Driveway Provisions specified above in **chapter 7** of this guide with the exception of:

- **Temporary Driveway Provision:** If the permit is for a temporary driveway, it will be closed, removed and the State right-of-way restored to the original or better condition on or before the expiration date of this permit. Restore the right-of-way to match the right-of-way by fine grading and mulch seeding all disturbed areas.
- **Asphalt Surface Required:** The access for a sub-minor commercial driveway must be asphalt surface.

Concrete Specifications for a sub-minor commercial drive:

- The permittee will contact the Permit Investigator at least three (3) days in advance to schedule an inspection when the concrete forms are in place if applicable to this permit.
- The edge of the existing paved should will be trimmed and straightened where the concrete approach is to be attached.

- The concrete approach will be finished one-half inch below the adjacent paved shoulder.
- The approach will be installed using Type-C ear construction as shown in the attached standard drawing.
- All permanent pavement marking required due to the proposed construction will be installed by the permittee at the direction of the INDOT District Traffic Engineer.
 - All incorrect pavement markings will be removed by grinding or sand blasting.
 - The permittee will temporarily field mark the proposed pavement markings for the review and approval by INDOT prior to placing the permanent pavement markings.
 - Call INDOT's Permit Supervisor three days in advance to schedule an inspection.
- Please contact the District Paint/Sign Supervisor three (3) days in advance of the start of work, to receive instructions for the proper removal and resetting of all affected traffic control signs and equipment.

Removal of a Driveway:

If this permit is for the removal of an existing driveway, then the location of the existing driveway must be restored to the overall original topography and/or better condition, re-establishing correct drainage patterns, a minimum of 12 inches of topsoil where required.

The permittee must comply with all applicable general permit provisions under **chapter 3** of this guide and all applicable driveway provisions in **chapter 7** during the driveway removal process.

7.6 Driveway Permit-Permit Staff Resources

These documents can also be found in section 12 of this manual.

[INDOT Private Driveway Permit Field Investigation Report](#)

[INDOT Driveway Permit Manual](#)

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8.0 Outdoor Advertising Control (Signs) Permit

8.1 History of Outdoor Advertising Permits

The Highway Beautification Act of 1965 (“HBA-65”), Public Law 89-285, required all states to make provisions for effective control of outdoor advertising within 660 feet of the right-of-way or lose ten percent of federal highway funding. As a result of HBA-65, Indiana entered into an agreement for Control of Outdoor Advertising (the “Agreement”) with the U.S. Department of Transportation. On August 4, 1971 the Indiana General Assembly authorized the Agreement.

8.2 Rules and Regulations

The HBA-65 only applies to highways on Control Routes. The HBA-65 excludes from control and regulation the following outdoor advertising:

1. On Premise Signs
2. Outdoor advertising which advertises the sale or lease of property upon which it is located.

Which Outdoor advertising signs are regulated by INDOT Permits?

Within 660 feet of the right-of-way, the HBA-65 regulates the erection and maintenance of outdoor advertising signs in the zoned and unzoned commercial or industrial areas. It prohibits the erection of all outdoor advertising except official, signs, public utility signs, service club and religious notices, public service warning signs and directional signs, in all other areas within 660 feet of the right-of-way on controlled highways.

8.3 General Provision for Outdoor Advertising Permits

An outdoor advertising permits manual has been created in order to establish the procedures involved in erecting and maintaining outdoor advertising Signs adjacent to the Interstate System, Federal-Aid Primary Highways, the National Highway System, and other Control Routes within the State of Indiana in compliance with Federal Law and State Law.

INDOT’s Outdoor Advertising Control Manual:

The permit requirements for signs can found in the Outdoor Advertising Control Manual. The requirements in INDOT’s Outdoor Advertising Control Manual are incorporated by reference into this Permit Guide and made a part of INDOT’s business practices as they relate to permitting outdoor advertising activities.

https://www.in.gov/indot/files/Permits_OutdoorAdvertisingControlManual_2014.pdf

8.4 Billboard Application Requirements

General application requirements apply to billboard permit applicants unless an exception is stated. Please see sections 3.0 and 3.3 of this guide as well as chapters related to submitting a permit application using INDOT's EPS system.

Types of additional Requirements for completing a Billboard Permit Application:

- Name of the Sign Owner
- Name of Property Owner
- Type of Highway (where the erected sign will be visible)
- Estimated Erection Date (month, day, year)
- Side of the Highway (sign will be located: North, South, East, West)
- Direction of Travel
- Between reference signs/mile markers
- Location description
- County Name
- Feet to nearest sign
- Feet from right-of-way line of highway
- Distance to nearest intersection/ramp
- Is the sign located in an unzoned commercial or industrial area? (If yes, qualifying business or activity should be included.)
- Is Sign in City Limits?
- Sign Height
- Type of Sign
- Number of Supports
- Illumination

8.5 Additional Documentation Required for Billboard Permit Applications

Zoning Affidavit Required for Billboard Application:

The zoning affidavit is a form that is filled out by the zoning authority for the property where a proposed or existing billboard is to be erected or currently exists. This form should be attached to all billboard permit applications. For instructions on completing the zoning affidavit please see the [Affidavit Instructions](#).

Affidavit of Property Owner for Billboard Applications:

The Property Owner Permission Affidavit is a form that is filled out by the property owner for the property where a proposed or existing billboard is to be erected or currently exists. This form must be attached to all billboard permit applications.

Sign Owner Affidavit for:

[Zoning](#)
[Property Owner](#)

8.6 Permit Plate Procedure

For each outdoor advertising permit issued, the permittee will receive a permit plate to be attached to the sign.

- **Temporary Location Marking Required:** Between the time of approval or the permit and the erection of the Sign, the applicant should visibly mark (with a stake or other similar device) the site as close to the right-of-way line as is practical to prevent others from applying for a site in the same area.
- **Issuance of permit number and plate:** A permit along with a permit number and plate will be issued upon proper application, approval, and the payment of fees for lawful outdoor advertising structures.
- **Affixing the permit plate:** The permit plate will be securely affixed to the appropriate outdoor advertising structure within 30 days of permit approval. The permit plate should be placed in a location visible from the traveled way.

8.7 Vegetation Removal

A separate application is required if and when an Outdoor Advertising Company would like to trim or remove vegetation along State highways. This is applied for through EPS. See section 11.2.1.

- **Vegetation removal by permittee for permit plate visibility:** It is the responsibility of the Sign owner to ensure that off-right-of-way vegetation is sufficiently controlled at the site to ensure that the permit plate is visible from the traveled way.
- **Separate permit required for vegetation removal:** Sign owners that cut vegetation on the State right-of-way without the applicable vegetation-removal permit may be subject to loss of the Outdoor Advertising Permit for that location.

8.8 Billboard Permit Revocation

Any valid permit issued for a lawful outdoor advertising structure will be revoked by INDOT for any of the following reasons:

1. **Mistake** in any of the material facts by the issuing authority for which had the correct facts been made known, the outdoor advertising permit in question would not have been issued.
2. **Misrepresentations** of the material facts by the applicant for the outdoor advertising permit.
3. **Failure to timely complete construction** of the structure within 365 days from the date of issuance of the outdoor advertising permit.
4. **Any alteration of an outdoor advertising structure** for which a permit has previously been issued which should cause that outdoor advertising structure to fail to comply with the provisions of the Outdoor Advertising Control Act and the rules and regulations promulgated by INDOT.
5. **Making alterations to a nonconforming sign** which would cause it to be other than substantially the same as it was on the date the sign became nonconforming. (See section on nonconforming signs.)
6. **Failure to affix permanent permit plate within 30 days** after the erection of the outdoor advertising structure.
7. **Unlawful destruction of trees or shrubs** or other growth located on the right-of-way in order to increase or enhance the visibility of an outdoor advertising structure.
8. **Unlawful violation of the control or access** on interstate, freeway, or other controlled access facilities. Direct access to a billboard from an interstate or limited access control route is strictly prohibited.
9. **Failure to maintain a nonconforming sign such that it remains blank** for a period of 12 consecutive months.
10. **Failure to maintain a nonconforming sign such that it becomes obsolete.**
11. **Failure to obtain or maintain all required permits** from a federal, state or local agency to perform work and/or allow a billboard under this permit.
12. **Failure to comply with all requirements** and regulations of the Outdoor Advertising Manual.

8.9 Billboard Appeals

Administrative Orders and Procedure Act (AOPA) Hearings:

Should any one owner of a sign disagree with the determination of INDOT pertaining to the issuance or revocation of a permit for outdoor advertising, the owner of the Sign will have the right to request an AOPA Hearing. If a sign owner decides to appeal the determination of INDOT, they must notify INDOT of the Sign owner's decision to appeal by delivering a written notice of appeal to INDOT within 30 days of the Sign owner's receipt of notice of INDOT's determination.

For further details and instruction on Outdoor Advertising Permits please refer to the Guide to Outdoor Advertising:

https://www.in.gov/indot/files/INDOT_Guide_To_Outdoor_Advertising_2020.pdf

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9.0 Emergency Permits

9.1 General

How is an emergency defined?

An emergency is defined as a situation or occurrence of a serious nature, developing suddenly and unexpectedly, and demands immediate reaction to protect life or property.

Permittee Procedure for addressing an emergency:

When a utility has an emergency situation in State right-of-way, an informed representative of the utility must contact the appropriate INDOT District or Sub-District Office. If an emergency occurs during non-business hours and someone cannot be reached, it must be reported immediately at the beginning of the next business day.

Preliminary Application for Emergency Work Form:

When contact is made, the [Preliminary Application for Emergency Work](#) within State highway rights-of-way form must be filled out completely by both parties. The utility company can then take this form to the work site to prove they have permission to work in State right-of-way.

9.2 Procedures

The steps listed below coincide with the Preliminary Application for Emergency Work within State Highway rights-of-way form and should be completed with as much detail as possible for each emergency situation:

1. **Name and address of applicant:** Complete name and address of applicant.
2. **Person responsible for work:** This should be the job foreman or person in charge of correcting the emergency situation, and restoring the roadway and or right-of-way according to INDOT specification.
3. **Telephone Number:** This should be that of the applicant or the job foreman, please specify which.
4. **Date Work to Start:** The date when someone is actually in the right-of-way.
5. **Type of Work:** Description of what is to be done in the right-of-way.
6. **Location of Work:** This is the exact location of where the work is being performed.
7. **This is an Emergency Because:** The reason for the emergency.
8. **Date:** This is the day on which the phone conversation takes place.
9. **Permission given by:** This is the District Permit Manager.
10. **Time:** This is the time of day when the phone conversation takes place.

9.3 Emergency Work Requirements:

- In the event of an emergency, all Traffic Control policies and procedures should be followed by the permittee.
- The applicant and INDOT should have identical information on two (2) separate copies of the Preliminary Application for Emergency Work within State Highway rights-of-way form, per phone conversation.
- The applicant's emergency card must be at the job site with the job foreman at all times.
- Once the work is completed, the applicant will submit a regular application with a copy of the emergency card attached within five (5) working days of notification.

9.4 EPS Submission of Emergency Permit Application:

Timeline for completion of regular permit application and payment of fees:

A regular application and payment of fees should be filed via EPS no later than three (3) working days from notification.

Remember: An emergency permit does not exempt the permittee from complying with all **traffic control** policies and practices!

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10.0 Miscellaneous Permits

10.1 General

A miscellaneous permit is needed for any activity on INDOT highway right-of-way not covered by other permits. It is impossible to cover every situation for which a miscellaneous permit would be required. Therefore, judgement will be required to categorize the permit accurately. The below list is the common miscellaneous permit filings.

Miscellaneous Permit Categories:

Miscellaneous Permits consists of several categories that may include, but are not limited to:

- Banners and Decorations
- Road and Lane Closures
- Right of Way Fence Removal
- Public Art and Landscaping
- Political Boundary Signs
- Surveys
- Noise Ordinance

10.2 Banners or Decorations

The hanging of temporary banners for advertising of general community interest or decorations for public events. In most cases bonds are not required for banners.

Banner and Decorations Permit Special Provisions:

Banner permits must meet all the applicable requirements of general permits provided in section 3.0 of this guide as well as the following special provisions:

- Banners cannot block a traffic signal or cause sight distance issues for the travelling public.
- Banners cannot be attached to any INDOT controlled facility.
- Minimum Vertical Clearance of banners is 18 feet from Roadway.
- Banners will only be allowed to display civic or public, not-for-profit events. (No banners with commercial logos on them will be permitted.)
- A Letter from the party responsible for putting up and taking down the banner is required with the permit application.
- A detailed drawing including the following information is required with the permit application:
 - Height of Banner

- Length of Banner
- Information displayed on the Banner
- Dates banner will be attached to
- Types of support banner will be attached to
- Types of support used to attach banner to secure structure
- Vertical Clearance (top of roadway to bottom of banner) of Banner (In feet)
- Location of Banner (From nearest intersection with another State Route and local route)
- Emergency Contact

10.3 Lane Closure Permit

With proper justification, this permit allows the applicant to close a lane or lanes of a State Highway. A permit will be filed for lane restriction. The following link should be used for the applicant to follow INDOT traffic control standards.

<http://www.state.in.us/indot/files/WorkZoneTCH.pdf>

Interstate Highway Congestion Policy 2017:

<https://www.in.gov/indot/files/2017%20Interstate%20Highways%20Congestion%20Policy.pdf>

10.4 Closed Road Permit

This type of permit allows for the closing of a State highway for carnivals, street fairs, and similar public events. The permit application must include the following:

- For events lasting less than one hour:
 - A map detailing the road closure and detour route
 - [A Hold Harmless form](#)
 - A Letter from local policing agency stating they are in charge of traffic control
 - A Signed permit application from local governmental agency (i.e. town board, mayor, commissioners)
 - A Bond fee waiver form (Eligible: Government Agencies, Schools, and Churches)
- For events lasting more than one hour:
 - A map detailing the road closure and detour route (not blocking sidewalk access).
 - A road closure detour route as per:

- <https://www.in.gov/dot/div/contracts/standards/drawings/sep18/e/800e/e800%20combined%20pdfs/E801-TCDT.pdf>
- and <http://www.state.in.us/indot/files/WorkZoneTCH.pdf>
- [A Hold Harmless form](#)
- A letter from local policing agency stating it is in charge of traffic control
- A signed permit application from local governmental agency (i.e. town board, mayor, commissioners)
- A Bond fee waiver form (Eligible: Government Agencies, Schools, and Churches)

10.5 Right-of-Way Fence Removal Permit

INDOT Removal of a Right-of-Way Fence:

The right-of-way fence may be considered for removal if and when maintenance becomes a problem, provided the removal plans include an alternative mechanism to establish the right-of-way delineation. If the removal of the fence is determined to be necessary, the District Highway Maintenance Director will send a written request including the specific details (such as the mile marker, length, etc.) recommending the removal of the fence, along with written concurrence of the District Permits Manager, to the State Maintenance Director. If request is approved by the State Maintenance Director, the fence can then be removed. ([See Permit Operation Memorandum 17-01.](#))

Permit Applicant Request for Removal of a Right-of-Way Fence:

The removal of right-of-way fence may only be considered in areas where the property line of the applicant borders the right-of-way alignment, and the primary reasons for fence removal are for aesthetics and to maintain the area in a lawn condition. The feasibility will be based on the safety and operational characteristics of the highway facility. The District Permits Manager will obtain written concurrence from the District Highway Maintenance Director, and submit for approval to the State Maintenance Director.

Please note: A fence that runs along mainline interstate system and parallel to the ramps, will not be removed unless there are alternate physical barriers in place that effectively prevent vehicles or pedestrians from entering. Additionally, no fence will be approved/permitted to be removed if it has a potential for the creation of an attractive nuisance.

Permit Application Requirements for Right-of-Way Fence Removal:

The Permittee should adhere to all general requirements for permit applications as they apply as well as ensuring the following are included with their application:

- **Limited Access Fence Removal Covenant:** To obtain approval from INDOT to remove a right-of-way fence, the adjacent property owner(s) must complete and submit a permit application through the Electronic Permit System. This particular application will require a Limited Access Fence Removal Covenant (a request for a Limited Access Fence Removal Covenant form should be made through INDOT Legal) and appropriate drawings (meeting INDOT Standard Specifications and Drawings section 603) to be attached.
- **Adjacent Property Owner Covenant Requirements:** The adjacent property owner(s) will also be required to have the right-of-way fence removal covenant recorded at the appropriate County Courthouse to ensure the liability of the future owner(s) in the event of a need for the reconstruction of the fence. The District Deputy Commissioners will assign the responsibility of recording this document to the appropriate personnel in the district.
- **Documentation of the Final Disposal Method:** The applicant is responsible to remove the existing fence and posts from the right-of-way. INDOT may take possession of these materials if need be.
- **No Sight Obstructions:** Verification that no sight obstructions will be present or be created by any subsequent landscaping that may result from the removal of the right-of-way fence.
- **No Encroachments:** Confirmation that no encroachment upon INDOT's property will occur.
- **No Indiscriminate Crossing:** Verification that no indiscriminate crossing of the right-of-way will be allowed, along with the acknowledgement that if evidence shows vehicles or pedestrians crossing the right-of-way, then INDOT may order the fence to be reinstalled by the applicant.
- **Terminal Fence Post Installation:** Documentation stating that the applicant will furnish and install terminal fence end post assemblies and fixtures at the beginning and/or end points, per INDOT Standards, at no expense to INDOT.
- **Sign Installation Details (if Required):** Detail how Limited Access Highway signs (R18-Y1) will be installed if determined to be required by the District Permit Manager, at no expense to INDOT. The number and location of these signs will be at the discretion of the District Permit Manager.
- **Right-of-Way Monument Installation:** Installation plan for right-of-way monuments, if none currently exist, at no expense to INDOT. Any and all locations in which there is a change in alignment of right-of-way line, the placement of the monuments will be required to be installed in accordance with INDOT Standard Specifications and Drawings Section 615.
- **Vegetative Maintenance Plan:** Is necessary for existing brush and volunteer growth in the fence line to be cut flush with the surrounding ground and removed from the right-of-way. Stumps and other growth will be required to be treated to prevent re-growth.

