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## 1.0 General Policy

Proper access management of the STH system involves maintaining an accurate and current inventory of all STH connections. Use the guidelines in Subject 30 as workload allows to assist with this process.

## 2.0 Inventory Process

Use the steps in [3.0-3.2](#) to determine the status of STH connections along with their type of use ([09-10-20, 2.0](#)) on a selected highway or segment of highway for each county in a region. After that has been completed:

- Review permitted STH connections to ensure that form DT1504 and all related documentation is correct, and issue permit amendments or reissue permits as needed
- Obtain permits for unpermitted STH connections (roads or streets may be excepted) in which the lack of a permit is the only reason making them nonconforming
- Perform a review as described in [4.1](#) for other nonconforming connections

For any new, reissued, or amended permit, the property owner must review and sign it before becoming an official WisDOT record. This allows the owner to correct any erroneous information. Use SHAPES for this process. Property owners should create an account or WisDOT staff may create one for them. If a property owner refuses to sign a permit, issue a Record of Unpermitted Nonconforming Connection (ROUNC), form DT2231, and note that the connection is nonconforming only because it doesn't have a permit.

### 2.1 Record Keeping Using SHAPES

Use SHAPES, WisDOT's e-Permitting system and database, for storing all STH System access management records: §§ 84.09 / 84.25 / 84.29 / 84.295, permits, ROUNCs, nonconforming and illegal connections without a WisDOT form, covenants, subdivisions, Trans 233 (historical 1999-2004), developments, and customer inquiries on all subjects. SHAPES will be replacing the Highway Access Management System (HAMS). *★All policies and guidance referencing SHAPES in this document will be active upon implementation, which is projected to be January 2027. Until then, staff should continue using HAMS as applicable.★*

## 3.0 Status of Existing Connections

"Status" refers to a STH connection that is permitted or unpermitted, legal (conforming or nonconforming), or illegal. Categorize each connection by its status to implement proper access management, which determines the traffic types and volumes that may or may not be allowed to use the connection in the future. See [Table 1](#) for the six STH connection status categories – each with examples of their specific criteria (but not all-inclusive).

### 3.1 Determining Existing Connection Status and Subsequent Actions

Use the steps in [Attachment 1](#) to determine the status of an existing STH connection along with any subsequent actions that may be needed during the inventory and/or permitting processes. Steps are numbered for reference only, and the following details are provided for additional guidance.

1. **Does the connection have a valid WisDOT permit?** This is used to start assessing a connection rather than determining whether it is legal or illegal. This makes the process more efficient and easier to follow.

*Steps 2-13: Unpermitted Connections*

2. **Is the connection legal?** Use the criteria listed in the right-hand column in [Table 1](#).
3. **Meets standards and policy?** If no, the connection is nonconforming and go to step 4. If yes, the connection may either be conforming or nonconforming, which can be determined in step 7.
4. **Can it be permitted?** A permit cannot be issued when a property has legal restrictions that prohibit STH access, or when a connection is a high safety risk, and it cannot be altered or relocated to attain an acceptable safety risk.
5. **Eliminate or resolve the reason(s) for being illegal, then issue permit.** Once the connection has been made legal, it still must be determined whether a permit will be issued as conforming or nonconforming. If it cannot meet standards and policy, it must be nonconforming.

6. **Nonconforming. Additional review required.** The additional review is detailed in steps 1-4 of [4.1](#). In brief, determine: (a) Whether the connection has a safety or operational problem that can be documented,<sup>1</sup> and (b) Whether the connection should be left in its nonconforming status or permitted.
7. **Existed prior to permit process or no record of a permit exists?**<sup>2</sup> If yes, the connection is nonconforming. If no, the connection is conforming.
8. **Nonconforming. Issue permit to make conforming.** The only reason the connection is nonconforming is the lack of a permit.
9. **Conforming or nonconforming?** If the connection meets standards and policy, it is conforming. If not, then it is nonconforming.
10. **Illegal. Remove connection.** If there is no way to make the connection legal, then it must be removed.
11. **Conforming. Issue permit?** Does evidence exist that WisDOT authorized the connection under § 84.09, § 84.295, Trans 233 or an improvement or transportation plat project, but a permit was never issued? If so, a permit should be issued unless the connection will soon be removed as part of a new improvement project.
12. **Should the unpermitted-nonconforming connection be permitted?** Use the criteria listed in [Table 2](#) to make this decision.
13. **Issue Record of Unpermitted-Nonconforming Connection (ROUNC)** See [4.0](#).

