

**RULES  
OF  
TENNESSEE DEPARTMENT OF TRANSPORTATION  
MAINTENANCE DIVISION**

**CHAPTER 1680-2-1  
CONSTRUCTING DRIVEWAYS ON STATE HIGHWAY  
RIGHT-OF-WAY**

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**1680-2-1-.01 DEFINITION OF TERMS.**

- (1) Frontage - The length along the highway right-of-way line of a single property tract or roadside development area between the edges of the property distance between (1) and (2) in Figures 1 and 2. Corner property at a highway intersection has a separate frontage along each highway.
- (2) Frontage Boundary Line (abbreviated as FB line) - A line, normal to the highway centerline, at each end of the frontage, extending from the right-of-way line to the edge of through-traffic lane; line (1)-(4) or (2)-(3) in Figures 1 and 2.
- (3) Buffer Area - The border area along the frontage between the traveled way and the right-of-way line and within the frontage boundary lines areas (1)-(2)-(3)-(4) in Figures 1 and 2.
- (4) Driveway Width (W) - Narrowest width of driveway measured parallel with the edge of traveled way; W in Figures 1 and 2.
- (5) Driveway Angle (Y) - The angle of 90° or less between the driveway centerline and the edge of the traveled way Y in Figures 1 and 2.
- (6) Edge Clearance (E) - The distance measured along the edge of the traveled way, between the frontage boundary line and tangent projection of the nearest edge of driveway; E in Figures 1 and 2.
- (7) Corner Clearance (c) - At an intersecting street or highway, the dimension measured along the edge of the traveled way between the frontage boundary line opposite the intersection of the two right-of-way lines and the tangent projection of the nearest edge of driveway C in Figure 3.
- (8) Setback (G) - The lateral distance between right-of-way line and the roadside business building, gasoline pump curb base, display stand, or other object, the use of which will result in space for vehicles to stop or park between such facilities and the right-of-way line; G in Figure 2.
- (9) Outside Radius (R) - The outside or larger curve radius on edge of driveway R in Figures 1, 2 and 3.
- (10) Distance Between Double Driveways (D) - The distance measured along the right-of-way line between the tangent projections of the inside edges of two adjacent driveways to the same

(Rule 1680-2-1-.01, continued)

frontage; D in Figure 2.

- (11) General - For simplicity, the above definitions are stated in terms of single radius curves of edge of driveways or intersecting highways. Where compound curves or tapers are used an equivalent single radius curve may be used as a control guide.

*Authority:* T.C.A. §54-540. *Administrative History:* Original rule certified June 10, 1974.

**1680-2-1-.02 RIGHT-OF-WAY ENCROACHMENT.**

- (1) No part of the highway right-of-way should be used for servicing vehicles, displays, or the conducting of private business. The buffer area is to be kept clear of buildings, fences, business signs, parking areas, service equipment, and appurtenances thereto. Parking may be permitted on the roadway, as at curbs on city streets, when permitted by police control. The buffer area may be graded and landscaped as approved by the Tennessee Department of Transportation.
  - (a) **BUFFER AREAS.** In the development of private property and the construction of driveways thereto, it may be necessary to regrade the buffer area by cutting or filling. Such work shall be done in a manner to insure adequate sight distance for traffic operations, proper drainage, suitable slopes for maintenance operations, and good appearance. The buffer area outside the driveways should be treated to prevent use by vehicles. This may be accomplished by the grading, use of curbs, rails, guide posts, low shrubs, etc., in a manner that will not impair clear sight across the area.
  - (b) **PARKING.**
    1. Each roadside business establishment should provide parking or storage space off the right-of-way to prevent the storage of vehicles on the driveway or the backing up of traffic on the travel way. This is particularly needed for businesses where a number of vehicles will be leaving and entering at the same time.
    2. Where there are one or more driveways to a corner establishment at a highway intersection, parking should be restricted on each highway between the intersection and the nearest driveway.

*Authority:* T.C.A. §54-540. *Administrative History:* Original Rule certified June 10, 1974. Amendment filed September 21, 1978; effective November 6, 1978.

**1680-2-1-.03 SIGHT DISTANCE.**

- (1)
  - (a) Where feasible within the frontage limits, any driveway shall be located so as to afford maximum sight distance along the highway.
  - (b) Where a driveway is provided to a commercial establishment, the buffer area and adjacent border area shall be reasonably cleared so that either the establishment itself or an appropriate sign located outside the right-of-way can be seen at a sufficient distance to enable proper maneuvers on the part of the drivers desiring to enter the establishment.
  - (c) The profile of the driveway and the grading of the buffer area shall be such that a driver of a vehicle that is standing on the driveway may see a sufficient distance in both directions to enable him to enter the highway without creating a traffic hazard.

(Rule 1680-2-1-.03, continued)

- (2) **SETBACKS.** Improvements on property adjacent to the right-of-way should be so located that parking, stopping and maneuvering on the right-of-way will not be necessary in order for the vehicles or patrons to be served.
- (3) **LOCATION OF DRIVEWAYS.** Driveways shall be so located that vehicles entering or leaving the establishment will not interfere with the free movement of traffic or create a hazard on the highway. Where feasible they shall be located where there are no sharp curves and steep grades and where sight distance is adequate for safe traffic operation. Driveways should not be located within intersections, rotaries and interchanges or on highways immediately approaching them. They shall be so located that they will not interfere with the placement of signs, signals or other devices that affect traffic operation.

*Authority:* T.C.A. §54-540. *Administrative History:* Original rule certified June 10, 1974.

**1680-2-1-.04 NUMBER AND ARRANGEMENT OF DRIVEWAYS.**

- (1) For property tracts with a sizable frontage on the highway, driveway location and arrangement largely will be governed by the position of installations thereon. Where driveways are provided to land areas only, i.e., areas with no developments sufficiently near the highway to significantly control driveway arrangements, they shall be located to best advantage with regard to the highway alignment, profile, sight distance conditions, etc,
- (2) The permissible number, arrangement, and width of driveways shall be governed in part by the highway frontage of abutting private property. The number of driveways provided shall be the minimum number required to adequately serve the needs of the adjacent property. Frontages of 50 feet or less shall be limited to one driveway, Normally not more than two driveways will be provided to any single property tract or business establishment.
- (3) Where there are several adjacent roadside establishments each with relatively limited frontage, or where there is probability of such development, consideration should be given to the provision of a frontage road for the several driveways so as to reduce the number of separate connections to the highway. Where border width permits, the several driveways should be connected directly to such an outer road paralleling the highway with connections to the through highway only at the extremities of the frontage road or at well-spaced intervals along it.
- (4) Driveways shall be positioned to clear the frontage boundary lines by the specified minimum dimension. Where two driveways are provided for one frontage, the clear distance between driveways measured along the right-of-way line shall not be less than 25 feet.
- (5) At an intersection of two highways a driveway connecting each highway with a corner property will be permitted where essential to the conduct of business on the corner tract, provided such driveways comply with the control dimensions set out in 1680-2-1-.11, Under urban conditions, and elsewhere, particularly where traffic in relation to capacity is high, the corner clearance on the approach to the intersection desirably should be greater than that on the far side of the intersection.

*Authority:* T.C.A. §54-540. *Administrative History:* Original rule certified June 10, 1974.

**1680-2-1-.05 DRIVEWAY WIDTH AND EDGE RADIUS.**

- (1) The driveway width shall be adequate to handle properly the anticipated volume and type of traffic and shall be within the limits specified for the particular conditions and type of establishment as set out in 1680-2-1-.11 of these rules and regulations.

(Rule 1680-2-1-.05, continued)

- (2) Where space permits, the radius of curve connecting the edge of through-traffic lane and edge of driveway shall be the maximum radius to permit turns by the largest vehicle to be expected with some frequency. For narrow frontage or narrow border conditions the combination of driveway width and edge radius of smaller dimension should be adequate to this end. The radii for driveways on streets on which there are outer parallel parking lanes shall be based on turns from the edge of through lane, and parking should be regulated as necessary to keep the turning area free of standing vehicles.

*Authority:* T.C.A. §54-540. *Administrative History:* Original rule certified June 10, 1974.

**1680-2-1-.06 DRIVEWAY ALIGNMENT AND PROFILE.**

- (1) Single driveways should be positioned at right angles to the roadway. Where two drive-ways are used on one frontage, and they are to be used for access to and from both directions of travel on the highway, each roadway shall be at right angles with the centerline of the roadway as specified in Sketches and Examples. The driveway angle may be between 45° (min.) and 60° (max.) when the driveway is to be used by vehicles in only one direction of highway travel (right turns only) on a divided highway.
- (2) On uncurbed sections of highway the gradient of the driveway shall conform with the normal shoulder pitch from the edge of the traveled way to the outer shoulder line and thence slope downward on a suitable grade to the gutter or low point over a culvert (swale where a culvert is not used). Thereafter it shall continue downward or roll upward depending upon the level of its destination with respect to the shoulder.
- (3) Where curbs are used along the roadway and sidewalks are provided or contemplated, the gradient of the driveway usually shall fit the plane of the sidewalk. If the difference in elevation of the gutter and the sidewalk is such that this is not practical, then the sidewalk shall be lowered to provide a suitable gradient for the driveway in such case the surface of the sidewalk should be sloped gently from either side of the driveway.
- (4) Vertical curves on driveways should be flat enough to prevent dragging of central or overhang portions of passenger vehicles.

*Authority:* T.C.A. §54-540. *Administrative History:* Original rule certified June 10, 1974.

**1680-2-1-.07 DRIVEWAY SURFACING.** Where the driveway is to be paved with concrete or bituminous material its depth shall be a minimum of six inches or the depth of the existing travel way, whichever is the greatest. This depth shall extend from the travelway to the back of the ditch line or ten feet from the edge of the shoulder line as the case maybe. Gravel surface may be suitable for some locations and no surfacing will be required for residential and field driveway in rural areas.

*Authority:* T.C.A. §54-540. *Administrative History:* Original rule certified June 10, 1974.

**1680-2-1-.08 CURBS AND GUIDE POSTS.**

- (1) Curbs of the type specified by the Tennessee Department of Transportation shall be used on the driveways and on islands within the buffer area, but all such curbs shall be outside the limits of the shoulders where the traveled way is not curbed. Where the traveled way is curbed, the returns of the driveway shall join properly the curb of the traveled way.

(Rule 1680-2-1-.08, continued)

- (2) It is desirable that all curbs be placed 26 feet from the center line of the existing roadway where insufficient right-of-way, the location of existing curb and gutter, or a pavement in excess of 48 feet in width, does not preclude the use of this location. Final location of the curb is subject to the approval of the Regional Engineer.

**Authority:** T.C.A. §54-540. **Administrative History:** Original rule certified June 10, 1974. Amendment filed September 21, 1978; effective November 6, 1978.

**1680-2-1-.09 DRAINAGE.** All driveways and buffer areas shall be constructed so as not to impair drainage within the highway right-of-way nor alter the stability of the roadway subgrade and at the same time not impair or materially alter drainage of the adjacent areas. All culverts, catch basins, drainage channels, and other drainage structures required within the buffer area and under the driveways as the result of the property being developed shall be installed in accordance with standards of the Tennessee Department of Transportation.

**Authority:** T.C.A. §54-540. **Administrative History:** Original rule certified June 10, 1974. Amendment filed September 21, 1978; effective November 6, 1978.

**1680-2-1-.10 SIGNING.** All advertising structures, advertising signs or advertisements shall be located outside the highway right-of-way limits and shall in all cases comply with Tennessee laws regulating outdoor advertising.

