



Highway Maintenance Manual

Bureau of Highway Maintenance

Chapter 9 Right-of-Way Use & Permits

August 2014

Section 15 Utility Accommodation

Subject 5 Statutes & Definitions

1.0 Utility Accommodation Statutes

WisDOT regulates the use, occupation, and utility accommodation of the state trunk highway system under sections [66.0831](#), [84.01\(31\)](#), [84.08](#), [85.15](#), [86.07\(2\)](#), [86.16](#), and [182.017](#), Wis. Stats.

2.0 Definitions

Unless otherwise provided herein, the definitions accepted by the American Association of State Highway and Transportation Officials (AASHTO) shall prevail.

1. Clear Zone

The portion of the right-of-way (R/W) free of nontraversable hazards and fixed objects. These areas provide drivers a reasonable opportunity to stop safely or otherwise regain control of their vehicles when they leave the traveled way. The clear zone generally varies with the type of highway, terrain traversed, road geometrics, and operating conditions. Use WisDOT's [FDM 11-15-01, 1.10](#) as the guide for establishing clear zones.

2. Emergency Utility Work

Unforeseen action by a utility deemed necessary to restore an existing utility facility to protect the general public.

3. Expressway

A divided highway with partial access control and generally with grade separations at major intersections.

4. Freeway

A divided highway with full access control and with grade separations at all intersections.

5. Highway(s)

The State Trunk Highway system as authorized under section [84.02](#), Wis. Stats. This includes the entire area within the highway R/W.

- a. Federally marked highways, such as "U.S." or "I", are part of the State Trunk Highway System.
- b. "Connecting Highways" in Section [86.32](#), Wisconsin Statutes, are actually local jurisdictional streets and not part of the State Trunk Highway System.

Note: WisDOT's "Official State Trunk Highway System Maps" denote all connecting highways within Wisconsin. See: <http://wisconsindot.gov/Pages/travel/road/hwy-maps/sth-map.aspx> or call (608) 266-2782 for more information.

6. Permit

The document by which WisDOT grants a utility permission to work within, use, occupy, or cross the highway.

7. Pipeline

A utility facility installed to carry or convey a fluid, gas or other material, generally underground, including the casing and the carrier.

8. Private Utility (Private Line)

A facility that conveys or transmits the commodities defined by utility (see [#12](#)), but are owned, operated and maintained by an individual(s) or business, devoted exclusively to the owner's use and typically not accessible to the public. Under the *UAP*, the portion of sewer and water laterals within STH R/W are regarded as extensions of the main, and therefore are public utilities even though main owners require them to be privately owned and

maintained. Private utilities are usually not regulated by a United States or Wisconsin State government agency.

9. Responsible Person

A person having control over a utility project that is not administered by WisDOT.

10. Right-of-Way (R/W)

A general term denoting acquired interests or rights in land (either all or partial) that are necessary to build, maintain, and operate a highway facility. It is not just a fee interest or a permanent highway interest but encompasses all necessary rights of both a permanent and temporary nature.

11. Traveled Way

The portion of the roadway for the movement of vehicles which includes auxiliary lanes and ramps but excludes the shoulders. The traveled way usually lies between the edgeline striping.

12. Utility

Any corporation, company, individual or association, including their lessees, trustees or receivers, or any sanitary district, cooperative association, town, village or city that owns, operates, manages or controls any plant or fixed equipment within Wisconsin for the conveyance of communications, electric power, light, heat, fuel, gas, oil, petroleum products, water, steam, fluids, sewerage, drainage, irrigation, or similar facilities.

The owners or operators of cable television systems, cellular phone and paging (wireless) systems, publicly owned fire or police signal systems, traffic and street lighting facilities or privately owned facilities that perform any of the utility functions above.

13. Utility Construction

Any use by a utility of labor or materials to install or to provide for the installation of a new or upgraded utility line or to replace all or a significant portion of an existing line.

14. Utility Lines

a. Transmission Line

A utility line with high capacity, which generally carries the product from the source to a distribution network.

b. Distribution Line

A utility line with moderate capacity, which distributes the utility product from a transmission line to points convenient for their customers. An additional term for a distribution line is "trunk".

c. Service Line

A utility line which serves a single customer via a connection with a distribution line. Additional terms for a service line include "lateral" and "drop".

15. Utility Maintenance

Any use by a utility of labor or materials for repairs or replacement of parts of an existing utility line to retain its use as intended, limited to the work types as further defined herein.

16. Utility Operation

Any activity by a utility to assure the function of an existing utility facility for its intended purpose.

17. WisDOT

The Wisconsin Department of Transportation