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17 AAC 10.030 is amended to read:

17 AAC 10.030. Driveway and road approach permits and utilities. The finished grade of a proposed driveway or road approach may not be less than the minimum vertical clearance requirements **or minimum depth-of-burial requirements** of 17 AAC 15.201 [OR THE MINIMUM DEPTH-OF-BURY REQUIREMENTS OF 17 AAC 15.211]. The department **may** [WILL, IN ITS DISCRETION,] grant a permit to an applicant who arranges with the owners of the affected utility facilities to adjust the facilities, at no cost to the department, to conform to the requirements of 17 AAC 15. (Eff. 5/23/82, Register 82; am ___/___/___, Register ____)

Authority: AS 19.05.020 AS 19.30.051 AS 19.40.065
 AS 19.05.040 AS 19.30.121

17 AAC 10.075(c) is amended to read:

(c) A permittee for which a traffic impact analysis report has been approved shall use signs and markings on approaches to highways within the development that conform with the *Alaska Traffic Manual, **2005*** [2003], described in 17 AAC 20.950(1), and adopted by reference. Internal circulation and parking layout must provide sufficient queuing distance within the development between the highway and potential internal block points to ensure no traffic backs up onto the highway, including bicycle or pedestrian facilities.

(Eff. 5/4/2000, Register 154; am 2/5/2004, Register 169; am ___/___/___, Register ____)

Authority: AS 19.05.020 AS 19.30.051 **AS 44.42.020**

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AS 19.05.040 AS 19.30.121 AS 44.42.030

AS 19.10.050 AS 19.40.065

Editor's note: The *Alaska Traffic Manual*, adopted by reference in 17 AAC 10.075, may be viewed at the department's regional offices in Anchorage, Fairbanks, and Juneau or through the department's Internet **website** [WEB SITE] at **<http://www.dot.state.ak.us/stwddes/dcstraffic/resources.shtml>** [HTTP://WWW.DOT.STATE.AK.US/STWDDDES/DCSTRAFFIC/ATMINTRO.HTML].

17 AAC 15.011 is repealed and readopted to read:

17 AAC 15.011. Utility permits. (a) Upon written application, the department may issue a permit authorizing the applicant to construct or install utility facilities within a department right-of-way. Permits for railroad facilities will be issued under 17 AAC 15.471 - 17 AAC 15.551.

(b) In analyzing whether to issue a permit, the department will consider the utility standards and requirements set forth in 17 AAC 15.131 - 17 AAC 15.301.

(c) In a utility permit, the department will authorize the activities reasonably required for the construction, maintenance, or operation of the utility facility described in an approved permit application.

(d) The department may attach to the utility permit special provisions it considers necessary to protect the public interest.

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(e) A utility permit expires if construction or installation of the facility has not started within one year after the date of approval, unless the applicant obtains an extension of time in writing from the department.

(f) This chapter applies only to those utility facilities that require utility permits.

(g) Any agreements between permittees, or between permittees and third parties, regarding the use of state right-of-way to which the department is not a signator, are not binding on the department. (Eff. 5/23/82, Register 82; am ___/___/____, Register ____)

Authority:	AS 02.15.020	AS 19.25.010	AS 35.05.020
	AS 02.15.102	AS 19.25.200	AS 35.10.210
	AS 02.15.106	AS 19.30.051	AS 35.10.230
	AS 19.05.020	AS 19.30.121	AS 44.42.020
	AS 19.05.040	AS 19.40.065	AS 44.42.030

17 AAC 15.012(2) is amended to read:

(2) **17 AAC 15.183 and** 17 AAC 15.201 - 17 AAC 15.301 on utility standards and requirements, except for 17 AAC 15.231;

(Eff. 10/2/87, Register 103; am ___/___/____, Register ____)

Authority:	AS 02.15.020	AS 35.05.020	<u>AS 44.42.020</u>
	AS 02.15.102	AS 35.10.210	<u>AS 44.42.030</u>
	AS 02.15.106	AS 35.10.230	

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17 AAC 15.041 is amended to read:

17 AAC 15.041. Permit Fees and charges. (a) **The** [UPON FILING AN APPLICATION FOR A MAJOR UTILITY PERMIT, THE] applicant shall pay a **\$600** [\$400] nonrefundable fee in a form acceptable to the department **for those** [. MAJOR UTILITY] permits, **including amendments**, [ARE THOSE] that allow [,]

- (1) installations of aerial or underground distribution and transmission lines;
- (2) duct systems;
- (3) utilidors and utility tunnels, including crossings and extensions;
- (4) structure or appurtenance construction, including [VAULTS, LIFT

STATIONS, EXTRA] manholes, **utility poles, pedestals, switch cabinets, transformers** [SUBSTATIONS], and other design features of a similar nature;

(5) a crossing or installation, **including service connections**, requiring boring, trenching, or opening a roadway surface; and

- (6) aerial service lines requiring installation of poles in a right-of-way.

(b) **The** [UPON FILING AN APPLICATION FOR A MINOR UTILITY PERMIT, THE] applicant shall pay a **\$100** [\$50] nonrefundable fee in a form acceptable to the department **for those** [. MINOR UTILITY] permits, **including amendments**, [ARE THOSE] that allow

(1) aerial service lines **not requiring structures within the right-of-way**, including service lines from longitudinal distribution lines outside a right-of-way and service lines attached to existing poles; and

- (2) **underground service lines installation that do not occupy any portion of**

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the roadway prism and connect to existing poles, pedestals, manholes, collection systems, distribution facilities and similar structures within the right-of-way [AMENDMENTS TO EXISTING PERMITS].

(c) Upon the issuance of a [MAJOR] utility permit **under (a) of this section**, if the proposed facility is more than 200 feet in length, the permittee shall pay the department a nonrefundable fee, not to exceed **\$10,000** [\$2,500], of **\$1** [25 CENTS] per foot of length in excess of 200 feet.

