

PUBLIC ROAD CRITERIA

What Constitutes a Local Street?

The Texas Department of Transportation (TxDOT) maintains a Centerline file of local street locations and alignments in all 1214 incorporated cities in Texas. These roads have been collected from various local entities and maintained by the TxDOT. Information TxDOT collects about each road includes the road's name, aliases (if applicable), number of lanes, whether the road is one-way or two-way, surface type, length and a unique route number assigned in our office. The following is a generalized listing of the criteria for inclusion in this Local Streets file.

A Local Street must be:

<p>clear of all obstructions</p>	<p>Transportation Code, Ch 251.008 states that a road must be clear of all obstructions. A road that has been platted but has not been opened to the public is not a local street.</p>	
<p>open to the public</p>	<p>24 hours a day, 7 days a week. Full public use and access is allowed.</p>	
<p>maintained by the city</p>	<p>The city department of public works assumes all roadway maintenance and utility projects along the roadway.</p>	
<p>located within of city limits</p>	<p>City Limits are updated annually by TxDOT's mapping branch. The roadway falls within the city limit boundary.</p>	
<p>accessible</p>	<p>Roadway is not within a shopping mall, apartment complex, office complex or other privately held property.</p>	

E-911 vs. Local City Streets: There are differences between the E-911 road system and city streets. First Responders might travel over Federal, State, County, City, Private Roads, Pathways, Driveways, and Alleys and may not distinguish “ownership.” E-911 roads are only concerned with getting from one point to another using all possible choices. In contrast, local city streets are a sub-set of the overall transportation network and are defined by the *responsibilities of construction and maintenance*.

Inter-Local Agreements: While a county may maintain a City Street, the obligation to do so lies in a written Inter-Local Agreement. A City Street is part of the city inventory while the county is the sub-contractor that performs the work. The *responsibility* to do the maintenance is the city’s. Therefore, even if a city street is maintained by the county, it will not be considered part of the county’s road inventory.

Private Roads, Driveways and Alleys: Driveways and private roads are owned and maintained by an individual, business, or other non-city entity and alleys are likely maintained by two adjoining property owners.

Definitions from the Federal Highway Administration’s Highway Performance Monitoring System Field Manual

Public Road: A public road is any road or street owned and maintained by a public authority and open to public travel. [23 U.S.C. 101(a)]. Under this definition, a ferryboat is not a public road.

- The term **maintenance** means the preservation of the entire highway, including surfaces, shoulders, roadsides, structures, and such traffic-control devices as are necessary for safe and efficient utilization of the highway. [23 U.S.C. 101(a)]
- To be **open to public travel**, a road section must be available, except during scheduled periods, extreme weather or emergency conditions, passable by four-wheel standard passenger cars, and open to the general public for use without restrictive gates, prohibitive signs, or regulation other than restrictions based on size, weight or class of registration. Toll plazas of public toll roads are not considered restrictive gates. [23 CFR 460.2(c)]
- A **public authority** is defined as a Federal, State, county, town or township, Indian tribe, municipal or other local government or instrumentality with authority to finance, build, operate, or maintain toll or toll-free facilities. [23 U.S.C. 101(a)]

SOURCE:

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