*Steps 14-20: Permitted Connections*

14. **Was permit issued in error?** Types of errors include:
  - Property has no access rights to STH
  - Wrong customer (for example, a prospective buyer without an accepted offer to purchase)
  - Wrong use, or use does not match zoning
  - No WisDOT project coordination – location does not fit with project
15. **Can permit be validated?** Validated means to make legal. At this step, WisDOT staff review the situation to see what needs to be corrected in the permit documentation, deed restrictions, local ordinances, and/or having the connection meet standards and policy (for example, if it was altered without a new permit).
16. **Meets current law, standards, and policy?** If yes, the connection is conforming. If no, then it may be illegal or nonconforming.
17. **Conforming. No action required.** Ensure that all appropriate documentation is included with the permit
18. **Illegal or Nonconforming?** If the permit fails to meet the current law, then it is illegal. If it meets the current law, but fails to meet standards or policy, it is nonconforming.
19. **Nonconforming.** Include standards waiver or policy exception permit provision when needed. [4.1\(9\)](#)
  - Amend permit if most of its documentation is still appropriate
  - Reissue permit if most of its documentation needs to be revised
  - Issue a new permit when it has been decided to permit an unpermitted–nonconforming connection
  - One of the following provisions may also need to be added to the permit:
    - *“If the connection can be modified at or near the existing STH location to meet current law, standards, and policy, this permit shall be revoked and reissued accordingly.”*
    - *“Should reasonable access become available for this property at a non-STH location, WisDOT shall revoke this permit, and the connection shall be removed accordingly.”*
20. **Illegal. Revoke permit and remove connection.**
  - If there is no way to make the connection legal, then it must be removed.
  - Since a permit is involved, it must be revoked as well.

<sup>1</sup> The flowchart assumes that the connection does not have such a problem, or it has already been rectified.

<sup>2</sup> [Table 1, Unpermitted-Nonconforming, footnote 3.](#)