**Authority:** T.C.A. §54-540. **Administrative History:** Original rule certified June 10, 1974.

**1680-2-1-.11 CONTROL DIMENSIONS.**

- (1) Edge Clearance (E) (Rural and Urban).
  - (a) GENERAL: All portions of the driveway shall be within the frontage boundary line. For driveways with angles of about 90°, the edge clearance should not be less than the radius of curvature (R) for the junction of the driveway, and pavement (shoulder) edges.
    1. Rural Residential: 5 feet Minimum
    2. Rural Commercial: 12.5 ft. Minimum
    3. Urban Residential: 5 feet Minimum
    4. Urban Commercial: 12.5 ft. Minimum
- (2) Width (W) (Rural and Urban):
  - (a) Residential: 10 feet Minimum; 20 feet Maximum
  - (b) Commercial: 20 feet Maximum for one-way use 40 feet Maximum for two-way use.
- (3) Driveway Angle (Y) (Rural and Urban):
  - (a) Driveways for two-way operation: 90° to centerline of roadway
  - (b) Driveways for one-way operation:

(Rule 1680-2-1-11, continued)

1. Driveways used by vehicles in both directions of travel on highway; Same as for two-way operations (90° to centerline of roadway.)
  2. Driveways used by vehicles in one direction of travel on divided highway (right turn only) 60° Maximum, 45° Minimum.
- (4) Radius of Curvature (R) (Rural and Urban):
- (a) Rural Residential: 5 feet Minimum; 20 feet Maximum
  - (b) Rural Commercial: 5 feet Minimum; 20 feet Maximum
  - (c) Urban Residential: 5 feet Minimum; 15 feet Maximum
  - (d) Urban Commercial 5 feet Minimum; 20 feet Maximum
- (5) Distances Between Double Driveway (D) (Rural and Urban):
- (a) Rural: 25 feet Minimum
  - (b) Urban: 25 feet Minimum
- Note: In no case shall the distance (D) be less than the largest adjacent width opening (W).
- (6) Corner Clearance (C) (Rural and Urban):
- (a) Rural: 30 feet Minimum
  - (b) Urban 25 feet Minimum
  - (c) Where there are traffic signals at the intersection desirably the nearside clearance should be two or more times the far side.

**Authority:** T.C.A. §54-540. **Administrative History:** Original rule certified June 10, 1974.

**1680-2-1-.12 DRIVEWAY PROFILE.**

- (1) No Highway Edge Curb, cut section: (a) from edge of traveled way to outer edge of shoulder, gradient same as shoulder pitch (b) from outer edge of shoulder to low point at ditch line or over culvert, maximum downward gradient 5 to 8 percent; (c) beyond ditch line, maximum gradient 5 to 8 percent for commercial driveways or 10 to 15 percent for others.
- (2) No Highway Edge Curb, fill section: (a) slope across shoulder, same as above (b) beyond outer edge of shoulder, maximum gradient 5 to 8 percent for commercial driveways or 10 to 15 percent for others,
- (3) With Highway Edge Curbs: Driveway profile should slope upward from gutter line to meet the sidewalk, if any, with maximum difference between downward cross slope of traveled way and upward slope of driveway of 8 to 10 percent; beyond outer edge of walk or equivalent, maximum gradient  $\pm$  5 to 8 percent for commercial driveways or  $\pm$  10 to 15 percent for others.

(Rule 1680-2-1-.12, continued)

- (4) Vertical Curve: As flat as feasible: To prevent drag, vertical curves should avoid a hump or dip greater than about 6 inches within wheelbase length of 10 feet. For recent model passenger cars, to prevent center or overhang drag, with some allowance for load and bounce, crest vertical curves should not exceed a 3-1/4-inch hump in 10-foot chord and sag vertical curves should not exceed a 2-inch depression in 10-foot chord.

*Authority:* T.C.A. §54-540. *Administrative History:* Original rule certified June 10, 1974.

**1680-2-1-.13 SKETCHES AND EXAMPLES.**

- (1) Figures 1 and 3-Sketches illustrating definitions.
- (2) Figure 4-Sketch for profile controls.
- (3) Figures 5 to 16-Typical plans showing control dimensions. Figures 1 to 3 and 5 to 11 are drawn for rural highways with the edges of highway traveled ways shown by a single heavy line. This heavy line does not represent a curb or other form of barrier between the highway traveled way and the shoulder area which is shown stippled. Driveways are shown as double line connections to the outer edge of the shoulder. In the case of urban highways Figures 12 to 16, a double line is used to indicate curbs, as usually would be provided, at the edge of traveled way.
- (4) Figure 4 shows typical driveway profile controls for rural and urban driveways. The use of a swale or pipe underdrain for proper drainage of highways are indicated. The bottom profile shows the driveway sloping upward to the sidewalk to assure proper drainage. Beyond the sidewalk the driveway may slope either upward or downward depending upon the topography at the site.
- (5) Figures 5 through 16 are layout sketches for some of the usual conditions of driveway connections. It is not feasible to include herein detail sketches for all likely combinations of the several factors and conditions but the major cases are illustrated. The range of control dimensions previously listed is shown on these sketches wherever pertinent. Details of the private property developments, shown only in part, are not intended to be realistically complete.
- (6) Figure 5 shows a single-residence driveway along a rural two-lane highway, In such case the frontage usually is not a governing factor but edge clearance is a control.
- (7) Figure 6 shows a single driveway connection to a commercial establishment along a two-lane rural highway. While a small development area is shown, the same treatment would apply for a much larger site.
- (8) Figure 7 shows a double driveway connection to a rural corner roadside business along a four-lane divided highway crossed by a two-lane highway. The double driveways are governed by a limited frontage for the business area. Each of the driveways is patterned for two-way operation. One-way operation is preferable On the crossroad there is a single 90 degree driveway. Minimum corner clearance is shown.
- (9) Figure 8 shows a double driveway connection to a sizable roadside development along a two-lane rural highway.
- (10) Figure 9 shows a corner service station at a rural intersection of two-lane highways, There is a single driveway to each highway, located on an angle and with reasonably adequate corner clearance.

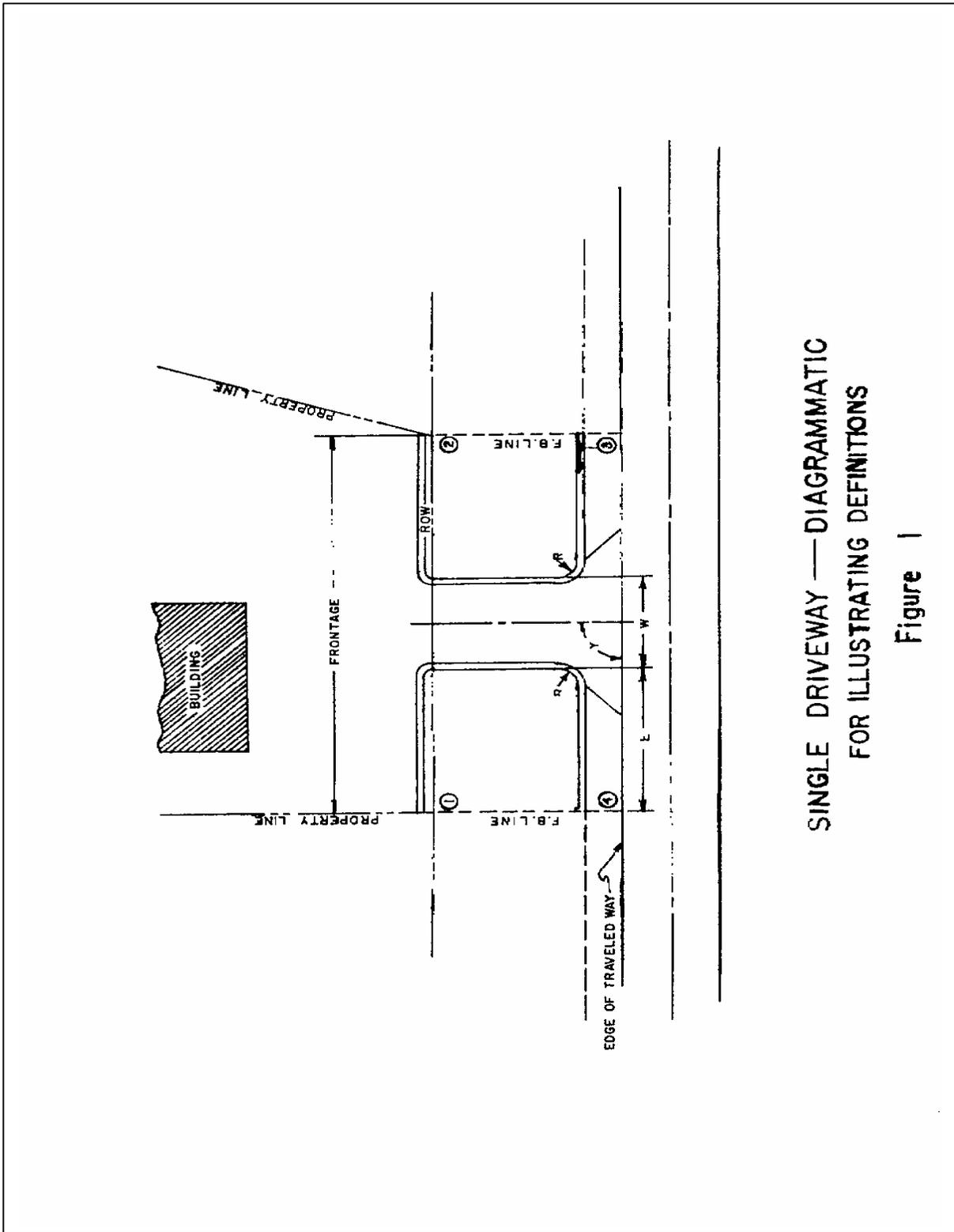
(Rule 1680-2-1-.13, continued)

- (11) Figure 10 is a diagrammatic indication of progressive development in the grouping of driveways along a rural nondivided highway. Stage 1 is without roadside developments. In stage 2 a few reasonable well-spaced driveways have been provided. Under stage 3 conditions there are 8 separate driveways across the right-of-way line and the group has been combined by providing a frontage road, with connections only at its terminals.
- (12) Figure 11 shows typical driveway connections to a drive-in theater from a rural two-lane highway. Note the two-lane entrance roadway to provide space for vehicle storage to avoid vehicle backup on the highway. In this case widths are basic roadway elements the connections to the highway would be designed as an intersection at grade. Control values for R and D would apply.
- (13) Figure 12 shows an urban residential driveway. In such case the property frontage for a single residence often is a limiting dimension and edge clearance also is significant. Minimum dimensions usually apply.
- (14) Figure 13 shows driveway connections to a commercial or industrial establishment in an urban or suburban area. There is a single entrance from the main street and a secondary entrance from the side street. Curbed street sections are shown, and there may or may not be sidewalks. Desirably the near-side corner clearance should be two to three times the minimum.
- (15) Figure 14 shows a double driveway entrance to a service station or other roadside business for the usual urban conditions of narrow border, curbed roadway, sidewalks, and limited frontage. For such cases the driveway has no element of length along the driveway; primarily it is a ramp pavement from street edge to business area at the right-of-way line. Often a sidewalk is crossed affecting the profile condition. Functional utility of the driveway largely depends upon width of opening at the curb line. Edge clearances are important since similar driveways may be necessary on adjacent properties.
- (16) Figure 15 shows a street corner service station with a single driveway to each street. Details are similar to those in the previous figure except that corner clearances also controls.
- (17) Figure 16 is another street corner layout similar to the previous case, but with a double driveway on the major street.