(d) The department **may** [WILL, IN ITS DISCRETION,] require a permittee to reimburse the department for the actual cost of inspection if the special provisions of the utility permit require an inspection. (Eff. 5/23/82, Register 82; am 7/4/87, Register 102; am ___/___/___, Register ___)

Authority:	AS 02.15.020	AS 19.25.200	AS 35.10.210
	AS 02.15.102	AS 19.30.051	AS 35.10.230
	AS 02.15.106	AS 19.30.121	AS 35.25.020
	AS 02.15.260	AS 19.40.065	<u>AS 44.42.020</u>
	AS 19.05.020	AS 35.05.020	<u>AS 44.42.030</u>
	AS 19.05.040		

17 AAC 15.081(b) is amended to read:

(b) Utilities jointly using utility facilities **or the same location, trench, or conduit within the department right-of-way** must **provide** [ENTER INTO A FORMAL

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AGREEMENT CONCERNING THE JOINT USE. A COPY OF THIS AGREEMENT MUST BE FURNISHED TO] the department **with a copy of their joint use agreement upon request.**

(Eff. 5/23/82, Register 82; am ___/___/____, Register _____)

Authority:	AS 02.15.020	AS 19.25.200	AS 35.10.210
	AS 02.15.102	AS 19.30.051	AS 35.10.230
	AS 02.15.106	AS 19.30.121	AS 42.05.311
	AS 19.05.020	AS 19.40.065	<u>AS 44.42.020</u>
	AS 19.05.040	AS 35.05.020	<u>AS 44.42.030</u>
	AS 19.25.010		

The lead-in language of 17 AAC 15.091(a) is amended to read:

17 AAC 15.091. Violation [REVOCAATION] of utility permit and stop work orders.

(a) **The department may revoke or suspend a [A] utility permit, or issue a notice of violation, [MAY BE REVOKED] if**

...

17 AAC 15.091(a)(4) is amended to read:

(4) the permittee fails to provide safe and adequate detours, barricades, signs, **flaggers** [FLAGMEN], or other controls to protect the public as provided in 17 AAC 15.241, **or fails to comply with the terms and conditions of any department-approved traffic control plan required under 17 AAC 15.241 or 17 AAC 20.017;**

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17 AAC 15.091(b) is amended to read:

(b) The **department may suspend, by means of a stop work order, the** construction **or maintenance** operations of a permittee, or **the permittee's** [HIS] contractor, [WILL, IN THE DEPARTMENT'S DISCRETION, BE SUSPENDED BY THE DEPARTMENT] for any of the conditions listed in (a) of this section until the conditions are corrected. **The department also may issue a stop work order to any person performing utility-related work without an appropriate permit.** (Eff. 5/23/82, Register 82; am ___/___/___, Register ____)

Authority:	AS 02.15.020	AS 19.25.010	AS 35.05.020
	AS 02.15.102	AS 19.25.200	AS 35.10.210
	AS 02.15.106	AS 19.25.220	AS 35.10.230
	AS 19.05.020	AS 19.30.051	<u>AS 44.42.020</u>
	AS 19.05.040	AS 19.30.121	<u>AS 44.42.030</u>
	AS 19.10.240	AS 19.40.065	

17 AAC 15.101(a) is amended to read:

(a) The department will [, IN ITS DISCRETION,] require an amendment to an existing utility permit or new permit for all utility service connections **subsequent to the issuance of the original permit for the distribution, collection, or feeder line facility.**

17 AAC 15.101(b) is amended to read:

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(b) The department **may** [WILL, IN ITS DISCRETION,] allow a permittee to install additional service connections [ACROSS OR] within a department right-of-way where a longitudinal underground, surface, or overhead distribution or feeder line has been installed under a utility permit. The **department will amend the** utility permit [WILL BE AMENDED BY THE DEPARTMENT] to include the additional service connections.

(Eff. 5/23/82, Register 82; am ___/___/____, Register ____)

Authority:	AS 02.15.020	AS 19.25.010	AS 35.05.020
	AS 02.15.102	AS 19.25.200	AS 35.10.210
	AS 02.15.106	AS 19.30.051	AS 35.10.230
	AS 19.05.020	AS 19.30.121	<u>AS 44.42.020</u>
	AS 19.05.040	AS 19.40.065	<u>AS 44.42.030</u>

17 AAC 15.111(a) is amended to read:

(a) **Any** [EXCEPT FOR FACILITIES INSTALLED BEFORE JULY 1, 1960, OR INSTALLED UNDER 17 AAC 15.031, ANY] utility facility installation located within a department right-of-way without a utility permit is an unauthorized encroachment, **except for a facility installed**

(1) before July 1, 1960;

(2) before the road became a part of the state highway system;

(3) in accordance with any applicable requirements of the Department of

Natural Resources but before the department's need or use under 17 AAC 15.031; or

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(4) in any other manner if the utility provides adequate proof to the department of a prior valid existing right.

(Eff. 5/23/82, Register 82; am ___/___/____, Register _____)

Authority:	AS 19.05.020	<u>AS 19.25.220</u>	AS 35.10.210
	AS 19.05.040	AS 19.30.051	AS 35.10.230
	AS 19.25.010	AS 19.30.121	<u>AS 44.42.020</u>
	<u>AS 19.25.200</u>	AS 19.40.065	<u>AS 44.42.030</u>
	AS 19.25.210	AS 35.05.020	

17 AAC 15.131 is amended to read:

17 AAC 15.131. Utility accommodation on controlled-access highways. (a) **A** [NO] utility facility may **not** be installed [LONGITUDINALLY] within the controlled-access limits of a highway unless the utility demonstrates to the satisfaction of the department that

(1) a [THERE IS NO] feasible alternative **does not exist; and**

(2) [, AND THAT] the proposed utility facility will not adversely affect the design, construction, maintenance, safety, or operation of the highway.

