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Title 23 — Highways

Chapter I — Federal Highway Administration, Department of Transportation

Subchapter G — Engineering and Traffic Operations

ⓘ PART 624—INTERSTATE SYSTEM ACCESS

Authority: 23 U.S.C. 109(a) and (b) and 111; 23 CFR 1.32; 49 CFR 1.85.

Source: 89 FR 88126, Nov. 7, 2024, unless otherwise noted.

ⓘ § 624.1 Purpose.

To prescribe requirements and procedures for State requests for, and FHWA consideration of, changes in access to the Interstate System.

ⓘ § 624.3 Applicability.

- (a) Except as provided in paragraphs (b) through (e) of this section, this part is applicable to all segments designated as part of the Dwight D. Eisenhower National System of Interstate and Defense Highways (Interstate System) for which Federal-aid highway funds or other funds administered under title 23, United States Code, have been used in the past or are used to develop a project.
- (b) This part is not applicable to ramps providing access to safety rest areas, information centers, weigh stations, and truck inspection stations located within the Interstate right-of-way when such areas are accessible to vehicles only to and from the Interstate System. Connections from other public facilities to facilities within the Interstate System right-of way, if an exception is granted in accordance with § 624.7(f), are subject to the requirements of this part.
- (c) This part is not applicable to connections between managed lanes and general-purpose lanes on the same Interstate highway.
- (d) This part is not applicable to State maintenance facilities that are located within the Interstate System right-of-way and not open to the public.
- (e) This part is not applicable to access points to non-freeway Interstate System segments located in Alaska or Puerto Rico with average daily traffic volumes less than 400 vehicles per day. In such cases, the provisions of 23 U.S.C. 111 apply and the FHWA Division Administrator shall determine the level of analysis required to secure FHWA approval of the access modification.

ⓘ § 624.5 Definitions.

The following terms used in this part are defined as follows:

Access point. Any permanent connection (including those metered or closed at times) to the through lanes or shoulders, managed lanes, collector-distributor roads, or ramps on the Interstate System, including “locked gate access”.

Area of influence. The geographic extent to which a proposed change in access will affect traffic operations and safety.

Change in access. The addition of a new, or modification of an existing, interchange or access point along the Interstate System.

Final approval. Acceptance for the proposed change in access granted by FHWA upon completion of the appropriate transportation planning, air quality conformity, and environmental review requirements under National Environmental Policy Act (NEPA) and receiving concurrence on the Safety, Operations, and Engineering (SO&E) determination.

Interchange. A system of interconnecting roadways in conjunction with one or more grade separations that provides for the movement of traffic between two or more roadways or highways on different levels.

Interstate Access Justification Report (IAJR). A technical report that documents the safety, operations, and engineering aspects of a proposed change in access to the Interstate System and demonstrates that the proposal meets the provisions of this part.

Interstate System. The term "Interstate System" as defined in 23 U.S.C. 101, and includes mainline lanes; shoulders; existing, new, or modified ramps; collector-distributor roads; managed lanes (including high-occupancy vehicle lanes, value priced lanes, high-occupancy toll lanes, or exclusive or special use lanes); ramp termini; and portions of frontage roads that function as part of an interchange. For purposes of this part, the Interstate System shall be limited to those routes for which Federal-aid highway funds or other funds administered under title 23, United States Code, have been used in the past or will be used to develop a project.

Partial interchange. An interchange that does not provide for each of the eight basic movements (or four basic movements in the case of a three-legged interchange).

Programmatic Agreement (PA). Agreement between FHWA and a State DOT under 23 U.S.C. 111(e) to allow a State to review and make the Safety, Operations, and Engineering (SO&E) determination.

Public road. The term "public road" as defined in 23 U.S.C. 101.

Safety, Operations, and Engineering (SO&E) determination. Technical determination of whether the proposed location, configuration, geometric design, and signing related to the proposed change in access may be reasonably expected to serve the anticipated traffic of the Interstate System in a manner that is conducive to safety, durability, and economy of maintenance.

Safety rest area. The term "safety rest area" as defined in 23 CFR 752.3(a) that is located within the Interstate System right-of-way.

§ 624.7 Interstate System access requirements.

