

PREFACE

The intent of the Utility Accommodation Manual is to provide direction, policy, criteria, and regulations for the accommodation of utilities within Florida Department of Transportation rights-of-way. The criteria in the Utility Accommodation Manual shall be applied through the exercise of sound engineering judgment.

Pursuant to **Section 334.044(1), Florida Statutes**, the Florida Department of Transportation has the responsibility for coordinating the planning of a safe, viable, and balanced State transportation system serving all regions of the state, and to assure the compatibility of all components, including multi-modal facilities. The **Utility Accommodation Manual** sets forth the criteria and procedures of the Florida Department of Transportation for the accommodation of utilities within State Transportation Facility rights of way pursuant to **Sections 337.401 - 337.404, Florida Statutes**. **Sections 337.401 - 337.404, Florida Statutes**, are a part of the Florida Transportation Code, as set forth in **Section 334.01, Florida Statutes**, and are applied in accordance with the purpose of the **Florida Transportation Code**, as set forth in **Section 334.035, Florida Statutes**.

Section 337.401(1), Florida Statutes, provides the Florida Department of Transportation with the specific authority to prescribe and enforce reasonable rules or regulations governing the placing and maintaining of utilities along, across, or on any State Transportation Facility. **Section 337.401(2), Florida Statutes**, provides that the Florida Department of Transportation may grant the use of the rights-of-way for a utility in accordance with Florida Department of Transportation rules or regulations and that no utility shall be installed, located, or relocated unless authorized by a written permit issued by the Florida Department of Transportation. **Section 337.401(2), Florida Statutes**, further provides that the permit holder is responsible for any damage resulting from the issuance of such permit. **Section 337.403(1), Florida Statutes**, provides that any utility found by the Florida Department of Transportation to be unreasonably interfering in any way with the convenient, safe, or continuous use, or the maintenance, improvement, extension, or expansion, of such public road or publicly owned rail corridor shall, upon 30 day's written notice to the Utility or its agent by the authority, , be removed or relocated by such Utility at its own expense except as provided in paragraphs (a), (b), and (c). **Section 337.403(3), Florida Statutes**, provides that whenever an order of the authority requires such removal or change in the location of any utility from the right-of-way of a public road or publicly owned rail corridor, and the owner thereof fails to remove or change the same at his or her own expense to conform to the order within the time stated in the notice, the authority shall proceed to cause the utility to be removed. The expense thereby incurred shall be paid out of any money available therefore, and such expense shall, except as provided in subsection (1), be charged against the owner and levied and collected and paid into the fund from which the expense of such relocation was paid.

Utilities Liaison – The Florida Department of Transportation provides sources of Liaison activities and information at the State and District level through several sources. These include direct contact, phone, email and web search. The Chief Liaison person on Utility Accommodation Standards and Criteria is the State Utility Engineer, located in Tallahassee, Florida. This person should be consulted on matters of statewide significance only except where otherwise noted in this Utility Accommodation Manual. For matters relating to Utility Permits, the District Maintenance Office is the appropriate contact point. Each Office has Utility Permit Engineers to address permitting related issues. For issues related to Florida Department of Transportation Construction of Design Projects in the Work Program, the District Utility Engineer is the appropriate contact.

The "MyFlorida.com" web site is available for accessing general information about Florida

Government services. Information related to the Florida Department of Transportation business, documents, and the **Five Year Work Program** can be found at <http://www.dot.state.fl.us/>. Utility specific information is found by selecting "Doing Business with FDOT" and then selecting "Utilities Office".

Recognizing that all utility owners serving the public have a common obligation to provide their services in a cost effective manner, the Florida Department of Transportation will coordinate its advance planning of highway projects with the affected utilities to facilitate the relocation of the utility in order to eliminate costly construction delays. As part of the project planning and development process, the Florida Department of Transportation, its consultants and contractors will consider the cost of utility work necessary for the proposed project. The Florida Department of Transportation will keep Utilities informed of future transportation projects by advertising its five year work plan and request the utilities to advise the Florida Department of Transportation of the location of existing and proposed structures within proposed project corridors. Exhibit L is a flowchart of the process for communicating general issues to the Utility Industry. This allows the Utility to track and interact on issues that may or may not result in a change in Florida Department of Transportation processes.