(b) Access for maintenance of a utility facility located within controlled-access limits of a highway or from the entrance or exit ramp of a highway is prohibited, **except if**

(1) alternate locations and means of access are unavailable or impractical due to terrain and environmental constraints; and

(2) that use will not adversely affect safety and traffic operation, or damage

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the highway, a highway structure, or a department installation.

(c) **Where an existing highway will be or has been converted to a** [A FACILITY LOCATED WITHIN THE] controlled-access [LIMITS OF A] highway, **the department may**

(1) relocate any existing facility [AS OF MAY 23, 1982 MUST BE RELOCATED OR OTHER PROVISIONS MADE SO] that [IT] can be maintained **only from the proposed controlled access of a highway or its entrance or exit ramps; or**

(2) make other provisions to maintain any existing facility without using access from the highway or **its** [FROM] entrance or exit ramps [OF THE HIGHWAY.]; **or**

(3) allow access for the reasons set forth in sections (b)(1) or (b)(2). (Eff. 5/23/82, Register 82; am __/__/__, Register ____)

Authority:	AS 19.05.020	AS 19.25.010	AS 19.40.065
	AS 19.05.040	AS 19.25.200	<u>AS 44.42.020</u>
	AS 19.20.030	AS 19.30.051	<u>AS 44.42.030</u>
	AS 19.20.070	AS 19.30.121	

17 AAC 15.141 is repealed:

17 AAC 15.141. Utility accommodation on existing highways to be converted to controlled access. Repealed. (Eff. 5/23/82, Register 82; repealed __/__/__, Register ____)

17 AAC 15.151(c) is amended to read:

(c) New or relocated overhead facility crossings of controlled-access highways must be

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designed and constructed as double dead-end structures where the transmission voltage is 33,000 volts or more. Where the transmission voltage is less than 33,000 volts, design and construction standards must equal or exceed standards of [THE 1981 EDITION OF] the *National Electrical Safety Code* **as adopted by reference under AS 18.60.580 - 18.60.600 and 8 AAC 70.025 as the minimum electrical safety standards of the state.** (Eff. 5/23/82, Register 82; am

___/___/___, Register ___)

Authority:	AS 19.05.020	AS 19.25.010	AS 19.40.065
	AS 19.05.040	AS 19.25.200	<u>AS 44.42.020</u>
	AS 19.20.030	AS 19.30.051	<u>AS 44.42.030</u>
	AS 19.20.070	AS 19.30.121	

17 AAC 15.161 is repealed:

17 AAC 15.161. Underground crossings on controlled-access highways. Repealed.

(Eff. 5/23/82, Register 82; repealed ___/___/___, Register ___)

17 AAC 15.171 is repealed and readopted to read:

17 AAC 15.171. Utility accommodation on highways. (a) The department may allow utility facilities to be located within the rights-of-way of highways.

(b) Manholes for underground facilities must be located so that their maintenance may be accomplished with minimum interference to the use of the right-of-way.

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(c) Facilities installed within the department right-of-way must be designed and placed so that neither their use nor occupancy will adversely affect the safety, construction, maintenance, or operations of the highway or related structures.

(d) The minimum distance between the nearest part of a surface mounted utility facility and the edge of the traveled way must comply with the standards set out in the department's *Highway Preconstruction Manual*, adopted by reference in 17 AAC 15.301(e).

(e) Facilities installed within a department right-of-way must

(1) be located as near as practicable to the highway right-of-way line; and

(2) comply with the standards set out in the *Highway Preconstruction Manual*, adopted by reference in 17 AAC 15.301(e).

(f) A new facility crossing a highway right-of-way must be installed as nearly perpendicular to the highway centerline as is practicable.

(g) An underground facility crossing of a highway must be installed by boring, coring, or jacking through the roadway prism. Wet-boring is prohibited. The department may allow trenched or open-cut construction where untrenched construction is not practical. An underground facility crossing in a department right-of-way must conform to the specifications set out in any special provisions of the utility permit.

(h) If a utility locate service is not available, reference markers must be installed and maintained at both ends of an underground facility highway crossing, at angle points in the alignment of the underground facility, and at designated points along the longitudinal alignment as specified in any special provisions of the utility permit.

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(i) If the utility can demonstrate that adherence to the requirements of this section is impractical because of difficult topography, mountainous terrain, or other special conditions, the department may modify the requirements. (Eff. 5/23/82, Register 82; am 10/2/87, Register 103; am ___/___/____, Register ____)

Authority:	AS 19.05.020	AS 19.25.200	AS 19.40.065
	AS 19.05.040	AS 19.30.051	<u>AS 44.42.020</u>
	AS 19.20.010	AS 19.30.121	<u>AS 44.42.030</u>
	AS 19.25.010		

Editor's note: The Highway Preconstruction Manual referred to in **17 AAC 15.171(e)** **and (f)** [17 AAC 15.171(d)] is available for inspection at the Juneau, Anchorage, and Fairbanks regional offices of the Department of Transportation and Public Facilities. The Highway Preconstruction Manual also may be viewed through the department's Internet website at **<http://www.dot.state.ak.us/stwddes/dcsprecon/resources.shtml>**.

17 AAC 15.181 is repealed:

17 AAC 15.181. Utility accommodation on rural highways and roads. Repealed.
(Eff. 5/23/82, Register 82; am 10/2/87, Register 103; repealed ___/___/____, Register ____)

[EDITOR'S NOTE: THE PRECONSTRUCTION MANUAL REFERRED TO IN
17 AAC 15.181(a) IS AVAILABLE FOR INSPECTION AT THE JUNEAU, ANCHORAGE,

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AND FAIRBANKS REGIONAL OFFICES OF THE DEPARTMENT OF
TRANSPORTATION AND PUBLIC FACILITIES.]