- (a) The proposed change in access to the Interstate System shall not result in a significant adverse impact on the Interstate System traffic operations or the safety for all users of the transportation system in the project's area of influence, as demonstrated by operational and safety analyses based on both the current and future traffic projections using traffic data that is no more than 5 years old and at least the most recent 3 years of available safety data.
- (b) Interstate System access points shall connect only to a public road. Connections directly to private developments, parking lots, or private roads are prohibited.
- (c) Connections from outside of the Interstate System right-of-way to safety rest areas, information centers, weigh stations, and truck inspection stations located within the Interstate System right-of-way are prohibited.
- (d) Each interchange shall provide for all traffic movements.
- (e) A proposed change in access shall be designed to meet the standards in accordance with 23 CFR part 625 or have approved exceptions and shall comply with 23 CFR part 655.
- (f) On a case by case basis, FHWA may grant exceptions to the requirements in paragraphs (b) through (d) of this section for:
 - (1) Locked gate access to private property for purposes of public safety;
 - (2) Locked gate access from an information center, weigh station, and truck inspection station to a local road for the purposes of public safety;
 - (3) Access from a safety rest area to an adjacent publicly owned conservation and recreation area if access to this area is available only through the safety rest area as allowed under 23 CFR 752.5(d);
 - (4) Locked gate access from a local public road to the safety rest area for the limited purpose of providing access to safety rest area employees, deliveries, and emergency vehicles; or
 - (5) A partial interchange where necessary to provide special access, such as to managed lanes or park and ride lots, or where factors such as the social, economic, and environmental impacts of a full interchange justify an exception.

§ 624.9 Approval process.

- (a) To propose a change in access to the Interstate System, the State DOT shall submit electronically to FHWA a request letter and an IAJR complying with § 624.11 demonstrating that the proposed change in access meets the requirements of this part. Change in access requests will not be accepted from other parties besides a State DOT.

- (b) Approval of a change in access to the Interstate System requires a SO&E determination and a final approval.
- (c) The SO&E determination shall be based on the safety, operations, and engineering aspects of the request as documented in an IAJR meeting the requirements of this part. The FHWA shall make the SO&E determination, except where FHWA has delegated to a State DOT the authority to make the SO&E determination on behalf of FHWA by entering into a PA that meets the requirements of § 624.13.
- (d) If a favorable SO&E determination is made, FHWA will consider whether final approval is appropriate for the proposed change in access to the Interstate System. Final approval may only be granted by FHWA and constitutes a major Federal action under NEPA. Final approval may be granted if the following conditions are met:
 - (1) Applicable transportation planning, conformity, and NEPA procedures have been completed.
 - (2) The alternative covered by the favorable SO&E determination is of the same scope and design as the alternative selected and approved in the NEPA decision.
- (e) If the project has not progressed to construction within 5 years of receiving an affirmative SO&E determination, FHWA may require the State DOT to provide verification that the requirements of § 624.7 continue to be met based on current and projected future conditions.

§ 624.11 Interstate Access Justification Report.

- (a) The IAJR shall be a standalone report. Relevant information from other documents (such as feasibility studies, NEPA documents or preliminary engineering reports) must be included in the appropriate section of the IAJR.
- (b) At a minimum, an IAJR submitted to FHWA shall include all of the following, except as provided under paragraph (d) of this section.
 - (1) A description and overview of the proposed change in access including a project location map and distances to adjacent interchanges.
 - (2) Preliminary design documents sufficient to demonstrate the geometric viability of the proposal. The design documents shall include the design criteria, existing geometry overlaid with clearly labeled proposed geometric plan views, lane configuration schematics, typical sections, control-of-access lines, interchange spacing, ramp spacing, and other design features necessary to evaluate the proposed design.
 - (3) Operational and safety analyses that evaluate the impact of the proposed change in access on the Interstate System and local road network extending to the following area of influence limits at a minimum:
 - (i) Along the Interstate System, and interchanging freeway if applicable, to the adjacent existing or proposed interchange on either side of the proposed change in access, extending further as needed to ensure the limits of the analysis are appropriate to fully understand the impact of the proposed change in access on the Interstate System.
 - (ii) Along each crossroad to the first major intersection on either side of the proposed change in access, extending further as needed to demonstrate the safety and operational impacts that the proposed change in access and other transportation improvements may have on the local road network.
 - (4) A conceptual plan showing the type and location of the signs proposed to support the proposed design.
- (c) The IAJR for a proposed partial interchange shall meet the following additional requirements.
 - (1) The IAJR shall include a full-interchange option with a comparison of the operational and safety analyses to the partial interchange option. The IAJR shall justify the necessity for a partial interchange alternative.
 - (2) The IAJR shall describe why a partial interchange is proposed and include the mitigation proposed to compensate for the missing basic movements, including wayfinding signage, local intersection improvements, mitigation of driver expectation leading to wrong-way movements on ramps, and other proposed strategies as necessary.
 - (3) The IAJR shall describe whether future provision of a full interchange is precluded by the proposed design.
- (d) FHWA will consider the complexity of a change in access when determining the extent of the safety and operational analysis and the format of the IAJR.

