



ACCESS MANAGEMENT POLICY

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY

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NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY

Access Management Policy

1.0 Application and Permit Required

(a) This policy establishes standards and policies to manage access to authority roadways from abutting property.

(b) Before constructing an access connection that connects to an authority roadway, a property owner desiring to establish the access connection must file an application with the authority and receive a direct access permit from the authority in accordance with this policy and other applicable law.

2.0 Criteria for Approval of an Access Connection

(a) Unless otherwise specifically provided by this policy, an access connection to an authority roadway shall comply with the criteria and standards established for a frontage road by the *Access Management Manual* adopted by the Texas Department of Transportation, as that manual is in effect on the date the application for the permit is filed with the authority. For the purpose of this policy, existing Toll 49 ramps will be considered frontage roads.

(b) A decision under the TxDOT *Access Management Manual* that may be made by a TxDOT employee at the district engineer level or below may under this policy be made on behalf of the authority by the executive director or his/her designee.

(c) The executive director may promulgate and adopt an application or other forms necessary or desirable to facilitate the review and determination related to a direct access permit request required by this policy.

(d) The executive director may specify a fee to be paid with the application form to cover the cost incurred by the authority in performing the review. Payment of the fee is required regardless of whether the application is granted or denied.

3.0 Prohibited Direct Access

Direct access to an authority mainlane roadway is prohibited.

4.0 Review of Application

Based on the information submitted, as well as any follow-up information requested by the authority, the executive director may grant, deny, or grant subject to additional improvements any application submitted. The executive director will attempt to act on any application within 45 days of receipt of the required information.

5.0 Costs of Associated Infrastructure Improvements

If the executive director determines a proposed access connection may reasonably cause safety or operational problems on the frontage road, including a reduction in the capacity of through lanes on the frontage road, he or she may grant approval subject to additional infrastructure improvements intended to mitigate the safety or operations problems. In such event, the applicant shall bear all or a portion of the costs of providing infrastructure improvements necessary to resolve or mitigate the safety or operational problems.

6.0 Appeal

(a) An applicant may appeal a decision of the executive director to the Board. An applicant must file a written notice of appeal with the executive director no later than 15 days after the date the applicant receives written notice of the decision. The petition of appeal must be in writing, completely and succinctly state the grounds for appeal and its factual basis, and include sufficient factual documentation, such as drawings, surveys, or photographs, to establish the merits of the appeal.

(b) The executive director must promptly provide his/her position on the issue and sufficient background information to the board.

(c) The executive director shall schedule the appeal for a hearing by the board at a regularly scheduled meeting of the board no sooner than seven (7) days and no later than forty five (45) days after the date the notice of appeal is received. In the event a regularly scheduled board meeting is not set to occur within the time period, the appeal shall be heard at the first regularly scheduled board meeting held after the expiration of the forty five (45) day period.

(d) The appeal process set forth in this Section 6.0 will determine final resolution of the access request and whether or not the authority is to issue the access permit. Once the appeal process is completed for an access request, no additional appeal or dispute resolution will be granted.