**Authority:** T.C.A. §54-540. **Administrative History:** Original rule certified June 10, 1974.

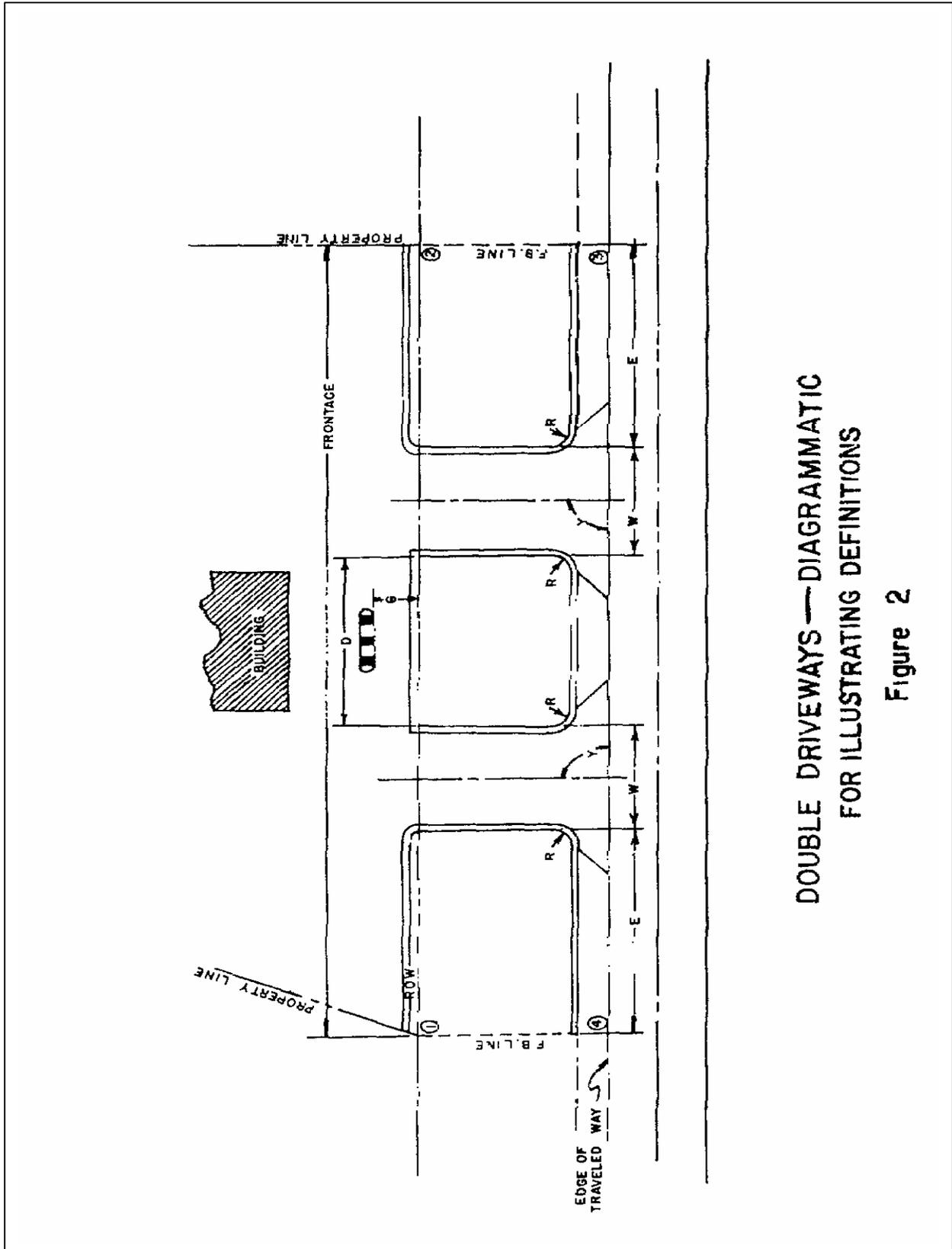
1680-2-1-14 PLATES.

- (1) Figure 1.



(Rule 1680-2-1-.14, continued)

(2) Figure 2

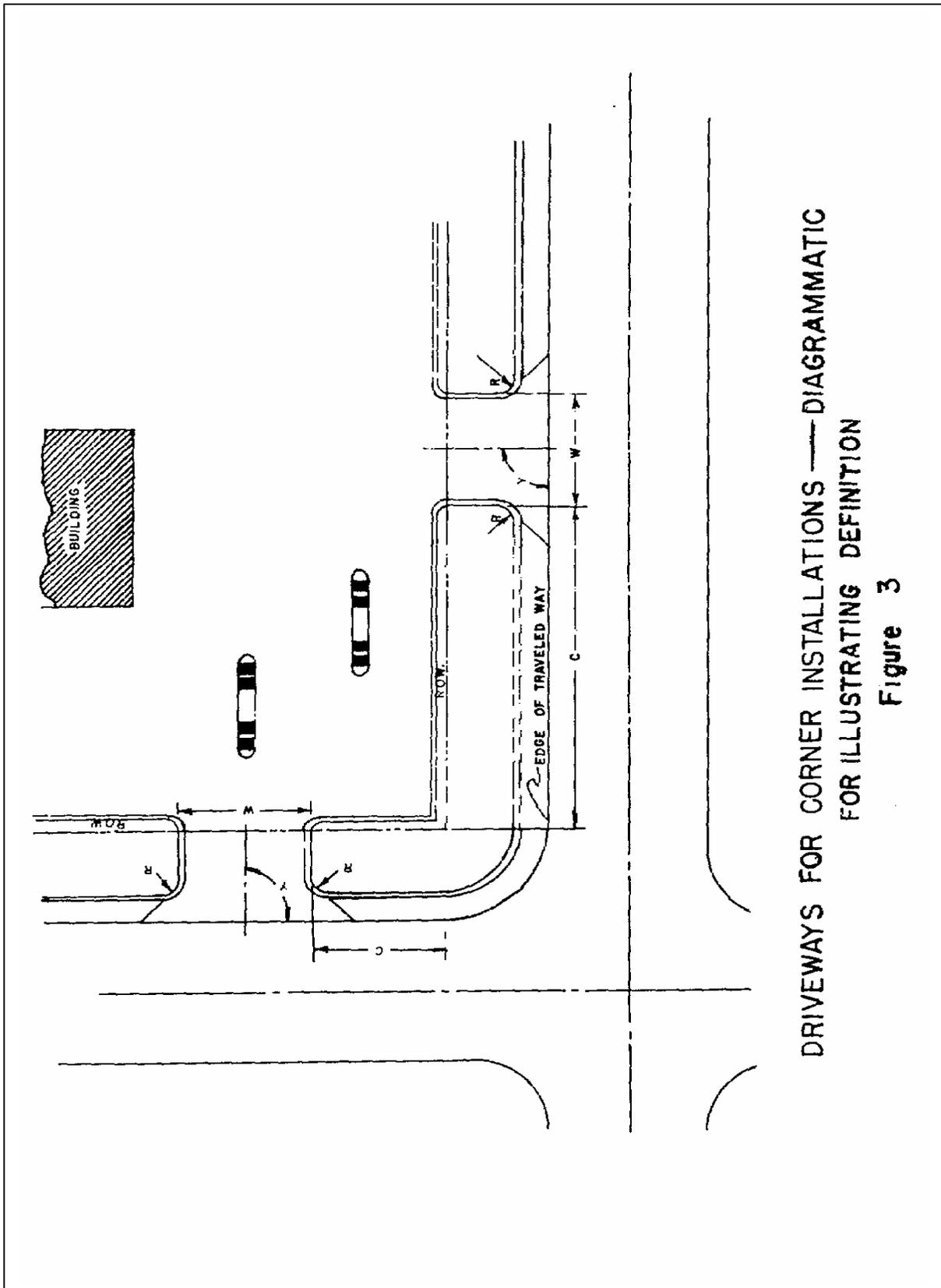


DOUBLE DRIVEWAYS — DIAGRAMMATIC  
FOR ILLUSTRATING DEFINITIONS

Figure 2

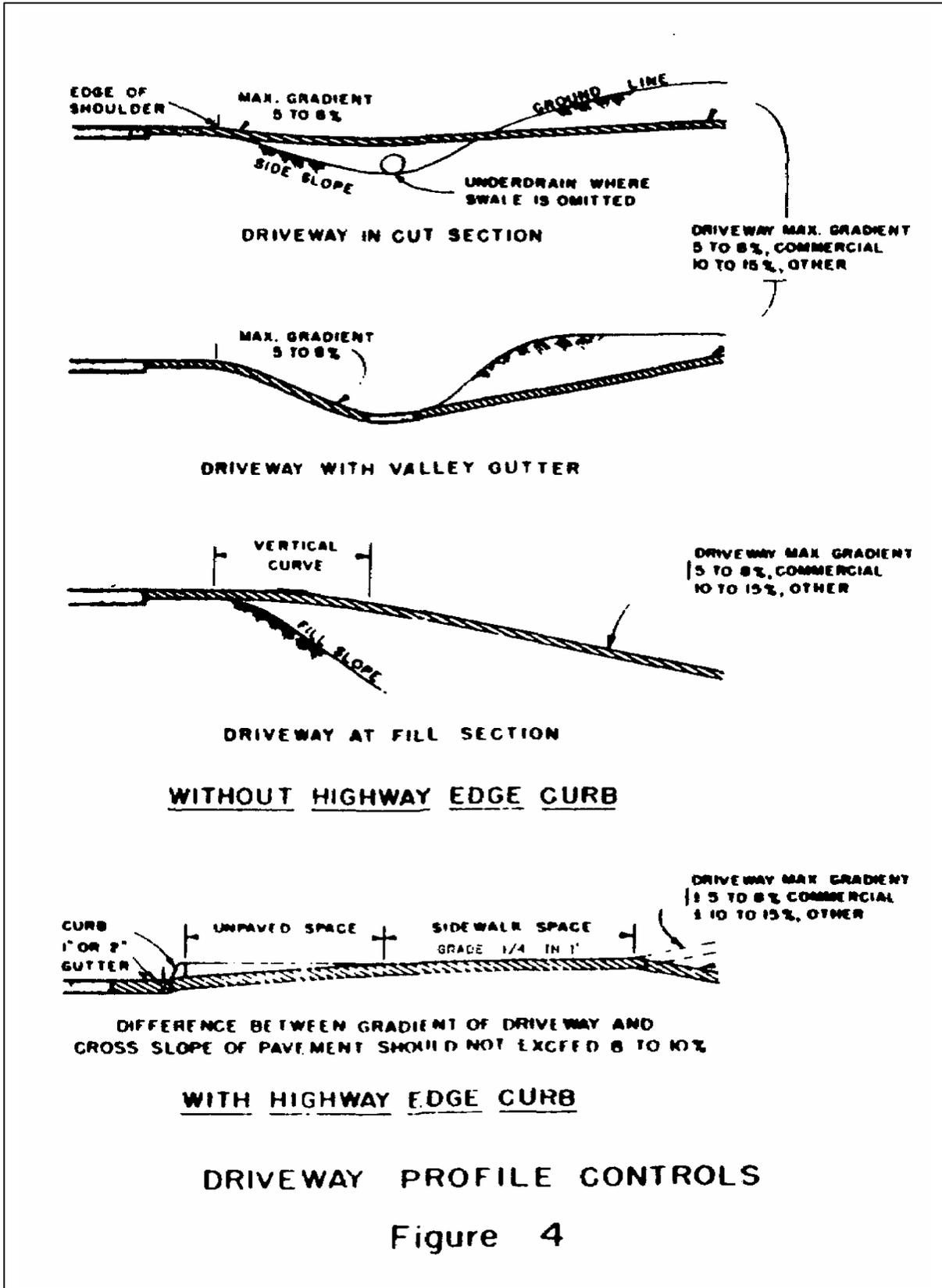
(Rule 1680-2-1-.14, continued)

(3) Figure 3.