**Table 1 - Criteria for Determining Existing Connection Status**  
(List not meant to be all-inclusive)

		PERMITTED Connection has a valid WisDOT permit:	UNPERMITTED Connection does not have a valid WisDOT permit:
<b>LEGAL</b>	<b>Conforming</b>	<ul style="list-style-type: none"> <li>• Meets current law, standards, and policy at time of permit issuance, and the permittee is still current                             <ul style="list-style-type: none"> <li>□ STH connection or driveway permit issued, or</li> <li>□ Work on highway right-of-way permit issued for driveway, road/street connection, or trail</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Meets current law, standards, and policy, but:                             <ul style="list-style-type: none"> <li>□ No evidence of illegal construction, alteration, etc.</li> <li>□ Permit was issued to a <i>former</i> property owner or organization – not the <i>current</i> one</li> <li>□ Evidence exists that WisDOT authorized the connection under § 84.09, § 84.25, Trans 233, or with an improvement or transportation plat project</li> </ul> </li> </ul>
	<b>Nonconforming</b>	<ul style="list-style-type: none"> <li>• Does <i>not</i> meet <i>current</i> law, standards, or policy due to a change in law, standards, and/or policy <i>after</i> permit issuance                             <ul style="list-style-type: none"> <li>□ May have been Issued <i>with</i> or <i>without</i> a waiver of standards or exception to policy</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Was legally in existence, but does <i>not</i> meet <i>current</i> law, standards, or policy</li> <li>• <i>Meets</i> current law, standards, and policy, but was built <i>prior</i> to the permit process, or a permit record or other WisDOT/State Highway Commission authorization does not exist.<sup>3</sup></li> <li>• Does not have a permit because a property owner refused or refuses to sign a DT1504 form</li> </ul>
<b>ILLEGAL</b>		<ul style="list-style-type: none"> <li>• One or more has occurred to the connection:                             <ul style="list-style-type: none"> <li>□ Violates permit conditions, supplemental provisions, etc., including any superimposed notes or detail drawings added by WisDOT</li> <li>□ Is altered beyond routine maintenance (including a change of use)</li> <li>□ Violates access or deed restrictions (§§ 84.09, 84.25, 84.295, covenant, etc.)</li> <li>□ Is authorized as a special exception or variance to Trans 233, but does not conform to conditions under which a WisDOT land division review authorized it</li> <li>□ Was temporary, or removal was required under Trans 233, but still exists past its specified removal date</li> </ul> </li> <li>• WisDOT acquired all STH access rights from a property under §§ 84.09, 84.25, or 84.295, then issued a permit <i>in error</i></li> </ul>	<ul style="list-style-type: none"> <li>• Was constructed or altered (including a change of use) without a permit in violation of § 86.07(2)(a), and WisDOT has evidence <a href="#">5.1</a> of such action                             <ul style="list-style-type: none"> <li>□ If evidence cannot be obtained, the status should be categorized as unpermitted–conforming or unpermitted–nonconforming</li> </ul> </li> <li>• WisDOT acquired all STH access rights from a property under §§ 84.09, 84.25, or 84.295, and an unauthorized connection was constructed by:                             <ul style="list-style-type: none"> <li>□ A property owner without a WisDOT permit, or</li> <li>□ WisDOT during an improvement project</li> </ul> </li> <li>• Is allowed under §§ 84.09 or 84.25, but is in the wrong location, is not serving the use specified on the plat or on the deed, more connections exist than were approved, or another item conflicts with the current access restrictions</li> </ul>

### 3.2 Activity-Status Correlation

Once a STH connection status has been determined, it is limited to the types of activities that can be done to it. The table in [HMM 09-10-15, 3.5, Using Proper Form DT1504 Activity vs. Existing Connection Status](#), lists the relationship of the four activity types – Construct New, Remove Existing, Permit Existing, Alter Existing, – versus the existing status of a connection.

### 4.0 Record of Unpermitted-Nonconforming Connection to State Trunk Highway

Use form [DT2231 Record of Unpermitted–Nonconforming Connection to STH \(ROUNC\)](#) to collect information similar to what is requested on form DT1504. It is primarily used to give WisDOT a record of an unpermitted–nonconforming connection whose data will be included as part of a Region’s inventory. Enter the data in SHAPES under the Unpermitted–Nonconforming Connections category. For instructions on completing form DT2231, see [09-10-15, 4.0](#).

<sup>3</sup> The first *known* STH driveway policy and corresponding issuance of permits was developed in 1938 for “service stations and other establishments” by the former State Highway Commission. In 1947, the policy was expanded to include driveways for, “residences, farms, stores, and other places of business and public assembly.” Classify existing driveways before those dates as nonconforming.

Also use a ROUNC in lieu of a permit to provide a property owner with WisDOT's recognition that a connection exists between the property and a STH. It does not give the owner any rights or rights of access, nor is it a permit. It also provides the reasons why the connection is nonconforming, what activities the owner can and cannot do to the connection, and when WisDOT's approval is needed for the "can do" activities. Use a ROUNC when a property owner refuses to sign a DT1504 STH Connection permit form.

