

LOT 5
1992

Title 410 - NEBRASKA DEPARTMENT OF ROADS - RIGHT OF WAY DIVISION

Chapter 2 - Driveway and Approach Road Permits

001 PERMITS FOR THE CONSTRUCTION, USE, ALTERATION, AND RELOCATION OF DRIVEWAYS AND APPROACH ROADS ON STATE HIGHWAY RIGHTS OF WAY

001.01 DEFINITIONS: As used in the Regulations applicable to the issuance of permits for the construction or use of any private driveway or commercial approach road, facility, thing or appurtenance upon the right of way of a State Highway, unless the context otherwise requires:

001.01A APPLICANT: A person who makes application for or acquires a permit.

001.01B APPROACH ROAD: A commercial entrance and exit road and may be singular or plural.

001.01C DEPARTMENT: The Department of Roads of the State of Nebraska acting through its authorized representatives.

001.01D DRIVEWAY: A private entrance or exit road to a home, farm or field.

001.01E HIGHWAY: A road or street, including the entire area within the right of way and all structures thereon, which has been designated as a part of the State Highway System.

001.01F PERSON: An individual, firm, partnership, association, or corporation.

001.02 Any person desiring to construct a new driveway or approach road or any person desiring to relocate or alter an existing driveway or approach road shall apply for a permit to do so. No permits will be issued, even though application is made, for driveways or approach roads to private property along those areas where the Department has acquired all or portions of the rights of access.

001.03 All applications for permits shall be made on the form prepared and furnished by the Department.

001.04 Applications for hard surfaced driveways and for approach roads may be made to the Department of Roads, Box 94759, Lincoln, Nebraska 68509-4759.

001.05 All applications for driveways without hard surfacing may be made to the proper District Engineer's office as listed:

District 1: 302 Superior Street, PO Box 94759, Lincoln, Nebraska 68509-4759
Phone: (402) 471-0850

District 2: 4425 South 108th Street, PO Box 37461, Omaha, Nebraska 68137-7461
Phone: (402) 595-2534

Title 410 - NEBRASKA DEPARTMENT OF ROADS - RIGHT OF WAY DIVISION

Chapter 2 - Driveway and Approach Road Permits (Continued)

District 3:	408 North 13th Street, PO Box 1707, Norfolk, Nebraska 68702-1707 Phone: (402) 370-3470
District 4:	211 North Tilden Street, PO Box 1488, Grand Island, Nebraska 68802-1488 Phone: (308) 381-5679
District 5:	514 Main Street, PO Box 580, Bridgeport, Nebraska 69336-0580 Phone: (308) 262-1280
District 6:	1321 North Jeffers, PO Box 1108, North Platte, Nebraska 69103-1108 Phone: (308) 535-8031
District 7:	619 Auditorium Drive, PO Box 530, McCook, Nebraska 69001-0530 Phone: (308) 345-3335
District 8:	East Highway 20, PO Box 66, Ainsworth, Nebraska 69210-0066 Phone: (402) 387-2471

001.06 The approval by the Department of an application for the construction of a driveway or approach road will constitute the permit for such work. The application may be approved as submitted or may be changed by the Department to conform to certain engineering and maintenance practices. If an application is denied, it will be returned to the applicant without approval.

001.07 In addition to the conditions set forth on the application and permit form, the Department shall make a drawing of all driveways and approach roads having hard surface and all approach roads having gravel or crushed rock surface. These drawings and all the conditions set forth thereon shall be attached to and constitute a part of the permit.

001.08 Any alteration, relocation, or construction of a driveway or an approach road must be done in accordance with the provisions of the permit. The applicant will be required to furnish a certified check to the Department as a guarantee of his faithful compliance with the conditions and provisions of the permit and the payment to the Department for any expense incurred by it in connection with the operations of the applicant on the State Highway right of way. The amount of the check will be determined after the receipt of the application and will be based upon the extent of the proposed work on the highway right of way.

001.09 Each driveway and approach road shall be constructed in such a manner that the drainage and side ditches of the highway are not altered. The applicant shall provide, at his own expense, approved drainage structures beneath or shallow gutters across the driveway or approach road in line with the normal side ditches.

001.10 Whenever the highway, on which a driveway or approach road has been constructed, is altered by the Department, the Department will restore all existing driveways and approach roads or revise them to conform to the change in the highway.

Title 410 - NEBRASKA DEPARTMENT OF ROADS - RIGHT OF WAY DIVISION

Chapter 2 - Driveway and Approach Road Permits (Continued)

001.11 All approach roads to one business establishment shall be physically separated from each other. The method of separation shall be designated by the Department on the permit.

001.12 Any person possessing a driveway or approach road connecting with a State Highway before September 18, 1955, and does not have a permit for such driveway or approach road, who makes a request for any improvement whatsoever to be made by the State to such driveway or approach road must make his entire driveway or approach road conform to the standards set out by the Department for similar driveways or approach roads, maintained under permits, before such requested improvement shall be made.

ANNOTATION

**Title 410
Chapter 2
Section 001**

**Enabling Legislation
39-699; 39-1332;
39-1333 and 39-1361
Neb. Rev. Stat.**