Session 8:

**CONTEXT SENSITIVE SOLUTIONS
DESIGN FLEXIBILITY
AND TORT LIABILITY**

Design Flexibility

Introduction

National standards dependent on local design factors such as:

- Roadway classification
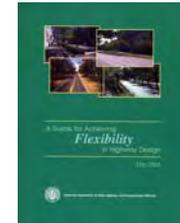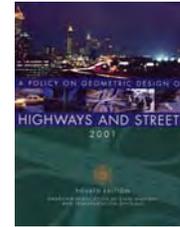- Terrain
- Traffic volumes
- Traffic composition

Okemos, MI

Design Flexibility

AASHTO Guidelines

Several AASHTO publications are useful to a CSS designer including:

- *A Policy on Geometric Design of Highways and Streets (Green Book)*
- *A Guide for Achieving Flexibility in Highway Design*
- *A Guide for the Development of Bicycle Facilities*

Design Flexibility

MDOT Design Standards

- MDOT Road and Bridge Standard Plans
- MDOT Bridge Design Guide
- MDOT Geometric Design Guide
- MDOT Road Design Manual
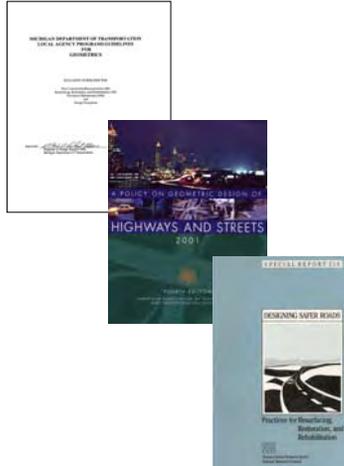- MDOT Bridge Design Manual
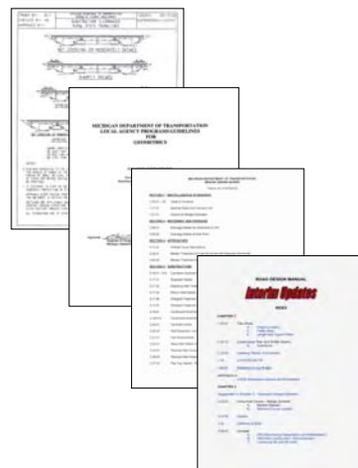
Design Flexibility

Local Agency Standards

- MDOT Local Agency Program Guidelines for Geometrics
- AASHTO Green Book (3R/4R Projects)
- TRB Report 214, *Designing Safer Roads: Practices for Resurfacing, Restoration and Rehabilitation* (3R Projects)

Design Flexibility

Design Exceptions

- Design speed
- Lane width
- Shoulder width
- Bridge width
- Structural capacity
- Horizontal alignment
- Vertical alignment
- Grade
- Stopping sight distance
- Cross slope

- Superelevation
- Vertical clearance
- Horizontal clearance (not including clear zone)
- Acceleration/deceleration ramp length
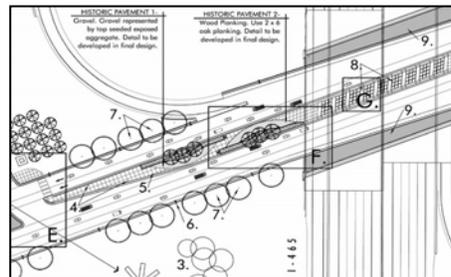
Tort Liability

Input from State Attorney General's Office

- Project scoping and design

- Governmental immunity

- Previous opinions involving design

Conclusion

- Design flexibility is available

- Practicing design flexibility is using good engineering judgment

- Practicing design flexibility will not increase MDOT or MDOT employees' exposure to liability as CSS is practiced.

M-119, Emmet County, MI