17 AAC 15 is amended by adding a new section to read:

17 AAC 15.183. Underground utility accommodation on runways. An underground facility crossing of a runway must be installed by boring, coring, or jacking under the runway surface. Wet-boring is prohibited. The department may allow trenched or open-cut construction where untrenched construction is not practical. An underground facility crossing in a department right-of-way must conform to the specifications set out in any special provisions of the utility permit. (Eff. ___/___/____, Register ____)

Authority: AS 02.15.020 AS 02.15.106 AS 44.42.030
 AS 02.15.102 AS 44.42.020

17 AAC 15.201 is repealed and readopted to read:

17 AAC 15.201. Utility clearances. (a) A new or relocated overhead facility should be installed with a minimum vertical clearance of 20 feet between the overhead facility and the right-of-way surface.

(b) Existing overhead facilities must have at least 18 feet of vertical clearance between the overhead facility and the right-of-way surface.

(c) The depth of burial for an underground facility constructed or installed through a roadway prism or under a runway surface must be at least four feet, measured from the surface to

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the top of the cable, conduit, pipeline, or encasement. An underground facility constructed or installed under another surface must have a depth of burial of at least three feet, measured from the surface to the top of the cable, conduit, pipeline, or encasement.

(d) If the minimum depth of burial under (c) of this section is impractical, the department may permit an underground facility to be rerouted or protected with casing or other mechanical protection. (Eff. 5/23/82, Register 82; am ___/___/____, Register ____)

Authority:	AS 02.15.020	AS 19.25.010	AS 35.05.020
	AS 02.15.102	AS 19.25.200	AS 35.10.210
	AS 02.15.106	AS 19.30.051	AS 35.10.230
	AS 19.05.020	AS 19.30.121	AS 44.42.020
	AS 19.05.040	AS 19.40.065	AS 44.42.030

17 AAC 15.211 is repealed:

17 AAC 15.211. Underground facilities. Repealed. (Eff. 5/23/82, Register 82; repealed ___/___/____, Register ____)

17 AAC 15.221(b) is amended to read:

(b) Flume, pipe, or siphon crossings must be installed in accordance with **17 AAC 15.201(c)** [17 AAC 15.211]. Crossings of canals and ditches may be made with bridges or culverts. (Eff. 5/23/82, Register 82; am ___/___/____, Register ____)

Authority:	AS 02.15.020	AS 19.25.200	AS 35.10.210
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AS 02.15.102	AS 19.30.051	AS 35.10.230
AS 02.15.106	AS 19.30.121	<u>AS 44.42.020</u>
AS 19.05.020	AS 19.40.065	<u>AS 44.42.030</u>
AS 19.05.040	AS 35.05.020	

17 AAC 15.241 is amended to read:

17 AAC 15.241. Safety precautions to be taken by permittee. Each permittee shall protect the public and provide for the continued safe use of a highway or other state property during construction, modification, or maintenance of utility facilities. Closing off a highway or highway segment or creating a detour must be specifically authorized **by a current department-approved traffic control plan** [IN THE PERMIT] and must be done in a manner approved by the department. All traffic-control devices must comply with the *Alaska Traffic Manual*, **2005** [2003], described in 17 AAC 20.950(1), and adopted by reference. (Eff. 5/23/82, Register 82; am 2/5/2004, Register 169; am ___/___/____, Register ____)

Authority:

AS 02.15.020	AS 19.25.010	AS 35.05.020
AS 02.15.102	AS 19.25.200	AS 35.10.210
AS 02.15.106	AS 19.30.051	AS 35.10.230
AS 19.05.020	AS 19.30.121	<u>AS 44.42.020</u>
AS 19.05.040	AS 19.40.065	<u>AS 44.42.030</u>
AS 19.10.050		

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Editor's note: Copies of the *Alaska Traffic Manual*, adopted by reference in 17 AAC 15.241, are available for inspection at regional offices of the Department of Transportation and Public Facilities located at Juneau, Anchorage, and Fairbanks, Alaska. The *Alaska Traffic Manual* [,] also may be viewed through the department's Internet **website** [WEB SITE] at **<http://www.dot.state.ak.us/stwddes/dcstraffic/resources.shtml>** [HTTP://WWW.DOT.STATE.AK.US/STWDDES/DCSTRAFFIC/ATMINTRO.HTML].

17 AAC 15.281 is amended by adding new subsections to read:

(c) If a permittee discontinues maintenance of or abandons a utility facility, the permittee shall notify the department within 30 days. Utility facilities which are not maintained or are abandoned are unauthorized encroachments.

(d) As part of routine maintenance required under (a) of this section, the permittee shall adjust manholes, valves, pull boxes, and any other object that rises to the surface of any paved surface within the highway right-of-way, as required to meet the *Alaska Standard Specifications for Highway Construction*, adopted by reference in 17 AAC 15.301(d). The department may require additional or emergency adjustment if conditions warrant.

(e) If a permittee's routine maintenance is inadequate, the department may give notice and an opportunity to cure. If a permittee fails to take appropriate corrective actions after notice and a reasonable opportunity to cure, the department may perform the maintenance and charge the permittee for the reasonable associated costs. (Eff. 5/23/82, Register 82; am ___/___/____, Register ____)

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Authority:	AS 02.15.020	AS 19.25.010	AS 35.05.020
	AS 02.15.102	AS 19.25.200	AS 35.10.210
	AS 02.15.106	AS 19.30.051	AS 35.10.230
	AS 19.05.020	AS 19.30.121	<u>AS 44.42.020</u>
	AS 19.05.040	AS 19.40.065	<u>AS 44.42.030</u>

17 AAC 15.291 is amended to read:

17 AAC 15.291. Emergency maintenance. (a) If an accident, disaster, or other occurrence [WHICH] damages a utility facility located within a department right-of-way, damages a highway structure or other state property, or places a utility facility in danger of damage, the permittee shall immediately act to safeguard the public and its facilities and shall immediately notify the department and the Alaska State Troopers of its action. Temporary repairs must be made permanent as soon as practicable.