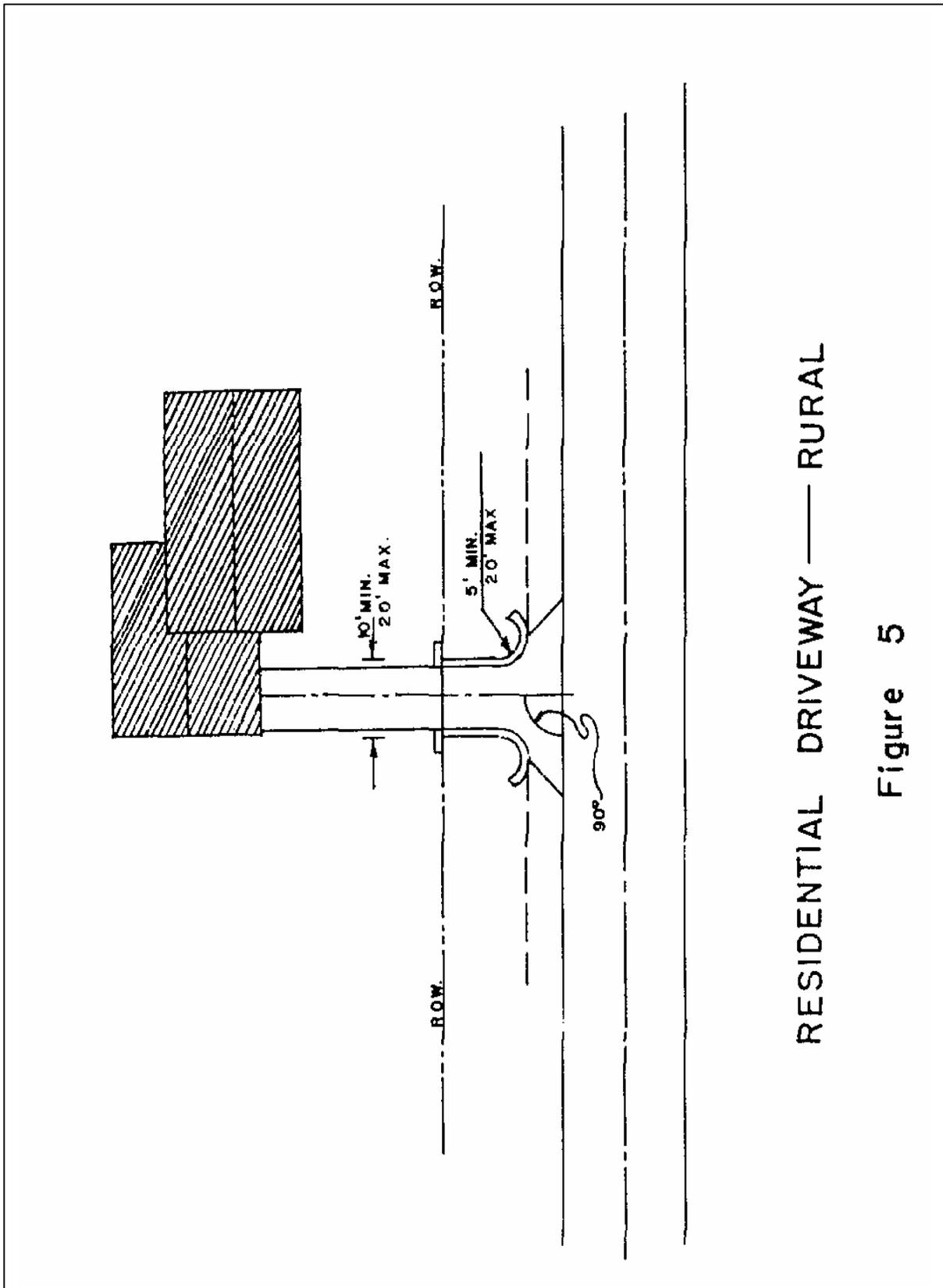
(Rule 1680-2-1-14, continued)

(4) Figure 4.



(Rule 1680-2-1-14, continued)

(5) Figure 5.



(Rule 1680-2-1.14, continued)

(6) Figure 6.

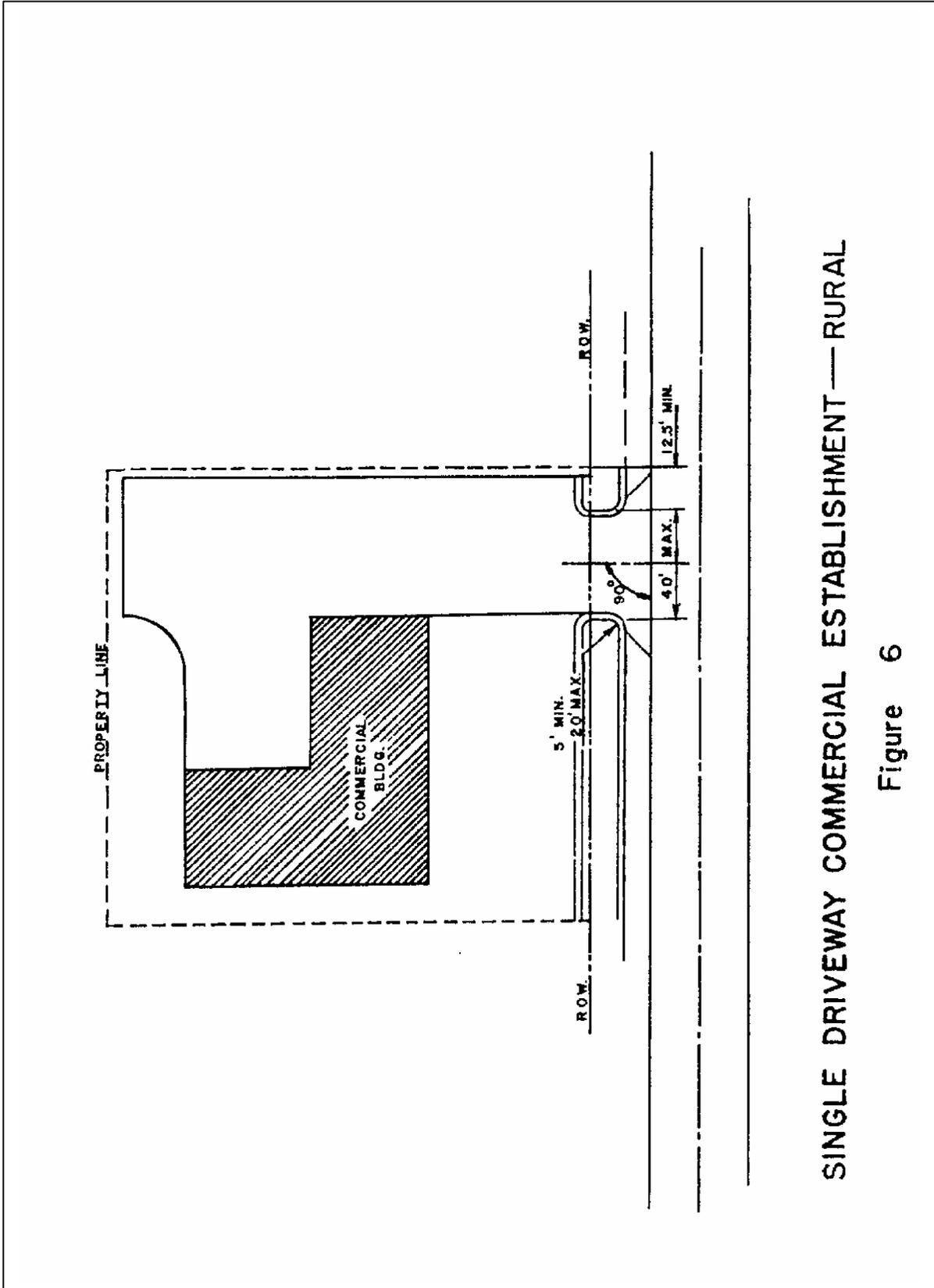
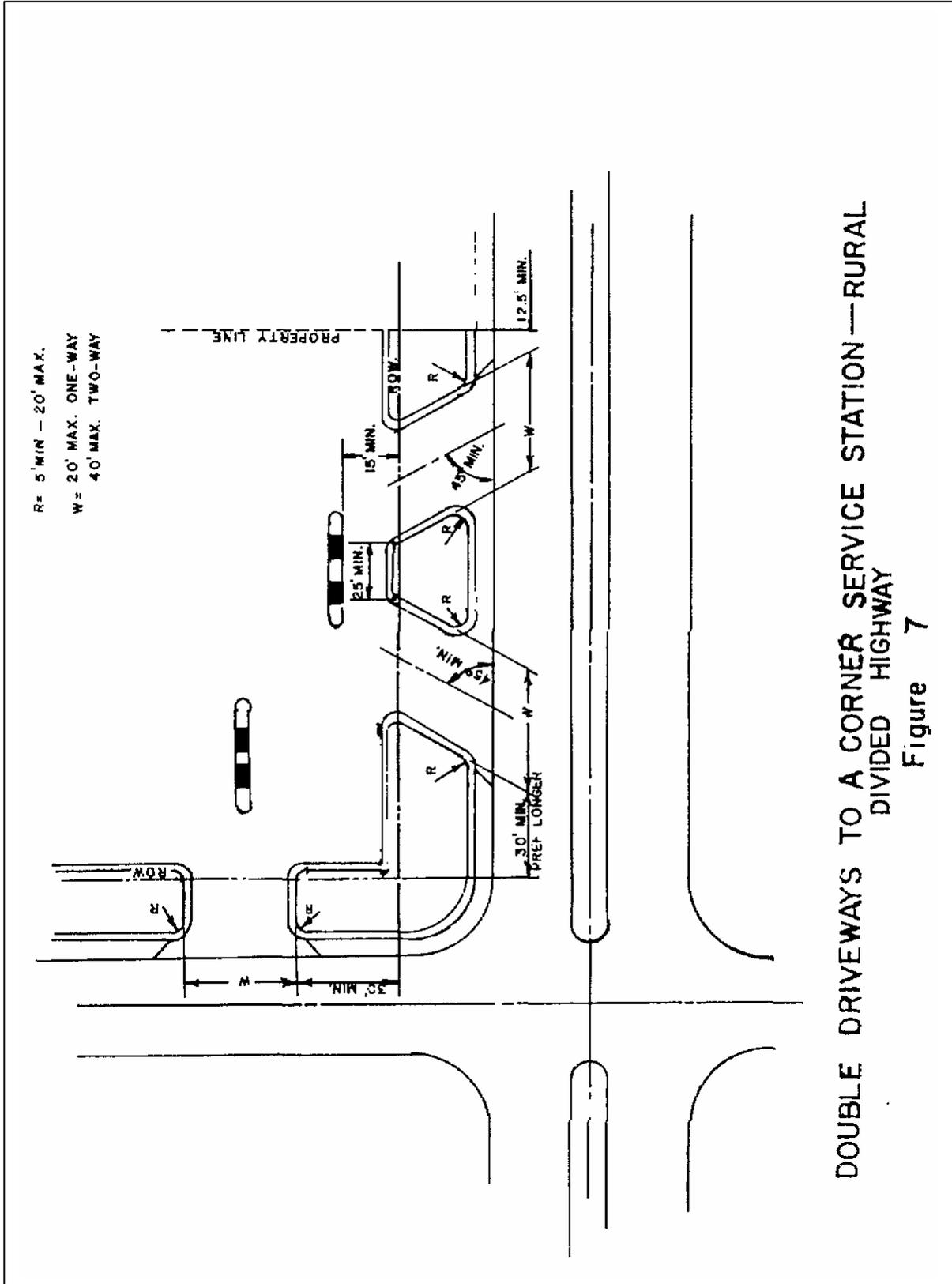