§ 624.13 Programmatic Agreement.

A State DOT may submit to FHWA a written request to enter into a PA with FHWA that delegates to the State DOT the authority to make the SO&E determination on behalf of FHWA in accordance with 23 U.S.C. 111(e) and the requirements of this part.

- (a) A PA may allow a State DOT to make the SO&E determination for all or any part of the following types of change in access requests:
 - (1) New freeway-to-crossroad (service) interchanges;
 - (2) Modifications to existing freeway-to-crossroad (service) interchanges; and
 - (3) Completion of basic movements at freeway-to-crossroad (service) interchanges.

- (b) The State DOT request to enter into a PA with FHWA shall include:
 - (1) The types of changes in access listed in paragraph (a) of this section for which the State DOT would like to make SO&E determinations; and
 - (2) A discussion of controls the State DOT has implemented, resources available, and actions that would be taken if the PA is approved, as needed to address the considerations outlined in paragraph (c) of this section.
- (c) Upon receipt of the request, FHWA will:
 - (1) Verify that appropriate controls and processes have been developed and implemented by the State DOT, and that the State DOT has the necessary resources and commits to conduct future actions in compliance with the terms of the requested PA. The FHWA will examine:
 - (i) State DOT policies, standard operating procedures, and processes, either in place or modified as needed to carry out the requirements of the PA;
 - (ii) Documentation demonstrating the processes and guidance that have been developed and implemented to support the development, analysis, documentation, review, and potential processing of each type of proposed change in access to the Interstate System to which the terms of the PA would apply;
 - (iii) Documentation demonstrating the process, guidance, assistance, and oversight the State DOT will provide to support local agencies (e.g., cities, counties, toll authorities, MPOs) that may propose or submit requests to the State DOT for changes in access to the Interstate System to which the terms of the PA would apply;
 - (iv) Documentation demonstrating that the State DOT has the expertise and resources (e.g., training, analysis tools) needed to carry out the requirements of the PA;
 - (v) Documentation of State DOT procedures to provide the necessary oversight, monitoring, and annual reporting to FHWA to ensure the changes in access to the Interstate System are processed consistent with the terms of the PA; and
 - (vi) Any other factors deemed necessary by the Secretary.
 - (2) Establish, with input from the State DOT, the scope and conditions for the State DOT's review of change in access requests and the process by which the State DOT will make the SO&E determination.
- (d) A PA shall require that the State DOT submit electronically an annual report to FHWA summarizing its performance under the PA. The report shall, at a minimum:
 - (1) Include the results of all changes in access to the Interstate System that were processed and received a SO&E determination under the terms of the PA for the previous calendar year;
 - (2) Summarize the changes in access to the Interstate System that the State DOT plans to process in the coming calendar year;
 - (3) Assess the effectiveness of and verify that all changes in access to the Interstate System processed through this agreement were evaluated and processed in a manner consistent with the terms of this PA;
 - (4) Identify any areas where improvements are needed and what actions the State DOT is taking to implement those improvements; and
 - (5) Include actions taken by the State DOT as part of its quality control efforts.
- (e) When all concerns have been addressed to the satisfaction of the Secretary, the PA may be executed.