No indiscriminant removal of existing landscape trees and bushes within INDOT right-of-way frontage will be allowed and must be protected, as directed by INDOT.

- **Maintenance plan for INDOT's right-of-way**, if it is to be maintained by the adjacent property owner.
- **Fence Replacement Plan:** (where applicable)
 - a. The replacement fence will be constructed on the right-of-way alignment in accordance with the current INDOT Standard Specifications and Drawings Section 603.
 - b. No advertising will be allowed on or along the fence.
 - c. The replaced fence will become the property of INDOT.

Permit Approval and Completion Process:

Once all the application materials are received and reviewed by District Permit Manager, and a decision is made by the District Maintenance Director, the adjacent property owner will receive a notice through EPS of the approval or denial of the permit. If the permit is approved, the permit is valid for one year from the date of INDOT approval. Additionally, the project must be completed within 30 days from the project start date.

10.6 Public Art and Landscaping Permits

Public art and landscaping projects can be used to provide visual interests along roadsides, make unique statements about community character, and create a positive public response that will last over time.

INDOT's public art and Landscaping Policy:

INDOT's public art and landscaping policy has been implemented to provide guidance for:

- Managing public art and landscaping projects on all INDOT highways;
- Designating appropriate locations for the incorporation of public art and landscaping features; and
- Providing for the consistent use of statewide development, review, and approval processes on new and existing public art and landscaping features.

[Public Art and Landscaping on INDOT controlled Right-of-Way Operations Memorandum 10-06](#), details the requirements of INDOT's Public Art and Landscape Policy.

Vegetation Planting Requirements:

- INDOT Standards for Landscape Planting:

<https://www.in.gov/dot/div/contracts/standards/drawings/sep18/e/600e/e600%20combined%20pdfs/E622-LSPL.pdf>

- INDOT Standards for Landscape Pruning:

<https://www.in.gov/dot/div/contracts/standards/drawings/sep18/e/600e/e600%20combined%20pdfs/E622-LSPR.pdf>

10.7 Political Boundary Signs

Political boundary signs are used instead of or supplementing the typical city/town or county sign installed by INDOT in accord with the Indiana MUTCD. They must have a sign size of equal to or less than 100 square feet.

INDOT's Policy for Permitting Placement of Political Boundary Signs:

[Policy for Permitting Placement of Political Boundary Signs Operations Memorandum 95-18](#), details INDOT's requirements for placement of welcome signs or political boundary signs

Public art and landscaping projects are generally larger in scope than the Political Boundary Signs. Any sign greater than 100 square feet should be considered Public Art and Landscaping.

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INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

A flow chart [Figure 10.7(1)] that can help with determination on whether a permit should be filed as either Public Art and Landscaping or a Political Boundary Sign is included below:

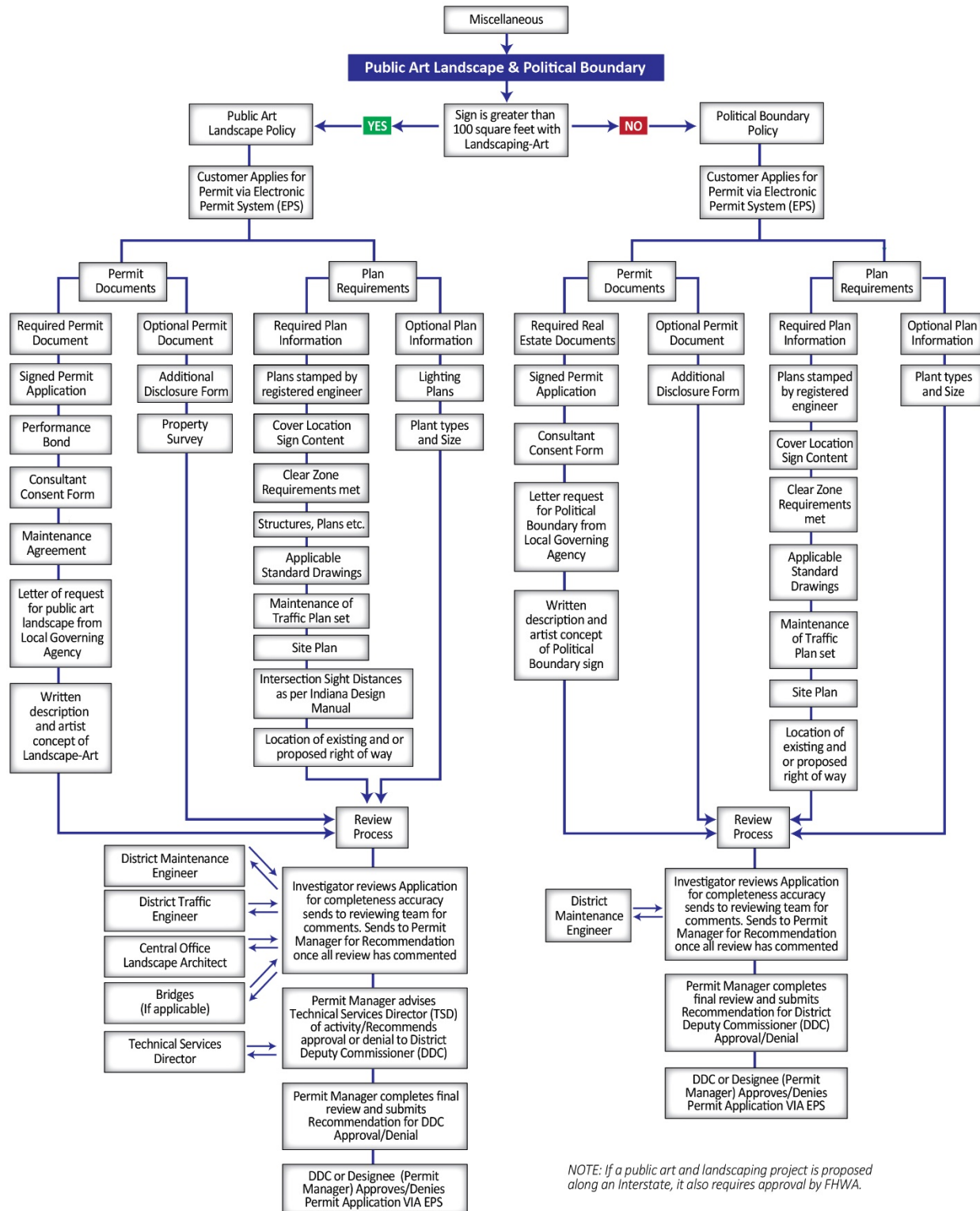


FIGURE 10.7(1)

All signs and Political Boundary, Public Art and Landscaping must meet clear zone requirements as per INDOT Design Manual Chapter 49.

https://www.in.gov/indot/design_manual/files/Ch49_2013.pdf

10.8 Permit for Surveys

A permit will be obtained for any work within the limits of an INDOT right-of-way for the purpose of surveying of INDOT right-of-ways for the following:

The applicant desires to engage in a survey or annual blanket survey of INDOT right-of-way for the purposes to conduct the survey or investigation by manual or mechanical means.

The measurement of directions and distances needed to establish or reestablish the corners and boundaries required to locate lots, parcels, tracts, or divisions of land. The determination of elevations and preparation of topographic drawings for tracts of land. For and within subdivisions being laid out or having been laid out by the land surveyor, the preparation and furnishing of plats, plans, and profiles for roads, storm drainage, sanitary sewer extensions, and the location of residences or dwellings where the work involves the use and application of standards prescribed by local, state, or federal authorities. The necessary staking and layout work to construct roads, storm drainage, sanitary sewer extensions or location of residences or dwellings, if the plans and profiles were prepared by or under the direction of a land surveyor.

See the INDOT [Legal Memorandum for Suvey Permits](#) in section 12.3.4 of this manual.

Survey Permit Application Requirements:

A Survey Permit is required for the following activities to be conducted in INDOT ROW:

- (1) Inspecting
- (2) Measuring
- (3) Leveling
- (4) Boring
- (5) Trenching
- (6) Sample-taking
- (7) Archeological digging
- (8) Investigating soil and foundation
- (9) Any other work necessary to carry out the survey or investigation

Survey Permit Requirements:

In addition to meeting all applicable general permit guidelines outlined in chapter 3 of this guide, a survey permit applicant will also meet the following requirements and special provisions:

- The permit must be filed as an EPS category: Miscellaneous, Miscellaneous.
- The applicant will file a one-time annual permit that may cover all district areas for one year or 365 days from approval.
- The applicant must have an active Blanket Bond of not less than \$10,000.00 or qualify for a bond waiver.
- Person(s) name and contact information for onsite foreman/supervisor.
- Emergency Contact Information.
- Description of activity on right of way and anticipated time of work.
- The applicant must notify the appropriate Permit investigator within 48 hours of anticipated survey work.

Special Provisions for Survey Permit Application:

1. That, this permit does not authorize the use of, or the invasion of, private property adjacent to the highway. This permit is limited to authorizing the use of public highways for survey explorations and for other scientific means for determining the surveying information only to the extent permitted and authorized by the owners of the adjacent property, and it will be the duty of the applicant to obtain such permission.
2. That, this permit will be available at the site where and when work is being done. The permit may be revoked by INDOT at any time for just cause.
3. That, no excavations or explosions will be made within the limits of the highway right-of-way, nor will any ribbons, markers, etc. be placed on any highway signs.
4. That, cutting, trimming, or removing of trees, shrubs, or vines, whether natural growth or planted by the Department of Transportation and Development, is prohibited.
5. That, this proposed operation will not unreasonably interfere with the facilities or the operation or maintenance of the facilities of other persons, firms, or corporations previously issued permits of use and occupancy and that this proposed operation will not be dangerous to persons or property using or occupying the highway or using facilities constructed under previously granted permits of use and occupancy.
6. The entire highway right-of-way affected by this work will be restored to as good a condition as existed prior to beginning work, to the complete satisfaction of the Department's District Director.
7. That signing for warning and protection of traffic will be in accordance with requirements contained in the Department's Manual on Uniform Traffic Control Devices.

Generally speaking, INDOT does not incur additional liability by requiring a permit for survey work conducted within INDOT right-of-way. INDOT should require permits for all types of survey work which will occur within INDOT right-of-way.

Requiring a permit prior to conducting survey work within INDOT right-of-way reduces INDOT exposure of risk and may, in some cases, reduce or eliminate INDOT's liability. It is strongly advised and recommended that INDOT require a permit for all survey work to be conducted within INDOT right-of-way.

10.9 Noise Ordinance Signs

To address a local community's concern for excessive noise, INDOT will allow signs notifying motorists of a local noise ordinance enforcement area to be installed on the INDOT highway by permit.

Qualifications for noise ordinance signs:

- All requirements and conditions outlined in INDOT's [Operations Memorandum 10-01 Signs: Compression Release Brake Use Signage and Noise Ordinance Signage](#) must be met.
- Permit applicant will be the local governing agency.
- The permit application should be filed as an EPS category: Miscellaneous, Miscellaneous.
- INDOT sign placement standards need to be followed E802-SNGS-09,E802-SNPL-02

<https://www.in.gov/dot/div/contracts/standards/drawings/sep18/e/800e/e800%20combined%20pdfs/E802-SNGS.pdf>

10.10 Permits for Toll Roads

The Indiana Toll Roads are operated by ITR Concession Company LLC ("ITRCC"). In 2006, ITRCC was awarded a 75 year lease of the toll road. The Indiana Finance Authority, INDOT, and the Indiana Toll Road Oversight Board, appointed by the Governor, retain oversight responsibility on behalf of the State of Indiana to assure that ITRCC operates and maintains the Toll Road in accordance with the terms of the lease.

*All permit applications along the Indiana toll roads are applied for, issued, and maintained through ITRCC.

Permit Application Process for Toll Roads:

- 1) An applicant applies for a permit along the Indiana toll roads through the ITRCC permit application process.
- 2) The permit application is processed by ITRCC and then submitted to the District Permit Manager and the State Permit Director via email correspondence for INDOT's review.
- 3) The District Permit Manager reviews the permit package and recommends approval or denial of the permit application to the State Permit Director.
- 4) The Statewide Permit Director makes the final recommendation of approval or denial to ITRCC and submits it to the ITRCC.

For additional information on the Indiana toll roads, refer to: <https://www.indianatollroad.org/>.

10.11 Permit Exclusions: Common Permit Requests that are NOT allowed or permitted by INDOT

- Solicitation on Highways for organizations.

IC 9-21-17-17: Solicitation of employment or business on highway; prohibition

Sec. 17. A person may not stand on a highway for the purpose of soliciting employment or business from the occupant of a vehicle.

- Gleaning artifacts, fossil or rocks from right-of-ways.
- Hunting, Fishing, or Trapping in the State right-of-way (these requests are handled by the Indiana Department of Natural Resources).

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11.0 Right-of-Way Occupancy Permit Types

11.1 General

This section of INDOT's permit guide details requirements for specific types of right-of-way occupancy permits which may be applied for in EPS on State right-of-way. Right-of-Way Occupancy permits fall under two permit types, Above Ground or Below Ground. The subtype category is chosen based on the type of work that is proposed.

Utility facilities include those that supply communication, cable television, power, light, heat, electricity, gas, water, pipeline, sewer, sewage disposal, drain or like services. If a utility desires to occupy the State highway right-of-way, it must submit a right-of-way permit request to INDOT via EPS. INDOT will review the permit request to ensure compliance with the INDOT Utility Accommodation Policy and any other applicable requirements.

Preconstruction Meeting:

A preconstruction meeting between INDOT and the permittee may be requested by the permittee or required by INDOT for large or complicated projects. The [pre-construction check list](#) is found in Section 4.9.

Non-LARW, Partial LARW and LARW:

Right-of-Way Occupancy Permits are issued for applicants wanting to work in Non-LARW. However, if certain hardships can be proven, permits can be issued for work in Partial LARW. Permits are not issued for work in LARW.

When may utilities be permitted to occupy Partial LARW?

Longitudinal runs for utilities generally are not allowed within partial LARW. Consideration may be given if hardship is proven by the applicant. Below is a preliminary list for hardship:

- Plans stamped by a registered engineer detailing areas of hardship.
- A letter by the applicant stating justification/reason for the hardship request to allow a longitudinal run of utilities along INDOT LARW addressed to INDOT Deputy District Commissioner.
- Demonstration that all reasonable avenues have been denied by adjacent property owners.
- Documentation presented that fair market values for easements have been denied and signed affidavits by the property owners stating such.
- Costs analysis to consider alternative routes. Costs of proposed routes vs alternative routes is provided.
- List of any existing utilities in the area that are utilized as longitudinal runs.

- Details showing how the utilities will be secured. i. e. (encased).
- Maintenance agreements or special provisions stating how will the utilities be maintained.

See the Utility Accommodation Exception Policy linked below:

[06-14 Utility Accommodation Policy Exceptions](#)

Additional requirements for permits in and along partial LARW (these requirements are only applicable if UAP exception has been granted):

If the activity to be conducted as a result of this permit is in limited access right-of-way then the following special provisions apply:

- **Working & boring from private property:** Any directional bore and/or jacking/pushing installation will be performed from private property.
- **Restrictions on access to partial LARW:** No equipment, parked vehicles, materials or personnel will be allowed within any INDOT LARW at any time unless otherwise noted.
- **Restriction on parking:** Construction vehicles and equipment will not park on the shoulders of the highway at any time.
- **Restriction on material storage:** Materials must not be stored on or loaded from existing shoulders and pavements.
- **Restriction on equipment storage:** Equipment must not be stored on State right-of-way at any time.
- **Encroachment prohibition:** No unauthorized encroachment upon INDOT's property will be allowed.
- **Restriction on crossing right-of-way:** No indiscriminate crossing of INDOT right-of-way will be allowed.
- **Stop work upon surface deformation:** Any directional bore and/or jacking/pushing installation that might be used will be stopped immediately if any surface deformation is detected in the public right-of-way. The District Permit Manager will be contacted immediately for instructions.
- **Damage is responsibility of permittee:** Any damage to pavements, shoulders or right-of-way facility created by the boring operation will be repaired at the permittee's expense to INDOT minimum standards.
- **Driveway Pipe & Headwall Damage:** If damaged beyond reuse, existing driveway pipes must be replaced with minimum 15 inches CMP with metal end sections. Concrete headwalls must not be reused and must be replaced with metal end sections.

