

# MDOT LAP Design Exception Review Process

January 14, 2005

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When deviating from either American Association of State Highway and Transportation Officials standards (AASHTO) or Resurfacing, Restoration, and Rehabilitation standards as defined in “Michigan Department of Transportation Local Agency Programs Guidelines for Geometrics” (3R), a design exception must be requested. There are 13 elements for which a design exception can be considered. They are stopping sight distance, design speed, bridge width, horizontal alignment, horizontal clearance, vertical alignment, lane width, structural capacity, cross slope, shoulder width, vertical clearance, superelevation, and grade.

MDOT Form FC26, Design Exception Request must be completed and sealed by a professional engineer licensed by the State of Michigan. Current forms are located at [www.michigan.gov/mdotlap](http://www.michigan.gov/mdotlap).

*Although cost is important, it cannot be the primary basis for the requested design exception. Cost is only one of many considerations.*

If a permit application for a design that meets AASHTO or 3R standards is rejected by an agency other than MDOT, an alternative design that is considered acceptable to the permitting agency may be submitted to MDOT along with a completed design exception form and a copy of the rejection letter from the permitting agency. A design that meets AASHTO or 3R standards must be submitted to and rejected by the permitting agency before an alternate design will be considered. MDOT will review the submitted information along with the criteria listed below to determine if the design exception is acceptable.

## **Review considerations include:**

1. Is it physically possible for the feature to be constructed according to the standard?
2. If it can be constructed, what impacts are encountered if the feature is to be constructed according to the standards? (e.g., impacts to other design features, ROW, environmental effects, preservation of historical feature, construction issues, social concerns, reduction of design life, ...)
3. Are these features impacted with the current design or would they only be impacted if the feature is to be constructed according to the standard?
4. Is there an engineering or alternate routing solution? Have alternatives been considered and discussed in the design exception request?
5. What effect does the variance from the standard have on the safety and operation of the facility and its compatibility with adjacent sections of the facility? Safety is an essential element of any project design and exceptions should not be approved if the exception would result in the degrading of the relative safety of the feature. Therefore, all design exceptions must have a Safety Review and Crash Analysis attached. If the exception is site specific, a supplemental Crash Analysis must also be attached to address crashes at that location. The crashes must be analyzed for the requested design exception utilizing 3 to 5 years of crash data. Fatalities must be reviewed and commented on in the review and analysis.

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Allow a minimum of two weeks for MDOT's Local Agency Program's staff engineer to review and respond (projects located on the NHS will take longer). The local agency should expect either a written approval or denial of the design exception request. If the request is denied, then the reason for the denial is communicated in the response correspondence.

## **For requests that are denied, the following options exist:**

1. Construct in accordance with the standards.
2. Address issues noted in the denial, submit a new (revised) design exception request.
3. Appeal in writing to the Local Agency Programs Engineer.

Further information relating to design exceptions can be found in "Michigan Department of Transportation Local Agency Programs Guidelines for Geometrics" which is located at [www.micigan.gov/mdotlap](http://www.micigan.gov/mdotlap).