

CHAPTER Y

Work for Others

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Y.01 Introduction

Y.01.01 Chapter Contents

This chapter contains information regarding Work for Others. Work for Others includes any work performed under a specific request and/or authorization by a division other than the Division of Maintenance, such as Traffic Operations, Environmental, Construction, Right-of-Way, Equipment, and others within the California Department of Transportation (Caltrans). Work for Others also includes work for other entities, departments, and institutions within the California state government, and when performing this work Caltrans usually enters into written agreements that outline the work to be performed and specifies the expenditures authorized.

Refer to Maintenance Manual, Volume 2, “Y” Family, for a detailed description of planning, scheduling, administration, and the appropriate charging practices for activities contained in this chapter.

This chapter provide an overview of policies, expectations, and strategies regarding “Y” Family work.

Y.01.02 Definitions

CHP	California Highway Patrol
DD	Deputy Directive
DTAM	District Truck Access Manager
E-FIS	Enterprise Resource Planning Financial Infrastructure System
ID	Identification
IMMS	Integrated Maintenance Management System
LOS	Level of Service
SM&I	Structure Maintenance and Investigations

Y.01.03 References and Hyperlinks

There are hyperlinked resource materials identified within this chapter. If any hyperlink is not accessible, please notify the appropriate personnel to inquire about that resource or reference.

California Public Contract Code (PCC): [Codes: Codes Tree - Public Contract Code - PCC \(ca.gov\)](#)

California Streets and Highway Code (SHC): [Codes: Codes Tree - Streets and Highways Code - SHC \(ca.gov\)](#)

California Vehicle Code (VEH): [Codes: Codes Tree - Vehicle Code - VEH \(ca.gov\)](#)

Caltrans Deputy Directives (DD): [Deputy Directives | Administration \(ca.gov\)](#)

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District Encroachment Permits Contact Information: [District EP Contacts | Caltrans](#)

District Truck Staff: [District Truck Staff | Caltrans](#)

Encroachment Permits Manual: [Encroachment Permits Manual | Caltrans](#)

Traffic Operations: [Traffic Operations | Caltrans](#)

Y.01.04 Chapter Contact

This chapter of the Maintenance Manual is maintained by the Chief of Staff, Division of Maintenance, and by the Senior Executive Engineering Assistant, Caltrans Emergency Services Sub-Division, Division of Maintenance.

Y.02 Overview

Work for Others is any work performed by Caltrans maintenance personnel for another Caltrans program other than Division of Maintenance or another agency or entity. Maintenance work is defined in Streets and Highways Code section 27. Specific maintenance activities are detailed in Maintenance Manual, Volume 1, chapters A through U.

Work that would fall under the normal maintenance activities, even if brought to the attention of Caltrans Maintenance by others (other Caltrans divisions or programs, federal or state or local public agencies other than Caltrans, etc.), are not considered a Work for Others request and should be charged to the appropriate Maintenance Family activity.

Any work not on the State Highway System is also considered Work for Others when performed by Caltrans maintenance personnel. This could include work within California State Parks and work on local streets and roads.

Caltrans maintenance of the State Highway System should take priority over Work for Others, and the performance of any Work for Others operations should not interfere with the ability of Caltrans Maintenance Crews to perform necessary maintenance work on the State Highway System. The District should consider crew staffing levels and workload and seek approvals from the District Director when considering a Work for Others request.

Caltrans Maintenance forces should perform Work for Others only when a valid E-FIS Project ID is made available. The Caltrans Maintenance Program is not responsible for funding Work for Others activities.

Work for Others can include charging to established E-FIS Project ID within fiscal year cross allocation agreements, and work for which the Division of Maintenance is reimbursed.

In emergency/disaster situations the normal process for Work for Others may be modified if appropriate approval is given.

