

**WAC 468-51-140 Department construction projects.** During construction of department projects, connections will be provided as replacements for existing approved permitted connections, that are consistent with all current department spacing, location, and design standards, based on the following conditions:

(1) Nonconforming connections. All nonconforming connections will be examined to determine if the construction project will require relocation, alteration, or closure of the connection to make it conforming.

(2) Application of current standards. The number and location of connections shall be modified to the maximum extent possible to meet current department spacing, location, and design standards. Where current department standards cannot be met, the connection shall be classified as nonconforming.

(3) New connections, modifications. The department shall allow new or require modification of existing connections if a connection permit application is made and approved.

(4) Replacement of existing connections. When connections are made as part of a department construction project replacing existing connection points without material differences, no additional permit shall be required. Costs shall be borne by the department.

(5) New connections—Cost. The construction of new connection points, if approved by the department, shall be done at the owner's expense by either the department's contractor as part of the roadway improvement or by the owner's contractor at the department's option.

(6) Modifications—Cost. If the modification of the connection point, that are based on the owner's request, is more extensive than the routine replacement of an existing connection, the owner shall also participate in the differential cost.

(7) Work by permit holder's contractor. The department shall require that work done by the owner's contractor be accomplished at the completion of the department's contract or be scheduled so as not to interfere with the department's contractor. The department may require a surety bond prior to construction of the connection in accordance with WAC 468-51-070. When the number, location or design of existing access connections to the state highway are being modified by a department construction project, the resulting modified access connections shall provide the same general functionality for the existing property use as they did before the modification, taking into consideration the existing site design, normal vehicle types, and traffic circulation requirements.

Notification. The department shall notify affected property owners, permit holders, business owners and/or emergency services, in writing, where appropriate, whenever the department's work program requires the modification, relocation, or replacement of their access connections. In addition to written notification, the department shall facilitate, where appropriate, a public process which may include, but is not limited to, public notices, meetings or hearings, and/or individual meetings. The department shall provide the interested parties with the standards and principles of access management.

[Statutory Authority: Chapter 47.50 RCW. WSR 99-06-034 (Order 187), § 468-51-140, filed 2/25/99, effective 3/28/99. Statutory Authority: RCW 47.01.101 and chapter 47.50 RCW. WSR 92-14-044, § 468-51-140, filed 6/24/92, effective 7/25/92.]