

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):*

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Design Speed   | <input type="checkbox"/> Vertical Curve          | <input type="checkbox"/> Vertical Clearance  |
| <input type="checkbox"/> Lane Width     | <input type="checkbox"/> Grade                   | <input type="checkbox"/> Clear Bridge Width  |
| <input type="checkbox"/> Shoulder Width | <input type="checkbox"/> Stopping Sight Distance | <input type="checkbox"/> Structural Capacity |
| <input type="checkbox"/> Curve Radius   | <input type="checkbox"/> Cross Slope             |  |
| <input type="checkbox"/> Superelevation | <input type="checkbox"/> 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 re-designing 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).