Y.03 Types of “Y” Family Work

Y.03.01 Work for Other Caltrans Programs

Work requests by Caltrans programs, other than the Division of Maintenance, to assist them in performing their functions is considered Work for Others. These work requests could include activities such as:

- (A) Traffic control requests by the Right-of-Way Office when performing survey activities.
- (B) Work for the Right-of-Way Office on excess lands, or in fulfillment of a right-of-way obligation after construction. Such work located outside of operational State Highway right-of-way shall be limited to such items as weed clearance, removal of diseased trees, the building of barricades, and filling of holes.
- (C) Assisting the Division of Traffic Operations with encroachment permits. Details on Encroachment Permits can be seen in Appendix Y-1.
- (D) Activities related to capital projects (ex. design reviews, assistance in project inspection, and project acceptance reviews). Refer to Maintenance Manual, Volume 1, Chapter 11 for guidance.

Y.03.01.01 Assistance with Inspection of Authorized Encroachment Permits

The District Encroachment Permit Inspectors generally inspect work under an encroachment permit. However, in some locations, a Maintenance Area Superintendent or Maintenance Supervisor may assist with inspection of the permitted work.

Some types of permitted work require a greater degree of inspection. In those cases, it is the responsibility of the District Encroachment Permit Engineer to ensure that adequate and competent inspection is provided.

Violations of permit conditions or public safety shall be reported immediately to the District Encroachment Permit Engineer, who can notify the permittee. Immediate safety concerns may require immediate action by a Caltrans Maintenance Area Superintendent or Caltrans Maintenance Supervisor, and law enforcement may be contacted if appropriate.

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Y.03.01.02 Procedure on Unauthorized Encroachment

When any individual, business entity, or government agency (other than Caltrans) is working within State Highway right-of-way without an encroachment permit issued by Caltrans in their possession, this constitutes an unauthorized encroachment. See Encroachment Permit Manual Section 206.3 Unauthorized Encroachments for additional guidance.

When this situation arises, these procedures shall be followed:

- (A) Confirm with the District Encroachment Permits Engineer whether an encroachment permit was issued to perform the involved work for that location. Keep in mind the encroachment permit may allow only certain types of work, or work only at a certain location, and any work beyond that described in the encroachment permit would constitute unauthorized work.
- (B) Approach the party doing the work in a friendly way. Ask them to identify themselves and the company they work for.
- (C) Ask if an encroachment permit has been obtained to do this work. If the party performing the work claims to have an encroachment permit, ask to see the encroachment permit and verify it was issued to the party for the work being performed at the location.
- (D) If an encroachment permit has not been obtained, explain the requirement to first obtain an encroachment permit before doing work within State highway right-of-way.
- (E) Contact the District Encroachment Permit Inspector for that area and tell them about the unauthorized encroachment.
- (F) If the work being done can be deemed minor in character, and imposes no threat or safety impact to the traveling public, the work may be allowed to continue if it was determined by the District Encroachment Permits Engineer or Inspector, and if all the following apply:
 - (1) The work will not affect the condition of the State Highway or impact safety.
 - (2) The party doing the work will follow the requirements stipulated by the Maintenance Area Superintendent or Maintenance Supervisor.
 - (3) The party applies for an encroachment permit.
- (G) If the work being done does or will affect the roadway, safety of traffic, appearance, or future development of the highway, then these procedures shall be followed:
 - (1) Contact the District Encroachment Permit Inspector for that area.

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- (2) Request the party to immediately stop all work and explain why (lack of required encroachment permit and any other applicable basis, such as traffic safety).
 - (3) Notify the party that you may have to contact local law enforcement or the CHP if warranted (if the party refuses to immediately stop work).
 - (4) Document the scene and the work. Take photographs and videos of involved work, vehicles, people, company logo, damage to State Highway, effects on traffic, etc.
 - (5) Red-tag the work site as an unauthorized encroachment using the Notice of Encroachment (Form TR-0213). Photograph the completed Notice of Encroachment before posting the document or providing to the party working.
 - (6) Provide a copy of the Notice of Encroachment to the party working.
 - (7) Notify the Maintenance Area Superintendent and District Encroachment Permits Office.