Maintenance of facilities on Partial LARW:

Utilities are to be located in such a manner that they can be serviced without access from the through roadways or connecting ramps. Telecommunication companies located within controlled access right-of-way will adhere to the clear roadside policy, use the Manual on Uniform Traffic Control Devices to properly maintain traffic, apply the Divisions Work Zone Safety and Mobility Policy, and traffic safety regulations that may be deemed necessary by INDOT, and will compensate INDOT for Inspection cost.

Maintenance of facilities on Non-LARW:

All facilities are to be maintained and serviced in accordance with the conditions of the original permit and this manual. A blanket permit may be issued to a utility on an annual basis for maintenance of existing facilities. One blanket permit should be issued per road.

Maintenance activities for overhead installations should be limited to:

1. Clearing of vegetation and trimming of trees around overhead utility lines.
2. Placing or replacing cross arms or transformers on existing poles.
3. Replacement or repair of cable at the same capacity.
4. Replacing existing poles with same size and no nearer the traveled way.
5. Overhead lighting maintenance.
6. Emergency repairs as defined in this manual.
7. Service drop installation.
8. Other activities as approved by INDOT.

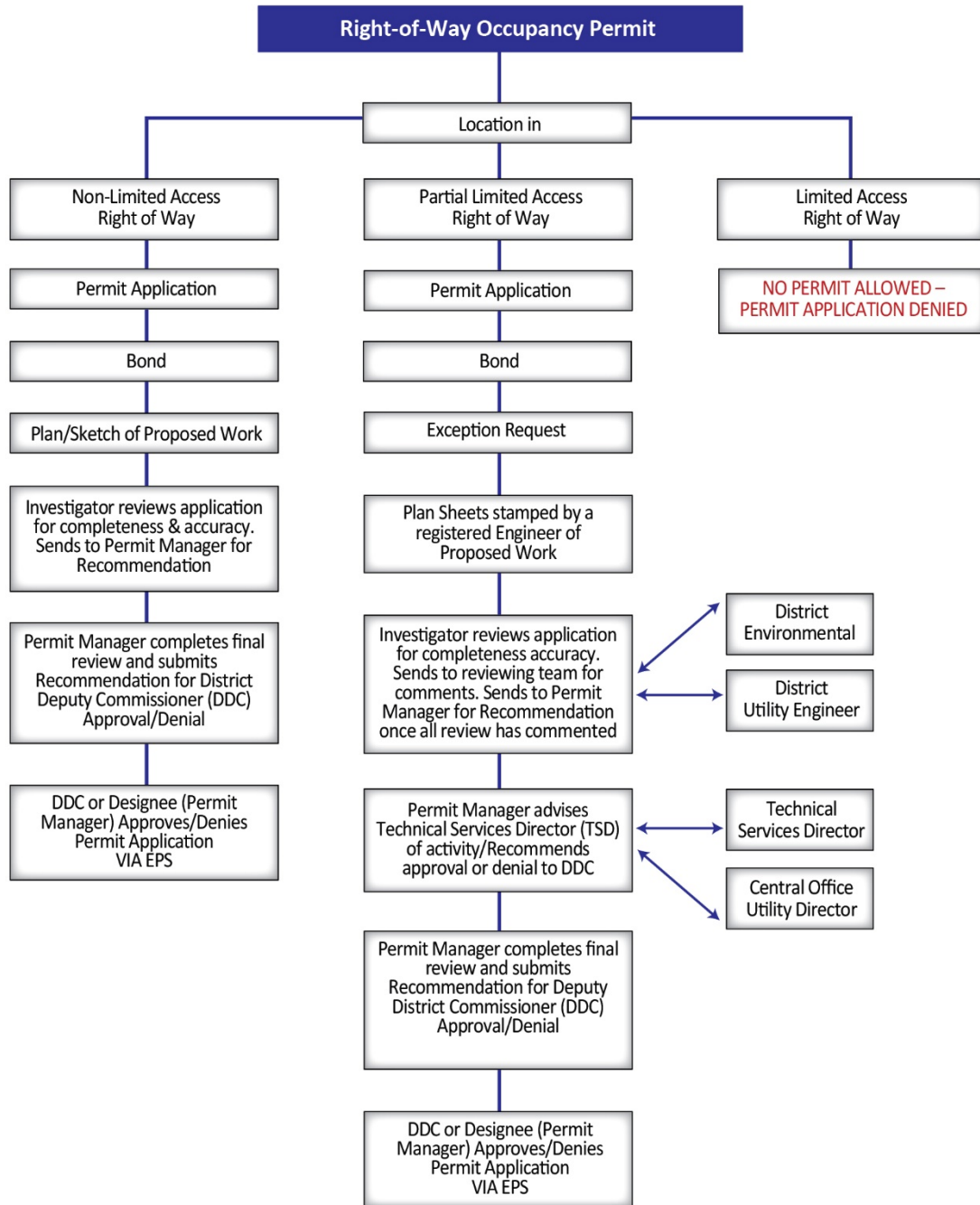
Permit Application Checklist for Right-of-Way Occupancy Installations:

The Right-of-Way [Occupancy Permit Checklist](#) is provided to assure all permitting requirements are met.

On-Site Permit Application Review

The permit application work site should be visited by the investigator and the applicant or their assigned representative prior to issuance of the permit to assure no outstanding issues need to be addressed. The investigator should have on hand at the initial on-site review a copy of the plans and all permitting documents.

Flow Chart for Right-of-Way Occupancy Permits:



NOTE: Fiber is not considered Communication. Fiber shall follow the Broadband applications.

Figure 11.1(1) Right-of-Way Occupancy Flow Chart

11.2 Above Ground Occupancy Permits

General:

An Above Ground Occupancy permit is required for installation of poles and/or aerial lines on State right-of-way. This includes the placement of poles or lines in the rebuilding of an existing pole line and lines that run longitudinally or cross over State right-of-way.

Requirements:

In addition to the general requirements in **chapter 3.0** of this guide, all above ground installations should follow the requirements outlined in the INDOT Utility Accommodation Policy below and any applicable Above Ground Occupancy special provisions.

Requirements for Above Ground Installations as per the INDOT Utility Accommodation Policy:

- **Longitudinal lines** will be limited to single pole construction.
- **Transverse lines** will be limited to single pole construction or that type of construction used on the portion of the line adjacent to the highway right-of-way.
- **Location:**
 - INDOT discourages the placement of towers on highway right-of-way.
 - Light poles will be located in accordance with the Roadside Safety chapter of INDOT Design Manual. Light poles will not be permitted in the ditch line of any state highway. Light poles in the clear zone will be breakaway design except at locations nearby sidewalks, shared-use paths, and other pedestrian facilities.
 - The number of guy wires placed within the right-of-way will be held to a minimum. Where possible, guy wires and guy poles placed inside the right-of-way will run parallel to overhead power lines. Where possible, guy wires and guy poles that are not in line with the pole line will be placed outside of the right-of-way. Guy wires and guy poles may be placed in other locations but in no case will they be located within the specified clear zone.
 - Poles for longitudinal installations will not be allowed in the roadway median. Poles for transverse crossing may be allowed in the roadway medium where the cost of spanning an extreme width is excessive and where poles can be located in accordance with the other provisions of this policy.
 - Ground mounted appurtenances will be installed with a vegetation free area extending one (1) foot beyond the appurtenance in all directions. The vegetation free area may be provided by an extension of the mounting pad, heavy duty plastic or similar material. The housing for ground mounted appurtenances will be an inconspicuous color.
- **The vertical clearance:**
 - For overhead power and communication lines above the highway will be a minimum of 18.0 feet.

- Of overhead power lines and communication lines relative to a highway bridge or other highway structure will provide reasonable space for construction and maintenance activities in accordance with OSHA standards.
- All new **utility pole installations** and other above ground appurtenances will be located outside of the appropriate clear zone.
 - New installations will not be permitted where the clear zone extends to the right-of-way line.
 - Similarly, existing installations will be relocated outside of the clear zone when they are found within the project limits of any highway improvement project.
 - In rural areas and at uncurbed sections in urban areas, poles supporting longitudinal lines will be located on a uniform alignment as close to the right-of-way line as possible.
 - At curbed sections, in urban areas, poles will be located as far as practical behind the curb and preferably adjacent to the right-of-way line.
 - The number of guy wires placed within the right-of-way will be held to a minimum. Preferably, guy wires and guy poles placed inside the right-of-way will be in line with the pole line.
 - Preferably, guy wires and guy poles that are not in line with the pole line will be placed outside the right-of-way.
 - Guy wires and guy poles may be placed in other locations, but in no case will they be located within the specified clear zone.
 - Poles for longitudinal installations will not be allowed in the center median.
 - Poles for transverse crossing may be allowed where:
 - the cost of spanning an extreme width is excessive and
 - where poles can be located in accordance with the other provisions of the Utility Accommodation Policy.
- The horizontal location of overheard power and communication lines relative to a highway bridge or other highway structure will provide reasonable adequate clearance for construction and maintenance activities in accordance with OSHA standards; and
 - Ground mounted appurtenances will be located at or near the right-of-way line.
 - Ground mounted appurtenances will be installed with a vegetation free area extending one foot beyond the appurtenance in all directions.
 - The vegetation free area may be provided by an extension of the mounting pad, heavy duty plastic or similar material.
 - The housing for ground mounted appurtenances will be an inconspicuous color. Appurtenances will not be located within the pavement, shoulders, or curbs of any roadway.
 - Existing appurtenances may remain if they do not interfere with proposed highway construction, maintenance, operation, or safety.

- The location of above ground facilities within the highway right-of-way will be in accordance with the INDOT *Design Manual*. New or relocated above ground facility installations will be located outside the clear zone.
- **Facilities will cross roadways at right angles** or as nearly as practical to right angles.
 - Reasonable latitude may be exercised for existing facilities which are otherwise qualified to remain in place.
 - Where practical aerial lines should not cross the roadway within 100 ft. of a small structure, large culvert (over 48 inch diameter), or bridge structure to aid in future construction projects.
- Facilities crossing limited access highways will have all supporting structures and above ground appurtenances located outside the access control line and preferably, outside the right-of-way line.
 - Additionally, access for installation, maintenance and relocation of facilities will be from outside the access control line and preferably, outside the right-of-way line of the limited access roadway.
- Longitudinal installations of facilities, individual service connections and facility maintenance points will be located on a uniform alignment as near as possible to the right-of-way line to provide the maximum space for possible future highway construction or facility installations.
 - Variance may be allowed on the distance from the facility to the right-of-way line in order to maintain a uniform alignment.
 - Such variance often occurs where irregularly shaped portions of the right-of-way extend beyond the normal right-of-way limits.
 - On highways with a frontage road, the preferred location for longitudinal installation is between the frontage road and the exterior right-of-way line.
- Longitudinal installations of facilities, individual service connections and facility maintenance points on highways with partial access control are discouraged.
 - Installations may be allowed where no other reasonable alternative exists.
 - **Factors to consider in evaluating the installation include:**
 - terrain,
 - cost,
 - prior existence,
 - environmental characteristics, and
 - distance between distribution points.
 - other factors include access for maintenance from outside the access control line or from drive ways and the effect on agricultural land if not allowed.
- Longitudinal installations of facilities on highways with full access control are not permitted.

Above Ground Occupancy Permit Special Provisions:

All traffic control will follow the IMUTCD policies. The list below includes Additional Special Provisions for Highways and Interstates that may be required.

- **Pre-Construction Meeting:** Five (5) working days prior to commencing work which necessitates a rolling slowdown on an Interstate the permittee will have a Pre-Construction Meeting. The Pre-Construction meeting should include but is not limited the following people INDOT Traffic Engineer, INDOT Permit Manager, Law Enforcement Agency, Traffic Control Contractor, Contractor, and the Permittee.
- **Setting Utility Poles:** All utility poles will be set within 18 inches of the right-of-way unless otherwise allowed by INDOT and are not allowed within INDOT Limited Access Right-of-Way.
- **Aerial cable crossings** will be placed a minimum of 18 feet – 0 inches above highway pavements and will not obstruct the traveling public's view of any signal lights.
- **Anchor and Guy Line Proximity Limitations:** No anchors or guy wires are allowed within 30 feet of the edge of pavement and are not allowed within INDOT Limited Access right-of-way.
- **Location of INDOT Equipment in Right-of-Way:** All INDOT equipment in the State right-of-way, such as underground conduits and signal control devices, must be located prior to the start of work. Contact the INDOT District Signal Supervisor at least five (5) work days in advance. If highway signal equipment is damaged or removed in any manner, it must be repaired or replaced by a pre-qualified signal contractor.
- **Warning Signs:** The permittee will set and maintain all required warning signs during the installation of the aerial cable. See attached traffic control guideline for requirement.
- **Overhead Work Traffic Restrictions:** Traffic will not be permitted to pass directly beneath personnel or equipment working on the overhead lines. Traffic stoppage during an overhead operation will not exceed 10 minutes at one time. There will be enough time between consecutive stoppages to permit traffic to return to normal flow.
- **Rolling Slowdown notification:** Five (5) working days prior to commencing work which necessitates a rolling slowdown on an Interstate or the temporary stoppage of traffic on a non-interstate route, written notice will be given to INDOT and the Indiana State Police that highway traffic will be slowed down or stopped temporarily at a specific location, time and date to accomplish specified work. Traffic will be safely controlled during the rolling slowdown or stoppage as per the attached Traffic Control Plan. Work is permitted only during daylight hours, Monday through Friday and as specified in the permit, unless noted otherwise. Work on Holidays is not permitted.
- **State Police Participation:** As verified, the State Police will intercept both directions of traffic at a location well in advance of the worksite. The police cars will slowly lead the traffic from the interception location to the worksite. The police and the Utility

Company will be in contact to allow the work to start as soon as the traffic is intercepted and is being lead to the work site. The traffic will be stopped if the work is not complete when the intercepted traffic line arrives at the worksite on non-interstate highways only.

- **Traffic Stopping:** Traffic stoppage during an overhead operation will not exceed 5 minutes at one time. There will be enough time between consecutive stoppages to permit traffic to return to normal flow.
- **Lane Restriction Notice:** The permittee will provide the Indiana INDOT two (2) weeks' notice prior to any lane restrictions for the permitted work. Call INDOT's District Permit Manager to give notice to INDOT.
- **Schedule Change Notifications in EPS:** The permittee will notify the District Permit Manager by phone and EPS if the work schedule changes.
- **Additional Permits:** INDOT is not responsible for determining whether or not the proposed work will require permits from another regulatory agency. These agencies include, but are not limited to Indiana Department of Environmental Management (IDEM), Indiana Department of Natural Resources (DNR), and the United States Army Corps of Engineers (USACE). Any work in Waters of the United States, in wetlands, and land disturbing activities greater than 1 acre are all examples of work that will require consultation with these agencies. If you have questions about whether or not your project will need additional permits, please contact these agencies directly.

Timeframes for Contacting INDOT's District Office for a Rolling Closure for Pole Installation:		
WHEN	WHAT ACTIVITY	WHO TO CONTACT
2 weeks prior	Lane restriction notice	District Permit Manager
5 days prior to work	Preconstruction Meeting Held	All required parties
5 days prior	Rolling Slowdown notification	District Permit Manager and Indiana State Police
5 days prior	INDOT Signals impacted by work or relocation required	District Signal Supervisor
Prior to work	Location of INDOT equipment in the right-of-way	District Survey Crew

11.2.1 Tree Trimming Permits

Permittees seeking permits under this chapter will comply with all applicable general permit provisions in **section 3.0** of this guide. In addition these permittees will meet the conditions provided in this section.

A Tree Trimming Permit allows trees, shrubs, plants and vines to be trimmed by a responsible company or individual for the purpose of preventing contact with utility mains, lines, and wires. Applications will be on a case by case basis. The one time a year blanket permit should be discouraged. A permit should be obtained for each roadway where tree trimming activities are to be conducted by the applicant if the applicant is a utility. Conversely only one application per roadway is necessary for a utility performing tree trimming activities.

Any activity to trim, prune, and/or remove vegetation, brush, and/or trees in the right-of-way will be by permit only. Furthermore, in accordance with the U.S. Fish and Wildlife Service Forest Management Guidelines for Informal Section 7 consultations on Indiana Bats (*Myotis socialis*) within the State of Indiana, there will

be no felling of trees greater than three inches in diameter at base height while Indiana bats may be present from April 1 through September 30 . All woody vegetation with a stem diameter of 1 to 3 inches should be cut flush with the ground.

