

Maintenance Memorandum

Date: August 8, 2002

Subject: **Responsibility for Maintenance of Grade Separations on State Trunklines**

The determination established here will govern wherever maintenance responsibility has not been specifically established by contractual agreement or by legislation.

1. Railroads Crossing State Trunkline Highways

All new agreements entered into for railroad/highway grade separation will comply with Section 319(1) of Public Act 354 of 1993, which states maintenance responsibility of railroad/highway grade separations must be contained in the agreement.

In those few instances where no agreement exists, maintenance responsibility shall comply with Section 319(7) of Public Act 354 of 1993, which states the Michigan Department of Transportation shall determine the allotment of maintenance responsibility generally based upon the party whose traffic is carried by the structure.

2. State Trunkline Highways Crossing County or Local Roads and Streets

A. Where the state trunkline highway passes over a road or street owned by a local government unit, the Michigan Department of Transportation will maintain the structure, including retaining walls.

If the grade separation is part of an interchange, the department will also maintain the ramps. (For maintenance purposes, a ramp begins or ends at the local road edge of metal.) Utility contracts and permits in the interchange area will be under the control of the Michigan Department of Transportation.

The department will not be responsible for the maintenance of the highway or street under the grade separation structure, including drainage structures, protective barriers, under clearance signs, slope mowing, non-motorized paths, winter trails, signs, and under bridge lighting.

B. Where the state trunkline highway passes under a locally owned road, street, or a pedestrian walkover serving a locally owned road or street, the Michigan Department of Transportation will maintain its road and the structural integrity of the deck, superstructure, substructure, footings, retaining walls, and the following integral parts of the structure: sidewalks, curbs, railing, and pedestrian screening.

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If the grade separation is part of an interchange, the department will also maintain the ramps, including the interchange area. Utility contracts and permits in the interchange area will be under the control of the Michigan Department of Transportation.

The department will not be responsible for the maintenance of the locally owned road or street, or any of the following that is beyond the structure abutments: approach pavement, embankments, drainage facilities, curbs, sidewalks, railing or guardrail. Nor will the department be responsible for the maintenance of the following located on the structure: street lighting, traffic signals, snow and ice removal, temporary patching of potholes and other depressions on the deck surface or sidewalks not affecting the structural integrity of the bridge, sweeping and cleaning of the structure, surface signing, and pavement markings.

Larry E. Tibbits
Chief Operations Officer
(Signature on file)