

Maine DOT Driveway Permit Guide

Mid-Coast Regional Planning Commission

Introduction

This guide presents the Maine DOT driveway permit process step-by-step. The Access Management Standards enforced through permits ensure well planned driveways that maintain roadway safety, capacity and posted speed. For complete information and requirements, please refer to the Maine DOT Highway and Entrance Rules (17-229), available online at: www.maine.gov/mdot, or by phone (207) 287-2058.

Step 1: Is a driveway permit required on your road?

The Maine DOT issues permits for driveways that connect to state and state aid roadways outside of urban compact areas. Property owners must obtain a permit for a new driveway or for a change in use of their current driveway unless the driveway is or will be located in a compact urban area or on a municipal or private street. Depending on the roadway, different rules apply. **Contact the Maine DOT Division Office to find out which rules apply on your road.**

| <i>Maine DOT Divisions</i> | | |
|----------------------------|--------------|----------|
| Division 1 | Presque Isle | 764-2060 |
| Division 2 | Ellsworth | 667-5556 |
| Division 3 | Bangor | 941-4500 |
| Division 4 | Fairfield | 453-7377 |
| Division 5 | Rockland | 596-2230 |
| Division 6 | Scarborough | 885-7000 |
| Division 7 | Dixfield | 562-4228 |

Different rules, known as Access Standards, apply for driveways on three types of roads:

State or State Aid Highways: Highways designated by Maine DOT as a State or State Aid Highway, rather than municipal or private roads.

Mobility Arterial or Mobility Arterial Corridor: A State Highway, non-compact arterial that (1) has a posted speed limit of 40 mph or more and is part of an arterial corridor located between Urban Compact Areas or Service Centers that carries an average annual daily traffic of at least 5,000 vehicles per day for at least 50% of its length or (2) is part of a Retrograde Arterial Corridor located between Mobility Arterials.

Retrograde Arterial: A State Highway, Mobility Arterial where the access related crash-per mile rate exceeds the 1999 statewide average for Arterials of the same-posted speed limit.

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Please contact Maine DOT or the Mid-Coast Regional Planning Commission (594-2299) for more information on driveway permit requirements.

Step 2: Are you constructing a driveway as defined by the Maine DOT?

Maine DOT defines a driveway as an access serving one of these land uses: up to five (5) residential dwelling units, home occupations, forest management activities, farming, low impact industrial uses such as utility substations, or similar uses that generate less than 50 trips per day. A trip is defined as moving from one point to another, one-way, like home to work. A “round trip” is actually considered two trips. If the driveway will serve more than 50 trips per day, an entrance permit is required instead of a driveway permit.

Step 3: Are you changing the use of a driveway as defined by Maine DOT?

Maine DOT defines a change in use as a change or increase in the building floor area or density of the property served by the driveway that results in an increase in daily traffic or drainage from the driveway. Examples of changes in use include a single-family residence changed to multifamily or commercial use. Changes in use require a driveway permit, even if no physical change to the driveway is sought.

Step 4: Filling out the Driveway Permit Application Form

Permit applications are available online (www.maine.gov/mdot) or by phone 287-2058.

([Permit application as an insert to this guide](#))

Driveway Permit Application Summarized

| Parts: | What information you need to provide: |
|---------------|--|
| A | Property owner contact information |
| B | Indicate the location of the proposed driveway or current driveway for which there is a change in use of the property. Measure distance from the nearest intersection to the driveway, using your vehicle’s odometer (to the nearest tenth of a mile). Include a copy of the tax map showing your property and survey, if available. |
| C | Describe the proposed driveway: width, surface, and changes in grade sought. Indicate if any of the buildings on the property are 10,000 square feet or more in area. For a change in use, describe the changes sought, including expected increase in traffic (vehicles using the driveway). |
| D | Provide construction information: when do you want to start and complete work, and who will do the work. |

Step 5: Submitting the Driveway Permit Application to Maine DOT

Send your permit application to the Maine DOT Division Office for your area. See the first page of this guide for Division Office phone numbers. Waiver requests of specific Access Standards may be submitted along with your application. Access Standards are described in Step 6.