The Deputy District Director of the Division of Maintenance may consider the advisability of initiating a civil action to collect costs and/or to remove, enjoin, or otherwise resolve the situation. Field Maintenance forces will not take removal action under an encroachment notice without specific instructions by District Division of Maintenance.

However, Maintenance forces may summarily remove encroachments within the State highway right-of-way which consist of refuse (garbage) or is an advertising sign (except legal notices and advertising signs for which Caltrans has issued an encroachment permit), or anything that obstructs or prevents the use of the State highway by the public. (See Section 721 of the Streets and Highways Code, and Maintenance Manual, Volume 1, Chapter D1, for more details). No outdoor advertising is allowed within Caltrans Right-of-Way per Business and Professions Code section 5403.

Refer to Appendix Y-1 for additional information on Encroachment Permits.

Y.03.02 Minor Improvement or Betterment Work

Minor construction, improvement, or betterment work, when requested by other Caltrans programs and performed by Maintenance forces, is considered Day Labor. Chapter 2, Section 2.08 of this manual provides information on this process, and statutory limitations and requirements. The acceptance of Day Labor work is at the discretion of the Division of Maintenance and may depend on current workload and crew staffing, as well as other considerations.

Day Labor work will need enough instructions and details (plans and specifications), and valid accounting codes for the Division of Maintenance to charge for all expenditures.

Work by the Division of Maintenance at the request of other Caltrans programs that are considered Day Labor includes new construction, improvements, and rehabilitation. Examples include:

- (A) Improve grade or widen roadbed, including shoulders.
- (B) Correct sub-drainage, stabilize base, and import select materials on sections with poor base.
- (C) Increase sight distances by changing alignment or configuration of the paved surface.
- (D) Extend old or install additional or larger capacity culverts.
- (E) Benching or flattening cut slopes in connection with slide or slipout correction.
- (F) Improve bridge decks.
- (G) Install guardrail or other devices at new locations.
- (H) Initial placement of riprap, slope paving, etc., for erosion control or bank protection.
- (I) Installation of horizontal drains.
- (J) Installation of new traffic control signage.

When other Caltrans programs request work that would normally be considered routine maintenance work if it had been initiated by the Division of Maintenance, such work is not Day Labor/Work for Others and instead is charged as normal maintenance. For example, if the Division of Traffic Operations requests trimming of roadside vegetation to improve sight distance at the apex of a curve, this would not be considered Work for Others because the nature of the work is routine maintenance.

Y.03.03 Work for Other State Agencies

Any work for other state agencies requires an Interagency Agreement that lists all activities that the agency authorizes Caltrans to perform for them on or off the State Highway System. A standard Interagency Service Agreement (Form STD 213) is required for this type of work. These agreements will also include:

- (A) Activities Caltrans is authorized to perform.
- (B) Locations Caltrans is authorized to work.

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- (C) Process by which work is requested.
 - (D) Which inspections Caltrans is to perform (if applicable).
 - (E) Funding limits of the agreement.
 - (F) Appropriate unit rates for work performed.
 - (G) Time period of the agreement.

The requesting state agency must finance all work performed by Caltrans; this work is not financed by the State Highway Account.

These agreements will require Caltrans to establish accounting funding profiles specific to each agreement. Each agreement will have its own E-FIS Project ID which is tied to budget reimbursement authority.

Examples of Work for Other State Agencies include:

- (a) Work within California State Parks
- (b) Work at California Department of Food and Agriculture Border Inspection Stations

Y.03.04 Work for Local Cities and Counties

Any work for local cities and counties (including Native American tribe jurisdictions and other special districts) requires a Maintenance Agreement that lists all activities that the local authorizes Caltrans to perform for them. These agreements will also include:

- (A) Activities Caltrans is authorized to perform.
- (B) Locations Caltrans is authorized to work.
- (C) Process by which work is requested.
- (D) Which inspections Caltrans is to perform (if applicable).
- (E) Funding limits of the agreement.
- (F) Appropriate unit rates for work performed.
- (G) Time period of the agreement.

