

**DATE:** September 13, 2010

**SUBJECT:** Expedited HOP Application Reviews

**TO:** All District Executives

**FROM:** R. Scott Christie, P.E. /s/  
Deputy Secretary for Highway Administration

Procedures regarding reimbursement for expedited application reviews used in the Department's Highway Occupancy Permit (HOP) program are being updated as part of a general review of this program. This Strike-Off Letter (SOL) is intended to update procedures with regard to charging the applicant a fee for requesting an expedited review. It is considered to be time-decreasing. These procedures will provide additional guidance on conducting expedited reviews on HOP projects.

The policy is effective immediately and the attached Expedited HOP Application Review Procedures will be incorporated into Chapter 3.4 of the HOP Manual (Pub. 170) and the HOP Guidelines (Pub. 282) with the next revisions to these manuals. The following are attached:

- Pub. 170, Chapter 3.4, Expedited HOP Application Reviews (Attachment 1)
- Pub. 282, Chapter 3.4, Expedited HOP Application Reviews (Attachment 2)

Appendix B in Publication 282 was developed in the 1990s and incorporated in Publication 282 in 2004, in collaboration with private industry, to improve customer service by offering several concepts to improve efficiency and to reduce the application processing time. This guidance indicated that each District Unit had to return technical comments to the Permit Manager within ten (10) working days. In return, the applicant would be assessed additional fees incurred by the Department.

With the incorporation of an updated policy into the above publications, Appendix B (Recommended HOP Application Process for Low, Medium & High Volume Driveways and Local Roads) of Publication 282 is being deleted.

This updated policy extends the opportunity for an expedited review to both driveway and utility applicants and provides additional direction to the Department in order to consistently administer an expedited review. It also defines the turnaround time from a customer stand point and details the Department's administration process.

Due to limited resources, this may require Districts to utilize an engineering consultant contract to meet this timeframe. Those Districts who currently do not utilize a consultant contract will be able to utilize one of the Bureau of Highway Safety & Traffic Engineering's (BHSTE) consultant contracts for up to six (6) months after the issuance of this Strike-Off Letter. After this time period, it is expected that those Districts will have implemented an engineering consultant contract that will assist in completing the review within this timeframe.

If you have any questions regarding the attached policy, please contact Glenn D. Rowe, P.E., PTOE, Chief of Traffic Operations Division, Bureau of Highway Safety & Traffic Engineering at 717-787-7350.

Attachments

470-10-04  
September 13, 2010  
Page 2

4700/MJD(3-6080)/lap(7-3620)

CC: Mike Herron, FHWA  
William Cressler, OCC  
Tom Haist, OCC  
Natasha Schock, Policy Director  
All Highway Administration Bureau Directors  
All District Permit Managers  
All District Traffic Engineers  
All District Fiscal Officers  
Jeff Roback, Bureau of Municipal Services  
BHSTE Division Chiefs  
Mike Dzurko, BHSTE  
Director's Read File  
TOD Read File

## Chapter 3.4 – HOP FEES

### Expedited HOP Application Reviews

Additional application costs shall be charged when the applicant requests the expedited review of an application. The request for an expedited review should occur during the Pre-Transportation Impact Study (TIS)/Highway Occupancy Permit (HOP) Scoping Meeting (if applicable), but may also be requested at a later date.

When the applicant requests an expedited review, the District Permit Manager shall prepare a cost estimate for additional application review costs that are expected to exceed the standard fees specified in Regulation 441.4 by a significant amount and process Form M-945 H (in the case of a utility facility) or Form M-950 H (in the case of a driveway/local road). After Form M-945 H or M-950 H is signed by the Applicant and received by the District Permit Manager, formal expedited review of the application may begin. The original form will be placed in the Permit file and a copy is to be returned to the applicant. Additional application costs for expedited reviews may only be assessed for costs incurred after the effective date of Form M-945 H or M-950 H. If the estimated cost is too low, it may eventually be necessary to process a second form with a higher estimate. Refer to Chapter 8 for additional information on the completion of Forms M-945 H and M-950 H.