Bat Protection: Tree trimming is prohibited on trees larger than 3 inches in diameter at the base of the tree from April 1 through September 30 to protect bats under Federal Law.

When a lane closure on a state highway is necessary, the Department will ensure, whenever feasible, that such landscaping or maintenance work is not performed between the hours of 7:00 a.m. and 9:00 a.m. or between the hours of 3:00 p.m. and 6:00 p.m.

Tree Trimming Applicant Checklist:

- Map of road way area where tree trimming is take place.
- Nature of work to be done – (e.g., Clearing and removal of underbrush and thinning and removal of no more than (60%) of existing trees that are 6 inches in diameter and under).
- Pictures of trees that are to be removed – Digital photographs and a diagram/ plan of affected area.
- Types of Tree/ Plants/ Brush to be trimmed.
- Trimming and Removal of trees six (6) inches or greater on Interstate right-of-way will be performed by a certified arborist and a licensed, bonded and insured tree service at no cost to the Department.
- No topping of trees will be allowed.
- Traffic Control standards (EPS).

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- On-site Contact Person(s) Responsible for daily work.
- Additional Disclosure page if Utility Company is sub-contracting tree trim work.
- Bond required Minimum \$10,000.00 (Eligible to be waived by Government, Schools, Churches and Rail Roads).
- When in doubt call permit manager.
- Approval documented from private landowner, if applicable.

Vegetation permits will NOT be issued in any of the following circumstances:

- Removal of trees or other vegetation to provide visibility for outdoor advertising a distance greater than 500 feet from any outdoor advertising.
- Clearing to provide visual access to a site before the proposed development's building's exterior shell has been completed.
- Clearing of significant trees is prohibited.

Additional Limitations on tree trimming activities:

- If a request to remove trees are not on the property in which the sign owner resides an Additional Disclosure Form from the adjacent property owner in which the trees are proposed to be moved is required.
- Trimming of trees for the movement of houses or other large moveable goods will be reviewed on a case by case basis.
- Vegetation which has been cut will not be left overnight within 30 feet of the travel lane or within highway right-of-way. No debris will be left over a weekend or holiday.
- No burning will be permitted on the highway right-of-way.
- Stumps will be cut and ground flush with the ground and treated with an approved herbicide immediately after the stump is ground.

11.2.2 Communication (Cable TV) Permits

Permittees seeking permits under this chapter will comply with all applicable general permit provisions in **section 3.0** of this guide as well as applicable provisions of subsection 2 of this chapter (which is section 11.2 of this guide) above. In addition, these permittees will meet all the conditions, requirements and provisions of the INDOT [Utility Accommodation Policy](#).

Fiber optic lines require a broadband permit:

If the communication line is to be Fiber Optic, then the permit will need to be applied for as a [Broadband Permit](#).

Refer to the Broadband Permit Guidelines:

<https://www.in.gov/indot/files/Broadband%20Permit%20Guidancea.pdf>

11.2.3 Electric Permits

Permittees seeking permits under this chapter will comply with all applicable general permit provisions in section 3.0 of this guide as well as applicable provisions of subsection 2 of this chapter (which is section 11.2 of this guide) above. In addition, these permittees will meet all the conditions, requirements and provisions of the INDOT Utility Accommodation Policy.

11.3 Below Ground Occupancy Permits

General:

A Below Ground Occupancy permit is required for any activity performed on State right-of-way including some form of excavation or grading. Typical Below Ground Occupancy permits are issued for:

- installation or repair of different types of underground pipelines or cables,
- grading the right-of-way for drainage or aesthetic purposes,
- excavation to install or replace curbs or sidewalks,
- replacing curbs at a driveway can be done under this type of permits as long as there is no modification to the driveway geometrics,
- the removal or installation of right-of-way fence,
- the planting of trees, flowers and other vegetation for aesthetic purposes.

Requirements:

In addition to the general requirements in **chapter 3.0** of this guide, all surface and underground installations and excavations should follow the requirements outlined in the INDOT Utility Accommodation Policy below and any applicable Below Ground Occupancy excavation provisions and special provisions.

General Utility Accommodation Policy Guidelines for Below Ground Installations:

- New lines that are not under or within five (5) feet of the roadway need a minimum depth cover of three (3) feet.
- New lines that are under or within five (5) feet of roadway need a minimum depth cover under pavement of four (4) feet.
- All lines will be a minimum of two (2) feet below pavement and sub-grade (whichever is lower).

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- All lines will have a minimum depth cover of four (4) feet under ditches. Existing lines may be allowed to remain in place with a reduction of .5 feet in depths of cover specified above.
- Underground powerlines will be in conduit.
- The use of a conduit or other suitable protection will be considered for powerlines located near footings of bridges, highway structure, or other locations that may be exposed to workers or the public.
- The utility company will place a marker immediately above any underground powerline where it crosses the right-of-way line.
- In urban areas, existing longitudinal lines may remain in place if it complies with the following:
 - Lines can be maintained without violating access control.
 - Lines will not interfere with the proposed highway improvement project.
 - Lines are of sufficient strength and durability to withstand the changed conditions and have adequate remaining service life to prevent maintenance.
 - Service access points are adjusted to be flush with the surface to accommodate any changes in grade.
 - Service access points are positioned to be out of the normal wheel path to accommodate any changes in traffic patterns and away from intersections.
 - The lines comply with all other requirements of this policy as well as federal and state law.

Below Ground Occupancy Permit Additional Special Provisions (Communication Line Permits and General Boring Activity):

Any and all general provisions for permittees in **section 3.0** of this manual apply in addition to these special provision which elaborate upon, call attention to and further clarify the responsibilities of permittees installing communication lines in and along INDOT right-of-way:

- **Pre-Construction Meeting:** Five (5) working days prior to commencing work which necessitates a rolling slowdown on an Interstate the permittee will have a Pre-Construction Meeting. The Pre-Construction meeting should include but is not limited the following people INDOT Traffic Engineer, INDOT Permit Manager, Law Enforcement Agency, Traffic Control Contractor, Contractor, and the Permittee.
- **Permittee Responsible for obtaining all necessary permits:** INDOT is not responsible for determining whether or not the proposed work will require permits from another regulatory agency. These agencies include, but are not limited to the Indiana Department of Environmental Management (IDEM), the Indiana Department of Natural Resources (DNR), and the United States Army Corps of Engineers (USACE). Any work in

Waters of the United States, in wetlands, and land disturbing activities greater than one (1) acre are all examples of work that will require consultation with these agencies. If you have questions about whether or not your project will need additional permits, please contact these agencies directly.

- **Location of INDOT Equipment in Right-of-Way:** All INDOT equipment in the State right-of-way, such as underground conduits and signal control devices, must be located prior to the start of work. Contact the INDOT District Signal Supervisor at least five (5) work days in advance. If highway signal equipment is damaged or removed in any manner, it must be repaired or replaced by a pre-qualified signal contractor.
- **Condition requirements for disturbed areas:** All disturbed areas will be fine graded and mulch seeded to the appropriate INDOT standards. All excavated top soils will be replaced to their original finish grade profiles. Perpetuate existing drainage patterns and the State right-of-way must be restored to the original or better condition on or before the expiration date of this permit.
 - All disturbed areas will be mulch seeded to the appropriate INDOT standards. Side ditch grades 1% to 3% should be sodded in accordance with 2018 Standard Specifications Section 621.09.
 - Required uniform rip-rap will be placed on side ditch grades 3% or greater in accordance with 2018 INDOT Standard Specifications Sections 616.06 and 616.11.
- **Trench details required for excavation:** Any excavated trenches will be backfilled and finished in accordance with INDOT Standard Specifications. Any pavement cuts will be patched in accordance with the applicable attached asphalt and/or concrete T-section. INDOT will monitor the concrete and/or asphalt patch areas for any settlement for one year after completion.
- **Uniform alignment of longitudinal underground installations required:** All permitted longitudinal underground installations will be located on uniform alignment within five (5) feet of the right-of-way line, unless noted otherwise (u.n.o.). The utility company will place a readily identifiable and flexible marker immediately above any underground power or communication line where it enters and/or exits the right-of-way.
- **Placement of Installation Pits:** Installation Pits (Bore/Push/Jack/Receive) to be a minimum of 20 feet from edge of pavement and within five (5) feet of the right-of-way. All trenches and excavation must be closed or properly barricaded when work is not in progress. No installation pits, manholes, hand holes or any other installation points are allowed within the LARW unless noted otherwise.
- **Trenchless Pipe / Conduit Requirements:** Any and all trenchless pipe/conduit, required casing and materials installed within INDOT right-of-way will be installed by approved boring and jacking methods in accordance with Section 716 of the current version of INDOT Standard Specifications and must be from the INDOT Approved Materials List.

- **Damage to pavement considerations for boring:** Any damage to existing asphalt or concrete pavements, shoulders or right-of-way facilities created by any excavation work and/or a boring operation will be repaired at the permittee's expense to INDOT minimum standards. The directional bore and/or jacking/pushing will be stopped immediately if any surface deformation is detected in the public right-of-way. The District Permit Manager will be contacted immediately, for instructions. INDOT will monitor the boring area for any settlement for one year after completion.
- **Rolling Slowdown notification:** Five (5) working days prior to commencing work which necessitates a rolling slowdown on an Interstate or the temporary stoppage of traffic on a non-interstate route, written notice will be given to INDOT and the Indiana State Police that highway traffic will be slowed down or stopped temporarily at a specific location, time and date to accomplish specified work. Traffic will be safely controlled during the rolling slowdown or stoppage as per the attached Traffic Control Plan. Work is permitted only during daylight hours, Monday through Friday and as specified in the permit, unless noted otherwise. Work on Holidays is not permitted.
- **State Police Participation:** As verified, the State Police will intercept both directions of traffic at a location well in advance of the worksite. The police cars will slowly lead the traffic from the interception location to the worksite. The police and the Utility Company will be in contact to allow the work to start as soon as the traffic is intercepted and is being lead to the work site. The traffic will be stopped if the work is not complete when the intercepted traffic line arrives at the worksite on non-interstate highways only.
- **Traffic Stopping:** Traffic stoppage during an overhead operation will not exceed 5 minutes at one time. There will be enough time between consecutive stoppages to permit traffic to return to normal flow.
- **Lane Restriction Notice:** The permittee will provide the INDOT two (2) weeks' notice prior to any lane restrictions for the permitted work. Call INDOT's District Permit Manager to give notice to INDOT.
- **Schedule Change Notifications in EPS:** The permittee will notify the District Permit Manager by phone and EPS if the work schedule changes.
- **Lane Closure limitations:** Driving lanes and/or shoulders must not be closed when work is not in progress or during inclement weather. Traffic must be maintained at all times as set out in the INDOT Uniform Traffic Control Manual. Traffic control is required for all work within the clear zone.
- **Placement of installation pits and points:** No installation pits, manholes, hand holes or any other installation points are allowed within the LARW unless noted otherwise.
- **Removal of failed material:** All failed material will be removed and replaced to INDOT standards.

Paving requirements for boring & trenching activities:

The permittee will place the required asphalt pavements in accordance with Section 400 and/or Section 600 of the Indiana Standard Specifications dated September 2012 for Bituminous Items (a copy of these sections will be provided upon request).

- A Certified Volumetric Hot Mix Producer will be used for the paving operations.
- HMA weather limitations as per section 402.12 must be strictly followed.
- No differences in pavement elevations between the mainline pavement and new pavement sections can be left in place over the winter.
 - If conditions do not allow the placement of the surface course or any other courses, the Permittee must contact INDOT for approval and direction.
 - If intermediate or base courses are used in place of any surface courses for the winter period, the will need to be milled and an acceptable surface course be placed in the spring, weather permitting and as per section 402.12.
- All mix designs will be submitted for approval by the District Materials and Testing Engineer two (2) weeks prior to producing the mix, if requested and required.

Soil, Boring, Drilling, Seismic Surveying Provisions

- **Seismic Survey Safety Provision:** Any and all seismic surveying activities, trenches, excavation and/or drilling work must be closed or properly barricaded when work is not in progress.
- **Backfilling of Sample Bore Holes:** All sample bore holes in concrete and asphalt locations must be properly backfilled and capped to INDOT minimum standards at the permittee's expense. In non-pavement locations all excavation areas, sample bore holes and any similar disturbed areas will be properly backfilled, capped and covered with a minimum of 12 inches of topsoil at the permittee's expense to INDOT minimum standards.
- **Daily Remediation of Bore Holes:** All bore holes will be properly repaired and all debris removed from the right-of-way each day.
- **Boring Detail Sheet:** All boring under the INDOT Highway will have a boring detail sheet example may be as follows:
https://www.in.gov/indot/files/Boring_Jacking_Specs_Utility_2019-12.pdf

11.3.1 Sewer and Water Line Permits

Permittees seeking permits under this chapter will comply with all applicable general permit provisions in **section 3.0** of this guide as well as applicable provisions of subsection 3 of this

chapter (which is section 11.3 of this guide) above. In addition these permittees will meet the following conditions:

- **No lane closures or traffic restrictions** within the State right-of-way are permitted in this permit without written consent from INDOT.
- **Closing trenches while not working:** All permitted trenches and excavation on INDOT right-of-way must be closed or properly barricaded when work is not in progress. Traffic must be maintained at all times as set out in the INDOT Uniform Traffic Control Manual and as shown in the permit drawings, if applicable.
- **A Highway Settlement Monitoring Plan** is required for any pipe or casing greater than six (6) inches in outside diameter and must be submitted before any work can begin.
- **Closing right-of-way fence gaps ASAP:** Any opening in the right-of-way fence will be closed immediately upon completing the work, if applicable and allowed within this permit. The temporary fence line opening area and the State right-of-way will be restored to the original or better condition by grading and mulch seeding all disturbed areas where necessary. The right-of-way fence that was temporarily removed, set aside or affected in any way in this permit will be repaired and/or replaced to INDOT standards if damaged (see attached standards sheets). INDOT will have final acceptance approval of these areas.
- **Encasement of Pressurized Lines:** All water/sanitary lines under pressure within the effective pavement area will be encased. Where a carrier pipe is placed inside a casing pipe, the carrier pipe will be shimmed to proper line, elevation and grade and then the void between the two pipes will be grouted/sealed at both ends as per Section 716 of the current version of INDOT Standard Specifications.
- **Readily identifiable marker:** The utility will place a readily identifiable and suitable marker immediately above any water line where it crosses the right-of-way line.
- **Approved backfill material required:** Only INDOT approved materials for backfill, asphalt and pipe must be used for all work within the INDOT right-of-way. Pipe within the INDOT right-of-way to be solid wall Type 1 Pipe from the INDOT approved materials list. Permittee must provide proof of the pipe used from the pipe supplier.
- **Encasement of service line crossings:** All crossings for service lines greater than 2 inches will be encased. Where non-metallic lines are installed without a metal casing, a durable metal wire will be installed concurrently or other means provided for detection purposes.
- **Depth of cover for underground pipe installations:** Underground pipe installations depth of cover: Minimum cover is 36 inches. Minimum Cover under Ditch Flow Line is 48 inches. Minimum Cover under pavement surface is 48 inches.
- **Monitoring of trenchless pipes installations:** All trenchless pipe installations greater than two (2) inches will be monitored for a minimum of one (1) year after installation to detect any changes or damages within the ROW and any damage to pavements,

shoulders or right-of-way facility created by the boring operation will be repaired at the permittee's expense to INDOT minimum standards.

- **Manholes and hydrants** will not be set in ditch bottoms or any other area that would prohibit normal maintenance of the State right-of-way.
- **Abandoned water and Sewer Lines:** All abandoned sewer or water lines will be properly plugged and capped as required by INDOT at an adequate number of locations to prevent storm or ground water flow. All casings will be sealed at both ends.

11.3.2 Monitoring Well Permits

Permittees seeking permits under this chapter will comply with all applicable general permit provisions in **section 3.0** of this guide as well as applicable provisions of subsection 3 of this chapter (which is section 11.3 of this guide) above. In addition these permittees will meet the following conditions:

- **Location of underground conduit & devices:** All INDOT equipment in the State right-of-way, such as underground conduits and signal control devices, must be located prior to the start of work. Contact the District Signal Supervisor at least three (3) work days in advance. If highway signal equipment is damaged or removed in any manner, it must be repaired or replaced by a pre-qualified signal contractor.
- **Barricades required:** All trenches, excavation and drilling must be closed or properly barricaded when work is not in progress.
- **Minimum Cover Requirements:** Minimum cover is 36 inches. Minimum cover under ditch flow line is 48 inches. Minimum cover under or within five (5) feet of the pavement surface is 48 inches. All permitted longitudinal underground installations will be located on uniform alignment within five (5) feet of the right-of-way line, unless noted otherwise (u.n.o.). The utility company will place a readily identifiable and flexible marker immediately above any underground power or communication line where it enters and/or exits the right-of-way.
- **The permittee is responsible for all future maintenance,** repair and relocation of monitoring wells and the permittee will remove the casing and grout the hole when sampling is no longer needed.
- **Capping of sample holes:** All sample bore holes must be properly filled and capped at the permittee's expense to INDOT minimum standards.
- **The Indiana Department of Environment Management (IDEM) project number must be included with the application:** Include the IDEM # associated with the project.
- **Additional Permit required for long-term monitoring wells:** The permittee will re-apply for a new permit or apply for an extension 30 days prior to the expiration date of this

permit if the wells are to remain in place beyond the expiration date. A new bond must be submitted when re-applying.