(b) The department may perform the emergency repair work if the department
(1) gives the permittee oral or written notification that immediate repairs
are necessary, and the permittee is unable or unwilling to perform the work; or
(2) considers immediate repair work, without prior notification to the
permittee, to be required for purposes of public safety.

(c) For repair work that the department performs under (b) of this section, the
department may charge the permittee reasonable associated repair costs. (Eff. 5/23/82,

Register 82; am ___/___/___, Register ___)

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Authority:	AS 02.15.020	<u>AS 19.25.010</u>	AS 35.10.210
	AS 02.15.102	AS 19.30.051	AS 35.10.230
	AS 02.15.106	AS 19.30.121	<u>AS 44.42.020</u>
	AS 19.05.020	AS 19.40.065	<u>AS 44.42.030</u>
	AS 19.05.040	AS 35.05.020	

17 AAC 15.301 is amended to read:

17 AAC 15.301. Utility codes and standards. (a) Electric power and communication facilities installed within department rights-of-way must comply with regulations of other agencies, including [THE FOLLOWING CODES AND STANDARDS:]

(1) the *National Electrical Code*, as adopted by reference under AS 18.60.580 - 18.60.600 and 8 AAC 70.025 as the minimum electrical safety standards of the state [(1987)];

(2) the *National Electrical Safety Code*, as adopted by reference under AS 18.60.580 - 18.60.600 and 8 AAC 70.025 as the minimum electrical safety standards of the state [(AMERICAN NATIONAL STANDARDS INSTITUTE, C2, (1987))];

(3) the provisions of 3 AAC 52.260, if the utility provides telecommunications service [3 AAC 52.110 - 3 AAC 52.340 (ELECTRICAL AND TELEPHONE UTILITIES)]; and

(4) the provisions of 8 AAC 61.1010, 8 AAC 61.1070 - 8 AAC 61.1090, and 8 AAC 61.1160 - 8 AAC 61.1170 ([8 AAC 61.010, ALASKA] Occupational Safety and Health Standards) [, SUBCHAPTER 03, ELECTRICAL CODE].

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(b) Water line and sanitary sewer facilities installed within department rights-of-way must comply with **regulations of other agencies, including** [THE FOLLOWING CODES AND STANDARDS: (1) THE AMERICAN WATER WORKS STANDARDS, AS REVISED THROUGH 1986; (2) THE PROVISIONS OF] 18 AAC 72 (Wastewater **Treatment and Disposal**) [;] and [(3) THE PROVISIONS OF] 18 AAC 80 (Drinking Water).

(c) Pressure pipelines for natural gas, petroleum, steam, or other hazardous materials installed within department rights-of-way must comply with [THE FOLLOWING] **regulations** [CODES] and standards **enforced by other agencies**:

[(1) THE AMERICAN NATIONAL STANDARDS INSTITUTE

(A) POWER PIPING (AMERICAN NATIONAL STANDARDS INSTITUTE, B31.1, 1980);

(B) FUEL GAS PIPING (AMERICAN NATIONAL STANDARDS INSTITUTE, B31.2, 1968);

(C) CHEMICAL PLANT AND PETROLEUM REFINERY PIPING (AMERICAN NATIONAL STANDARDS INSTITUTE, B31.3, 1980);

(D) LIQUID PETROLEUM TRANSPORTATION PIPING SYSTEMS (AMERICAN NATIONAL STANDARDS INSTITUTE, B31.4, 1979);

(E) REFRIGERATION PIPING (AMERICAN NATIONAL STANDARDS INSTITUTE, B31.5, 1974);

(F) GAS TRANSMISSION AND DISTRIBUTION PIPING SYSTEMS (AMERICAN NATIONAL STANDARDS INSTITUTE, B31.8, 1975);]

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(2) **the provisions of 49 C.F.R. Part 192** ([THE CODE OF FEDERAL REGULATIONS, TITLE 49, TRANSPORTATION (A) PART 192,] Transportation of Natural and Other Gas by Pipeline: Minimum Federal Standards) **and 49 C.F.R. Part 195** ([(B) PART 195,] Transportation of **Hazardous** Liquids by Pipeline);

(3) the provisions of 3 AAC 52.010 - 3 AAC 52.080 (Gas **Utilities** [UTILITIES]).

(d) Unless otherwise noted in the special provisions of the utility permit, all utility construction within department rights-of-way must comply with the following construction standards:

(1) *Alaska Department of Transportation and Public Facilities Construction Manual*, [1982,] as revised through **March 13, 2006 and adopted by reference** [JUNE 28, 1985];

(2) **the department's Alaska Standard** [STANDARDS] *Specifications for Highway Construction*, **2004 edition, adopted by reference** [1981];

(3) FEDERAL-AID HIGHWAY PROGRAM MANUAL, VOLUME 6, CHAPTER 6, SECTION 3, SUBSECTION 2, ACCOMMODATION OF UTILITIES (PPM 30-4.1), AS REVISED THROUGH 1986;

(4) AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS

(A) CONSTRUCTION MANUAL FOR HIGHWAY CONSTRUCTION, 1980;

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(B) CONSTRUCTION MANUAL FOR HIGHWAY BRIDGES AND INCIDENTAL STRUCTURES, 1973].