#### 4.1 Handling Existing Nonconforming STH Connections

Bring existing nonconforming connections into compliance when possible and recommend (not compel) this action to a property owner if a STH connection permit is requested. Do not remove a nonconforming connection unless a documented safety or operational problem warrants the action. WisDOT may also alter, relocate, or remove the connection as part of an improvement project at WisDOT's expense depending on project scope.<sup>4</sup> When an improvement project is not involved, a nonconforming STH connection should be reviewed to determine if it should:

- Be removed,
- Have its current permit amended or reissued,
- Be left as unpermitted, or
- Have a permit issued

The following steps have been established to guide WisDOT staff with this process. The flowchart in [Attachment 2](#) provides an overview of these steps.

1. **Determine the reason(s) why an existing connection is nonconforming.** This is needed for documentation purposes and helps WisDOT with developing ways to bring the connection into compliance with current law, standards, and policy. It corresponds to the process listed in [3.1](#) that should be used when determining a connection's existing status.
2. **Is there a documented safety or operational problem?** While all connections should be periodically reviewed to determine if safety or operational problems exist, it is especially important to review nonconforming connections since it is more likely that they do not meet design standards.
 

Safety problems include crashes, reports of near-crashes, and the potential for crashes or near-crashes that may result with increasing STH traffic or a change of use. Operational problems include items such as traffic congestion, turning movement issues (long wait times, trucks running over a shoulder or curb, etc.), improper drainage, improper maintenance, etc.
3. **Determine if the problem can be resolved or lessened.** "Lessened," means the problem is corrected to the greatest extent possible. Resolving or lessening the problem consists of making STH and/or connection improvements (including installing raised medians or removing turn lanes), and/or relocating the connection, even though it will still not meet current law, standards, or policy. The property owner or applicant is responsible for all improvement or relocation costs.
4. **Is the connection the sole access to the property?** If yes, and no possibility exists for access via adjacent properties, then go to step 12.<sup>4</sup>
5. **Remove** the connection if the property has another STH connection or has reasonable alternative access and the problem cannot be resolved or lessened to WisDOT's satisfaction.
6. **Is the connection permitted or unpermitted?** If permitted, go to step 7. If unpermitted, go to step 11.
7. **Permit okay as is or amend/reissue permit?** For *permitted–nonconforming* connections, decide whether the existing permit is okay as is (go to step 8), or needs to be amended or reissued (go to step 9 or 10).
8. **Done.** Verify information in SHAPES.
9. **Amend permit** when most of the existing documentation is still appropriate. This may be done by simply sending a letter to the property owner noting any changes. In addition to updating other permit documentation, include one of the following:

<sup>4</sup> Assumes WisDOT cannot remove a connection and leave zero access to a property (STH or otherwise) when the problems listed in step 2 occur *without* due compensation to the property owner.

→ If waiver of standards or policy exception language *is* present, use (a) **or** (b):  
**(a)** “Should reasonable access become available for this property at a non-STH location, WisDOT shall revoke this permit and the connection shall be removed accordingly.”  
**(b)** “If the connection can be modified at or near the existing STH location to meet current law, standards and policy, this permit shall be revoked and reissued accordingly.”

→ If the waiver or exception language **is not** present, use:  
 “This permit has been issued with a waiver of standards or as a policy exception because of [list reason(s)].” Then add **(a)** or **(b)** above.

10. **Reissue permit** when most of the existing documentation needs to be updated. In addition to updating the other permit documentation, include one of the items listed in previous box.
11. **Issue permit or ROUNC?** For *unpermitted–nonconforming* connections, decide whether to issue a permit or a Record of Unpermitted–Nonconforming Connection to STH (ROUNC). **Do not issue a permit** when a STH connection is nonconforming because it does **not** meet **current** law, standards, or policy. However, there may be **rare** cases when it is acceptable to issue a permit even though the connection will still retain its nonconforming status. Since each case may be different, the regional office shall decide whether a ROUNC or a permit shall be issued based upon the criteria listed in Table 2.
12. **Issue Record of Unpermitted-Nonconforming Connection to STH.** See [4.0](#).
13. **Issue Conforming or Nonconforming Permit?** The criteria for issuing permits to STH connections with a nonconforming status are listed under “Issue Permit” in Table 2.
14. **Conforming Permit.** Issue a STH connection permit when a connection has a nonconforming status only because it does not have a valid WisDOT/State Highway Commission permit or authorization.
15. **Nonconforming Permit.** Include waiver of standards or policy exception language in permit as needed.

