2016 Minimum Standards (428 NAC 2)
Board of Public Roads Classifications and Standards (NBCS)
Guidelines for
Relaxation of Standards Requests for Developed Designs
Adopted by NBCS on May 20, 2016

1. Given that
   a. The NBCS adopted a major update of regulation 428 NAC 2 for county roads and municipal streets, and
   b. The updated 428 NAC 2 became effective on May 17, 2016, and
   c. Revising a developed design (work or a project in an advanced stage of pre-construction development) to meet minimum design standards (MDS) now required by 428 NAC 2 may delay construction or increase the cost, thus creating a special hardship, and
   d. A developed design (work or project), in the context of this guidance, is defined as:
      i. Work in final design development, including
         A. final plans completed as of May 17, 2016 but not yet advertised for construction bids, or has not started the construction bid solicitation process, or
         B. plans are in NDOR PS&E for final review (Federal/State funds), or are being advertised for bids status (Local level), as of May 17, 2016, or
         C. a valid NEPA document as of May 17, 2016 for a Federal-aid project accompanied with prepared plans.

2. The NBCS provides the following guidance:
   a. A relaxation of standards is not required for work or a project which meets the 2010 MDS (or has previously been granted a relaxation of standards) if, on May 17, 2016 the work or project:
      i. Was already awarded to contract or under construction, or
      ii. Was being advertised for letting, or was in the construction solicitation process, or any subsequent step in those processes as long as it is awarded to contract by November 17, 2016.
   b. A developed design which does not meet 428 NAC 2 requires a relaxation of standards request submitted by February 1, 2017 in order to receive special consideration; see the caveat below. After that date, a developed design will not receive special consideration and will be treated as any other request for a relaxation of standards.
      i. A developed design for which NBCS granted a relaxation of standards on or prior to May 20, 2016 does not require another relaxation of standards request from NBCS again for the same issue(s), assuming that circumstances upon which the relaxation of standards was based are essentially the same.
   c. Irrespective of any of the above, if a relaxation of standards has been granted for HL93 structural capacity prior to adoption of these guidelines, the relaxation stands indefinitely and need not be brought to the NBCS again.
Relaxation of Standards Request
Transition to New Standards - Special Request for a Developed Design
Date of Request: [must be before February 1, 2017]

All requirements of 428 NAC 2.004 must be met; this form fulfills only some requirements

Project No. __________________________ Federal Project No./Control No. __________________________
Structure No. __________________________ Project Length: _______ mi  □ Location Map is attached

National Functional Classification (map is attached):
□ Other Principal Arterial  □ Minor Arterial  □ Major Collector  □ Minor Collector  □ Local
State Functional Classification (map is attached):
□ Major Arterial  □ Other Arterial  □ Collector  □ Local  □ Scenic-Recreation  □ Minimum Maintenance  □ Remote Residential

Standards:
□ Urban Area  □ Rural Area  ADT = ______ VPD, ADT Year = 20___, Heavy Trucks = ___%

Type of Work (per new standards ★):
□ New and Reconstructed  □ 3R

Design Speed = _____ MPH  Anticipated (Post-Project) Posted Speed Limit = _____ MPH

Surface:
□ Paved  □ Unpaved
Section:
□ Curbed  □ Non-curbed
Terrain:
□ Level  □ Rolling

1. New minimum design standards became effective on May 17, 2016.
2. The subject work/project is a developed design defined by NBCS guidance of May 20, 2016. It is in final plans development, with the following status: [examples: approved NEPA document date; in PS&E; will be advertising for bids on date, will start the solicitation process on date, etc.],
   i. a registered Professional Engineer has stamped the plans and signed, if required, on or before May 17, 2016,
   ii. meets the 2010 minimum design standards or has been granted appropriate relaxation of standards for [which standard(s) was (were) relaxed] on [date granted by NBCS], and
   iii. does not meet 2016 minimum design standards for the following design criterion (criteria):
      □ Design Speed  □ Vertical Curve  □ Vertical Clearance
      □ Lane Width  □ Grade  □ Clear Bridge Width
      □ Shoulder Width  □ Stopping Sight Distance  □ Structural Capacity
      □ Curve Radius  □ Cross Slope  □ Superelevation  □ Horizontal Clear Zone

3. Updating the design of this work/project to meet the new standards will cause a special hardship. See supporting information and justification in the space below (add sheets as necessary) describing the impacts, including delays and additional costs, the proposed value(s) which does (do) not meet the 2016 standard and any mitigation or justification in support of moving forward without redesigning the work or project.

★ Some work that may have been considered as Maintenance under the 2010 standards may now, under the 2016 standards, be considered New & Reconstructed (e.g. in-kind culvert replacement) or 3R (e.g. a 3-inch overlay).

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