11.3.3 Drainage Permits

Permittees seeking permits under this chapter will comply with all applicable general permit provisions in **section 3.0** of this guide as well as applicable provisions of subsection 3 of this chapter (which is section 11.3 of this guide) above. In addition these permittees will meet the following conditions:

Drainage Permit Requirements:

- **Right-of-way crossing may be permitted:** Irrigation and drainage pipes crossing the right-of-way may be permitted.
- **Specific INDOT Standards Apply:** Irrigation and drainage pipes installed across any highway right-of-way must be designed, constructed, and maintained in accordance with INDOT standards for culverts and bridges.
- **Placement of Inlets:** here there is a slope, inlets should be placed on the upstream side of a driveway or intersection.
- **Placement of Manholes:** Where practical, manholes should be placed outside of pavement limits.
 - If not possible, inlets and manholes should be place to avoid wheel path.
 - In accordance with the ADA Accessibility requirements, Manholes and Handholds should not be placed within curb ramps or detectable warning surfaced unless a technical inquiry has been granted by INDOT's ADA Technical Advisory Committee (TAC) at ada@indot.in.gov. Drainage inlets should not be placed at the base of curb ramps unless the inlet grate is compliant with all accessibility requirements.

Training Currently Required:

For any permits submitted to hydraulics for a review on or after August 1, 2018, someone at the consulting firm submitting hydraulics for review needs to have taken the online training course on how to do hydraulics for driveway or other permits that impact drainage before a permit would be reviewed. The training certificate can be uploaded by the applicant to EPS as proof of training. To take the course, send first and last name as well as an email address to Hydraulics@indot.IN.gov to register. Once the registration is processed, the course takes about an hour to complete. There is no fee for the course.

Future Prequalification Required:

Starting with its inclusion in the permit manual consultants submitting hydraulics for driveway permits will be required to be prequalified. The hydraulics prequalification for driveway permits is work type 17.1. The list of prequalified consultants can be found on the INDOT Consultants Prequalification website at <https://www.in.gov/indot/2732.htm>. For companies needing to get prequalified, the requirements are in the INDOT Consultant Prequalification Manual which can also be found on the Consultants Prequalification website listed above.

11.3.4 Gas Line Permits

Permittees seeking permits under this chapter will comply with all applicable general permit provisions in **section 3.0** of this guide as well as applicable provisions of subsection 3 of this chapter (which is section 11.3 of this guide) above. In addition these permittees will meet the conditions provided below:

- **Existing lines** may be allowed to remain in place with a reduction of 0.5 feet in the depths of cover specified. Existing lines may remain in place with a lesser depth of cover if the pipeline is protected by a reinforced concrete slab which complies with the requirements below:
 - Width is three (3) times the pipe diameter, but not less than four (4) feet.
 - Thickness will be a minimum of six (6) inches.
 - Minimum reinforcement will be No. 4 epoxy coated bars on a 12 inch center.
 - Cover will be at least six (6) inches between slab and top of pipe.
- **Abandoned gas lines:** All abandoned lines will be properly plugged and capped as required by INDOT.
- **Non-metallic line conditions:** Where non-metallic lines are installed without a metal casing, a durable metal wire will be installed concurrently or other means provided for detection purposes. The utility company will place a readily identifiable and flexible marker immediately above any underground gas line where it enters and/or exits the right-of-way, except where marked by a vent. Crossings may be encased or non-encased. Only welded steel lines with adequate corrosion protection may be used for non-encased highway crossings.
- **A Highway Settlement Monitoring Plan is required** for any pipe or casing greater than six (6) inches in outside diameter and must be submitted before any work can begin.
- **Vents:** One or more vents will be provided for each casing or series of casings. Casings longer than 150 feet will require a vent at both ends of the casing. On casings less than 150 feet, a vent will be placed at both ends or a vent will be located at the high end with a marker placed at the low end. Vents will be placed at the right-of-way line, immediately above the pipeline and situated so they do not interfere with highway

maintenance and are not concealed by plants. The name of the utility company will be shown on vents. The utility company will place a marker above any gas lines where it crosses the right-of-way line, except where there is a vent.

11.3.5 Environmental Cleanup Permits

Permittees seeking permits under this chapter will comply with all applicable general permit provisions in **section 3.0** of this guide. In addition these permittees will meet the conditions provided in this section.

An INDOT permit is required to conduct environmental cleanup. Be sure that the bond amount requested is sufficient to cover the amount of work and that emergency permit requirements are adhered to if the cleanup begins as an emergency. Applicants should be sure to comply with all general permit requirements that apply as well as the requirements for an INDOT environmental cleanup permit.

Environmental Spills: Definition

The Indiana Department of Environmental Management (IDEM) defines a spill as any unexpected, unintended, abnormal, or unapproved:

- dumping,
- leakage,
- drainage,
- seepage,
- discharge, or
- other loss of Petroleum, hazardous substances, extremely hazardous substances, or objectionable substances.

The term does not include releases to impermeable surfaces when the substances does not migrate off the surface or penetrate the surface and enter the soil.

The Office of Land Quality (OLQ) Response Program:

The OLQ Emergency Response program responds to incidents involving spills to soil or waters of the state. Responders in the Indiana Department of Environmental Management's (IDEM) four regional offices work closely with local, federal, and other state responders to protect Indiana's environmental resources. For a better understanding of emergency response terminology, consult the Emergency Response Definitions page.

Report Environmental Emergencies:

To report an environmental emergency, call IDEM's 24-Hour Emergency Spill Line toll free at (888) 233-7745 or (317) 233-7745. OLQ's emergency responders are available any time to

receive spill reports and provide response assistance. The [Emergency Response Quick Reference Sheet](#) provides additional contact numbers and techniques for evaluating environmental threats.

Requirement to Report Spills:

Owners/operators of facilities and modes of transportation are required to report all spills, including the total amount spilled, not the amount unrecovered. All spills require a spill response, regardless of reportability. Timely reporting is more important than immediately determining fault or responsibility. When in doubt, call the 24-Hour Emergency Spill Line. It is better to find out that a spill is not reportable than to be in violation of the [Indiana Spill Rule](#) (327 IAC 2-6.1). The secondary containment of hazardous materials is addressed in Rule 10 of Indiana's Water Quality Standards (327 IAC 2-10). Contact IDEM's Office of Records Management for data regarding spills.

<https://www.in.gov/idem/cleanups/2352.htm>.

11.3.6 Communication (Cable TV) Permits

Permittees seeking permits under this chapter will comply with all applicable general permit provisions in **section 3.0** of this guide as well as applicable provisions of subsection 3 of this chapter (which is section 11.3 of this guide) above. In addition, these permittees will meet all the conditions, requirements and provisions of the INDOT [Utility Accommodation Policy](#).

Fiber optic lines require a broadband permit:

If the communication line is to be Fiber Optic, then the permit will need to be applied for as a [Broadband Permit](#).

Refer to the Broadband Permit Guidelines:

<https://www.in.gov/indot/files/Broadband%20Permit%20Guidancea.pdf>

11.3.7 Electric Permits

Permittees seeking permits under this chapter will comply with all applicable general permit provisions in section 3.0 of this guide as well as applicable provisions of subsection 3 of this chapter (which is section 11.3 of this guide) above. In addition, these permittees will meet all the conditions, requirements and provisions of the [INDOT Utility Accommodation Policy](#).

11.4 Miscellaneous Occupancy Permits

General:

A Miscellaneous Occupancy permit is required for any activity performed on State right-of-way that is not covered in section 11.2 Above Ground Occupancy Permits or 11.3 Below Ground Occupancy Permits.

Requirements:

In addition to the general requirements in **chapter 3.0** of this guide, all surface and underground installations and excavations should follow the requirements outlined in the INDOT Utility Accommodation Policy below and any applicable special provisions found in sections 11.2 and 11.3 above.

11.4.1 Building Demolition

Applicants that wish to apply for a permit for access to INDOT right-of-way for the purposes of building demolition should apply under the Occupancy (Above Ground) category and select Miscellaneous as the sub-type.

Permittees conducting demolition activity will comply with all applicable general permit provisions in **section 3.0** of this guide. In addition these permittees will meet the conditions provided in this section.

INDOT is not responsible for determining whether or not the proposed work will require permits from another regulatory agency. However, the type of work leading an applicant to apply for a building demolition permit typically requires additional permits. Examples of agencies from which such a permit may be required include, but are not limited to IDEM, INDR, and the USACE.

Any work in Waters of the United States, in wetlands, and land disturbing activities greater than 1 acre are all examples of work that will require consultation with these agencies. If you have questions about whether or not your project will need additional permits, please contact these agencies directly.

11.4.2 Gateway Towers

For the purpose of this manual, a gateway tower should be considered structures placed at the entrances of a community that arch over the INDOT Roadway System. Applicants that wish to

apply for a permit for a gateway tower would apply under the Occupy (Above Ground) category and select Miscellaneous as the sub-type.

Permit staff should follow the Public Art and Landscape policy when reviewing the application for approval.

Important items and information that is needed before permit approval are listed below:

- Signed permit application (by entity owning the structure) saved in EPS.
- Written Disclosure of the funding source.
- What entity will be responsible for installation and maintenance?
- What will scheduled maintenance of the structure consist of?
- How often will maintenance occur on the structure?
- Copy of easement agreements (if necessary).
- Structures designed in accordance with AASHTO standards.
- All structures must be submitted with shop drawings stamped by a registered engineer.
- Plan sheet stamped by a registered engineer must meet clear zone requirements.
- Bond sufficient to cover the work in INDOT right-of-way.
- [Joint Use and Maintenance Agreement \(JUMA\)](#) to be included in the permit.
- Approval from respective TSD.
- If on an Interstate, approval from FHWA.

11.4.3 Sidewalks

Applicants that wish to apply for a permit for access to INDOT right-of-way in order to construct a sidewalk should apply under the Occupy (Below Ground) category and select Miscellaneous as the sub-type.

Permittees seeking permits will comply with all applicable general permit provisions in **section 3.0** of this guide as well as giving special attention to **section 2.13** of this guide which details the resources available for meeting the strongest requirements of the Americans With Disabilities Act (ADA) and other accessibility requirements related to the construction, installation and maintenance of pedestrian facilities. In addition these permittees will meet the following conditions:

- **Standards of design and construction:** Any sidewalks, curbs and pavement will be constructed and finished in accordance with INDOT Standards and Specifications or as shown on the submitted plans and drawings.
- **Closures and Barricades:** All trenches, excavation and any other installation activities must be closed or properly barricaded when work is not in progress.

- **Accessibility Requirements:** Submitted drawing and plans must conform to all accessibility requirements and must meet the Americans With Disabilities Act Accessibility Guidelines requirements but should be constructed to comply with the Public Right-of-Way Accessibility Guidelines as this is the best practice for accessibility.
- **Lighting installation:** Lighting will be completed in accordance with specifications submitted to INDOT and will not be placed in a manner that would obstruct the pedestrian access route (PAR).
- **Specialized items:** The installation of any specialized items/construction that will be allowed within this permit will be installed as defined and described in the Project Description and Purpose of the permit along with all plans and specifications that were provided by the Permittee.
- **Maintenance by Permittee:** By the issuance of this permit granting a private individual a permit to install a specialized item(s) in Indiana Department of Transportation (INDOT) right-of-way, INDOT reserves the right to require the permittee or future owners of said property to be responsible for any repairs, maintenance or replacement of said specialized item as it would pertain to the permitted specialized item, so stated in this permit, as required, if INDOT determines that the party is not adequately maintaining the installation. The Permittee will be responsible for any future repairs and maintenance required as determined necessary by INDOT at the expense of the Permittee.

11.4.4 Railroad Crossing Permits

If an applicant would like to work in the INDOT right-of-way where a railroad is located, but work on the railroad is not required, the applicant must:

- Apply online via EPS for a Below Ground Occupancy permit and select Miscellaneous as a subtype.
- The applicant must also contact the railroad company who owns the railroad and obtain written permission allowing the applicant permission to be on the railroad. Or, the Rail Road company must sign an [Additional Disclosure](#) page.
- The permit application will follow the Right-of-way Occupancy permit approval process.
- If a rail road company would like to work on a railroad that is located on the INDOT right-of-way, the applicant must apply online via EPS for a Railroad permit and select Road Closure or Traffic Diversion as a subtype.
- The application approval process will be handled by INDOT's Utilities and Railroad section.

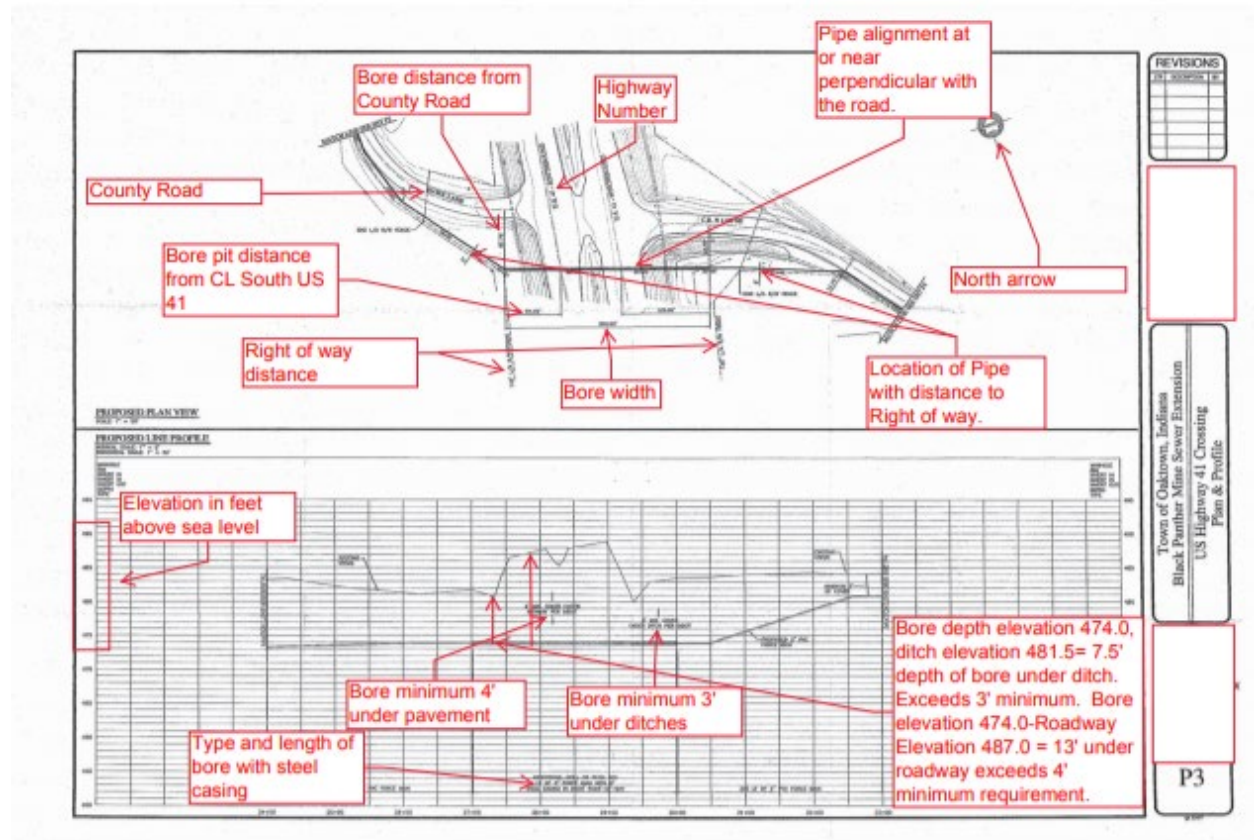
You will need to the AAR or DOT# so you can enter it into the box and click Search to view more details.