**Table 2 - Issue ROUNC or Permit?**  
**Unpermitted–Nonconforming STH Connection Remains Nonconforming**

CRITERIA (When or Because)	
<b>Issue ROUNC</b>	R1) A connection has existed with its same design and status for many years and is not very likely to change in the future – either with a WisDOT or property owner project R2) A property has physical features that make it almost impossible or unrealistic to make a STH connection conforming for all practical purposes R3) A connection is likely to be removed in the near future – either with a WisDOT or property owner project R4) A connection has a <i>minor</i> safety or operational problem that cannot be rectified or lessened, but it is the only access to a property and WisDOT decides not to remove it and leave zero access (STH or otherwise) because the costs outweigh the risk R5) A property owner refuses to sign a DT1504 permit application R6) WisDOT wants to record a connection’s existence, but cannot issue a permit for it R7) A permit with a waiver of standards or exception to policy cannot be issued
<b>Issue Permit</b>	P1) There is a good possibility that a connection will be made conforming in the near future with a WisDOT or property owner project P2) There is good possibility that the property will undergo a change of use in the near future, and it is better to have permit provisions to properly manage STH access P3) A property owner willingly signs a DT1504 permit application P4) WisDOT wants/needs to issue a permit for a connection, not just record its existence P5) A permit with a waiver of standards or exception to policy can be issued <sup>5</sup>

<sup>5</sup> Do not issue many waivers or exceptions as they may undermine existing policy.

## 4.2 Nonconforming Connection Maintenance and Alterations

As long as a nonconforming connection is not creating a safety or operational problem, it may remain as is. A property owner may perform regular maintenance like culvert cleaning, mowing, and rut/pothole filling without a permit unless traffic control is required. Alterations such as paving, grading, and replacing a culvert are typically not allowed unless the connection is also brought up to current standards. This includes a change of use.

**Exception:** If bringing an existing nonconforming connection into compliance would create a significant financial burden for a property owner, WisDOT may allow minor alterations. Examples of minor alterations include:

- Placing gravel over an earthen field entrance
- Replacing or adding a small culvert
- Grading to reestablish proper drainage
- Minor widening to prevent operational problems like rutting or displacing shoulder gravel

**Do not use form DT1812, Application/Permit for Work on Highway Right-of-Way, to approve the above activities. Issue a DT1504 and check the “Work Permit APPROVED” box. Then, follow the guidance in [4.1](#) and [Table 2](#).**

<input type="checkbox"/>	<b>Application DISMISSED</b> – ACCESS RIGHTS (1) NOT OWNED BY APPLICANT OR (2) CONTROLLED UNDER WIS. STAT. § 84.25 or § 84.295. <b>NO RIGHT TO APPLY EXISTS. NO APPEAL AVAILABLE.</b>
<input type="checkbox"/>	<b>Permit DENIED</b> – MAY BE APPEALED UNDER WIS. STAT. § 86.073.
<input type="checkbox"/>	<b>Work Permit APPROVED</b> – ONLY FOR PERFORMING WORK ON STATE TRUNK HIGHWAY RIGHT-OF-WAY UNDER WIS. STAT. § 86.07(2)(a). <b>THIS PERMIT IS REVOCABLE.</b>
Remove Existing: <input type="checkbox"/> Legal <input type="checkbox"/> § 84.25 <input type="checkbox"/> Nonconforming <input checked="" type="checkbox"/> <b>ILLEGAL</b>	
<input type="checkbox"/>	<b>Authorized Access Point DOCUMENTED</b> APPROVED BY WisDOT UNDER PREVIOUS WIS. STAT. § 84.25 PROJECT. <b>THIS IS NOT A PERMIT</b> BUT SERVES TO DOCUMENT THE TYPE, USE, TRIPS PER DAY, CONFIGURATION, DRAINAGE, ETC. FOR THE STH CONNECTION.
<input type="checkbox"/>	<b>Connection Permit APPROVED</b> DOES NOT CREATE A RIGHT OF ACCESS OR ACCESS EASEMENT FOR THE PROPERTY. <b>THIS PERMIT IS REVOCABLE.</b>
<input checked="" type="checkbox"/>	<b>X</b>
<small>(WisDOT Authorized Representative Signature – If Computer-filled, Brush Script Font)</small>	

