

COMPLETE STREETS EXCEPTION REQUEST

This information fulfills Requirements of Michigan Public Act of 135 of 2010
and The MDOT Policy on Complete Streets, STC Policy #10214

ASSOCIATED JOB #(s)	PROPOSED LET DATE	DATE OF REQUEST
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AFFECTED GOVERNMENTAL UNIT(S)

AFFECTED MDOT ROUTE(S)	CONTROL SECTION
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FUNCTIONAL CLASS	LEVEL OF SERVICE
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CAADT	AADT
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ASSOCIATED ROAD AND/OR BRIDGE PROJECT TYPE(S) (Please list by template(s))

TOTAL PROPOSED COMPLETE STREETS CONSTRUCTION AND ENGINEERING COSTS	TOTAL ROAD AND/OR BRIDGE CONSTRUCTION AND ENGINEERING COSTS
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PROPOSED COMPLETE STREETS ELEMENTS

BRIEFLY DESCRIBE THE CONTEXT OF THE PROPOSED PROJECT'S LOCATION (i.e., historic, suburban/urban/rural, cultural, geographic environment, etc.)

EXCEPTIONS:

Please check all that apply and provide a brief justification statement for each on page 2.

- The CS elements request was received too late in the MDOT project development process.
(proposed exceptions should be requested prior to the plan review stage of the associated construction project)
- The cost of establishing the facilities would be disproportionate to the cost, need or probable use. "Based on current FHWA definition of disproportionate cost, 20% or greater.
- The establishment of the facilities would be contrary to public safety and/or state or federal design standards, laws, policy, rules, or regulations.
- Adequate facilities for non-motorized transportation or other Complete Streets infrastructure already exist in the area.
- There is a documented absence of current or future need.
- Emergency repair and replacement projects, including safety equipment and utilities.
- Projects in which maintenance or operational agreements cannot be reached.
- Other reason for exception.

EXCEPTION JUSTIFICATION SUMMARY

REQUESTED BY (MDOT PM)	SIGNATURE	DATE
APPROVED BY: (MDOT TSC Manager)	SIGNATURE	DATE
APPROVED BY (Region Development Engineer)	SIGNATURE	DATE

Michigan Department of Transportation Complete Streets Exception Process

Michigan Department of Transportation Complete Streets Exception Process Complete Streets is defined as roadways planned, designed, and constructed to provide appropriate access to all legal users in a manner that promotes safe and efficient movement of people and goods whether by car, truck, transit, assistive device, foot, or bicycle. In 2010, the Michigan Legislature passed a law requiring MDOT to adopt a Complete Streets policy to ensure the effective implementation of Complete Streets on state highways. Michigan Public Act 135 of 2010 specifically states “Before the department submits its multi-year capital plan to the commission or a county road agency approves its multi-year capital plan, for any project that affects a roadway or transportation facility within or under the jurisdiction of a municipality, the department or county road agency shall consult with the municipality and agree on how to address the respective complete streets policies, subject to each agency’s powers and duties.”

As part of the project development process, MDOT has for many years relied on a Context Sensitive Solutions Process that engages stakeholders in an effort to develop projects that meet the needs of local community, and incorporate MDOT expertise with bicycle, pedestrian, ADA and transit opportunities. This process is how MDOT identifies the Complete Streets elements that a community may wish to have as part of a project. MDOT makes all reasonable efforts to incorporate appropriate complete streets elements, but the Commission’s Complete streets policy does allow for the possibility that an exception may sometimes be necessary for reasons related to cost (this exception process utilizes FHWA’s definition of disproportionate costs of 20% or greater), safety, where adequate facilities already exist, where current or future needs is not demonstrated, in emergencies, or where maintenance agreements cannot be reached.

With this in mind, an exception process has been established to account for those situations where implementation of proposed complete streets elements is not achievable. This complete streets exception process is not required if: 1) the affected local government has not adopted a complete streets policy or 2) the affected local government adopts a complete streets policy too late in the associated project development cycle to reasonably accommodate the proposed complete streets elements. In the event the exception process does not apply, all unachievable complete streets requests should be duly noted within the appropriate project folder as part of the complete streets consultation process.

Please follow the process outlined below in conjunction with form# 1631 page 1 to submit, review, and record Complete Streets exceptions.

Process for Requesting Exception:

Note: Before formally requesting a complete streets exception, the project manager should consult with appropriate MDOT staff, including Region/TSC, MDOT Central Office, and Local Agency Programs. These staff can provide expertise in a variety of MDOT functional areas including: funding alternatives, essential project delivery timelines, environmental constraints, non-motorized facilities, ADA compliance, transit, etc. Early consultation with MDOT staff may result in undiscovered alternatives and advice for options, encouraging a compromise solution. If at any point during this exception process, the exception is rejected or a compromise is reached, is stored with the associated Job Number in the Supporting Documents folder under the Letting Plans and Proposal parent folder, within ProjectWise. Please see the MDOT Complete Streets Policy Implementation guide, Appendix D for archiving instructions.

- 1) MDOT Project Manager: Complete and sign the exception form and save the completed documentation in the MDOT digital project management filing system (currently ProjectWise).
- 2) MDOT Project Manager: Send e-mail notifications to the appropriate Transportation Service Center Manager and the Associate Region Engineer of Development, providing them with a digital link to the file and notifying each individual that an exception is being sought and their review and signatures are requested (the form will be e-signature enabled).
- 3) MDOT TSC Manager: MDOT Associate Region Engineer of Development Once the e-signature is obtained, the Associate Region Engineer of Development will share the proposed exception form with their counterparts (other Associate Region Engineers of Development) and region engineer for input. *This will ensure statewide consistency with respect to implementing MDOT’s Complete Streets exceptions process.
- 4) MDOT TSC Manager: MDOT Associate Region Engineer of Development, Region Engineer If, after the region review, there are recommended modifications to the exception request, the Associate Region Engineer of Development will discuss the proposed changes with the appropriate TSC Manager and Project Manager.
 - 4a. If modifications are acceptable, each will sign and/or re-sign the final Complete Streets Exception Form. The exception is now approved.
 - 4b. If the suggested modifications are unacceptable, the Region Engineer will be responsible for resolving to a point of compromise or reject the exceptions request.

- 5) MDOT Project Manager Once the final exception is approved, the Project Manager will archive the final signed copy of the form and brief summarization of the completed process in ProjectWise. Please reference the appendix D in the MDOT Complete Streets Policy Implementation Guide for archiving instructions.
- 6) MDOT TSC Manager Once the exception is approved, the appropriate TSC Manager will contact all affected local governmental units, notifying each of the approved exception.

Reference Documents:

[Michigan Public Act No. 134 of 2010](#)

[MDOT Guidelines For Stakeholder Engagement](#)