



U.S. DEPARTMENT OF
TRANSPORTATION

**Federal Highway
Administration**

Notice

Subject:

**Revised Chapters to FHWA Delegations of Authority
Order M1100.1A – Interstate Access**

Classification Code	Date	Office of Primary Interest
N 1100.4	November 25, 2014	HIF

1. **What is the purpose of this Notice?** The purpose of this Notice is to revise the Federal Highway Administration's (FHWA) delegations of authority for approval of engineering and operational acceptability of points of ingress and egress with the Interstate System (justification reports) and approvals for changes in the degree of access control, and to establish the authority for FHWA Division Administrators to approve and execute Programmatic Agreements (PA) for processing and approving engineering and operational acceptability (justification reports) and changes in the degree of access control for certain types of projects. Specifically, this Notice:
 - a. Delegates authority to the FHWA Executive Director for review and approval for engineering and operational acceptability of points of ingress and egress with the Interstate System (justification reports) and approvals for changes in the degree of access control except as otherwise delegated to the Division Administrators. This delegation to the Executive Director includes:
 - (1) New freeway-to-freeway interchanges;
 - (2) Modification of freeway-to-freeway interchanges; and
 - (3) New partial interchanges or new ramps to/from continuous frontage roads that create a partial interchange.This authority may not be redelegated.
 - b. Delegates authority to FHWA Division Administrators for review and approval for engineering and operational acceptability of points of ingress and egress with the Interstate System (justification reports) and approvals for changes in the degree of access control for:
 - (1) New freeway-to-crossroad interchanges;
 - (2) Modification of existing freeway-to-crossroad interchanges;
 - (3) Completion of basic movements at existing partial interchanges;
 - (4) Locked gate access; and
 - (5) Abandonment of ramps or interchanges.This authority may not be redelegated.
 - c. For certain types of projects, delegates authority to FHWA Division Administrators for approval and execution of PAs with States to allow

States to approve engineering and operational acceptability (justification reports) pursuant to 23 U.S.C. 111(e), and to provide for streamlined processes for approvals for changes in the degree of access control. This authority may not be redelegated.

2. What is the background information? Section 1505 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) provides the Secretary the option of allowing State departments of transportation (DOT) to review and approve access justification reports for changes in access to the Interstate System. Further, Section 1318(d) of MAP-21 provides the authority for FHWA to enter into PAs with State DOTs for carrying out project reviews. Therefore, FHWA has identified the opportunity to streamline the review and approval process for certain types of requests for changes in Interstate System access by entering into PAs with State DOTs and by revising the delegation of authority for approval of operational and engineering acceptability of points of ingress and egress with the Interstate System (justification reports) and approvals for changes in the degree of access control for certain types of projects.

3. What changes are being made? References to the authorities in the FHWA Delegations and Organization Manual, FHWA Order M1100.1A, Part 1, Delegations of Authority, Chapter 3, Section 2 and Chapter 5, Sections 2 and 3 are superseded to allow streamlining of the Interstate access review and approval process in accordance with MAP-21 Sections 1318(d) and 1505 (refer to the attachment for the summary delegation of authority for access requests on the Interstate System).

a. The following reference to Reservations by the Administrator for authority to approve engineering and operational acceptability for changes of points of ingress and egress with the Interstate System and certain types of changes in the degree of access control is no longer reserved by the Administrator and the following paragraph is therefore deleted:

Chapter 3, Section 2, Paragraph 15(i):

b. The following reference to Right-of-Way Relinquishment and Changes in Control of Access is revised as follows:

Chapter 5, Section 2, Paragraph 14(c):

Division Administrators are delegated authority to approve changes in the degree of access control and approve engineering and operational acceptability of changes in points of ingress and egress with Interstate through traffic lanes and with interchange ramps on completed sections of the Interstate System (justification reports) as specified in Chapter 5, Section 3, Paragraph 20(b) only after completion of the planning and environmental processes. This authority may not be redelegated.