Step 6: Maine DOT reviews Permit Application: Access Standards

On-site Maine DOT inspection

If Maine DOT concludes that a site visit is required to assure compliance with the Assess Standards, or if you request a site visit, Maine DOT will arrange an on-site meeting with you within one business week of receiving a permit application. Maine DOT will verify if the driveway meets the Access Standards in approximately 15 business days.

Access Standards

The Access Standards include: Sight Distance, Driveway Width, Corner Clearance, Turn-around/Parking, Drainage, Intersection Angle/Radius of Edges, Double Frontage Lots, Driveway Slopes, Driveway Spacing and Shared Driveways on Mobility Arterials. Each of these is explained in this guide.

A. Sight Distance is the length of roadway visible to drivers in normal daylight conditions. Sight distance is measured from the perspective of a hypothetical person seated in a vehicle from three vantage points:

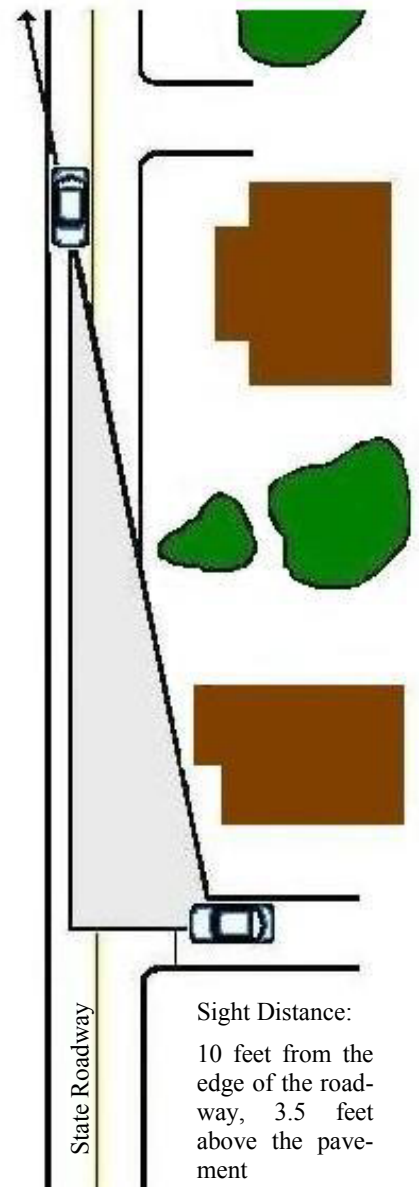
1. Sitting in the driveway viewing vehicles traveling on the highway (both left and right)
2. Traveling on the highway viewing a vehicle in a driveway and
3. Traveling on the highway viewing a vehicle turning into the driveway (both ahead and behind).

In case of discrepancy between these measurements, the smaller measurement is used to determine if the sight distance standard is met. Sight distance is measured to and from the point on the centerline of the proposed driveway that is located 10 feet from the edge of traveled way. The height of the hypothetical person's view is considered to be 3½ feet above the pavement and the height of the object being viewed is considered to be 4¼ feet above the pavement.

Trimming vegetation near driveways often improves sight distance and safety. Vegetation below 3.5 feet in height is ideal near driveways.

| Posted Speed (MPH) | Minimum Sight Distance (Feet) | |
|--------------------|--|--------------------|
| | State and State Aid Roads, outside urban compact areas | Mobility Arterials |
| 20 | 155 | 225 |
| 25 | 200 | 300 |
| 30 | 250 | 380 |
| 35 | 305 | 480 |
| 40 | 360 | 580 |
| 45 | 425 | 710 |
| 50 | 495 | 840 |
| 55 | 570 | 990 |
| 60 | 645 | 1,150 |

Maine DOT may require 50% greater sight distances for driveways that serve large vehicles 30% or more of the time.



Access Standards Continued

Driveway Width is the distance across the driveway, excluding radii (corner edges), measured parallel to the highway. Driveway Width within the highway right of way must be between 12 and 22 feet inclusive, unless waived by Maine DOT.

