

Guidance Document

Pursuant to Neb. Rev. Stat. §84-901.03

This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

NEBRASKA

A yellow swoosh graphic that starts under the 'N', goes under the 'B', 'R', 'A', and 'S', and ends under the 'K' and 'A'.

DEPARTMENT OF TRANSPORTATION

Permit Applicant Guidelines

March 2024

Permit Applicant Guidelines

- A. Determine the type of application need and obtain application.
1. [Application to Occupy Right of Way.](#)
 - a. This application is to be used for overcross, undercross, occupy and miscellaneous purposes.
 - b. Examples: water, sewer, gas, telephone, electric lines; temporary irrigation pipe; tree trimming; grading; other (must identify & explain type of work to be performed)
 2. [Application to Construct Access](#)
 - a. Use this application for commercial approach road, streets, public roads or private driveways.
 - b. Read [So You Want an Access to the Highway.](#)
 - c. If your access is in an access control area, you will be required to provide additional information. Please refer to paragraph 14 through paragraph 22 in the [Access Control Policy.](#)
 3. [Application for Encroachment](#)
 - a. Use this application for situation where the buildings are at or near the right of way line and you need to overhang the right of way with signs, awnings, canopies, marquees, etc.
 - b. Please refer to [Policy for Removing or Permitting Physical or Functional Encroachments, Structures or Uses of State Highway Right of Way.](#)
- B. Complete the location plan that is part of the application.
- a. A plan is required for the Application to Occupy Right of Way. To occupy you need to complete one of the plans noted below, depending on the type of work:
 - (1) Location Plan to Occupy State Right of Way.
 - (2) Location Plan for Overcross or Undercross.
 - b. A Location Plan for Access is required when you plan to build an access.

C. Determine performance guarantee.

1. The performance guarantee needs to accompany the application, except if your application is for an access in a controlled access area. Frequent users should refer to paragraph F. below for procedures on establishing an account with the Department.
2. You should contact the office noted on the map that opens with the application.
3. The amount is determined by the Nebraska Department of Roads (NDOR), District Personnel, from the following schedule:

PERFORMANCE GUARANTEE SCHEDULE

- a. Minimum of \$2,000 for commercial access applications.
- b. Minimum of \$500 for all other applications.
- c. Minimum of \$100 for all temporary irrigation pipe crossings
- d. The number of performance guarantee will be based on the number of permits to be issued not on the number of applications required.
- e. Performance guarantees may be waived for city, county, state and federal governments.
- f. The minimum amounts may be increased by the District Engineer, for extraordinary and unique situations.

D. Submit to appropriate office. You should mail the application, performance guarantee, location plan(s) and your construction plans to the office noted on the map that opens with the application.

E. Other requirements by NDOR District personnel. You may be contacted by NDOR District personnel to provide additional information. Any additional requested items must be provided before the application is processed.

F. Frequent users of the permit process may desire to establish a permit account with the Department. This process would operate in the following manner:

1. The applicant would make application for an account by letter which would provide name, address, telephone number and Federal I.D. number accompanied by a check in an amount divisible by \$500.00.
2. The department will then issue the applicant an account number.
3. When applying for a permit, the account number would be entered on the application.
4. Upon receiving the application, the Department would invoice the account, withdrawing the appropriate amount.

5. Upon completion of the permit task and upon approval by the District, the Department will then cancel the invoice and return the appropriate amount to the account.

The Department will issue a statement to the owner of the account each time there is activity on the account.

The account owner may cancel the account at any time and all monies in the account will be returned to the owner.

The account WILL NOT pay interest. The account exists strictly for the convenience of the account owner.