Figure 6

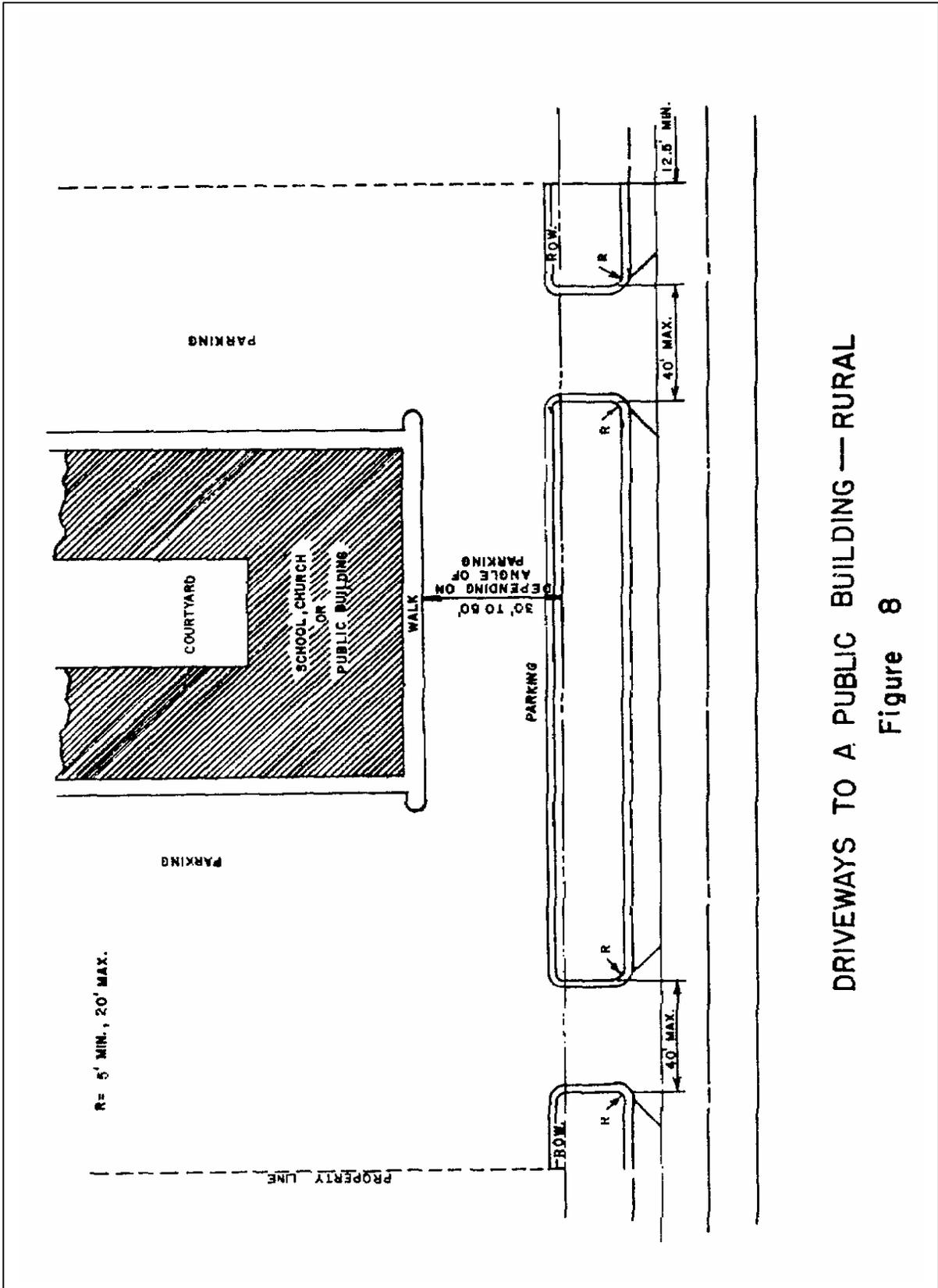
(Rule 1680-2-1-14, continued)

(7) Figure 7.



(Rule 1680-2-1.14, continued)

(8) Figure 8.

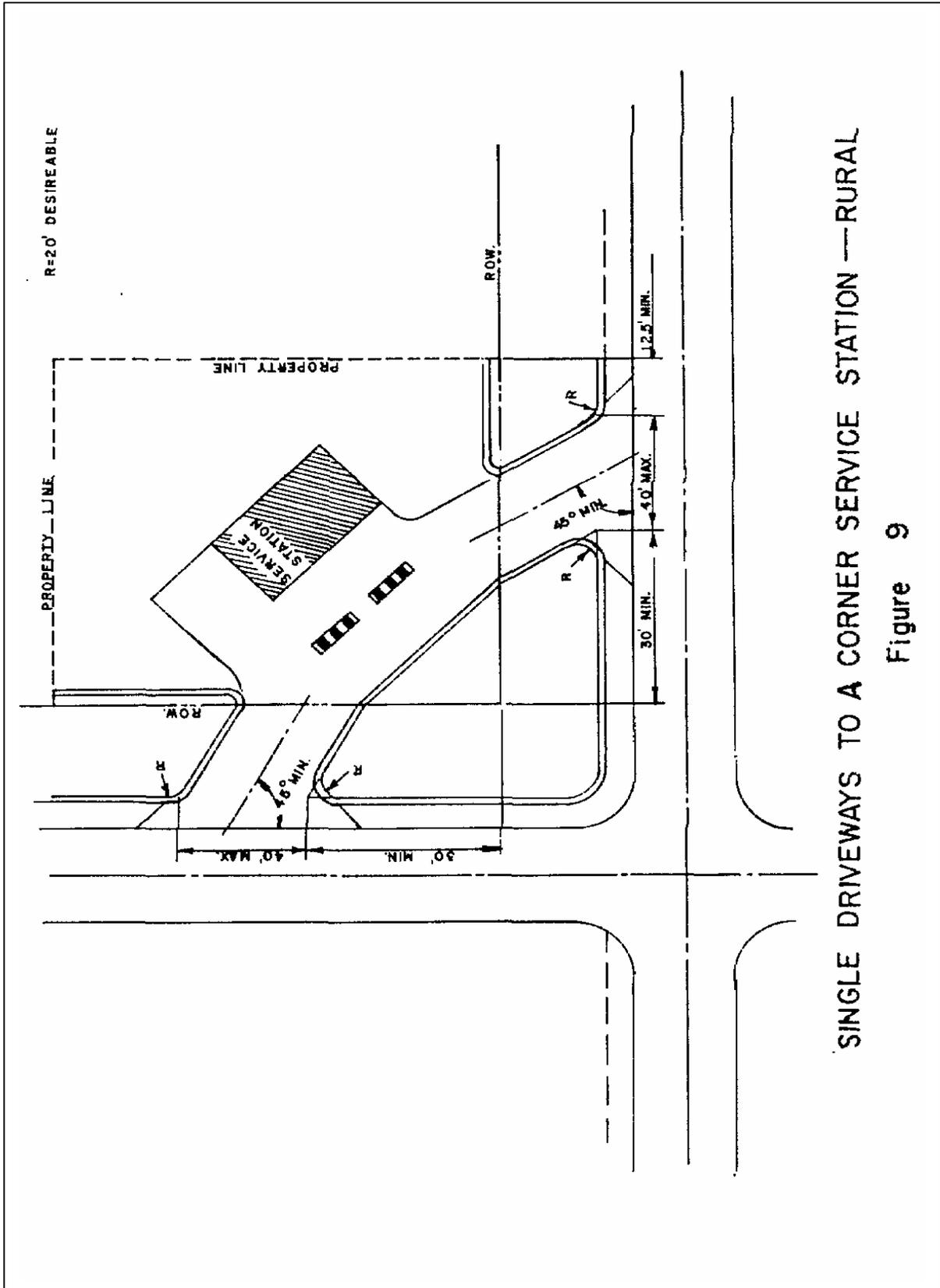


DRIVEWAYS TO A PUBLIC BUILDING — RURAL

Figure 8

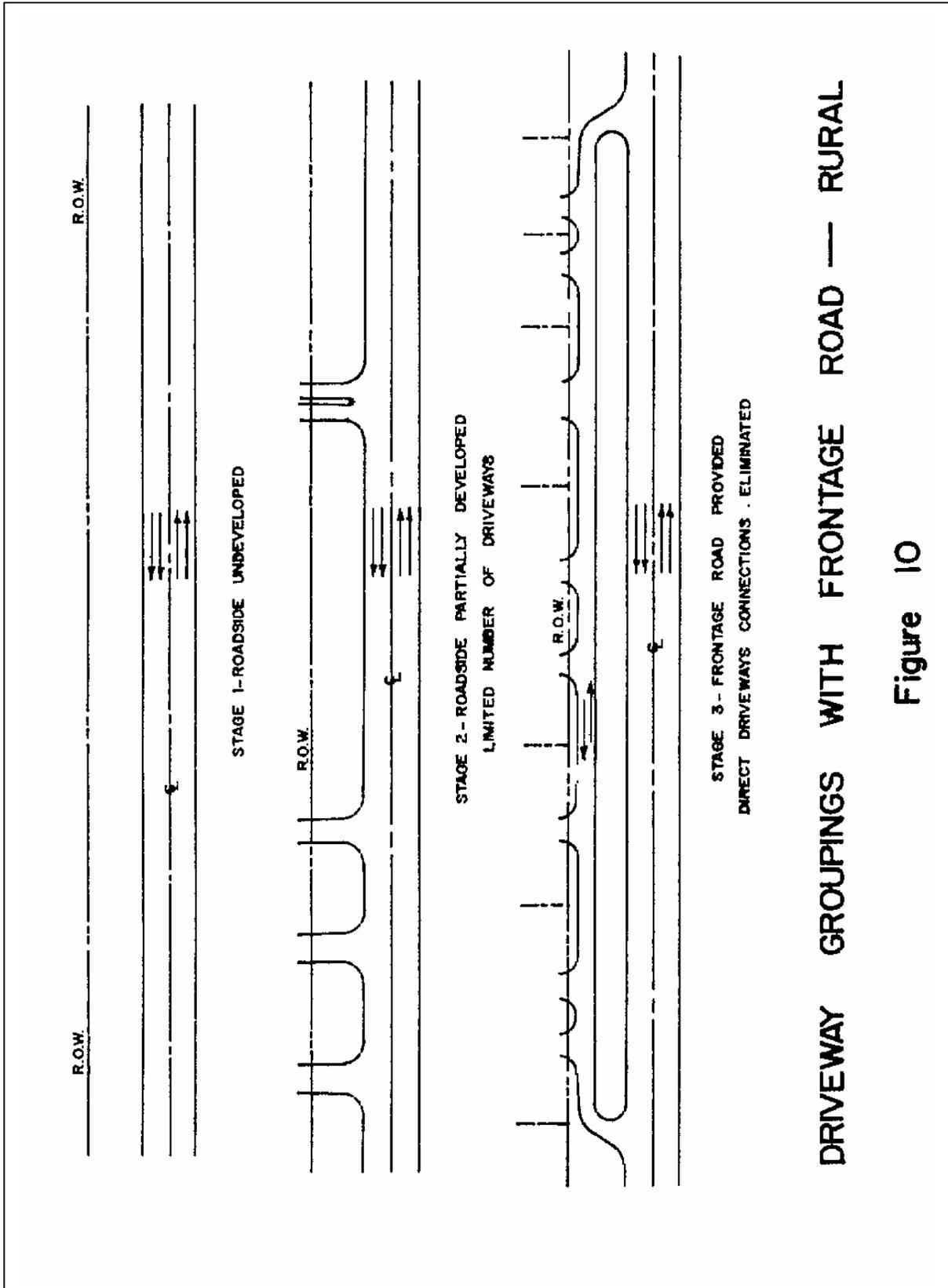
(Rule 1680-2-1.14, continued)

(9) Figure 9.