The Department may need to enlist additional resources (engineering consultant) to facilitate the expedited review and will strive to approve, deny, or return the application for additional information or correction within 21 calendar days of receipt of the executed Form M-945 H or M-950 H and within 21 calendar days of receipt of subsequent application submissions by the applicant. It is the intent of the Department to provide complete, clear, concise directions at each stage of the submission/evaluation process to reach a final decision on the permit application and to minimize the number of review cycles.

In addition to an expedited review, the Department shall, at the request of the applicant, meet with the applicant and their representatives within 5 work days of the applicant's request to discuss and address Department comments in order to further expedite the review process.

A single point of contact shall be assigned for any and all correspondence/meeting requests with the applicant.

There may be instances where the Department may not be able to facilitate a 21 calendar day turnaround due to limited resources and/or jurisdictional constraints. For instance, circumstances and/or requirements that cannot be addressed by the Department that will require further review and/or approval by the Office of Chief Counsel, or other agencies (i.e. Municipalities, Federal Highway Administration (FHWA), Public Utility Commission (PUC),

etc.), not under the jurisdiction of the Department will not be subject to the 21 calendar day review period. In addition, any review involving design waiver requests and/or standard form (i.e. indemnification, letter of credit, etc.) revision/waiver requests will not be subject to the 21 calendar day review period.

The District must discuss and explain the constraints in regards to timeframe with the applicant prior to the applicant executing Form M-945 H or M-950 H.

The applicant shall provide a copy of the executed Form M-945 H or M-950 H with any resubmitted application that was previously expedited as well as thoroughly addressing each comment, concern and issue raised by the Department, including related consequences to design elements affected throughout the plans.

### Charge Calculation and Processing

All assigned District personnel, Central Office personnel, and consultant reviewer(s) of an application will document all time spent on the review on Form M-371 A, Application Review/Permit Inspection Costs (See Chapter 8). The Office of Chief Counsel, or other agencies (i.e. Municipalities, FHWA, PUC, etc.), not under the jurisdiction of the Department who are not subject to the 21 calendar day review period will not charge their time.

It is the District Permit Manager's responsibility to provide a copy of the executed Form M-945 H or M-950 H with the application. This is done in order to notify the District personnel and/or consultant reviewer(s) assigned to the application review that the expedited review procedure applies in which the applicant will reimburse the Department for direct labor, indirect labor and expenses incurred from the review.

After each review is complete, each reviewer, with the exceptions as indicated above, is responsible for completing a separate Form M-371 A and submitting it to the District Permit Manager for processing. The District shall issue an invoice to the applicant upon completion of each review. Any and all costs associated with the expedited review shall be paid in full upon completion of the permit review process. If invoices are not paid in full, the permit or denial letter shall not be issued to the applicant and the debt shall be forwarded to the Office of Chief Counsel for collection.

Each District, when creating an invoice, shall use the following cost codes:

- Job Number: 750
- Customer Order Number: District office number (2-digits), application number (6-digits), application submission number

- Fund Number: 1058\*\*9612 (\*\* represents the current budget fiscal year)
- G/L Number: 4435293
- Cost Center: Applicable 10-digit number (Business Area (2-digits), Deputy Sec. (1-digit), Org. (4-digits), Reporting Unit (3-digits) - ex. 7840701000)

### Performance Measure

The District Permit Managers are responsible for preparing, on a quarterly basis, the following performance measures:

- Total number of expedited driveway/local road permit application reviews.
- Average time, in calendar days, to review each expedited driveway/local road permit application (per submission).
- Total reimbursable costs invoiced and collected by the Department for all expedited permit applications (per application).
- Average time, in calendar days, to review all non-expedited driveway/local road permit applications (per submission).

The District Permit Manager is responsible for submitting the above performance measures to the District Executive and the Bureau of Highway Safety and Traffic Engineering (BHSTE) Permits Section on a quarterly basis.

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After each review is complete, each reviewer, with the exceptions as indicated above, is responsible for completing a separate Form M-371 A and submitting it to the District Permit Manager for processing. The District shall issue an invoice to the applicant upon completion of each review. Any and all costs associated with the expedited review shall be paid in full upon completion of the permit review process. If invoices are not paid in full, the permit or denial letter shall not be issued to the applicant and the debt shall be forwarded to the Office of Chief Counsel for collection.

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