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copy of a suitable map or maps identified by the Federal-aid project number, with the facilities to be relinquished and the date of such relinquishment action clearly delineated thereon.

(2) If it is found at any time after relinquishment that a relinquished facility is in fact required for the safe and proper operation of the Federal-aid highway, the State shall take immediate action to restore such facility to its jurisdiction without cost to Federal-aid highway funds.

(3) If it is found at any time that a relinquished frontage road or portion thereof or any part of the right-of-way therefor has been abandoned by local governmental authority and a showing cannot be made that such abandoned facility is no longer required as a public road, it is to be understood that the Federal Highway Administrator may cause to be withheld from Federal-aid highway funds due to the State an amount equal to the Federal-aid participation in the abandoned facility.

(4) In no case shall any relinquishment include any portion of the right-of-way within the access control lines as shown on the plans for a Federal-aid project approved by the FHWA, without the prior approval of the Federal Highway Administrator.

(5) There cannot be additional Federal-aid participation in future construction or reconstruction on any relinquished "off the Federal-aid system" facility unless the underlying reason for such future work is caused by future improvement of the associated Federal-aid highway.

(g) In the event that a State desires to apply for approval by the Federal Highway Administrator for the relinquishment of a facility such as described in paragraph (d) (1) and (2) of this section, the facts pertinent to such proposal are to be presented to the division engineer of the FHWA. The division engineer shall have appropriate review made of such presentation and forward the material presented by the State together with his findings thereon through the Regional Federal Highway Administrator for consideration by the Federal Highway Administrator and determination of action to be taken.

(h) No change may be made in control of access, without the joint determination and approval of the SHA and FHWA. This would not prevent the relinquishment of title, without prior approval of the FHWA, of a segment of the right-of-way provided there is an abandonment of a section of highway inclusive of such segment.

(i) Relinquishments must be justified by the State's finding concurred in by the FHWA, that:

(1) The subject land will not be needed for Federal-aid highway purposes in the foreseeable future;

(2) That the right-of-way being retained is adequate under present day standards for the facility involved;

(3) That the release will not adversely affect the Federal-aid highway facility or the traffic thereon;

(4) That the lands to be relinquished are not suitable for retention in order to restore, preserve, or improve the scenic beauty adjacent to the highway consonant with the intent of 23 U.S.C. 319 and Pub. L. 89-285, Title III, sections 302-305 (Highway Beautification Act of 1965).

(j) If a relinquishment is to a Federal, State, or local government agency for highway purposes, there need not be a charge to the said agency, nor in such event any credit to Federal funds. If for any reason there is a charge, the STD may retain the Federal share of the proceeds if used for projects eligible under title 23 of the United States Code.

[39 FR 33311, Sept. 17, 1974, as amended at 64 FR 71289, Dec. 21, 1999; 73 FR 77502, Dec. 19, 2008]

**PART 624—INTERSTATE SYSTEM
ACCESS**

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624.1 Purpose.

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624.5 Definitions.

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624.9 Approval process.

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Federal Highway Administration, DOT

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(c) This part is not applicable to connections between managed lanes and general-purpose lanes on the same Interstate highway.

(d) This part is not applicable to State maintenance facilities that are located within the Interstate System right-of-way and not open to the public.

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Final approval. Acceptance for the proposed change in access granted by FHWA upon completion of the appropriate transportation planning, air quality conformity, and environmental review requirements under National Environmental Policy Act (NEPA) and receiving concurrence on the Safety, Operations, and Engineering (SO&E) determination.

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movements in the case of a three-legged interchange).

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Safety, Operations, and Engineering (SO&E) determination. Technical determination of whether the proposed location, configuration, geometric design, and signing related to the proposed change in access may be reasonably expected to serve the anticipated traffic of the Interstate System in a manner that is conducive to safety, durability, and economy of maintenance.

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§ 624.7 Interstate System access requirements.

(a) The proposed change in access to the Interstate System shall not result in a significant adverse impact on the Interstate System traffic operations or the safety for all users of the transportation system in the project’s area of influence, as demonstrated by operational and safety analyses based on both the current and future traffic projections using traffic data that is no more than 5 years old and at least the most recent 3 years of available safety data.