12.0 Additional Resources

12.1 Examples

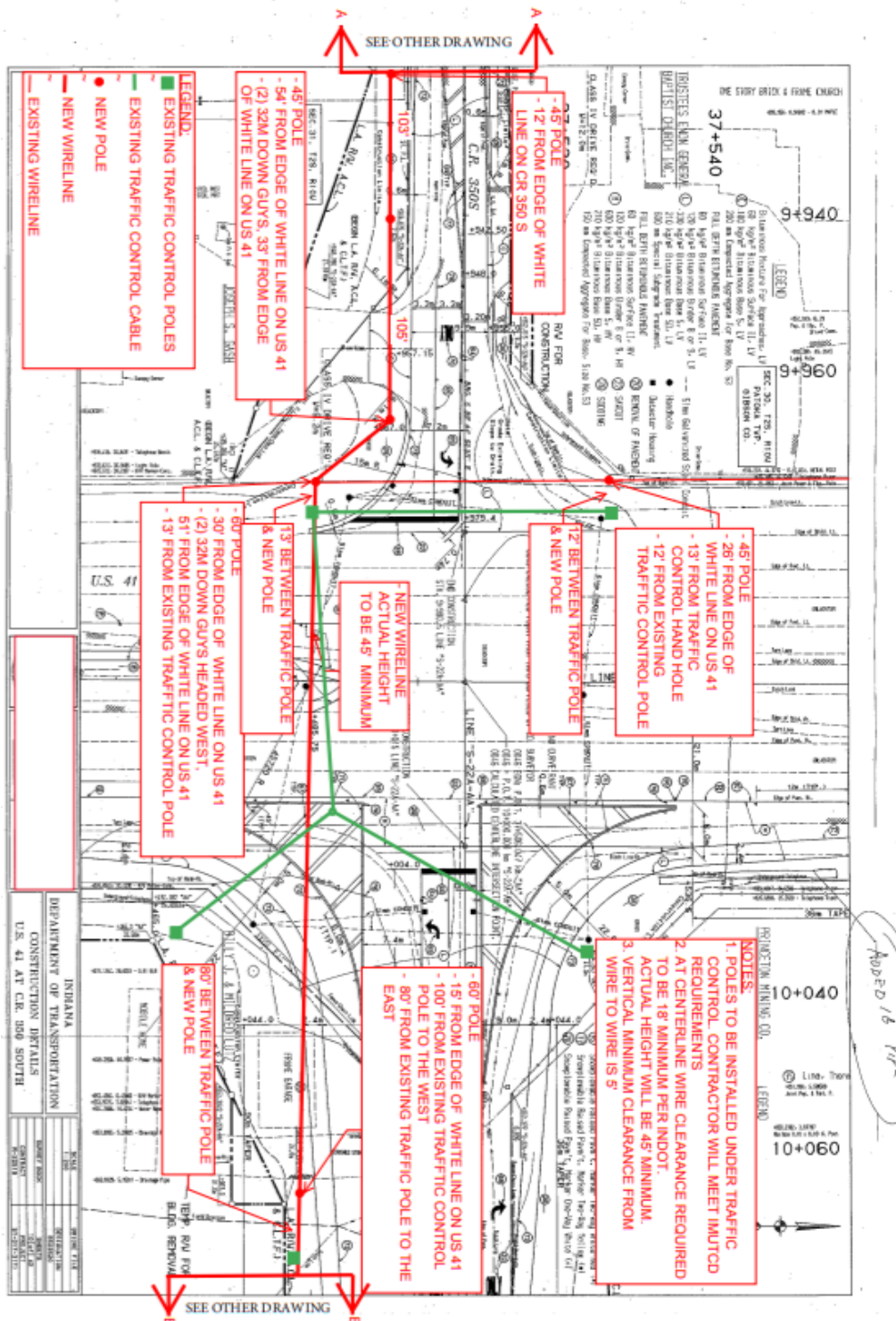
12.1.1 Boring Line (Good) Line Drawing

See example below for a visual representation of a good boring line installation.



12.1.2 Pole Line (Good) Line Drawing:

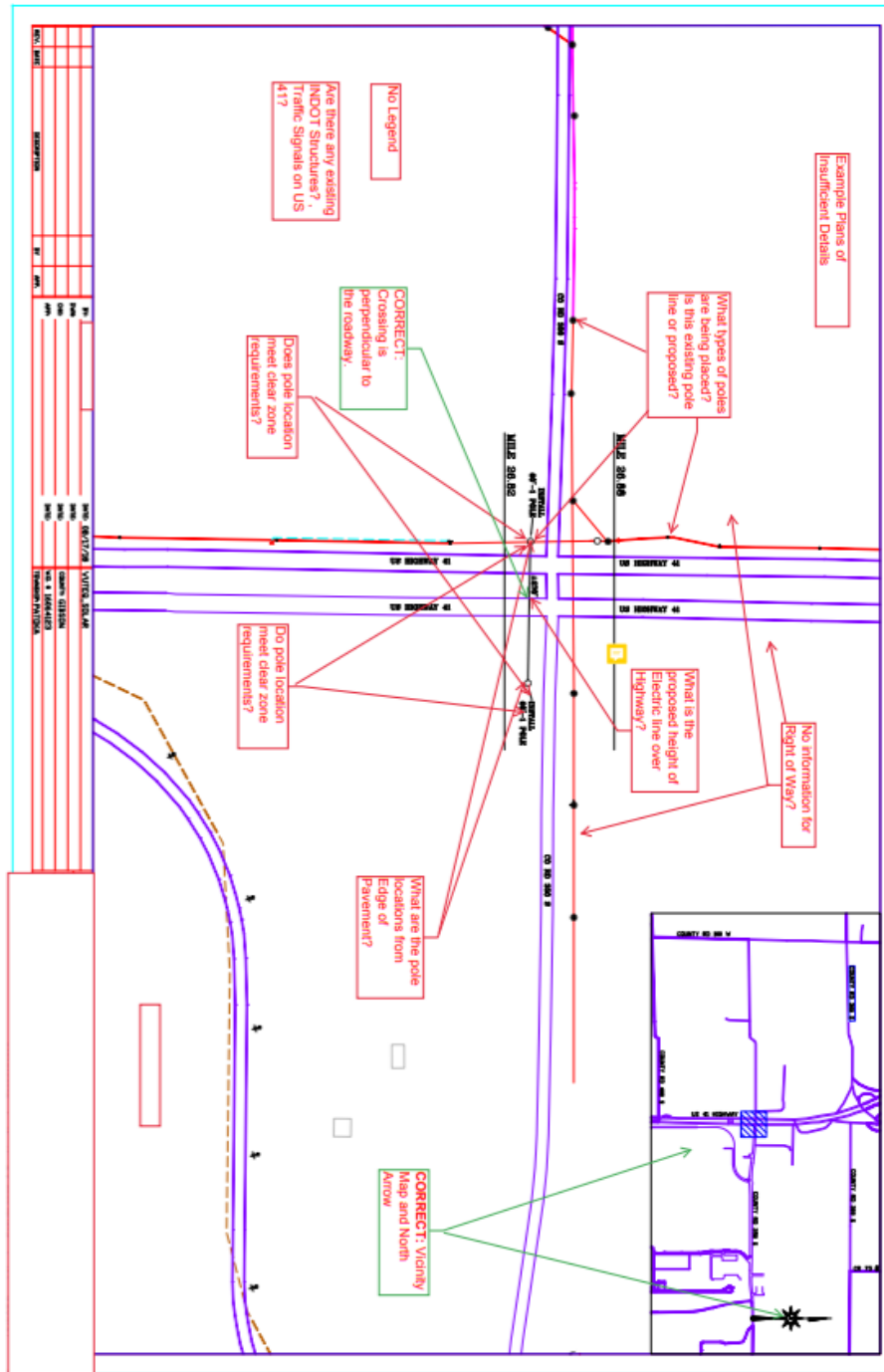
See example below for a visual representation of a good pole installation.



The Right-of-Way [Occupancy Permit Checklist](#) found in 12.2.1. should be followed for guidance on what should be covered in the application process.

12.1.3 Pole Line (Bad) Line Drawing:

See example below for a visual representation of a bad pole installation.



12.2 Checklists

12.2.1 Right-of-Way Occupancy Permit Checklist

**INDIANA DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY
OCCUPANCY PERMIT APPLICATION CHECKLIST**

Permit Check List Items PERMIT APPLICATION (State Form 41769R) Incomplete/Inaccurate information may result in delay, return, or denial of application. These are minimum requirements; additional information may be requested.	Complete
1. Confirm Type of Permit Checked is Accurate	
2. Confirm Project Location:	
• Highway Number	☐
• County Name	☐
• Distance/Direction to nearest street/road offset from the existing ROW limit	☐
• Reference Point Number (Post begin and end)	☐
3. Confirm Project Description	
4. Sketch/Plans of proposed work	
• Aerial view with street names and other identifiers with arrow to show location of proposed work	☐
• Size of Cut (Width X Length X Depth)	☐
• Encasements and structures show elevations	☐
• Type of Backfill Standards (715-BKFL) http://www.in.gov/dot/div/contracts/standards/drawings/sep17/e/700e/e700%20combined%20pdfs/E715-BKFL.pdf	☐
• Distance cut will be from pavement edge/curb and R/W line	☐
• Existing INDOT/facilities affected by this project work	☐
• Distance from nearest intersection of city street/state highway	☐
• Distance from other existing utilities	☐
• Width of pavement edge, curb lines, shoulders, centerline and right-of-way lines	☐
• Size and types of installations on the right-of-way (i.e. services and mains)	☐
• Bores, pushes or tunneling (specific clearances/diameter of encasement)	☐
• Bore information	☐
• Location of bore pits	☐
• Depth under ditches/pavement (Cover minimum of 48", under ditches/pavements – 48"). If the thickness of the pavement structure or if the elevation of the drainage structure is known, the new facility should be a minimum of 24" under the lowest of these structures	☐

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Permit Checklist Items	Complete
• Bore locations (Station to Station OR Reference Point Start to Reference Point End)	☐
• Direct Bury locations (Station to Station OR Reference Point Start to Reference Point End)	☐
• Transverse location of bores (Station Number) Minimum depth or elevation requirements for bored facilities should be the same as that of trenched ones.	☐
• Cross-section of boring detail for underground crossings	☐
• Distance of utility poles from the right-of-way (within 3' of the right-of-way or as close as possible)	☐
• Height as measured from the sag of the cable of aerial cable crossings above pavement (minimum of 18' - 0" above highway pavements). Must not obstruct the traveling public's view of any signal lights/MUTCD installations.	☐
• Location of anchors and guy wires (none within 25 feet of the edge of pavement)	☐
• Type of traffic control to be used	☐
• http://www.state.in.us/indot/files/WorkZoneTCH.pdf	☐
• Legend/key to all shapes used on drawings (i.e. figures, symbols, line styles)	☐
Lines placed in LARW	
NOTE: all above plan design information apply if the following criteria is met:	
➤ Transverse Crossing allowed at right angles only	☐
➤ Full LARW: No Longitudinal applications allowed	☐
➤ Partial LARW: Longitudinal applications only allowed with hardship exception	☐
• A letter of justification/reason for the hardship request to allow a longitudinal run of utilities along INDOT LARW (addressed to INDOT Deputy District Commissioner)	☐
➤ Documentation/evidence of property owner denials (affidavits):	☐
• All reasonable alternatives	☐
• Fair market values for easements	☐
➤ Cost analysis for proposed vs. alternative routes	☐
➤ Utilities	☐
• Identify existing utilities in the area utilized as longitudinal and transverse runs. Ensure potential conflicts with them will be avoided.	☐
• Confirm how utilities will be secured (i.e. encased)	☐
• Maintenance agreements/special provisions:	☐
• Cost for moving to be paid by the applicant	☐
• Detailed plans for placement	☐
• Entire removal of old facilities (including old poles, foundations, pipes, casings, etc.). Old pipes retired in place need to be capped at either end and filled with flowable fills if the pipe size is greater than 12".	☐
➤ Confirm plans stamped by a registered engineer	☐
➤ Environmental impacts to INDOT Right of Way. (Applicant may need to identify environmental areas and mitigate as necessary.)	☐

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Permit Checklist Items	Complete
Project Purpose: What is being installed/repaired and the reason for installation	
PERMIT BOND (State Form 41523R)	
NOTARIZED: <u>Both</u> principal and surety signatures	☐
Power of Attorney (attached)	☐
Blanket Bond (i.e. utility applicants)	☐
Bond penal sum	☐
Bond number	☐
Single Job Bond (Bond penal sum required by INDOT per permit inspector)	☐
- Waived Bonds (i.e. governmental agency applicants responsible to a Mayor/elected official) - Complete State Form 35483R (Bond and/or Permit Fee Waiver)	☐
Bond Amount – Determined by the Permit Manager (\$10,000.00 minimum)	☐
Bond Number	☐
Application Fees (if required) - Payable through EPS or by check to the Indiana Department of Transportation - Occupancy (Below Ground) -- \$55.00 - Occupancy (Above Ground) -- \$55.00	☐
APPLICANT INFORMATION:	
Signatures	☐
Printed names	☐
Name of Company	☐
Post office address	☐
Zip codes	☐
Telephone number	☐
Consultant Consent Form	☐
Additional Disclosure Page	☐

X

Signature of Investigator/Date

12.2.2 Broadband Access Permit Checklist for Applicants

INDIANA DEPARTMENT OF TRANSPORTATION BROADBAND ACCESS PERMIT A GUIDE TO COMPLETE AN APPLICATION (Broadband Corridor/Non-Limited Access ROW)

A complete PERMIT APPLICATION Utilizing the Electronic Permit System (EPS) or (State Form 41769, R8/5-17) must be submitted. Incomplete/inaccurate information submissions may result in delay, return or denial of application. These are minimum requirements; additional information may be requested.	Complete
Confirm Type of Permit (BROADBAND) & Permit Sub Type checked is accurate	☐
Confirm Project Location:	
• Route Number	☐
• Street Name	☐
• Identification of all route numbers/street names & between routes in the area where work conducted	☐
• Route Reference Point (RRP) Number (start and end point)	☐
Confirm Specific Project Description:	
• Longitudinal or Transverse Installation	☐
• Length (linear footage)	☐
• Type of Installation(s)	☐
• Total Amount of each item being installed	☐
Confirm Project Start Date	☐
Confirm Project End Date	☐
Confirm Project Purpose: What is being installed/repaired and the reason for installation	☐
Applicant Information:	
• Signature	☐
• Printed name/Title	☐
• Name of fiber optic company	☐
• Post office address	☐
• Zip code	☐
• E-mail address	☐
• Telephone number	☐
• Subcontractor (if conducting the install) contact information.	☐
• Consent Form/INF Form (if a subcontractor will be providing project details)	☐
• Subcontractor Additional Disclosure Form (State Form 23237, R/3-00) In lieu of forms below a signed 1410, a letter from the CEO or President or a copy of the lease will work. Additional disclosure, if used, must be provided 5 days prior to start date.	☐

INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

Permit Check List Items:	Complete
GIS REQUIREMENT: Georeferenced digital file depicting the limits of work for each Fiber Optic Permit submittal is requested, a pdf version at application is required, georeferenced digital file of 'As Built' is required will be required beginning January 1, 2019.	☐
PERMIT BOND (State Form 41523R)	
• NOTARIZED: <u>Both</u> principal and surety signatures	☐
• Power of Attorney (attached)	☐
• Bond number	☐
• Surety Amount (Determined based on the amount of cable that is anticipated to be installed or the total project costs for installation in the INDOT right-of-way, whichever is greater, or utilize \$500,000 minimum blanket bond option)	☐
• Waived Bonds (i.e. governmental agency applicants responsible to a Mayor/elected official) ○ Complete State Form 35483R (Bond and/or Permit Fee Waiver)	☐
APPLICATION FEE \$55.00 - Payable through EPS or by check to the Indiana Department of Transportation	☐
<u>PLANS OF SUFFICIENT DETAIL</u>	
• Attached PLAN SHEETS	☐
• MAPS – Including vicinity map showing all of the roads that will be included in the permit, and the surrounding area of the work.	☐
• DIRECTIONAL ARROW: A north arrow must be shown on each page of the plan and on the vicinity map.	☐
• SCALE: Plans should be of sufficient to detail proposed location of project to ROW congestion.	☐
• LEGEND:	
○ Legend showing the symbols used on the plans, and the color-coding used to mark the plan.	☐
• Underground Plant Protection (Indiana 811 contacted to mark utilities)	☐
○ Include a sheet for typical construction notes together with local utility contact information.	☐
• Existing Structures/Information: Plans include all items that may interfere with the proposed placement of the cable (i.e. sidewalks, utility poles, traffic signals, landscaping, sanitary sewer lines, storm sewer lines, bridges, culverts, walls, other existing utilities, etc.). Guardrails and ditch lines along the proposed cable route must also be indicated on the drawings.	☐
• PLAN, SECTION, & TYPICAL VIEWS:	
▪ UNDERGROUND TRANSVERSE ROAD CROSSINGS PLAN VIEW	
• Bore Details – Minimum depth 48 inches	☐
• Bore Pit Location (station)	☐
• Bore Pit, Pavement Elevation (Depth of Cover)	☐

INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

Permit Check List Items:	Complete
Type of Fiber optic line proposed Note: Dielectric lines not permitted on underground installations, an exception may be made for electric companies for internal connectivity purposes if conduit used provides a tracing wire.	☐
Right-of-way lines identified	☐
Is crossing perpendicular to the roadway?	☐
Section views identifying areas of conflict (i.e. storm pipes, culverts, sanitary sewer lines, water, ITS locates, TMC sensors etc.)	☐
- Manholes/Handholes: Type and location - Located outside of sidewalks, trails, roadways, shoulders and have an 18 inch concrete ring placed around the manhole lid. A readily identifiable and suitable marker above any underground communication lines where it crosses the right-of-way line	☐
OVERHEAD TRANSVERSE ROAD CROSSING PLAN VIEW	
Minimum Roadway Clearance (18 feet)	☐
Overhead crossing Location (Station)	☐
Type of Power pole/structure and location from right-of-way	☐
Is proposed crossing perpendicular to the roadway?	☐
Clear zone requirements met	☐
Right-of-way identified as far away as possible	☐
Pole locations not in center median	☐
Guy Wire Location(s)	☐
Type of Fiber optic line	☐
Single pole construction are longitudinal or transverse	☐
Aerial facilities - 200 feet horizontally away from a highway bridge and large structures	☐
UNDERGROUND LONGITUDINAL ALONG ROADWAY PLAN VIEW	
Beginning and Ending of Project (station) With Match lines	☐
Right-of-way identified including elements <i>such as edge of pavement centerline, edge of ROW, driveways, bridges, and culverts/drain inlets and outlets should be shown.</i>	☐
Location of Proposed line from Right- of-way identified	☐
Location of Proposed line from Edge of Pavement identified	☐
Type of Fiber optic and or conduit Note: <i>Dielectric lines not permitted on underground installations, an exception may be allowed for electric companies when installing an internal communication network.</i>	☐
Location and label of Broad Band Markers	☐

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Permit Check List Items:	Complete
Location of ditches from proposed Fiber Optic Line (no cable allowed with in ditch line)	☐
If work in vicinity of a bridge or box culverts must show profile view and all features need to be shown on plan	☐
Conduit or cable duct populated with fiber optic cable	☐
- Manholes/Handholes: Type and location - Located outside of sidewalks, trails, roadways, shoulders and have an 18 inch concrete ring placed around the manhole lid. A readily identifiable and suitable marker above any underground communication lines where it crosses the right-of-way line. Must meet INDOT Standard Specifications.	☐
OVERHEAD LONGITUDINAL ALONG ROADWAY PLAN VIEW	
18 foot clearance	☐
Beginning and Ending of Project (station) With Match lines	☐
Right-of-way identified	☐
Hand Holes; Type and location (station)	☐
Location of Proposed line from Right- of-way	☐
Location of Proposed line from Edge of Pavement	☐
Type of Fiber optic and or conduit	☐
Type of Power pole/structure and location from Right-of-way	☐
Is proposed crossing perpendicular to the roadway?	☐
Clear zone requirements met	☐
Type of Fiber optic line identified	☐
Single pole construction?	☐
Aerial facilities - 200 feet horizontally away from a highway bridge and large structures	☐
Confirm STANDARD RIGHT-OF-WAY PERMIT REQUIREMENTS:	
Traffic Maintenance Plan	☐
Site Maintenance (i.e. Does site require a utility maintenance Pull off, etc.)	☐
Restoration (Erosion Control Plan)	☐
Drainage (Proposed work cannot impede natural drainage)	☐
Underground Plant Protection (Indiana 811 contacted to mark utilities)	☐

NOTE: The development of the Checklist List above is to provide and applicant a condensed/simplified outline of the broadband permit requirements. This is an additional tool created to help summarize and walk an applicant through the basic information necessary to be included in a permit. Please refer to the Broadband Access Guidance Document for specific instructions defining the requirements in a Broadband Access Permit application.

This is solely a guide and is not required as part of a Broadband Access Permit submittal.

12.2.3 Broadband Access Permit Checklist for Staff

INDIANA DEPARTMENT OF TRANSPORTATION BROADBAND ACCESS PERMIT APPLICATION CHECKLIST <i>To Be Completed by Permit Staff</i>
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Revised 2/7/2019

PERMIT APPLICATION (State Form 41769, R8/5-17) Incomplete/Inaccurate information may result in delay, return or denial of application. These are minimum requirements; additional information may be requested.	NA	Incomplete/ Inaccurate	Items Requested	Complete
1. Confirm Type of Permit (BROADBAND) & Permit Sub Type checked is accurate	☐	☐	☐	☐
* STEPS 2-4 ARE ONLY NECESSARY IF PROJECT LOCATION IS LOCATED IN THE LARW				
2. Confirm applicant has fully executed INDOT Broadband Corridor Agreement for all Interstate/Limited Access ROW. Signed copy in EPS.	☐	☐	☐	☐
3. Confirm Fair Market Value estimate copy in EPS	☐	☐	☐	☐
4. National Environmental Policy Act (NEPA) Document	☐	☐	☐	☐
5. Confirm Project Location:				
• Route Number	☐	☐	☐	☐
• Street Name	☐	☐	☐	☐
• Distance/Direction to nearest street/road	☐	☐	☐	☐
• Route Reference Point (RRP) Number (start and end point)	☐	☐	☐	☐
6. Confirm Specific Project Description: <i>Information provided by applicant needs to be clear, detailed and complete.</i>				
• Length (linear footage)	☐	☐	☐	☐
• Type of Installation(s)	☐	☐	☐	☐
• Total Amount of each item being installed	☐	☐	☐	☐
• Longitudinal or Transverse Installation	☐	☐	☐	☐
7. Confirm Project Start Date	☐	☐	☐	☐
8. Confirm Project End Date	☐	☐	☐	☐
9. Confirm Project Purpose: <i>What is being installed/repared and the reason for installation?</i>	☐	☐	☐	☐
10. Applicant Information:				
• Signature	☐	☐	☐	☐
• Printed name/Title	☐	☐	☐	☐
• Name of fiber optic company	☐	☐	☐	☐

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February 7, 2019

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Permit Check List Items	NA	Incomplete/ Inaccurate	Items Requested	Complete
• Telephone number	☐	☐	☐	☐
• Post office address	☐	☐	☐	☐
• Zip code	☐	☐	☐	☐
• E-mail address	☐	☐	☐	☐
• Subcontractor/consultant (if conducting the install) contact information	☐	☐	☐	☐
• Consultant Consent Form/INF Form (if a subcontractor will be providing project details)	☐	☐	☐	☐
• Additional Disclosure Form (State Form 23237, R/3-00); will not hold up approval - due 5 days prior to construction. Additional alternatives available include signed copy of 1410 form, letter from CEO or president, or a copy of the lease agreement.	☐	☐	☐	☐
* STEP 11 ONLY NECESSARY IF PROJECT LOCATION IS LOCATED IN THE LARW				
11. District recommendation memorandum (Site Viability Form) initialed by the Permit Manager, Technical Services Director (TSD) and District Deputy Commissioner (DDC)	☐	☐	☐	☐
12. GEOREFERENCED DIGITAL FILE depicting the limits of work for each Fiber Optic Permit submittal required beginning January 1, 2019. Ninety (90) days after construction completed.	☐	☐	☐	☐
13. BOND: Options are either a Performance Bond or a Blanket Bond.				
▪ NOTARIZED: <u>Both</u> principal and surety signatures	☐	☐	☐	☐
▪ Power of Attorney (attached)	☐	☐	☐	☐
▪ Bond number	☐	☐	☐	☐
• Performance Bond Surety Amount: ▪ Determined based on the amount of cable that is anticipated to be installed or the total project costs for installation in the INDOT right-of-way, whichever is greater.	☐	☐	☐	☐
• Underground Lines ▪ Minimum: \$10,000.00 for up to 5,000 feet or \$10,000 per mile (5,280 feet); or the total construction project costs within the INDOT right-of-way, whichever is greater.	☐	☐	☐	☐

INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

Permit Check List Items	NA	Incomplete/ Inaccurate	Items Requested	Complete
- Overhead Lines - Minimum: \$10,000.00 up to 4,000 feet; or the total construction project costs within the INDOT right-of-way, whichever is greater.	☐	☐	☐	☐
- Waived Bonds (i.e. governmental agency applicants responsible to a Mayor/elected official) - Complete State Form 35483R (Bond and/or Permit Fee Waiver)	☐	☐	☐	☐
14. APPLICATION FEE \$55.00 - Payable through EPS or by check to the Indiana Department of Transportation.	☐	☐	☐	☐
15. <u>PLANS OF SUFFICIENT DETAIL</u>				
Attached PLAN SHEETS	☐	☐	☐	☐
MAPS – Including vicinity map showing all of the roads that will be included in the permit, and the surrounding area of the work.	☐	☐	☐	☐
DIRECTIONAL ARROW: A north arrow must be shown on each page of the plan and on the vicinity map.	☐	☐	☐	☐
- SCALE: - Plans should be of sufficient detail and scale to show the proposed location of the facility relative to ROW congestion.	☐	☐	☐	☐
LEGEND:				
Legend showing the symbols used on the plans, and the color-coding used to mark the plan.	☐	☐	☐	☐
Underground Plant Protection (Indiana 811 contacted to mark utilities)	☐	☐	☐	☐
Include a sheet for typical construction notes together with local utility contact information.	☐	☐	☐	☐

INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

Permit Check List Items	NA	Incomplete/ Inaccurate	Items Requested	Complete
○ TRANSVERSE UNDERGROUND ROAD CROSSINGS PLAN VIEW	☐	If checked complete items below		
• Bore Details- Minimum depth 48"	☐	☐	☐	☐
• Bore Pit Location (station)	☐	☐	☐	☐
• Bore Pit, Pavement Elevation (Depth of Cover)	☐	☐	☐	☐
• Type of Fiber optic line proposed Note: Die Electric lines not permitted on underground installations, with the exception for electric companies, if utilizing conduit with tracing wire for own connective purposes.	☐	☐	☐	☐
• Right of way lines identified.	☐	☐	☐	☐
• Is crossing perpendicular to the roadway?	☐	☐	☐	☐
• Section views identifying areas of conflict (i.e. storm pipes, culverts, sanitary sewer lines, water, ITS locates in urban areas, TMC sensors etc.).	☐	☐	☐	☐
○ TRANSVERSE OVERHEAD ROAD CROSSING	☐	If checked complete items below		
• Minimum Roadway Clearance (18')	☐	☐	☐	☐
• Overhead crossing Location (Station)	☐	☐	☐	☐
• Type of Power pole/structure and location from Right of way	☐	☐	☐	☐
• Is proposed crossing perpendicular to the roadway?	☐	☐	☐	☐
• Clear zone requirements met	☐	☐	☐	☐
• Right of way	☐	☐	☐	☐
• Pole Location not in center of median	☐	☐	☐	☐
• Guy Wire Location(s)	☐	☐	☐	☐
• Type of Fiber optic line	☐	☐	☐	☐

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Permit Check List Items	NA	Incomplete/ Inaccurate	Items Requested	Complete
Single pole construction?	☐	☐	☐	☐
Aerial facilities – 200 linear feet horizontally away from a highway bridge and large structures.	☐	☐	☐	☐
LONGITUDINAL UNDERGROUND ALONG ROADWAY PLAN VIEW	☐	If checked complete items below		
Bore Details- Minimum depth 48"	☐	☐	☐	☐
Beginning and Ending of Project (station) With Match lines	☐	☐	☐	☐
Right of way identified	☐	☐	☐	☐
Hand Holes; Type and location (station)	☐	☐	☐	☐
Location of Proposed line from Right of way identified	☐	☐	☐	☐
Location of Proposed line from Edge of Pavement identified	☐	☐	☐	☐
Type of Fiber optic and or conduit Note: Die Electric lines not permitted on underground installations with the exception made for electric companies for own connective use, installed with conduit containing tracing wire.	☐	☐	☐	☐
Location and label of Broad Band Markers	☐	☐	☐	☐
Location of ditches from proposed Fiber Optic Line (no cable allowed with in ditch line)	☐	☐	☐	☐
Plans with Bridges and Culverts must show profile view.	☐	☐	☐	☐
- Conduit or cable duct populated with fiber optic cable - One (1) additional non-populated conduit per project shall be allowed.	☐	☐	☐	☐
- Manholes/Handholes: Type and Location - Located outside of sidewalks, trails, roadways, shoulders, have an 18 inch concrete ring placed around the manhole lid, and provide a readily marker indicating where it crosses the right-of-way line.	☐	☐	☐	☐

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Must meet design requirements provided in the most up to date version of the INDOT <u>Standard Specifications</u>.				
Permit Check List Items	NA	Incomplete/ Inaccurate	Items Requested	Complete
- Existing Structures/Information: Plans include all items that may interfere with the proposed placement of the cable. - Right-of-Way elements such as edge of pavement, centerline, edge of right of way, driveways, bridges, and culverts/drain inlets and outlets should be shown.	☐	☐	☐	☐
LONGITUDINAL OVERHEAD ALONG ROADWAY PLAN VIEW	☐	If checked complete items below		
Minimum Roadway Clearance (18')	☐	☐	☐	☐
Beginning and Ending of Project (station) With Match lines	☐	☐	☐	☐
Right of way identified	☐	☐	☐	☐
Hand Holes; Type and location (station)	☐	☐	☐	☐
Location of Proposed line from Right of way identified	☐	☐	☐	☐
Location of Proposed line from Edge of Pavement identified	☐	☐	☐	☐
Type of Fiber optic and or conduit	☐	☐	☐	☐
Type of Power pole/structure and location from Right of way	☐	☐	☐	☐
Clear zone requirements met	☐	☐	☐	☐
Right of way	☐	☐	☐	☐
Guy Wire Location(s)	☐	☐	☐	☐
Type of Fiber optic line identified	☐	☐	☐	☐

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• Single pole construction?	☐	☐	☐	☐
• Aerial facilities - 200 feet horizontally away from a highway bridge, sound barriers large structures, etc.	☐	☐	☐	☐
Permit Check List Items	NA	Incomplete/ Inaccurate	Items Requested	Complete
16. Confirm STANDARD RIGHT-OF-WAY PERMIT REQUIREMENTS:				
• Traffic Maintenance Plan	☐	☐	☐	☐
• Site Maintenance (i.e. Does site require a utility maintenance Pull off, etc.)	☐	☐	☐	☐
• Restoration (Erosion Control Plan)	☐	☐	☐	☐
• Drainage (Proposed work cannot impede natural drainage)	☐	☐	☐	☐

X

Signature of Investigator/Date

12.2.4 Miscellaneous Permit Checklist

INDIANA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY <i>Miscellaneous PERMIT APPLICATION CHECKLIST</i>
--

Permit Check List Items PERMIT APPLICATION (State Form 41769R) Incomplete/Inaccurate information may result in delay, return or denial of application. These are minimum requirements; additional information may be requested.	Complete
1. Confirm Type of Permit Checked is Accurate	
2. Confirm Project Location:	
• Highway Number	☐
• County Name	☐
• Distance/Direction to nearest street/road offset from the existing ROW limit	☐
• Reference Point Number (Post begin and end)	☐
3. Confirm Project Description	
4. Sketch/Plans of proposed work	
• Aerial view with street names and other identifiers with arrow to show location of proposed work	☐
Road Closures (Events LESS than one hour)	☐
• Map detailing the road closure and detour route	☐
• Hold Harmless form	☐
• Letter from local policing agency stating they are in charge of traffic control	☐
• Signed permit application from local governmental agency (i.e. town board, mayor, commissioners)	☐
• Bond fee waiver form (Eligible: Government Agencies, Schools, Churches)	☐
Road Closures (Events MORE than one hour)	☐
• Map detailing the road closure and detour route	☐
• Road Closure detour route as per https://www.in.gov/dot/div/contracts/standards/drawings/sep16/e/800e/e800%20combined%20pdfs/E801-TCDT.pdf	☐
• Hold Harmless form	
• Letter from local policing agency stating they are in charge of traffic control	☐
• Signed permit application from local governmental agency (i.e. town board, mayor, commissioners)	☐
• Bond fee waiver form (Eligible: Government Agencies, Schools, Churches)	☐

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	☐
Banners and Decorations	Complete
Banner cannot block a traffic signal or cause sight distance of the travelling public	☐
Banner cannot be attached to any INDOT controlled facility	☐
Minimum Vertical Clearance 18' from Roadway	☐
Banners will only be allowed to display civic or public, not-for-profit events. (No banners with commercial logos on them)	☐
Letter from the party responsible for putting up and taking down the banner	☐
- A detailed drawing including the following information: - Height of Banner - Length of Banner - Information displayed on the Banner - Dates banner will be attached to - Types of support banner will be attached to - Types of support used to attach banner to secure structure - Vertical Clearance(top of roadway to bottom of banner) of Banner (In feet) - Location of Banner (From nearest intersection with another State Route and local route)	☐
	☐
Tree Trimming	☐
Map of road way area where tree trimming is take place	☐
Types of Tree/ Plants/ Brush to be trimmed	
Appropriate Traffic Control standards	☐
On-site Contact Person(s) Responsible for daily work.	☐
Additional Disclosure page if Utility Company is sub-contracting tree trim work.	☐
All woody vegetation with a stem diameter of 1 to 3 inches should be cut flush with the ground.	☐
There will be no felling of trees greater than three inches in diameter at base height while Indiana bats may be present from April 1 through September 30.	☐
Bond required Minimum \$5000.00 (Eligible waived by Government, Schools, Churches and Rail Roads.	☐
	☐
	☐
	☐
	☐