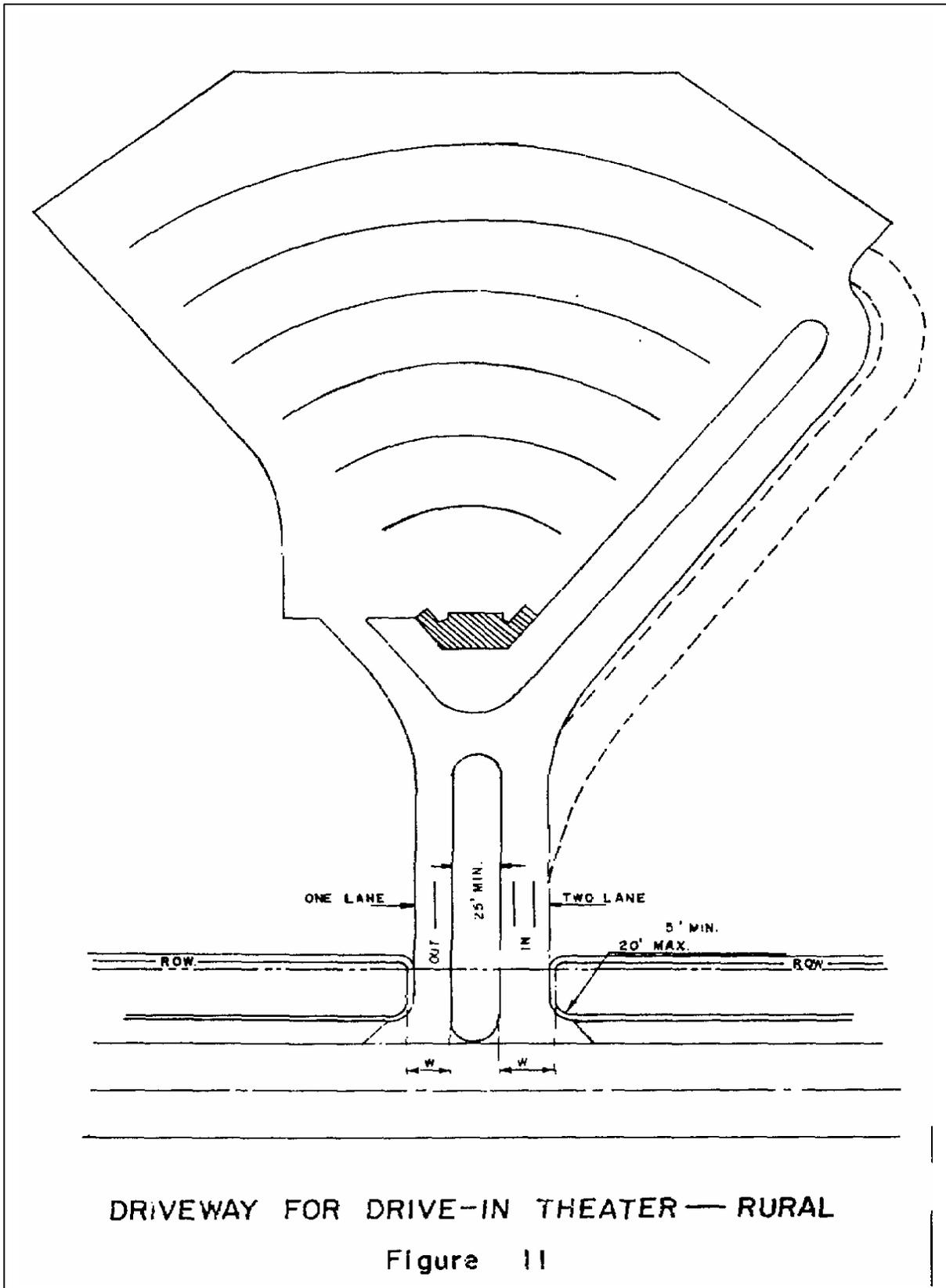
(Rule 1680-2-1.14, continued)

(10) Figure 10.



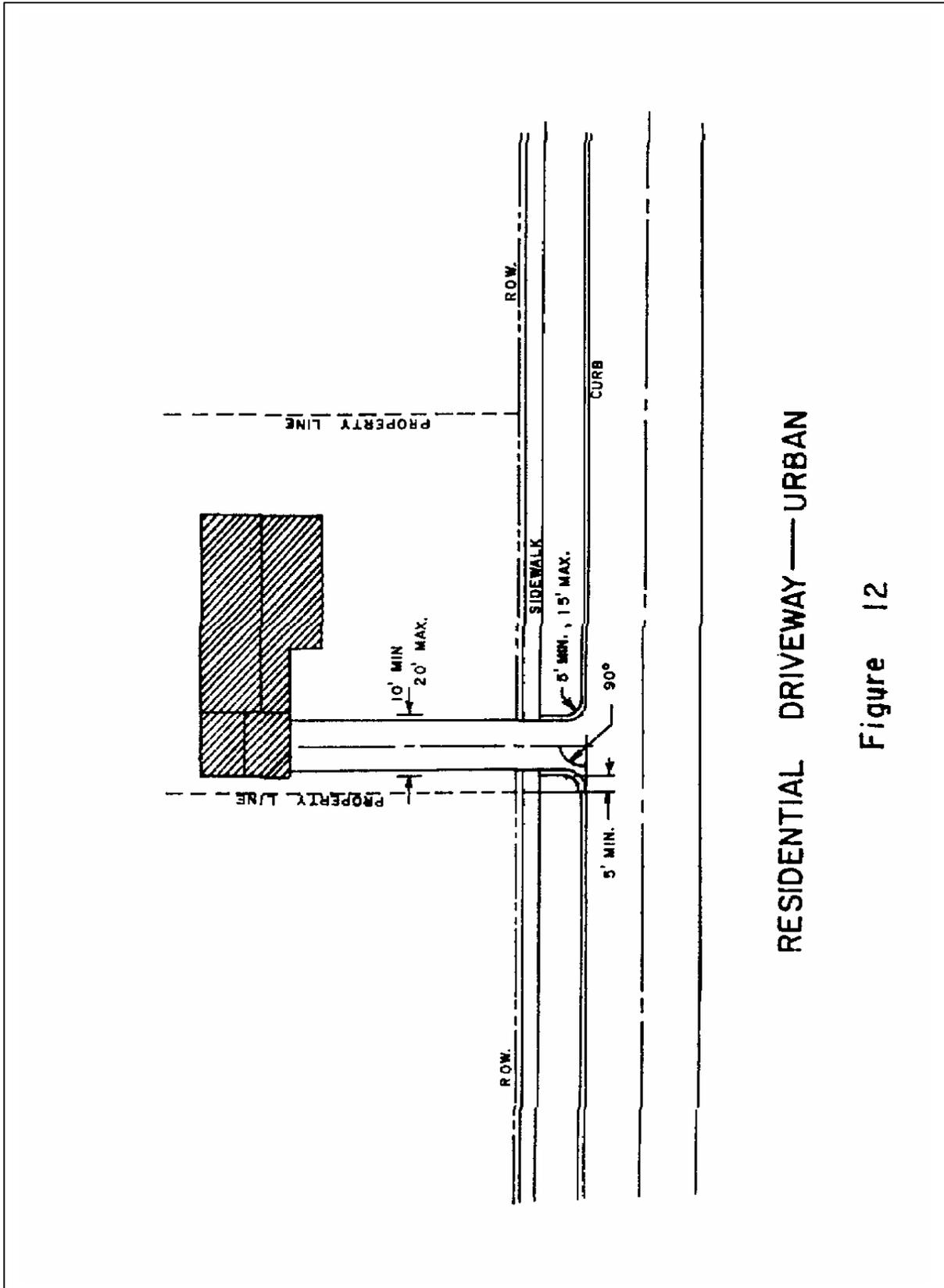
(Rule 1680-2-1-14, continued)

(11) Figure 11.



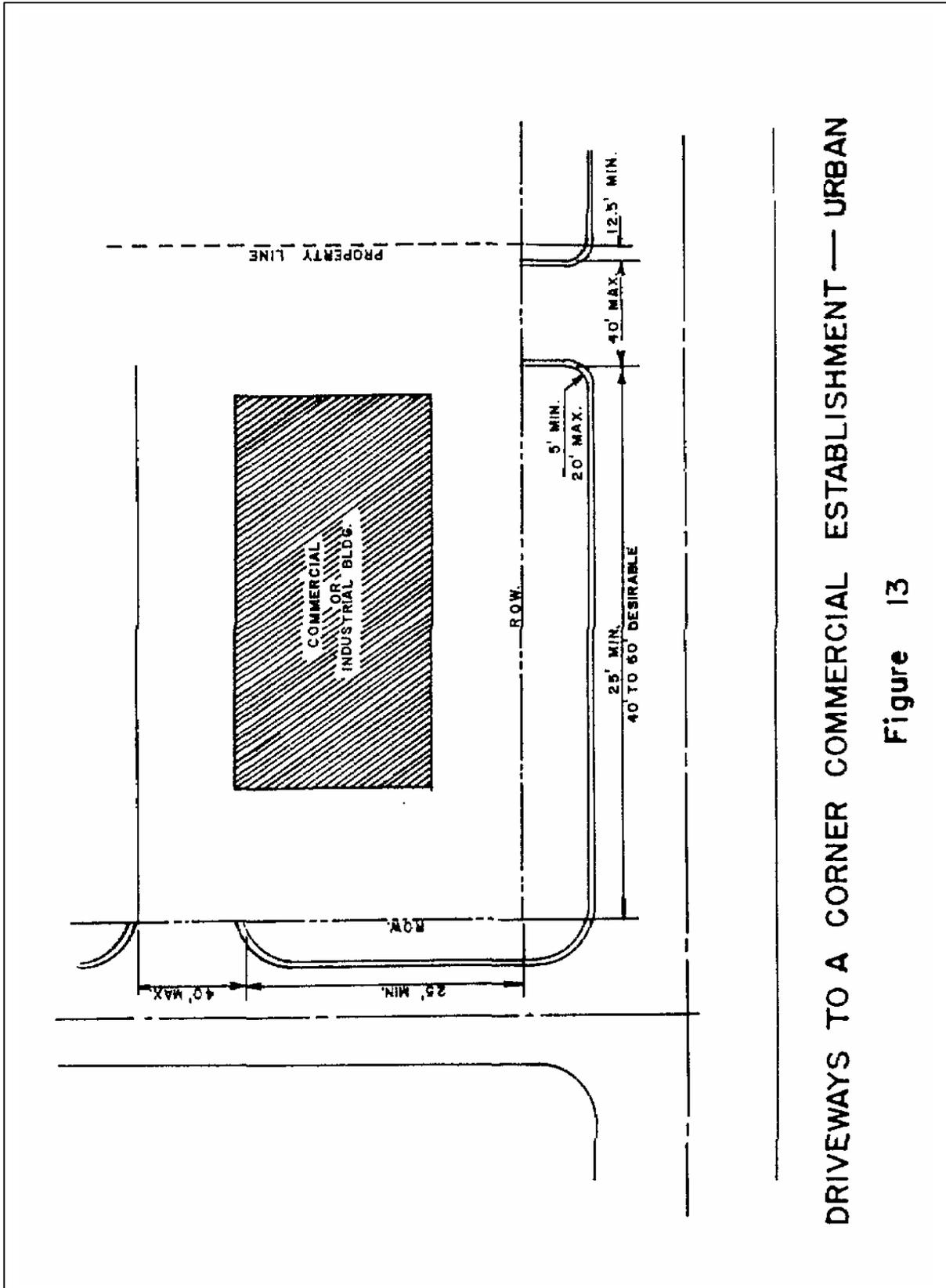
(Rule 1680-2-1-14, continued)

(12) Figure 12.