(e) Unless otherwise provided in the special provisions of the utility permit, all utility designs for facilities to be installed within department rights-of-way must comply with the following design standards:

(1) **the department's** [ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES,] *Standard Drawings Manual*, as revised through **October 31, 2003, and adopted by reference** [1986];

(2) [FEDERAL-AID HIGHWAY PROGRAM MANUAL, VOLUME 6, CHAPTER 6, SECTION 3, SUBSECTION 2, ACCOMMODATION OF UTILITIES (PPM 30-4.1), AS REVISED THROUGH 1986;]

(3) American Association of State Highway and Transportation Officials (**AASHTO**),

(A) *A Policy on the* [FOR] *Accommodation of Utilities Within* [ON] *Freeway Right-of-way* [RIGHTS-OF-WAY], **5th edition, 2005, adopted by reference** [1982];

(B) *A Guide for Accommodating Utilities Within* [ON] *Highway Rights-of-way*, **4th edition, 2005, adopted by reference** [1981];

(3) [(4)] the department's **Highway Preconstruction Manual, as revised as of January 1, 2005**, [UTILITIES MANUAL 4TH EDITION, DECEMBER 1992, AS REVISED BY UPDATE #1, JUNE 15, 1994] and adopted by reference;

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(4) [(5)] the department's Alaska Aviation [DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES] *Preconstruction Manual*, as revised through **January 1, 2005, and adopted by reference** [1986].

(f) Construction safety procedures must comply with **regulations enforced by other agencies, including 8 AAC 61.1020 - 8 AAC 61.1960** ([THE PROVISIONS OF 8 AAC 61.010, ALASKA] Occupational Safety and Health Standards) [(1) SUBCHAPTER 01, GENERAL SAFETY CODE; (2) SUBCHAPTER 05, CONSTRUCTION CODE].

(g) Unless otherwise provided in the special provisions of the utility permit, traffic-control devices and procedures must comply with [THE PROVISIONS OF] the following codes and standards:

(1) *Alaska Traffic Manual*, **2005** [2003], described in 17 AAC 20.950(1), and adopted by reference;

(2) the department's *Alaska Sign Design Specifications*, as revised as of April 25, 2003 and adopted by reference.

(h) In the event of a conflict between requirements or standards in (a) - (g), or a conflict between the requirements or standards in (a) - (g) and a requirement or standard contained in a utility permit issued under this chapter, the more stringent requirement or standard shall apply. (Eff. 5/23/82, Register 82; am 10/2/87, Register 103; am 2/5/2004, Register 169; am __/__/____, Register ____)

Authority: AS 02.15.020 AS 19.10.040 AS 19.40.065
AS 02.15.102 AS 19.10.050 AS 35.05.020

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AS 02.15.106	AS 19.25.010	AS 35.10.210
AS 10.25.440	AS 19.25.200	AS 35.10.230
AS 19.05.020	AS 19.30.051	<u>AS 44.42.020</u>
AS 19.05.040	AS 19.30.121	<u>AS 44.42.030</u>

Editor's note: [COPIES OF THE NATIONAL ELECTRICAL CODE (NFPA-70-1981) MAY BE OBTAINED FROM THE NATIONAL FIRE PROTECTION ASSOCIATION, 470 ATLANTIC AVENUE, BOSTON, MASSACHUSETTS 02210. COPIES OF NATIONAL ELECTRICAL SAFETY CODE (C2-1987), POWER PIPING (B31.1-1980), FUEL GAS PIPING (B31.2-1968), CHEMICAL PLANT AND PETROLEUM REFINERY PIPING (B31.3-1980), LIQUID PETROLEUM TRANSPORTATION PIPING SYSTEMS (B31.4-1979), REFRIGERATION PIPING (B31.5-1974), AND GAS TRANSMISSION AND DISTRIBUTION PIPING SYSTEMS (B31.8-1975) MAY BE OBTAINED FROM THE AMERICAN NATIONAL STANDARDS INSTITUTE, 1430 BROADWAY, NEW YORK, NEW YORK 10018.

COPIES OF THE CODE OF FEDERAL REGULATIONS, TITLE 49 TRANSPORTATION, PART 100 TO PART 199 MAY BE OBTAINED FROM THE SUPERINTENDENT OF DOCUMENTS, GOVERNMENT PRINTING OFFICE, WASHINGTON, DC 20402. COPIES OF THE CODE OF FEDERAL REGULATIONS ARE AVAILABLE FOR INSPECTION AT THE ALASKA STATE LIBRARY LOCATED IN JUNEAU, ALASKA.

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COPIES OF THE AMERICAN WATER WORKS STANDARDS (AWWA-1981) MAY BE OBTAINED FROM THE AMERICAN WATER WORKS ASSOCIATION, 6666 WEST QUINCY AVENUE, DENVER, COLORADO 80235.]

Copies of the *Alaska Standard Specifications for Highway Construction*, **adopted by reference in 17 AAC 15.301(d)**, [- 1981] may be obtained from the Department of Transportation and Public Facilities, **Division of Design and Engineering Services, Design and Construction Standards Section, 3132 Channel Drive** [STANDARDS AND TECHNICAL SERVICES DIVISION], P.O. Box **112500** [3-1000], Juneau, Alaska **99811-2500** [99802].

Copies of the *Alaska Department of Transportation and Public Facilities Construction Manual*, [OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES,] *Standard Drawings Manual*, [OF THE FEDERAL-AID] *Highway* [PROGRAM MANUAL, OF THE UTILITIES MANUAL, OF THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES] *Preconstruction Manual*, **Alaska Aviation Preconstruction Manual**, [OF THE] *Alaska Traffic Manual*, and [OF] *Alaska Sign Design Specifications*, **adopted by reference in 17 AAC 15.301**, are available for inspection at the regional offices of the Department of Transportation and Public Facilities located in Juneau, Anchorage, and Fairbanks, Alaska. **The Alaska Department of Transportation and Public Facilities Construction Manual also may be viewed through the department's Internet website at <http://www.dot.state.ak.us/stwddes/dcsconst/resources.shtml>. The Highway Preconstruction Manual and Alaska Aviation Preconstruction Manual may be viewed through the department's Internet website at <http://www.dot.state.ak.us/stwddes/>**

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dcsprecon/resources.shtml. The *Alaska Traffic Manual* [ALSO] may be viewed through the department's Internet **website** [WEB SITE] at **<http://www.dot.state.ak.us/stwddes/dcstraffic/resources.shtml>** [HTTP://WWW.DOT.STATE.AK.US/STWDDES/DCSTRAFFIC/ATMINTRO.HTML].