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Local cities and counties must finance all work performed by Caltrans; this work is not financed by Caltrans.

These agreements will require Caltrans to establish accounting funding profiles specific to each agreement. Each agreement will have its own E-FIS Project ID which is tied to budget reimbursement authority.

Examples of work for local cities and counties include:

- (a) Patching potholes on local streets and roads.
- (b) Maintenance and repair of local traffic signals and lighting systems.
- (c) Sweeping local streets and roads.

Y.04 Condition Measurement and Inventory

Work for Others outside the State Highway System facilities and assets will not be included in Caltrans Maintenance Program LOS and will not be inventoried by Caltrans.

Work for Others (Minor Improvement or Betterments) that change the inventory of the State Highway System should be noted in as-builts (refer to Maintenance Engineering to update as-builts) and in other inventory systems such as IMMS and others as applicable.

Y.05 Identifying Distresses and Maintenance Needs

Work for Others needs are identified by other Caltrans programs or other state or local agencies. The Division of Maintenance is not responsible for identifying these needs.

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Encroachments and Encroachment Permits

This appendix contains information related to encroachments and encroachment permits. This information may not be current. This is a summary only. It is advised that any questions about encroachment permits be directed to the District Encroachment Permits Engineer.

General Considerations:

Unless under contract with Caltrans or otherwise provided by law, all individuals, business entities, and government entities must obtain an encroachment permit to enter and conduct any activity within, under, or over the State Highway right-of-way. An encroachment permit must be obtained by the following non-exclusive list: individuals, contractors, corporations, utilities, cities, counties, Native American Tribes, and other government agencies.

Work within the State Highway right-of-way by any individual or entity other than Caltrans is exempt from encroachment permits generally only when it is:

- (A) A State Highway construction contract being performed for Caltrans.
- (B) A Caltrans service contract that specifically exempts the contractor.
- (C) Authorized by District Right-of-Way when the work is located in non-operating State Highway right-of-way.
- (D) Authorized by the California Vehicle Code and the associated activities do not affect highway operation and/or safety.

In certain instances, the placement of an encroachment may be authorized before issuing a written encroachment permit, e.g., verbal permission granted under emergency conditions. A written application for an encroachment permit must be submitted as soon as possible. Work that can be completed under regular conditions is not considered emergency work. Law enforcement agencies may not have to obtain encroachment permits for specified enforcement activities performed during the course of duty.

Examples of work requiring an encroachment permit include, but are not limited to:

- (a) Make an opening or excavation for any purpose on any State Highway.
- (b) Place, change, or renew an encroachment.

- (c) Place or display in, under, or over any State Highway, any kind of advertising sign, banner, flag, decoration, device, etc. when not authorized by law.
- (d) Plant, remove, cut, cut down, harm, or destroy any tree, shrub, plant, or flower growing within any State Highway right-of-way.
- (e) Install or remove tire chains upon motor vehicles for compensation.
- (f) Occupy State Highway right-of-way for any use or purpose or interfere with or obstruct highway traffic in any manner not authorized by law.

The Division of Traffic Operations, Office of Encroachment and Outdoor Advertising Permits, has developed the Encroachment Permits Manual which contains policies and procedures for use in issuing encroachment permits. A hyperlink to the Encroachment Permits Manual is provided in Section Y.01.03 of this chapter. The Encroachment Permits Manual should be consulted for detailed information concerning encroachment permits. Related Caltrans policy memoranda and other resources are located at the Traffic Operations intranet site.

Chain Installer Operations:

In accordance with Section 670 of the Streets and Highways Code, individuals may be allowed within the State Highway right-of-way, under an encroachment permit, for the benefit of the traveling public and Caltrans for the purpose of installing and/or removing snow chains.