(b) Interstate System access points shall connect only to a public road. Connections directly to private developments, parking lots, or private roads are prohibited.

(c) Connections from outside of the Interstate System right-of-way to safety rest areas, information centers, weigh stations, and truck inspection stations located within the Interstate System right-of-way are prohibited.

(d) Each interchange shall provide for all traffic movements.

(e) A proposed change in access shall be designed to meet the standards in accordance with 23 CFR part 625 or have approved exceptions and shall comply with 23 CFR part 655.

(f) On a case by case basis, FHWA may grant exceptions to the requirements in paragraphs (b) through (d) of this section for:

(1) Locked gate access to private property for purposes of public safety;

(2) Locked gate access from an information center, weigh station, and truck inspection station to a local road for the purposes of public safety;

(3) Access from a safety rest area to an adjacent publicly owned conservation and recreation area if access to this area is available only through the safety rest area as allowed under 23 CFR 752.5(d);

(4) Locked gate access from a local public road to the safety rest area for the limited purpose of providing access to safety rest area employees, deliveries, and emergency vehicles; or

(5) A partial interchange where necessary to provide special access, such as to managed lanes or park and ride lots, or where factors such as the social, economic, and environmental impacts of a full interchange justify an exception.

§ 624.9 Approval process.

(a) To propose a change in access to the Interstate System, the State DOT shall submit electronically to FHWA a request letter and an IAJR complying with § 624.11 demonstrating that the proposed change in access meets the requirements of this part. Change in access requests will not be accepted from other parties besides a State DOT.

(b) Approval of a change in access to the Interstate System requires a SO&E determination and a final approval.

(c) The SO&E determination shall be based on the safety, operations, and engineering aspects of the request as documented in an IAJR meeting the requirements of this part. The FHWA shall make the SO&E determination, except where FHWA has delegated to a State DOT the authority to make the SO&E determination on behalf of FHWA by entering into a PA that meets the requirements of § 624.13.

(d) If a favorable SO&E determination is made, FHWA will consider whether final approval is appropriate for the proposed change in access to the Interstate System. Final approval may only be granted by FHWA and

constitutes a major Federal action under NEPA. Final approval may be granted if the following conditions are met:

(1) Applicable transportation planning, conformity, and NEPA procedures have been completed.

(2) The alternative covered by the favorable SO&E determination is of the same scope and design as the alternative selected and approved in the NEPA decision.

(e) If the project has not progressed to construction within 5 years of receiving an affirmative SO&E determination, FHWA may require the State DOT to provide verification that the requirements of § 624.7 continue to be met based on current and projected future conditions.

§ 624.11 Interstate Access Justification Report.

(a) The IAJR shall be a standalone report. Relevant information from other documents (such as feasibility studies, NEPA documents or preliminary engineering reports) must be included in the appropriate section of the IAJR.

(b) At a minimum, an IAJR submitted to FHWA shall include all of the following, except as provided under paragraph (d) of this section.

(1) A description and overview of the proposed change in access including a project location map and distances to adjacent interchanges.

(2) Preliminary design documents sufficient to demonstrate the geometric viability of the proposal. The design documents shall include the design criteria, existing geometry overlaid with clearly labeled proposed geometric plan views, lane configuration schematics, typical sections, control-of-access lines, interchange spacing, ramp spacing, and other design features necessary to evaluate the proposed design.

(3) Operational and safety analyses that evaluate the impact of the proposed change in access on the Interstate System and local road network extending to the following area of influence limits at a minimum:

(i) Along the Interstate System, and interchanging freeway if applicable, to the adjacent existing or proposed inter-

change on either side of the proposed change in access, extending further as needed to ensure the limits of the analysis are appropriate to fully understand the impact of the proposed change in access on the Interstate System.

(ii) Along each crossroad to the first major intersection on either side of the proposed change in access, extending further as needed to demonstrate the safety and operational impacts that the proposed change in access and other transportation improvements may have on the local road network.

(4) A conceptual plan showing the type and location of the signs proposed to support the proposed design.

(c) The IAJR for a proposed partial interchange shall meet the following additional requirements.