Copies of the **materials adopted by reference in 17 AAC 15.301(e)(3)** [CONSTRUCTION MANUAL FOR HIGHWAY CONSTRUCTION - 1980, CONSTRUCTION MANUAL FOR HIGHWAY BRIDGES AND INCIDENTAL STRUCTURES - 1973, A POLICY FOR ACCOMMODATION OF UTILITIES ON FREEWAY RIGHTS-OF-WAY - 1969, AND A GUIDE FOR ACCOMMODATING UTILITIES ON HIGHWAY RIGHTS-OF-WAY - 1970] may be obtained from the American Association of State Highway and Transportation Officials (**AASHTO**), 444 North Capitol Street, **N.W.**, Suite **249** [225], Washington, DC 20001; **website: <http://transportation.org/aashto>**.

[COPIES OF THE GENERAL SAFETY CODE, CONSTRUCTION CODE, AND ELECTRICAL CODE MAY BE OBTAINED FROM THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT, P.O. BOX 1149, JUNEAU, ALASKA 99811. COPIES OF THESE SAFETY CODES ARE AVAILABLE FOR INSPECTION AT THE REGIONAL OFFICES OF THE DEPARTMENT OF LABOR LOCATED IN JUNEAU, ANCHORAGE, AND FAIRBANKS, ALASKA.]

As of Register 151 (October 1999), the regulations attorney made technical revisions under AS 44.62.125(b)(6) to reflect the name change of the Department of Labor to the

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Department of Labor and Workforce Development made by ch. 58, SLA 1999 and the corresponding title change of the commissioner of labor.

17 AAC 15.321 is amended to read:

17 AAC 15.321. Eligibility for relocation reimbursement. If utility facilities are ordered by the department to be relocated to accommodate construction **and are not unauthorized encroachments as described in 17 AAC 15.111**, the utilities that have facilities occupying department rights-of-way are eligible for reimbursement as provided in AS 02.15.104, AS 19.25.020, or AS 35.10.220, **unless otherwise provided for by contract or agreement between the department and the utility.** (Eff. 5/23/82, Register 82; am 10/17/87, Register 104; am ___/___/___, Register ___)

Authority:	AS 02.15.104	AS 19.30.051	AS 35.10.220
	AS 19.05.020	AS 19.30.121	<u>AS 44.42.020</u>
	AS 19.05.040	AS 19.40.065	AS 44.42.030
	AS 19.25.020		

17 AAC 15.481(h) is amended to read:

(h) All railroad signs and signals must conform to the requirements of the *Alaska Traffic Manual*, **2005** [2003], described in 17 AAC 20.950(1), and adopted by reference, or the special provisions of a railroad permit issued under 17 AAC 15.471 relating to vertical clearances of signs and signals over highways or other highway-related facilities such as bike paths, pathways,

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and sidewalks.

(Eff. 5/23/82, Register 82; am 2/5/2004, Register 169; am ___/___/____, Register ____)

Authority:	AS 19.05.020	AS 19.20.030	AS 19.30.051
	AS 19.05.040	AS 19.20.050	AS 19.30.121
	AS 19.10.040	AS 19.25.010	AS 19.40.065
	AS 19.10.050	AS 19.25.200	

Editor's note: Copies of the *Alaska Traffic Manual*, adopted by reference in 17 AAC 15.481 are available for inspection at regional offices of the Department of Transportation and Public Facilities located at Juneau, Anchorage, and Fairbanks, Alaska. The *Alaska Traffic Manual* also may be viewed through the department's Internet **website** [WEB SITE] at **<http://www.dot.state.ak.us/stwddes/dcstraffic/resources.shtml>** [HTTP://WWW.DOT.STATE.AK.US/STWDDES/DCSTRAFFIC/ATMINTRO.HTML].

17 AAC 15.551(3) is amended to read:

(3) *Alaska Traffic Manual*, **2005** [2003], Part 8, described in 17 AAC 20.950(1), and adopted by reference;

(Eff. 5/23/82, Register 82; am 2/5/2004, Register 169; am ___/___/____, Register ____)

Authority:	AS 19.05.020	AS 19.30.121	<u>AS 44.42.020</u>
	AS 19.05.040	AS 19.40.065	<u>AS 44.42.030</u>

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AS 19.30.051

Editor's note: Copies of the *Manual of Railway Engineering (Fixed Properties)* and *Portfolio of Trackwork Plans* may be obtained from the American Railway Engineering Association, 1920 "L" Street, N.W., Washington, DC 20036. Copies of the A.A.R. *Signal Manual* may be obtained from the Association of American Railroads, Communications and Signals Section, 1920 "L" Street, N.W., Washington, DC 20036.

Copies of the *Alaska Traffic Manual*, adopted by reference in 17 AAC 15.551, are available for inspection at regional offices of the Department of Transportation and Public Facilities located at Juneau, Anchorage, and Fairbanks, Alaska. The *Alaska Traffic Manual* [,] also may be viewed through the department's Internet **website** [WEB SITE] at

<http://www.dot.state.ak.us/stwddes/dcstraffic/resources.shtml>

[[HTTP://WWW.DOT.STATE.AK.US/STWDDES/DCSTRAFFIC/ATMINTRO.HTML](http://WWW.DOT.STATE.AK.US/STWDDES/DCSTRAFFIC/ATMINTRO.HTML)].

Copies of the *Federal-Aid Highway Program Manual* are available for inspection at the regional offices of the Department of Transportation and Public Facilities located in Juneau, Anchorage, and Fairbanks, Alaska.