- c. The following reference to Authorizations to Proceed is revised to delegate the authority to approve changes in the degree of access control and engineering and operational acceptability of changes in points of ingress and egress with Interstate through traffic lanes and with interchange ramps on completed sections of the Interstate System (justification reports) to FHWA Division Administrators as follows:

Chapter 5, Section 3, Paragraph 20(b):

FHWA Division Administrators are delegated the authority to approve changes in the degree of access control and approve engineering and operational acceptability of changes in points of ingress and egress with Interstate through traffic lanes and with interchange ramps on completed sections of the Interstate System (justification reports) for all projects in Alaska and Puerto Rico and for the following types of projects in other States: new freeway-to-crossroad interchanges, modification of existing freeway-to-crossroad interchanges, completion of basic movements at existing partial interchanges, locked gate access, and abandonment of ramps or interchanges. Approval of a change in the degree of access control may be made only after approval of the engineering and operational acceptability justification report and completion of the planning and environmental processes. This authority may not be redelegated.

- d. The following reference to establish authority to approve changes in the degree of access control and engineering and operational acceptability of changes in points of ingress and egress with Interstate through traffic lanes and with interchange ramps on completed sections of the Interstate System (justification reports) on the Interstate System for the Executive Director is added:

Chapter 5, Section 3, Paragraph 20(p):

The FHWA Executive Director is delegated the authority to approve changes in the degree of access control and approve engineering and operational acceptability of changes in points of ingress or egress with Interstate through traffic lanes and with interchange ramps on completed sections of the Interstate System (justification reports), except as delegated to the FHWA Division Administrators in Chapter 5, Section 3, paragraph 20(b) of this Part. Approval of a change in the degree of access control may be made only after approval of the engineering and operational acceptability justification report and completion of the planning and environmental processes. This authority may not be redelegated.

- e. The following reference to Agreement Approvals is added to establish the authority to approve and execute PAs for processing access requests for Division Administrators:

Chapter 5, Section 3, Paragraph 22(f):

FHWA Division Administrators are delegated the authority to approve and execute Programmatic Agreements with State highway agencies that permit the State to approve engineering and operational acceptability of points of ingress and egress with the Interstate System (justification reports) pursuant to 23 U.S.C. 111(e). A Programmatic Agreement also may adopt streamlined procedures for processing approvals for changes in the degree of access control. Programmatic Agreements under this delegation may apply only to the following types of access requests:

- 1) New freeway-to-crossroad interchanges and modifications to existing freeway-to-crossroad (service) interchanges outside of Transportation Management Areas (TMA);
- 2) Modifications to freeway-to-crossroad (service) interchanges inside of TMAs; and
- 3) Completion of basic movements at existing partial interchanges.

This authority may not be redelegated.

- 4. What action is required?** The Office of Program Administration will process the revisions to the delegations of authority above and the FHWA Delegations and Organization Manual will be updated to reflect these changes.



Gregory G. Nadeau
Acting Administrator

Attachment:

Summary Delegation of Authority for Access Requests on Interstate Highways

Attachment

Summary of Delegations of Authority to Approve Changes in the Degree of Access Control on Interstate Highways		
Proposed Type of Access	Delegated to FHWA Executive Director*	Delegated to Division Administrator
New Freeway-to-Freeway Interchange	X	
Modification of Freeway-to-Freeway Interchange	X	
New Partial Interchange or New Ramps To/From Continuous Frontage Roads That Create a Partial Interchange	X	
New Freeway-to-Crossroad Interchange		X
Modification of Existing Freeway-to-Crossroad Interchange		X
Completion of Basic Movements At Existing Partial Interchange		X
Locked Gate Access		X
Abandonment of Ramps or Interchanges		X

*Any authority to approve changes in the degree of access control not listed in this table is delegated to the Executive Director and may not be redelegated.