(Rule 1680-2-1-14, continued)

(13) Figure 13.



(Rule 1680-2-1-.14, continued)

(14) Figure 14.

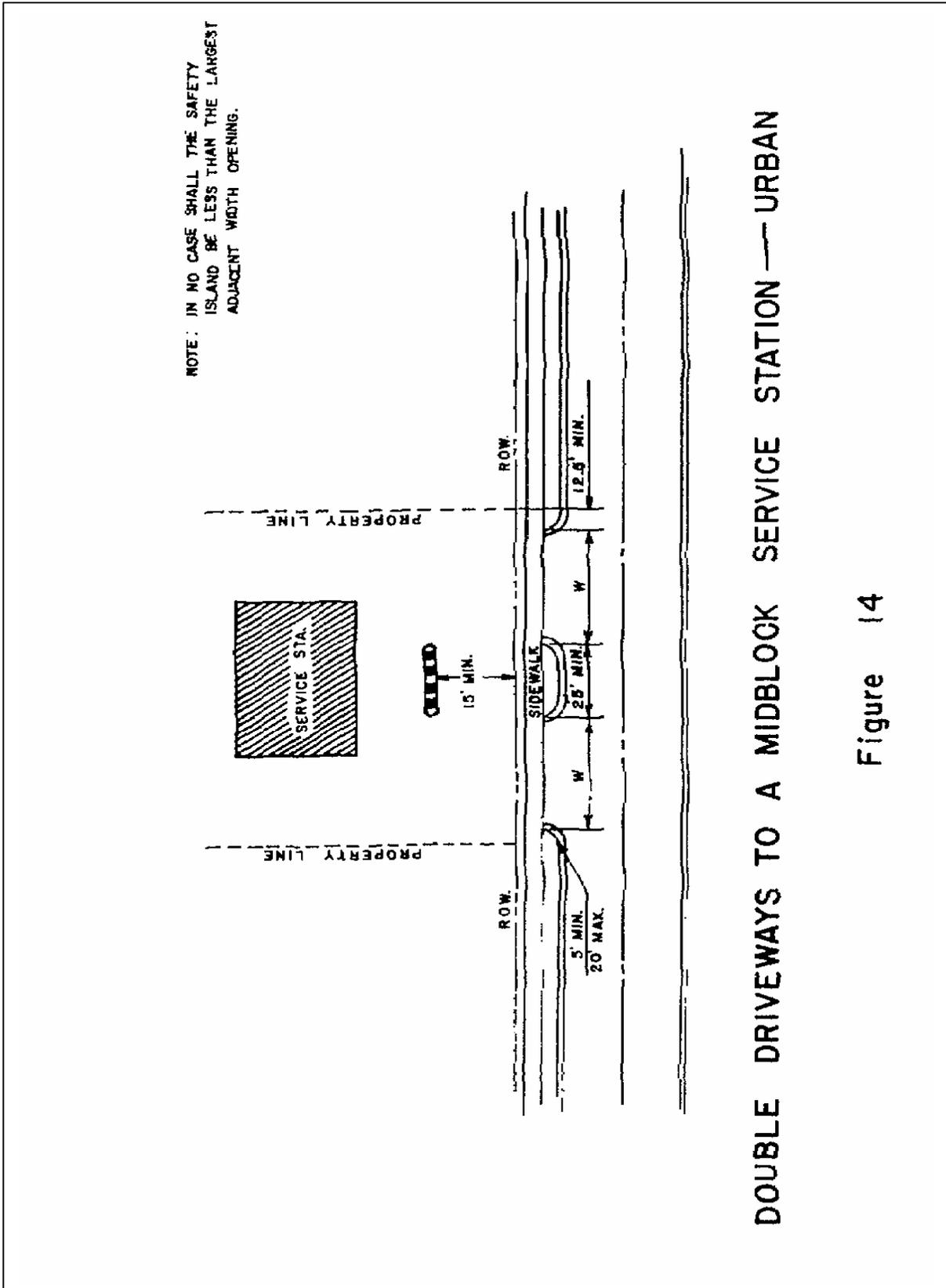
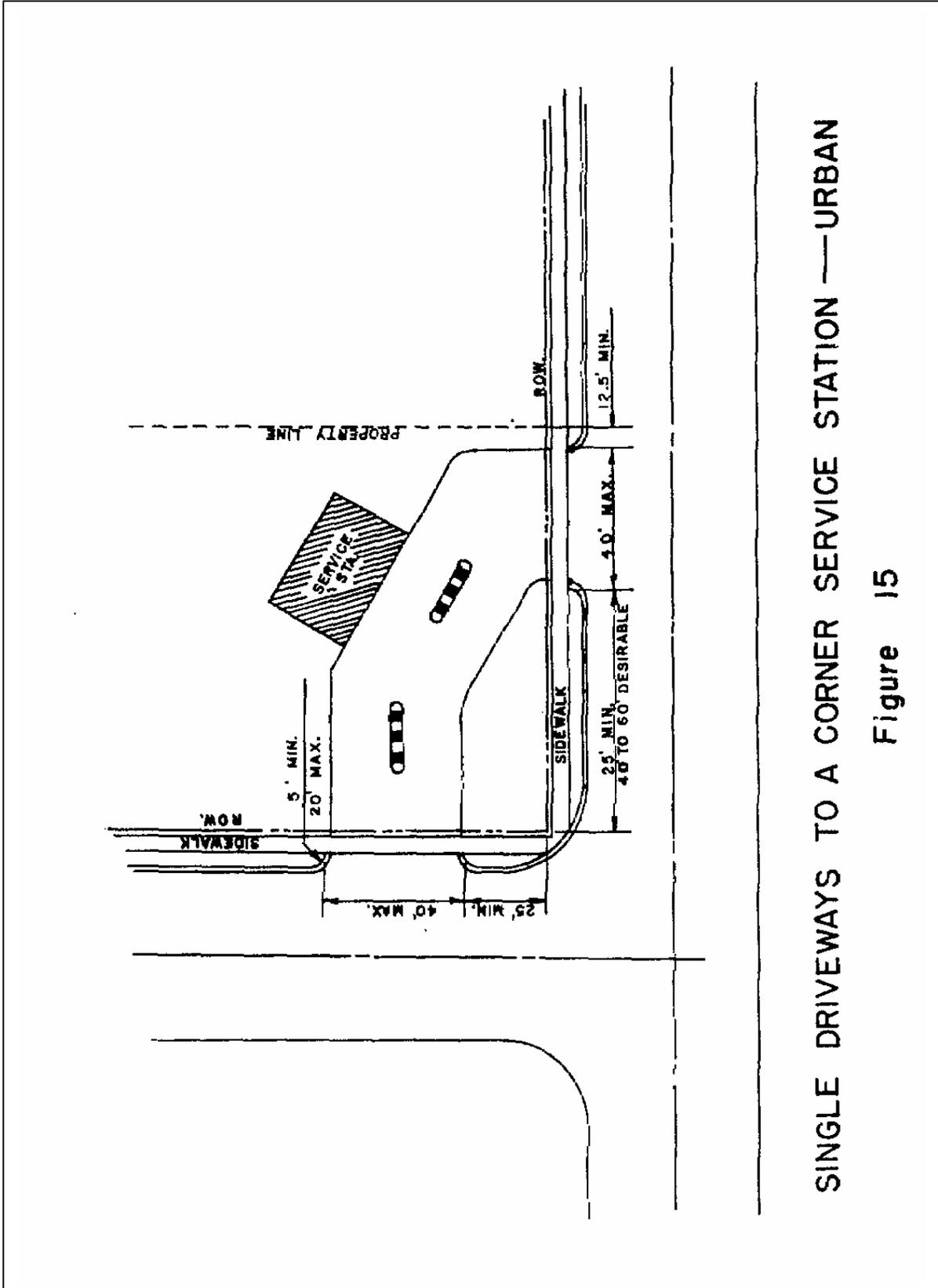


Figure 14

(Rule 1680-2-1-14, continued)

(15) Figure 15.





**1680-2-1-.15 APPLICATION FOR PERMIT.**

- (1) All applications for driveway permits shall be forwarded to the State Department of Transportation, Regional Engineer's office at one of the following locations nearest the construction.
  - (a) Knoxville, Tennessee-711 Concord Street-Phone 526-8481
  - (b) Chattanooga, Tennessee-Cromwell Road-Phone 892-3430
  - (c) Nashville, Tennessee-2200 Charlotte Avenue-Phone 741-4732
  - (d) Jackson, Tennessee-State Street-Phone 424-4110
- (2) The application shall be filed by the owner of the property to be served and said application should include the following listed information to facilitate handling:
  - (a) Location of property
  - (b) Plot plan of property
  - (c) Copy of deed (proof of ownership)
  - (d) Explanation of proposed usage of property
  - (e) Any other information which might affect the access design.
- (3) The Regional Engineer shall make a complete field review of the application and shall prepare, within the framework of the applicable sections of these rules and regulations, an 8 1/2" x 11" drawing showing the design proposed for the location.
- (4) The drawing showing the design approved for the location, together with three copies of a proposed permit shall be submitted to the owner for review and acceptance.
- (5) The owner shall sign each copy of the proposed permit and shall return all copies to the Regional Engineer for further handling. Applicable bond, as outlined in 1680-2-1-.16 of these rules and regulations, and a certificate of insurance as required in the permit shall be submitted along with the signed permit.
- (6) The Regional Engineer, acting for the Commissioner of Transportation, shall approve the permit and shall forward a fully executed copy Of the Permit to the owner. Receipt of the fully executed copy of the permit shall be the owner's authority to begin construction.
- (7) The Regional Engineer shall make the following distribution of the approved permit:
  - (a) Regional Engineer-maintain original
  - (b) Owner-one copy
  - (c) Highway Accounts-one copy and cash bond\*

\*Copy of approved permit to be furnished Highway Accounts, only when a Cash Bond is used

**Authority:** T.C.A. §54-540. **Administrative History:** Original rule certified June 10, 1974. Amendment filed September 21, 1978; effective November 6, 1978.