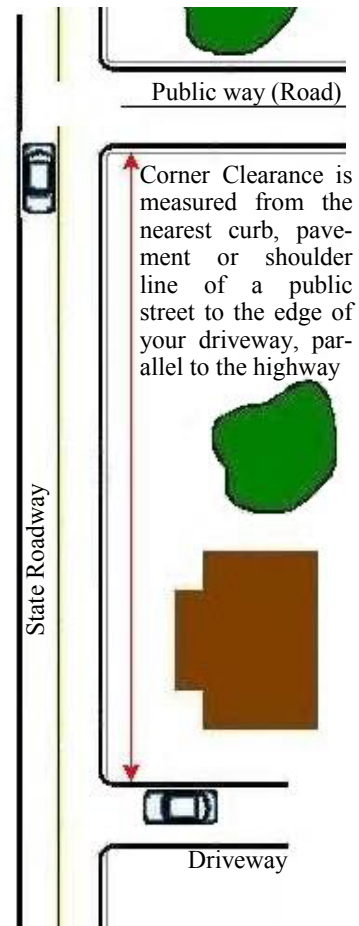
Corner Clearance is the minimum distance, measured parallel to the highway, between the nearest curb, pavement or shoulder line of an intersecting public way and the nearest edge of a driveway excluding its radii. The minimum corner clearance for driveways is 75 feet for un-signalized intersections and 125 feet for signalized intersections and for Mobility Arterials. A driveway may not be located on the radius of two intersecting roadways.

Turnaround Area / Parking: Driveways must allow maneuvering and parking of any vehicles outside of the highway right of way and such that vehicles may exit the premises without backing onto the highway or shoulder. All driveways must have a turnaround area at least 8 feet wide by 15 feet long. Maine DOT may require a larger turnaround area to accommodate larger vehicles that are expected to use the driveway on a regular basis.

Drainage Standards:

1. **Culvert Size.** Maine DOT will determine the diameter of culverts within the highway right of way depending upon local conditions.
2. **Construction and Maintenance Standards.** Driveways, on-site ditches, swales, pipes and other structures that direct runoff toward Maine DOT ditches or drainage systems must be constructed, crowned, stabilized and maintained with stable materials and appropriate erosion control measures such as permanent vegetation or stone.
3. **Mitigation.** If the proposed development poses a significant drainage risk, then the applicant must mitigate the impacts of increases in peak flow from storms into Maine DOT drainage systems through measures specified by Maine DOT.

Intersection Angle / Radius of Edges: Driveways must be constructed perpendicular, or nearly so, to the highway at the access point. The minimum radius on the edge of a driveway, if any, must be 10 feet. Maine DOT may require that the edges of the driveway have a radius if larger vehicles are expected to use the driveway on a regular basis.

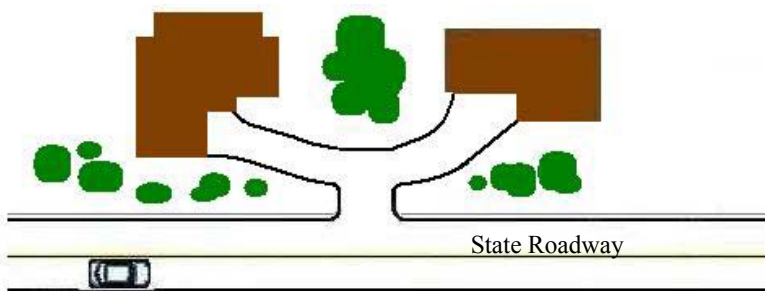


Double Frontage Lots. When lots have frontage on two roads, the driveway should access the lower volume roadway, unless there is insufficient road frontage or traffic hazard on the lower volume road.