Suspension or revocation of this Caltrans encroachment permit is at the discretion of law enforcement or any Caltrans representative for the purpose of unacceptable behavior or public safety and/or non-compliance with the terms and conditions of the encroachment permit. The District Permit Engineer shall be notified immediately of any such suspension or revocation. For contact information, refer to the District Encroachment Permits Contact Information site provided in Section Y.01.03 of this chapter.

Business or Private Property Road Approaches:

An adjacent property owner (private or commercial) or their authorized agent in control of the property desiring to construct access (i.e., driveway or road-approach) to a State Highway must apply for and obtain an encroachment permit. The property owner will maintain the approach from their property line up to the improved shoulder of the highway.

Encroachment Permits are not “property rights.” An encroachment permit is a tool utilized by Caltrans to grant or allow permission to access State Highway right-of-way for the purpose of conducting an activity and are revocable for non-compliance of the permit conditions or for reasons of public safety, among other reasons.

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When ownership of lands adjacent to a State Highway changes, the new property owner may or may not be aware of the need to obtain a new encroachment permit for the existing encroachment and of their responsibility for maintaining the approach to their property. When given the opportunity, district staff should inform the new property owner of their responsibilities and their requirement to apply for and obtain a new encroachment permit.

The property owner, or their authorized agent, should be notified of the ramifications of a revocation of an encroachment permit. Revocation of an encroachment permit is directed by the District Permit Engineer and may involve Division of Maintenance staff participating in the revocation and/or removal process (ex. by posting notice of the unauthorized encroachment in the field).

Public Road Approaches:

When public roads (city or county) intersect with a State Highway, Caltrans typically maintains that portion of the intersecting public road within State Highway right-of-way.

When a public entity will perform maintenance of their existing facilities located within State Highway right-of-way, an encroachment permit is required unless otherwise provided within a Maintenance Agreement.

When a public roadway intersection is separated by a structure, maintenance in these locations will be as provided within the Maintenance Agreement with that public entity.

New construction of a public roadway intersecting a State Highway shall be constructed to meet Caltrans standards for the type and volume of traffic expected.

Local entities shall provide adequate signage and safety devices (ex. directional or warning signage) as required by the District Traffic Engineer for traffic entering State Highway right-of-way from intersecting public roads.

Rural Mailboxes:

The placement of rural mailboxes within State Highway right-of-way is permitted under an encroachment permit for the convenience of the public. The Encroachment Permit Manual and United States Postal Service (USPS) Postal Manual govern the placement and type of mailbox allowed on the State Highway System. For questions regarding mailbox(es) on the State Highway System, contact the District Encroachment Permits Engineer.

Commercial Use of Right-of-Way

State Highway right-of-way generally may not be used for commercial purposes without an approved airspace license or unless otherwise allowed by law. Construction of road approaches to allow access to and from commercial property adjacent to State Highway right-of-way, and

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the installation of public utilities or other public service facilities, are only allowed within State Highway right-of-way under an encroachment permit, when not restricted by access-controlled right-of-way (freeways and expressways).

Service stations and other roadside vending establishments shall be set back on private property to allow sufficient width for service driveways outside the State Highway right-of-way. The servicing of vehicles within the limits of the State Highway right-of-way is not allowed.

The construction of driveway approaches to service stations will not be allowed unless a clear minimum distance of at least 10 feet is provided between the gasoline pump block and the property line.

Generally, vending within State highway right-of-way from any vehicle or structure is prohibited under Section 731 of the Streets and Highways Code. Some exceptions exist, for example, vending machines at Safety Roadside Rest Areas may be allowed under Streets and Highways Code section 220.5. Assistance from CHP or local law enforcement should be requested in appropriate cases.

Storage tanks, loading platforms, private truck scales, etc., are not allowed within State Highway right-of-way.