**1680-2-1-16 BOND REQUIREMENTS.**

- (1) Posting of Bond.
  - (a) All permits covering construction of driveway(s) on State Highway Rights-of-Way shall be accompanied by a bond executed by the owner with good and sufficient surety, acceptable to the Tennessee Department of Transportation, guaranteeing the performance of the terms and conditions of the permit.
  - (b) The owner may select one of the following procedures:
    1. Post a cashier's or certified check in an amount not less than one hundred dollars (\$100) and not more than five hundred dollars (\$500). The actual amount Of the bond to be established by the Regional Engineer after consideration of the type and amount of construction to be performed, or
    2. Post a Surety Bond; however a Surety Bond for an amount less than Two Thousand, Five Hundred Dollars (\$2,500) will not be acceptable; or
    3. Post a Statewide Bond (Running Surety Bond) in the amount of Ten Thousand Dollars (\$10,000) to cover all such authorized work on the State Highway Rights-of-Way for a specified period of time.

Note: All Surety Bonds shall be on forms supplied by the Tennessee Department of Transportation and may be obtained from the Regional Engineer, State Transportation Department, Knoxville, Chattanooga, Nashville or Jackson, Tennessee.

- (i) Form TE:1 Surety Bond
    - (ii) Form TE:2 Statewide (Running Surety Bond)
- (2) Examples of Bond Forms: (See 1680-2-1-.17)
- (3) Bond Release or Refund.
  - (a) Upon completion of the authorized construction the owner shall notify the State Transportation Department, Regional Engineer's office that issued the permit for construction.
  - (b) The Regional Engineer shall inspect the site to ascertain that all construction complies with the terms and conditions of the permit covering the work and that the construction has been satisfactorily completed. The Regional Engineer shall advise the owner and his Liability Insuror, in writing that it is no longer necessary to maintain the Liability Insurance required under the terms of the permit issued the owner for this construction.
  - (c) Following lapse of the time period specified in the permit, the Regional Engineer shall make final inspection of the site to ascertain that all construction has been maintained to design specifications.
  - (d) In the event the Regional Engineer considers the construction satisfactory, he shall prepare Form F-600 directing the Division of Highway Accounts to refund any cash bond, or if a Surety Bond has been posted, the Regional Engineer shall advise the owner and the bonding agency by letter that the construction has been accepted by the State.

**Authority:** T.C.A. §54-540. **Administrative History:** Original rule certified June 10, 1974.

**1680-2-1-17 ATTACHMENT "A" AND "B".**

Form TE:1  
(Rev. 4-1-66)

(1) Attachment "A"

**SURETY BOND**

KNOW ALL MEN BY THESE PRESENTS:

That we, \_\_\_\_\_ PRINCIPAL  
(Permitee)  
and \_\_\_\_\_ as SURETY, are held  
and firmly bound unto the DEPARTMENT OF TRANSPORTATION of the State of Tennessee to construct the  
improvements on the State highway right-of-way at the location and in the manner shown on the plans attached  
to the Permit dated the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, issued by the Department of Transportation of the  
State of Tennessee to the PRINCIPAL herein, which said Permit and plans are attached hereto. We do hereby  
further agree that we will restore to its original condition any portion of the pavement, shoulders or other parts  
of the public highway, except as otherwise shown on said plans, in the event that same is damaged by the  
PRINCIPAL or his agents during the construction of said improvement and that we will maintain said  
improvements upon said right-of-way in such manner and for such period of time as provided in said Permit. In  
the event such construction, repairs and maintenance are not carried out in a manner satisfactory to the  
Department of Transportation of the State of Tennessee, we hereby agree to reimburse said Department for the  
cost of such repairs.

We do bind ourselves in the sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) for a term  
beginning the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, until proper release is received from the  
Department of Transportation of the State of Tennessee, as provided in said Permit and the Rules and  
Regulations for Constructing Driveways on State Highway Rights-of-Way as promulgated by the  
Commissioner of Transportation.

NOW, THEREFORE, the PRINCIPAL and SURETY assume all obligations and liabilities as set forth  
above.

SIGNED, SEALED and dated this the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
(Principal)

By \_\_\_\_\_

\_\_\_\_\_  
(Surety)

By \_\_\_\_\_

(A copy of the Power of Attorney properly executed by the Company authorizing the Agent signing above to  
bind the Company as Surety on this Bond must be attached hereto. Said Power of Attorney must be dated so as  
to correspond with the execution date of the bond.)

Form TE:2  
(Rev. 4-1-66)

(Rule 1680-2-1-.17, continued)

(2) Attachment "B"

RUNNING SURETY BOND

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, it will be necessary, from time to time, for \_\_\_\_\_  
(Permittee)

to provide access to its facilities and in so doing to construct certain improvements on rights-of-way of the Tennessee Highway System at various locations and at various times within the State, after obtaining a proper Permit from the Department of Transportation of the State of Tennessee for each such project, and

WHEREAS, such Permits are issued upon condition that PERMITEE give bond with good and sufficient Surety acceptable to the Department of Transportation of the State of Tennessee insuring that the work permitted under said Permit will be carried out as specified therein and that any improvement placed upon the rights-of-way of the Tennessee Highway System will be constructed and maintained thereon according to the provisions of said Permit;

NOW, THEREFORE, WE \_\_\_\_\_  
(Permittee)

and \_\_\_\_\_, as SURETY, are held and firmly bound unto the Department of Transportation of the State of Tennessee to construct any improvement on the State highway right-of-way, so permitted, at the location and in the manner shown on the plans attached to the respective Permit. We do hereby further agree that we will restore to its original condition any portion of the pavement, shoulders or other parts of the public highway, except as otherwise shown on plans attached to said Permits, in the event that same is damaged by the PRINCIPAL or his agents during the construction of any said permitted improvements and that we will maintain said respective improvements upon said rights-of-way in such manner and for such period of time as provided in said respective Permits. In the event any such construction, repairs and maintenance, provided for in any said Permit, are not carried out in a manner satisfactory to the Department of Transportation of the State of Tennessee, we hereby agree to reimburse said Department for the cost of such repairs.

We do bind ourselves in the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), until proper release is received from the Department of Transportation of the State of Tennessee for every such project, as provided in each respective Permit so granted and the Rules and Regulations for Constructing Driveways on State Highway Rights-of-Way as promulgated by the Commissioner of Transportation.

It is expressly understood and agreed that the above sum represents the total aggregate liability under this bond on all work performed under Permits issued as aforesaid but not properly released by said Department.

This Bond shall remain in effect until SURETY Shall give written notice of intention to terminate by certified mail to the Department of Transportation of the State of Tennessee, said termination to become effective thirty (30) days after receipt Of Said notice by the Department of Transportation of the State of Tennessee. Proper termination notice notwithstanding, PRINCIPAL and SURETY will remain bound to the State of Tennessee under the terms herein above set out for the performance of any projects, in the State of Tennessee, for which Permits were issued between the date last below written and said date of termination, until proper release is received from the Department of Transportation of the State of Tennessee for all said projects.

NOW, THEREFORE, the PRINCIPAL and SURETY assume all obligations and liabilities as set forth above.

Signed, sealed and dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
(Principal)

(Rule 1680-2-1-17, continued)

\_\_\_\_\_  
(Surety)

By \_\_\_\_\_

(A copy of the Power of Attorney properly executed by the Company authorizing the Agent signing above to bind the Company as Surety on this Bond must be attached hereto. Said Power of Attorney must be dated so as to correspond with the execution date of the bond.)

*Authority: T.C.A. §54-540. Administrative History: Original rule certified June 10, 1974. Amendment filed September 21, 1978; effective November 6, 1978.*

**1680-2-1-18 SAMPLE PERMIT.**

**SECTION XVI  
SAMPLE-HIGHWAY ENTRANCE PERMIT  
STATE OF TENNESSEE  
DEPARTMENT OF HIGHWAYS  
HIGHWAY ENTRANCE PERMIT**

THIS PERMIT is issued to \_\_\_\_\_, hereinafter referred to as the "PERMITTEE," under the provisions of Section 54-540 T. C. A., and the Rules and Regulations promulgated by the Commissioner of Transportation of the State of Tennessee, hereinafter referred to as "COMMISSIONER," pursuant thereto which became effective \_\_\_\_\_. This Permit is issued subject to conditions that follow, for the breach of any one of which the COMMISSIONER may revoke this Permit at his option. In the event of such revocation, all rights granted under this Permit shall be withdrawn and any improvement placed upon the right-of-way under the authority of this Permit must be removed by the PERMITTEE and the right-of-way restored to its former condition at the sole expense of the PERMITTEE. Should the PERMITTEE fail or refuse to so restore the right-of-way upon revocation of this Permit the Department of Transportation may step in and perform such work charging the cost of same to the PERMITTEE.

The highway entrance shall be located and the improvements constructed upon the right-of-way as shown upon the plans attached hereto and made a part of this Permit. Said plans being Tennessee Department of Transportation drawing number \_\_\_\_\_.

All work shall be performed according to the Rules and Regulations above set out which are hereby incorporated herein by reference and shall be completed by \_\_\_\_\_.

The PERMITTEE shall hold the State harmless from any claims for damages resulting from the exercise of the performance of the conditions of the permit. To this end, the PERMITTEE, or his contractor performing the work, shall carry liability insurance with an insurers, acceptable to the COMMISSIONER and furnish a certificate of said insurance to the COMMISSIONER in the amount of not less than one hundred thousand dollars (\$100,000) for each person injured and three hundred thousand dollars (\$300,000) for each accident, plus fifty thousand dollars (\$50,000) total property damage for each accident, such insurance to remain in full force and effect from the beginning of construction on the right-of-way until such construction on the right-of-way has been completed and approved by the Department of Transportation.

(Rule 1680-2-1-.18, continued)

If the improvements placed upon the right-of-way fail to meet the design specifications, which are attached hereto and made a part of this Permit, at any time within \_\_\_\_\_ months after the approval by the Department of the completed construction on the right-of-way, the PERMITTEE will immediately take steps to bring such improvement up to said design specifications upon being requested to do so by the Department. If the PERMITTEE shall fail or refuse to do such work as may be necessary to bring said improvement back to the said design specifications within said period, the COMMISSIONER may, at his option, have the Department do such work as may be necessary to bring said improvement back up to said design specifications and charge the cost of said work to the PERMITTEE.

The PERMITTEE shall post a bond with good and sufficient Surety, acceptable to the Department of Transportation, guaranteeing the performance of the terms and conditions of this Permit. This Permit shall not become effective unless and until such bond has been posted with the Department of Transportation.

By acceptance of this Permit and the exercise of the privileges granted thereunder, the PERMITTEE, in consideration thereof, agrees that this Permit may be revoked by the COMMISSIONER at any time when, in his discretion, the public interest requires such revocation, without any liability whatsoever on the part of the State. It is understood that such revocation shall not in any way impair any rights of ingress and egress to the highway which may be vested in the PERMITTEE by law.

ISSUED this the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_.

CONTRACTOR

STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION  
BUREAU OF HIGHWAYS

BY \_\_\_\_\_  
(to be signed only when  
certificate of general liability  
insurance is furnished by contractor)

BY \_\_\_\_\_  
Commissioner

Approved as to form and legality:

BY \_\_\_\_\_  
Regional Engineer for Director Bureau of  
Highway

\_\_\_\_\_  
Department Attorney

**Authority:** T.C.A. §54-540. **Administrative History:** Original rule certified June 10, 1974. Amendment filed September 21, 1978; effective November 6, 1978.