Memorandum

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To: DISTRICT/ REGION DIRECTORS
DISTRICT/REGION DEPUTY DIRECTORS
ALL PROJECT MANAGERS
DISTRICT MAINTENANCE & OPERATIONS ENGINEERS

Date: March 26, 2002

File: 608

From: **DEPARTMENT OF TRANSPORTATION**
DIVISION OF DESIGN – MS 28

Subject: Purpose, Application and Approval Authority for Exceptions to Design Standards

The Department has established design standards for several reasons. One reason is to promote consistency in the design and appearance of our highway facilities to satisfy driver expectations to the highest degree possible. The purpose of an Exception to Design Standards is to document or demonstrate that sound engineering judgment was used in determining the justification for the nonstandard feature. This process of approving nonstandard design features allow flexibility in the application of design standards, and provides documentation of the engineering design process necessary for design immunity in tort issues.

Approval authority for exceptions to advisory and permissive standards rests at the district/region level. The Chief, Division of Design (delegated to the Design Coordinators) retains approval authority for Exceptions to Mandatory Design Standards. Additional discussion on design standards can be found in the Highway Design Manual, Topic 82. Documentation for exceptions to advisory and mandatory design standards are to be filed in the official district files (which is the repository for design exception fact sheets). For Exceptions to Mandatory Design Standards, two additional copies should be forwarded to the Division of Design, Office of Geometric Design, MS #28, for filing in Headquarters.

Exceptions to minimum design standards must be documented for any of the following conditions:

1. Capital improvement projects that create a nonstandard feature or do not upgrade an existing nonstandard feature. This includes safety, rehabilitation, Minor A, and Minor B projects. Under certain circumstances, CAP-M projects may also require design exceptions (see "Capital Preventive Maintenance Program Guidelines," September 26, 2000).

2. During construction when a nonstandard feature is discovered or is proposed as part of a contract change order.

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3. Any project or activity where a new nonstandard feature is created. Examples include:
    a. Striping installation orders or major maintenance projects where existing striping is modified to create nonstandard lane, shoulder, or median widths.
    b. Overlays that reduce vertical clearance to less than standard.

4. Work done by others within State right of way (e.g., locally funded and permit projects) that creates or perpetuates a nonstandard feature.

The procedure for documenting Mandatory Design Exceptions is found in the PDPM, Chapter 21 and Appendix BB (as superceded by memorandum dated September 25, 2000 by Bob Buckley). Alterations to this format must be discussed with, and agreed to, by the Headquarters Design Coordinators. If you have any questions, please contact your Design Coordinator.

Original Signed By:
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Chief
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Design Files