17 AAC 15.901(7) is amended to read:

(7) "commissioner" means the commissioner of **transportation and public facilities, or the commissioner's** [THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES OR HIS] designee;

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17 AAC 15.901(12) is amended to read:

(12) "depth of burial" means the depth to the top of the pipe, cable, or other underground structure as measured from the surface of **the** [A] roadway, ditch, or natural ground;

17 AAC 15.901(14) is amended to read:

(14) "double **dead-end** [DEADEND] structure" means an overhead **installation on a utility pole in which each conductor is terminated and jumpered to continue the circuit** [WIRE SAFETY DEVICE DESIGNED TO PREVENT AN OVERHEAD WIRE FROM FALLING ONTO A ROADWAY];

17 AAC 15.901(19) is repealed:

(19) repealed ___/___/___;

17 AAC 15.901(39) is amended to read:

(39) "roadway prism" means that portion of the highway right-of-way between the **top of cut or toe of fill** [BOTTOMS OF THE DITCHES] on either side of the roadway; **"roadway prism" includes** [, THE TOES OF FILLS ON EITHER SIDE OF THE ROADWAY, OR THE BACKS OF CURBS ON EITHER SIDE OF THE ROADWAY, INCLUDING THE SLOPE, SHOULDERS, PAVEMENT, AND] median strips [LESS THAN 60 FEET WIDE];

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(Eff. 5/23/82, Register 82; am 10/2/87, Register 103; am ___/___/____, Register ____)

Authority: AS 02.15.020 **AS 19.25.010** AS 35.05.020
 AS 02.15.102 AS 19.30.051 AS 35.10.230
 AS 02.15.106 AS 19.30.121 **AS 44.42.020**
 AS 19.05.020 AS 19.40.065 **AS 44.42.030**
 AS 19.05.040

17 AAC 20.950(1) is amended to read:

(1) the *Alaska Traffic Manual*, **2005** [2003], consisting of the

(A) *Manual on Uniform Traffic Control Devices*, [MILLENIUM EDITION,] **2003** [DECEMBER 2000], including **Revision No. 1 dated November 2004** [ERRATA NO. 1 DATED JUNE 14, 2001 AND REVISION NO. 1 DATED DECEMBER 28, 2001], issued by the United States Department of Transportation, Federal Highway Administration; and

(B) department's *Alaska Traffic Manual Supplement*, dated **December 22, 2005** [JANUARY 17, 2003];

(Eff. 3/1/2002, Register 161; am 2/5/2004, Register 169; am ___/___/____, Register ____)

Authority: AS 19.05.010 AS 19.05.040 AS 44.42.030
 AS 19.05.020 **AS 44.42.020**

Editor's note: The document entitled *Federal Aid Highways: Interstate, Primary, and*

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Secondary Highways of Alaska, adopted by reference in 17 AAC 20.950, may be reviewed at the following offices of the Department of Transportation and Public Facilities: Division of Statewide Design and Engineering Services, 3132 Channel Drive, Juneau, Alaska 99801-7898; Right-of-Way Chief, Central Region, Division of Statewide Design and Engineering Services, 4111 Aviation Drive, Anchorage, Alaska 99519; Right-of-Way Chief, Northern Region, Division of Statewide Design and Engineering Services, 2175 South University Ave., Fairbanks, Alaska 99709-4910; Right-of-Way Chief, Southeast Region, Division of Statewide Design and Engineering Services, 6860 Glacier Highway, Juneau, Alaska 99801-7999.

The *Alaska Traffic Manual*, adopted by reference in 17 AAC 20.950, may be viewed at the regional offices of the Department of Transportation and Public Facilities in Anchorage, Fairbanks, and Juneau. Copies of the *Alaska Traffic Manual Supplement* may be obtained by writing the Division of Statewide Design and Engineering Services, Department of Transportation and Public Facilities, 3132 Channel Drive, Juneau, Alaska 99801-7898. The *Alaska Traffic Manual* [,] also may be viewed through the department's Internet **website** [WEB SITE] at **<http://www.dot.state.ak.us/stwddes/dcstraffic/resources.shtml>** [HTTP://WWW.DOT.STATE.AK.US/STWDDES/DCSTRAFFIC/ATMINTRO.SHTML].

The *Rental Rate Blue Book For Construction Equipment*, Vol. 1, adopted by reference in 17 AAC 20.950, may be viewed at the Division of Statewide Design and Engineering Services, Department of Transportation and Public Facilities, 3132 Channel Drive, Juneau, Alaska, and is published by the Intertec Publishing Corporation, 9800 Metcalf Ave., Overland Park, Kansas 66212.

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The lead-in language of 17 AAC 60.915(b)(2) is amended to read:

(2) the *Alaska Traffic Manual*, **2005** [2003], consisting of the

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(Eff. 5/18/97, Register 142; am 3/1/2002, Register 161; am 2/5/2004, Register 169; am
___/___/___, Register ___)

Authority: AS 19.05.010 AS 19.05.040 AS 19.25.200
 AS 19.05.020 AS 19.25.105 AS 44.42.030

17 AAC 85.010(a) is amended to read:

(a) The provisions of this chapter apply to decisions of the department to deny, modify, or revoke a permit or privilege under 17 AAC 10.010 - 17 AAC 10.015 (Encroachment Permits), 17 AAC 10.020 - 17 AAC 10.095 (Driveway and Approach Road Permits), 17 AAC 08 (Highway Memorial Signs), **17 AAC 15 (Utility and Railroad Permits)**, 17 AAC 20.015 (Highway Event Permits), **17 AAC 20.017** [17 AAC 05.017] (Lane Closure Permits), and 17 AAC 60 (Highway Signs for the Traveling Public). The provisions of this chapter apply to decisions of the department under 17 AAC 10 (Land Disposal), except that a decision not to dispose of land under 17 AAC 10.100 or 17 AAC 10.130(a) is not subject to appeal.

(Eff. 5/4/2000, Register 154; am 3/1/2002, Register 161; am ___/___/___, Register ___)

Authority: AS 19.05.020 AS 35.05.020 AS 44.42.030