(1) The IAJR shall include a full-interchange option with a comparison of the operational and safety analyses to the partial interchange option. The IAJR shall justify the necessity for a partial interchange alternative.

(2) The IAJR shall describe why a partial interchange is proposed and include the mitigation proposed to compensate for the missing basic movements, including wayfinding signage, local intersection improvements, mitigation of driver expectation leading to wrong-way movements on ramps, and other proposed strategies as necessary.

(3) The IAJR shall describe whether future provision of a full interchange is precluded by the proposed design.

(d) FHWA will consider the complexity of a change in access when determining the extent of the safety and operational analysis and the format of the IAJR.

§ 624.13 Programmatic Agreement.

A State DOT may submit to FHWA a written request to enter into a PA with FHWA that delegates to the State DOT the authority to make the SO&E determination on behalf of FHWA in accordance with 23 U.S.C. 111(e) and the requirements of this part.

(a) A PA may allow a State DOT to make the SO&E determination for all or any part of the following types of change in access requests:

(1) New freeway-to-crossroad (service) interchanges;

(2) Modifications to existing freeway-to-crossroad (service) interchanges; and

(3) Completion of basic movements at freeway-to-crossroad (service) interchanges.

(b) The State DOT request to enter into a PA with FHWA shall include:

(1) The types of changes in access listed in paragraph (a) of this section for which the State DOT would like to make SO&E determinations; and

(2) A discussion of controls the State DOT has implemented, resources available, and actions that would be taken if the PA is approved, as needed to address the considerations outlined in paragraph (c) of this section.

(c) Upon receipt of the request, FHWA will:

(1) Verify that appropriate controls and processes have been developed and implemented by the State DOT, and that the State DOT has the necessary resources and commits to conduct future actions in compliance with the terms of the requested PA. The FHWA will examine:

(i) State DOT policies, standard operating procedures, and processes, either in place or modified as needed to carry out the requirements of the PA;

(ii) Documentation demonstrating the processes and guidance that have been developed and implemented to support the development, analysis, documentation, review, and potential processing of each type of proposed change in access to the Interstate System to which the terms of the PA would apply;

(iii) Documentation demonstrating the process, guidance, assistance, and oversight the State DOT will provide to support local agencies (e.g., cities, counties, toll authorities, MPOs) that may propose or submit requests to the State DOT for changes in access to the Interstate System to which the terms of the PA would apply;

(iv) Documentation demonstrating that the State DOT has the expertise and resources (e.g., training, analysis tools) needed to carry out the requirements of the PA;

(v) Documentation of State DOT procedures to provide the necessary oversight, monitoring, and annual reporting to FHWA to ensure the changes in

access to the Interstate System are processed consistent with the terms of the PA; and

(vi) Any other factors deemed necessary by the Secretary.

(2) Establish, with input from the State DOT, the scope and conditions for the State DOT's review of change in access requests and the process by which the State DOT will make the SO&E determination.

(d) A PA shall require that the State DOT submit electronically an annual report to FHWA summarizing its performance under the PA. The report shall, at a minimum:

(1) Include the results of all changes in access to the Interstate System that were processed and received a SO&E determination under the terms of the PA for the previous calendar year;

(2) Summarize the changes in access to the Interstate System that the State DOT plans to process in the coming calendar year;

(3) Assess the effectiveness of and verify that all changes in access to the Interstate System processed through this agreement were evaluated and processed in a manner consistent with the terms of this PA;

(4) Identify any areas where improvements are needed and what actions the State DOT is taking to implement those improvements; and

(5) Include actions taken by the State DOT as part of its quality control efforts.

(e) When all concerns have been addressed to the satisfaction of the Secretary, the PA may be executed.

PART 625—DESIGN STANDARDS FOR HIGHWAYS

Sec.

625.1 Purpose.

625.2 Policy.

625.3 Application.

625.4 Standards, policies, and standard specifications.

AUTHORITY: 23 U.S.C. 103, 109, 315, and 402; Sec. 1073 of Pub. L. 102-240, 105 Stat. 1914, 2012; Sec. 1404 of Pub. L. 114-94, 129 Stat. 1312; 49 CFR 1.85.

SOURCE: 62 FR 15397, Apr. 1, 1997, unless otherwise noted.