## 5.0 Illegal Connections

During daily surveillance of the STH system, WisDOT staff should be on the lookout for any changes to STH connections. Evidence of such a change may include, but is not limited to, the following:

- Connection construction is ongoing where it previously did not exist
- Alterations are ongoing to an existing connection
- Construction is finished, but a connection’s features still have a “new” appearance (For example, a shiny culvert, new asphalt, sprouting grass, etc.)
- Construction is finished, but a connection or its alterations can be documented with changes between past and present versions of WisDOT’s photolog, aerial photography, plat maps, or some other medium

## 5.2 Identifying Illegal Connections

The following examples have been provided to help identify illegal connections but are not intended to be all-inclusive. A STH connection is considered illegal if it:

1. Violates any statute or administrative rule at the time it is constructed.
2. Is constructed or altered (paved, widened, increased culvert size, etc.) without a permit in violation of § 86.07(2)(a), and there is sufficient evidence of that action. “Altered” also includes a change in use.
3. Is a temporary connection that was not removed by a specified date on the permit.
4. Is required to be removed under Trans 233 but still exists past its removal date.
5. Is authorized as a special exception or waiver to Trans 233 but does not conform to the conditions under which it was authorized by WisDOT’s land division review.
6. Exists, but WisDOT obtained all of a property’s STH access rights under §§ 84.09, 84.25, or 84.295. For example, an unauthorized connection was constructed (a) by a property owner without a WisDOT permit or (b) by WisDOT during an improvement project, or (c) a property owner constructed a connection because WisDOT issued a permit *in error*.
7. Is allowed under §§ 84.09 or 84.25, but is in the wrong location, is not serving the use called for on the plat, more than one connection exists, or some other item conflicts with the current access or deed restrictions.
8. Does not conform to the restrictions, conditions, covenants, or supplemental provisions of a WisDOT issued permit. This includes any superimposed notes or detail drawings that WisDOT added to the permit.

### 5.3 *Illegal Connections – Subsequent Actions*

If an illegal connection is discovered, investigate further to determine if it:

1. Shall be removed as soon as possible. For example, it is:
  - a. Constructed on property that has legal restrictions prohibiting STH access
  - b. Constructed in a way that adversely affects STH safety or operation
  - c. Temporary, and it still exists past the permit expiration date
2. Shall be removed and rebuilt, or modified, to bring into compliance. For example, it is not constructed in accordance with a WisDOT issued permit due to location, configuration, use, spacing, etc.
3. Shall be restored to its previous location, configuration, use, etc. For example, it has been altered or relocated in a way that adversely affects STH safety or operation, and there is no other safe and effective option other than what had previously existed.
4. May be able to remain as is. For example, it:
  - a. Meets standards and policy, but simply lacks a WisDOT permit
  - b. Only needs minor modifications such as increasing its radii
  - c. Is temporary, and only needs a time extension

### 5.4 *Documenting Illegal Connections*

When an illegal connection is discovered, document it in SHAPES. It may also be documented in a project diary or an area maintenance assistant's diary. All pertinent details should be documented such as:

1. Name and phone number of property owner(s)
2. Property address and/or fire number
3. Distance from the nearest intersection
4. Reason(s) why it is illegal
5. Photographs(s)
6. Configuration [dimensions, type of culvert (if applicable), current use, etc.]
7. Permit number
8. Record of Unpermitted–Nonconforming Connection to STH number
9. Main points of conversations with property owner(s) or other representative(s)
10. If unpermitted, whether or not it could be permitted if left in its current state
11. Does it need to be modified, relocated to meet standards and policy?
12. Does it need to be restored to its pre-existing condition?