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Permit Checklist Items	Complete
Project Purpose: What is being installed/repaired and the reason for installation	
PERMIT BOND (State Form 41523R)	
NOTARIZED: Both principal and surety signatures	☐
Power of Attorney (attached)	☐
Blanket Bond (i.e. utility applicants)	☐
Bond penal sum	☐
Bond number	☐
Single Job Bond (Bond penal sum required by INDOT per permit inspector)	☐
- Waived Bonds (i.e. governmental agency applicants responsible to a Mayor/elected official) - Complete State Form 35483R (Bond and/or Permit Fee Waiver)	☐
Bond Amount – Determined by the Permit Supervisor (\$5,000.00 minimum)	☐
Bond Number	☐
Application Fees (if required) - Payable through EPS or by check to the Indiana Department of Transportation - Cut Road -- \$55.00 - Pole Line -- \$55.00	☐
APPLICANT INFORMATION:	
Signatures	☐
Printed names	☐
Name of Company	☐
Post office address	☐
Zip codes	☐
Telephone number	☐
Consultant Consent Form	☐
Additional Disclosure Page	☐

X

Signature of Investigator/Date

12.2.5 INDOT Driveway Permit Drainage Checklist

INDOT Driveway Permit Drainage Checklist

05/22/2017

(If N/A is marked provide an explanation why it is not applicable in the notes section of this checklist)

A Drainage Report should be provided that includes the following (an example can be found on the INDOT Hydraulics website at <http://www.in.gov/indot/3595.htm>):

Yes	N/A	
		Drainage Report must be reviewed, signed and stamped (on the report cover) by a professional engineer licensed in the Indiana before INDOT will begin the review.
		Location plan with north arrow and scale
		A narrative of the proposed work to be done. The narrative should also describe drainage patterns, land cover, soil types and other conditions that effect the hydrology for the existing and proposed conditions. The narrative should describe the discharge to the right-of-way and existing INDOT infrastructure that will accept the runoff such as roadside ditches and storm sewers.
		Existing and Proposed Drainage Area Maps should be provided that identify the areas that drain to the INDOT right-of-way. The maps should clearly identify the right of way, existing and proposed grades, land cover, and should include a flow path identifying the Time of Concentration (Tc). The drainage area maps should also identify offsite drainage areas that may be tributary to the site. Identify point of discharge for each DA.
		Time of Concentration calculations for the existing and proposed Tc paths.
		Soil maps and Composite Curve Number or Rational Coefficient Calculations.
		Rainfall data used for peak runoff rate calculations.
		Input and output for detention basin modeling including elevation-storage, elevation-discharge, outlet structure sizes, peak discharge and maximum storage elevation.
		Analysis of driveway culverts using the requirements in the Indiana Design Manual (IDM)
		Stormwater detention calculations should be provided for all areas that drain to the right-of-way. The 50 year developed property runoff rate shall not exceed the 10 year undeveloped property runoff rate. The report should include a summary table that identifies these peak runoff rates. A computer model that uses the TR-20 methodology to produce a hydrograph is preferred but rational method may be used for areas less than 2 acres according to the INDOT Driveway Permit Manual. Computer based TR-20 model must use Huff rainfall distribution. The model should be ran for multiple durations (15 min. to 24 hr.) to determine the peak runoff rate from the site.
		A description of local stormwater requirements if more strict than INDOT. The report should demonstrate that the INDOT requirements are being met or exceeded.
		Storm sewer design within the right-of-way shall include 10-year storm sewer capacity calculations as well as 50-year Hydraulic Grade Line (HGL) surcharge check calculations.

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Plans should be provided that include the following:

Yes	N/A	
		Plans must be reviewed, signed and stamped by a professional engineer licensed in the Indiana before INDOT will review.
		Pre-and Post-development plans showing grading, storm infrastructure sizes and elevations, inlet locations and rim elevations. Plans should clearly identify location of discharge to the right-of-way.
		Details for outlet control structure, detention basin, and storm sewers.

Notes:

12.3 Forms

12.3.1 Hold Harmless Form

CONCURRENCE FOR TEMPORARY USE OF CITY OR COUNTY STREETS OR ROADS

TO BE ATTACHED TO PERMIT APPLICATION

Detour of SR _____ or US _____

It is agreed that any damages to county roads, city streets, intersections, public or private property and/or drainage caused by this road closing and/or detour will be the responsibility of the following:

() County Highway Commission

() City Street Department

() City Administration

() Town Board

() Others _____

Signed by: Mayor _____

Or 2 members of the Town Board,

1. _____

2. _____

Or 2 members of the County Highway Department,

1. _____

2. _____

The applicant agrees to Indemnify, defend, exculpate, and hold harmless the State of Indiana, it's officials and employees from any liability due to loss, damage, injuries or other casualties of whatsoever kind, or by whomsoever caused to the person or property of anyone on or off the right-of-way arising out of, or resulting from the issuance of this permit or the work connected therewith, or from the installation, existence, use maintenance, condition, repairs, alteration or removal of any equipment or material, whether due in whole or in part to the negligent acts or omissions (1) of the state, it's officials, agents or employees: or (2) of the applicant, his agents or employees or the persons engaged in the performance of the work, or (3) the joint negligence of any of them: including any claims arising out of the workmen's compensation act or any other law, ordinance, order, or decree. The applicant also agrees to pay all reasonable expenses and attorney's fees incurred or imposed on the State in connection herewith in the event that the applicant should default under the provisions of this paragraph.

12.3.2 Emergency Work Permit Preliminary Application Form

State of Indiana
Department of Transportation
EMERGENCY WORK PERMIT
PRELIMINARY APPLICATION FOR EMERGENCY WORK WITHIN STATE
HIGHWAY RIGHTS-OF-WAY

Name and Address of Applicant: _____

Person responsible for work: _____

Telephone No. _____

Date of Work to Start: _____ Type of Work: _____

Traffic control must be in accordance with the *Indiana Manual on Uniform Traffic Control Devices* at all times.

This is an Emergency because: _____

A regular permit application and payment of fees will be filed via the INDOT Electronic Monitoring System (EPS) no later than: five (5) working days from notification. Emergency work on State Highways Rights-of-Way is defined as that which must be done **immediately to protect life or property.**

Verbal Permission given by: _____

Date: _____

Time: _____

12.3.3 Private Driveway Permit Field Investigation Report Form

INDOT Private Driveway Permit Field Investigation Report (1 of 3)

1. Driveway type

2. Is there an existing sidewalk along the roadway?

3. Driveway surface will be one of the following:

- ☐ Compacted Aggregate (gravel)
☐ Asphalt
☐ Concrete

4. Driveway width will be (i.e. 12 feet): _____ feet

Note minimum and maximum on standard drawing detail that you selected in step 1 above.

5. Radii of the driveway. Please reference the standard drawing you selected in step number 1 for entrance and exit radius details

Entrance side of the drive (in feet)

Exit side of the drive (in feet)

Is parking allowed on the street?

6. Is a pipe required?

If so what size (in inches) _____ inches

If so, choose the type of pipe that will be used:

- ☐ Corrugated metal pipe with flared end sections (min cover over pipe is 12 inches)
☐ Reinforced concrete pipe with flared end sections (min cover over pipe is 12 inches)
☐ Corrugated plastic pipe (smooth inside) with flared metal end sections
(min cover over pipe is 24 inches)

7. Distance from centerline of road way to the right of way or property line: _____ feet.
(If the right of way is unknown use the location of the utility poles for the apparent right of way line)

8. Distance from edge of pavement to the flow line of the ditch if a ditch exists: _____ feet.

APPLICATION NUMBER	ROAD NUMBER	COUNTY	EXPIRATION DATE	ISSUE DATE	PERMIT NUMBER

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INDOT Private Driveway Permit Field Investigation Report (2 of 3)

9. Size of the nearest upstream pipe within 0.25 mile of proposed driveway:

_____ inches

10. Direction of flow in ditch (i.e. north or south for odd numbered roads and east or west for even numbered roads):

11. Distance from centerline of driveway to each property line (i.e. 30 feet from east property line and 150 feet from west property line)

_____ feet from the _____ property line

_____ feet from the _____ property line

12. Driveway is on which side of the roadway (i.e. north or south for even numbered roads and east or west for odd numbered roads):

13. Is there is a cross pipe under the highway within 500 feet of the proposed driveway?

If so, what size is the cross pipe? _____ inches

How far is it from the proposed driveway (i.e. 24 inch cross pipe, 200 feet west of driveway)

14. Is there any guardrail within 500 feet of the proposed driveway?

If there is guardrail how far and what direction is it from the property driveway (i.e. 200 feet east of drive)

15. Approximate sight distance from the proposed driveway: _____ feet.
Refer to Driveway Permit Manual for assistance in determining the sight distance.

16. What is the distance to the nearest driveway on the same side of the road?

_____ feet.

In what direction is that driveway from the proposed driveway?

17. What is the distance to the nearest driveway on the other side of the road (in feet)?

_____ feet.

In what direction is that driveway from the proposed driveway?

APPLICATION NUMBER	ROAD NUMBER	COUNTY	EXPIRATION DATE	ISSUE DATE	PERMIT NUMBER

INDOT Private Driveway Permit Field Investigation Report (3 of 3)

18. Is the driveway along a State or US Route that is designated as being Limited Access?

(If the answer to this question is yes then additional information will be needed to complete the processing of your request. You will be contacted to supply the additional information within two days after you submit the application.)

19. By submitting this permit application the applicant attests to the fact that all persons having interest in the subject land being accessed, including but not limited to mortgagees, lessees, optionors, lien holders and holders of other encumbrances shall join with the fee simple holder in the application. The applicant also attests that they have the consent of all interested parties to the land and have informed all such parties that they along with the applicant consent to the conditions of the application and shall be bound equally thereafter by the conditions of the permit which may be issued to the permittee. Please enter the details of the interested parties below. Include the name, address, telephone, company name (if applicable), and the nature of interest the party has in the property.

APPLICATION NUMBER	ROAD NUMBER	COUNTY	NEW EXPIRATION	ISSUE DATE	PERMIT NUMBER

12.3.4 INDOT Legal Memo for Survey Permits:

MEMORANDUM

TO: Alison Grand, Deputy Commissioner and Chief Counsel
Monica Hartke-Tarr, State Permit Executive

THROUGH: Jennifer Jansen, Director of Legal Services

FROM: Laura Turner, Attorney, Legal Services

DATE: November 6, 2017

ISSUES

Does the Indiana Department of Transportation (“INDOT”) incur additional liability when requiring a permit for survey work within INDOT right-of-way, especially if the individual performing the survey is injured in a roadside or other accident?

Should permits be required by INDOT for only specific types of survey work, such as those types of survey work that involve or are related to an INDOT project?

SHORT ANSWER

Generally speaking, INDOT does not incur additional liability by requiring a permit for survey work conducted within INDOT right-of-way.

INDOT should require permits for all types of survey work which will occur within INDOT right-of-way.

ANALYSIS

INDOT Permits controls activities within INDOT right-of-way. These activities include, but are not limited to, outdoor advertising, the presence of utilities, driveway construction, and other miscellaneous activities, such as sediment boring.

While many issued permits are self-explanatory by the permit type, miscellaneous permits are often utilized for requests that do not fit into the usual permitting categories. For example, INDOT often receives requests for various types of survey work, such as geotechnical surveying, archeological surveying, or land surveying. Some of these survey types can often require soil samples, which require boring into the soil itself. Moreover, in order to conduct the survey, individual surveyors could potentially interfere with state highway traffic. Due to these serious concerns and risks to INDOT facilities and the traveling public, it is imperative that INDOT only allow such activity through the approval and authorization of an INDOT permit for such activity.

The risks of not requiring a permit prior to conducting survey activity in INDOT right-of-way are numerous and significant. If INDOT does not require the application and approval of a permit prior to such survey activity, INDOT is “operating blind” and effectively allowing activity to be conducted on its property without prior notice or knowledge. Surveyors could be conducting work in a manner that poses unnecessary risks of serious harm to INDOT facilities,

INDIANA DEPARTMENT OF TRANSPORTATION PERMIT GUIDE

personnel, or the traveling public. These risks could be greatly reduced or even eliminated by requiring companies and individuals who wish to conduct work in our right-of-way to proceed through the permit approval process. Moreover, requiring a permit requires the permittee to follow INDOT standards, policies, and procedures, including any bonding and insurance requirements for the work, which also reduces the overall risk. For example, permittees are required to follow INDOT procedures involving maintenance of traffic when working within the right-of-way.

Another issue raised dealt questioned when INDOT should require a permit from a survey company and if INDOT should only require a survey company to apply for a permit if the company is conducting work related to an INDOT project. INDOT should require EVERY survey company and/or individual to apply for a permit prior to conducting any activity within INDOT right-of-way. As discussed above, requiring permits in some cases and not others does not legally protect INDOT; rather, it arguably exposes INDOT to greater liability and loss.

Moreover, generally speaking, INDOT is not exposed to additional liability simply by requiring a permit prior or allowing survey work within INDOT right-of-way. It is very difficult to make such a broad and encompassing statement – liability often hinges on the facts and circumstances of a particular accident. However, the very nature of requiring those conducting survey work to obtain a permit prior to entering INDOT right-of-way does not, in and of itself, increase INDOT's liability. In some cases, it could very well decrease INDOT's exposure and risk. For example, requiring a permit for geotechnical boring along a state highway would not only alert INDOT to the presence of boring adjacent to state highway facilities but give INDOT an opportunity to review the plans and reject those that could potentially cause damage to state highway facilities.

In addition, when applying for a permit, the applicant/permittee agrees to the following:

THE APPLICANT AGREES TO INDEMNIFY, DEFEND, EXCULPATE, AND HOLD HARMLESS THE STATE OF INDIANA, ITS OFFICIALS AND EMPLOYEES FROM ANY LIABILITY DUE TO LOSS, DAMAGE, INJURIES, OR OTHER CASUALTIES OF WHATSOEVER KIND, OR BY WHOMSOEVER CAUSED, TO THE PERSON OR PROPERTY OF ANYONE ON OR OFF THE RIGHT-OF-WAY ARISING OUT OF, **OR RESULTING FROM THE ISSUANCE OF THIS PERMIT OR THE WORK CONNECTED THEREWITH**, OR FROM THE INSTALLATION, EXISTENCE, USE, MAINTENANCE, CONDITIONS, REPAIRS, ALTERATION, OR REMOVAL OF ANY EQUIPMENT OR MATERIAL, EITHER DUE IN WHOLE OR IN PART TO THE NEGLIGENT ACTS OR OMISSIONS (1) OF THE STATE, ITS OFFICIALS, AGENTS OR EMPLOYEES; OR (2) OF THE APPLICANT, HIS AGENTS, OR EMPLOYEES, OR OTHER PERSONS ENGAGED IN THE PERFORMANCE OF THE WORK; OR (3) THE JOINT NEGLIGENCE OF ANY OF THE THEM; INCLUDING ANY CLAIMS ARISING OUT OF THE WORKMEN'S COMPENSATION ACT OR ANY OTHER LAW, ORDINANCE, ORDER, OR DECREE. THE APPLICANT ALSO AGREES TO PAY ALL REASONABLE EXPENSES AND ATTORNEY'S FEES INCURRED BY OR IMPOSED ON THE STATE IN CONNECTION HERewith IN THE EVENT THAT THE APPLICANT SHALL DEFAULT UNDER THE PROVISIONS OF THIS PARAGRAPH.

See Attachment A [emphasis added].

Therefore, because the applicant/permittee acknowledges and agrees to indemnify and hold the State of Indiana and INDOT harmless within the permit application itself, the risk of INDOT incurring additional liability by requiring a permit is very low.

CONCLUSION

Requiring a permit prior to conducting survey work within INDOT right-of-way reduces INDOT exposure of risk and may, in some cases, reduce or eliminate INDOT's liability. It is strongly advised and recommended that INDOT require a permit for all survey work to be conducted within INDOT right-of-way.

12.4 References

Sources used:

- [Indiana Design Manual](#)
- [Memo updates to the Indiana Design Manual](#)
- [Standard Specifications](#)
- [Utility Accommodation Policy](#)
- [Broadband Guidelines](#)
- [Driveway Manual](#)
- [INDOT Standard Drawings](#)
- [INDOT Access Management Guide](#)
- [Indiana Code](#)
- [Outdoor Advertising Control Manual](#)
- [Indiana Manual on Uniform Traffic Control Devices \(IMUTCD\)](#)
- [2017 Interstate Highways Congestion Policy](#)

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