

Updated address 12/2022
No changes were made to records retention

Schedule 37-350

DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY DIVISION

October 22, 2020

Nebraska Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
(402) 471-2559


**REQUEST FOR APPROVAL
OF RECORDS RETENTION
AND DISPOSITION SCHEDULE**

| | |
|------------------------------------------------|-------------------------------------|
| SCHEDULE | 37-350 |
| AGENCY, BOARD OR COMMISSION | DEPARTMENT OF TRANSPORTATION |
| DIVISION, BUREAU OR OTHER UNIT | RIGHT-OF-WAY DIVISION |
| Supersedes Edition of Edition of July 30, 2019 | |

**TO: STATE RECORDS ADMINISTRATOR
STATE OF NEBRASKA**

PART I – AGENCY STATEMENT:

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

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|---------------------------------------------------------------------------------------------|-----------------------|
| SIGNATURE  | |
| TITLE <i>Director</i> | DATE <i>8/5/20</i> |

PART II – APPROVAL OF STATE ARCHIVES:

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

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| SIGNATURE  | DATE <i>10/14/2020</i> |
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PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

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| SIGNATURE  | DATE <i>10/20/20</i> |
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PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

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|--------------------------------------------------------------------------------------------------|---------------------------|
| SIGNATURE  | DATE <i>10/22/2020</i> |
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INSTRUCTIONS FOR USING THIS SCHEDULE

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the State Agencies General Records Schedule #124 contains those records common to most state government agencies. This retention schedule, which is approved by the State Records Administrator, provides your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

DISPOSING OF RECORDS

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule #124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives** (Neb. Rev. Stat. §82-105). The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Neb. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is located on the Secretary of State Records Management website. https://appengine.egov.com/apps/ne/sos_records_disposition_report. This report establishes that the destruction was performed in your normal course of business.

NON-SCHEDULED RECORDS

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

SCHEDULE UPDATE

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

QUESTIONS

If you have any questions about these procedures, please contact your agency Records Officer or the Records Management Specialist in Records Management. They will help you with any questions the schedule may present, including: transferring records to the State Records Center or microfilming records, scanning records, etc.

**Records Management Division
440 South 8th Street, Suite 210
Lincoln, NE 68508-2294
402-471-2559**

SCHEDULE 37-350
DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
October 22, 2020

Retention requirements are for all records, regardless of the media on which they reside, unless otherwise noted.
Records that are handled by all Divisions and Districts will be listed in Department of Transportation General Schedule 37
If you cannot find a record or you have questions on its retention period, please
contact the NDOT Records Officer in the Communication and Public Policy Division

Supersedes Edition of July 30, 2019

| ITEM NUMBER | RECORD TITLE | DESCRIPTION/EXAMPLES | RETENTION | REFERENCE/COMMENTS |
|-------------|------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| 37-350-2 | ACCESS CONTROL RECORDS | Access control records containing applications, letters, plans, decision records, appraisals, highway improvements estimates, receipts of proceeds of sale, deeds, real estate transfer statements, photos, and permits. | PAPER RECORD: Scan and destroy paper copy after image verification. ELECTRONIC RECORD: Retain in ECM. Permanent | Section: Property Management |
| 37-350-75 | CONTRACT FOR APPRAISAL SERVICES | | | See Schedule 124-General Records for State Agencies -- AGREEMENTS AND CONTRACTS, item 124-7 |
| 37-350-153 | CORRIDOR PROTECTION RECORDS | Plans, filing papers and releases. | After corridor protection is removed | Section: Property Management |
| 37-350-112 | HIGHWAY BEAUTIFICATION FILES | Sign permits, junkyard permits, application forms with required documents and checklists, renewal notices, metal tag orders, correspondence with permittees. | PAPER RECORD: Scan and destroy paper copy after image verification. ELECTRONIC RECORD: Retain in ECM. 3 years after cancellation of permit | Section: Highway Beautification |
| 37-350-5 | LOCAL PUBLIC AGENCIES (LPA) ROW PROJECT FILES | All project documents related to LPA State to Acquire, LPA Oversight projects by tract. | STATE TO ACQUIRE: Permanent LPA OVERSITE: 3 years from date of financial closeout | |
| 37-350-6 | MAINTENANCE YARDS | Record of purchases, plats, deeds. | Permanent | |
| 37-350-109 | PERMITS AND APPLICATIONS FOR USE AND OCCUPANCY OF HIGHWAY RIGHT-OF-WAY | Permits, application forms, letters and plans submitted by any person, firm or corporation for the purpose of building driveways, laying pipeline, installing communication lines and power lines on highway right-of- way. | PAPER RECORD: Scan and destroy paper copy after image verification. ELECTRONIC RECORD: Retain in ECM. Permanent | Section: Property Management |
| 37-350-4 | RELINQUISHMENT AND ABANDONMENT AGREEMENTS | Agreements with local governmental units for delegating or assuming responsibilities for the maintenance of roads, bridges, streets, and for agreements for subsequent division of financial obligations. | PAPER RECORD: Scan and destroy paper copy after image verification ELECTRONIC RECORD: Retain in ECM. Permanent | Section: Property Management |

| ITEM NUMBER | RECORD TITLE | DESCRIPTION/EXAMPLES | RETENTION | REFERENCE/COMMENTS |
|-------------|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| 37-350-97 | RIGHT-OF-WAY DESIGN PROJECT FILES | Plans, plats, maps, transmittals and other related project documents. | PAPER RECORD: Scan and destroy paper copy after image verification ELECTRONIC RECORD: Retain in ECM. Permanent | Section: Design |
| 37-350-7 | RIGHT-OF-WAY PROJECT FILES | ROW negotiation/relocation project files to include, but not limited to: deeds, payments to the court house, miscellaneous invoices, valuation reports, preliminary estimates, rodent control, appraisal damages, demolitions, and relocation estimates. | Permanent | |
| 37-350-152 | RIGHT-OF-WAY TRACT FILES | ROW negotiation/relocation tract files and payment packet to include but not limited to: title work, contracts, deeds, vouchers, negotiation certificate, offer letter, tax ID form, call reports, payment forms, received emails and letters, appraisal and review, relocation study, offer letter, demolition contract and paperwork, clearing and grubbing contracts and claims. | PAPER RECORD: Scan and destroy paper copy after image verification ELECTRONIC RECORD: Retain in ECM. Permanent | Section: Negotiations |
| 37-350-151 | RIGHT-OF-WAY WORK PLANS | Construction plans and changes. May be in the form of tracings, shop drawings, working drawings and prints. Plans become half sized when finalized and archived. | Permanent | |
| 37-350-8 | RIGHT-OF-WAY CERTIFICATE | Certifies that all rights to a project have been acquired. | 10 years from date of financial closeout | |
| 37-350-9 | RIGHT-OF-WAY MANAGEMENT FILES | FHWA annual report, FHWA monthly appraisal report, project-related correspondence. | PAPER RECORD: Scan and destroy paper copy after image verification FHWA REPORTS: Permanent PROJECT CORRESPONDENCE: Retain in ECM. 5 years | Section: Administration |
| 37-350-154 | SALES/LEASE RECORDS | Requests, approvals, leases, plans, appraisals, deed copy and payment/sales records. | PAPER RECORD: Scan and destroy paper copy after image verification. ELECTRONIC RECORD: Retain in ECM. 10 years after the expiration of last lease on an individual property or sale | Section: Property Management |