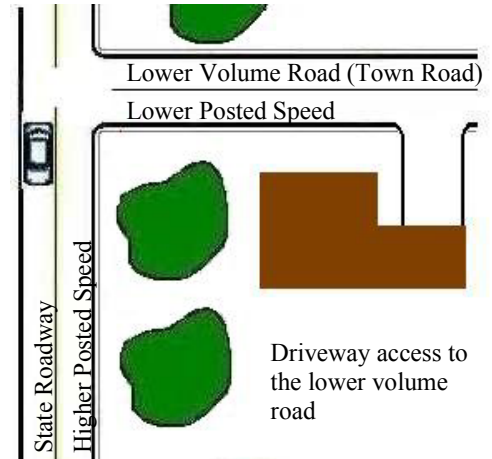
Driveway Slopes: Driveway side slopes must be no steeper than the adjacent roadway side slopes, but in no case to be steeper than 3 horizontal to 1 vertical, unless the side slope is behind existing roadway guardrail, in which case it shall be no steeper than 2 horizontal to 1 vertical.

Driveway Spacing on Mobility Arterials: New driveways onto Mobility Arterials must be separated from other existing or proposed driveways or entrances including those located across the highway and those serving the same lot, in accordance with the minimum spacing standards shown to the right. Driveway spacing is measured from edge of proposed driveway/entrance to edge of driveway/entrance, excluding radii. Driveways or entrances located directly across the highway from the proposed driveway are not counted in applying the spacing standard.

Shared Driveways. Whenever possible, property owners should seek opportunities for shared driveways onto Mobility Arterials. Owners who have insufficient frontage to meet the spacing standards for Mobility Arterials must negotiate with abutters in good faith for a shared driveway.



Shared Driveway



| Posted Speed (MPH) | Mobility Arterials Minimum Driveway Spacing (Feet) |
|--------------------|--|
| 20 | 90 |
| 25 | 90 |
| 30 | 105 |
| 35 | 130 |
| 40 | 175 |
| 45 | 265 |
| 50 | 350 |
| 55 | 525 |
| 60 | 525 |

Waiver of Standards. Driveway standards may be relaxed or waived only as provided in the Driveway Entrance Rules. Requests for a waiver must be in writing and should be submitted with the permit application. The following state and state aid road standards will **not** be relaxed or waived : sight distances, turnaround and parking requirements, drainage standards, and double frontage lot requirements. For Mobility Arterials, the requirement to negotiate for a shared driveways will not be waived or relaxed.

A waiver may be granted if Maine DOT finds that (1) the waiver will not significantly impact public safety, (2) the proposed driveway meets the standards to the maximum extent practicable, and (3) there is no feasible alternative.

Step 7: Maine DOT Decision

Approval: Maine DOT may approve the application subject to any conditions necessary to assure compliance with the applicable driveway Access Standards. Approvals will include a brief statement of the findings and conclusions that support approval. At a minimum, the property owner will be required to meet the standard permit conditions to ensure roadway and driveway safety during and after construction. Construction should be substantially completed with 12 months of receiving permit approval. All applicable federal, state and municipal regulations and ordinances must be observed. Conditions may include deed restrictions that shall be notarized and recorded at the appropriate Registry of Deeds within 90 days of permit issuance.

Denial: When denying an application, Maine DOT will send the applicant a notice setting forth a brief statement of the reason for the denial and the process for reconsideration.

Reconsideration: An applicant who disagrees with the permit decision may request reconsideration by the Division Engineer, only by writing within 30 business days after receiving the permit decision. The reconsideration request must state the findings and conclusions of Maine DOT to which the person objects, the basis of those objections, the nature of the relief requested, and whether a hearing is requested. If requested by the applicant, or if Maine DOT determines a hearing is warranted, a hearing will be held in the community where the property is located, ordinarily within 15 business days of receiving the reconsideration request. The MDOT Division Engineer will issue a written decision, ordinarily within 15 business days of receiving the reconsideration request or, if a hearing is held, within 15 business days of the close of the hearing. The decision will set forth the Division Engineer's reasons for either affirming or modifying the original permit decision.

Permit Expiration: A permit will expire within 24 months after issued if driveway construction has not started. If waivers or conditions are not recorded at the appropriate Registry of Deeds within 90 days of permit issuance, the permit will expire.

Appeal: Appeal of final decisions of the Division Engineer must be made in writing to the Maine DOT Commissioner within 15 business days of receipt of the reconsideration decision of the Division Engineer. The appeal decision of the Commissioner or his or her designee will be considered final agency action.