Call or meet with the property owner to discuss the situation and determine the best course of action. In most cases when a connection is acceptable as it exists and simply needs a permit, or a connection needs minor modifications or relocation to obtain a permit, it should be easy to work with the property owner. When this is not the case, the steps in [5.5](#) must be used.

### 5.5 *Permitting an Unpermitted-Illegal Connection*

If the criteria in [5.1](#) confirms that a connection is unpermitted–illegal, determine if the connection can be permitted. Check the property for any restrictions that prohibit STH access. If yes, then a permit cannot be issued, and the illegal connection must be removed as soon as possible. If not, then a permit may be issued if the reason(s) for the illegal connection can be eliminated or resolved.<sup>6</sup> If the connection is constructed in a way that does not meet standards or policy, further review to determine if the connection can be modified or relocated to bring it into compliance. If not, then it must be removed.<sup>7</sup>

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<sup>6</sup> For example: A customer forgets to obtain a permit, but the connection meets standards and policy.

<sup>7</sup> **Exception:** A permit with a waiver of standards or exception to policy may be used in rare cases.

## 5.6 Removing Illegal Connections

If WisDOT cannot permit an unpermitted–illegal connection and the property owner refuses to correct the situation upon official notice, then WisDOT must take action to have the connection removed immediately after the notice expiration date. Removal involves proper documentation in SHAPES, professionalism, awareness of the property owner’s attitude regarding the situation, and possible security.<sup>8</sup>

Do not remove a connection, even if it is illegal, if police, fire, and EMS may need to use it. Instead, the connection may be restricted using temporary fence and a locked gate with keys given to those agencies. A connection may also be permanently blocked (e.g., with guardrail or concrete barrier) or temporarily blocked (e.g., with barrels or type 3 barriers) if a property has other access.

If WisDOT issued a STH connection permit *in error* [5.1\(6\)\(c\)](#), then WisDOT may be financially responsible for not only the removal of the connection, but other costs incurred by a property owner as a direct result of the error. WisDOT may also be obligated to secure access for the property if the removed connection was the only access or may have to leave the connection in its existing location until the next improvement project can properly address the access issue.

The following steps should be used when removing an illegal connection:

1. **Perform a final check of the situation.** Make sure the property owner does not have a right to appeal WisDOT’s decision or has completed the *entire* appeal process that includes an administrative law judge or other court order to uphold WisDOT’s decision to remove the STH connection.
2. **Provide official notice to the property owner.** Send a certified letter with ***return receipt requested*** to the property owner(s) using the appropriate template in SHAPES and the applicable items in [5.1](#) and [5.2](#), and give the owner(s) 30 days to have the connection removed. Include WisDOT’s estimated cost for removing the connection as a courtesy to the owner
3. **Arrange for removal.** A county highway department (CHD) is typically used to remove a connection since it is already under WisDOT contract to perform maintenance services, has the proper equipment for the work, and has the expertise to work safely in the right-of-way. In rare cases, a CHD may decline to perform the work to avoid a sensitive situation. If that occurs, then a neighboring CHD should be contracted. See section [7.0](#) for setting up a project to pay the CHD.

Arrange to have law enforcement present for the removal if needed. If any WisDOT staff person has been threatened over the matter, contact a supervisor who will decide if State Capitol Police (SCP) needs to be involved. If SCP is not used, contact a region [State Patrol office](#), county sheriff’s department or local law enforcement agency. When used, ask if the agency desires reimbursement for its services. If yes, include this cost with the overall removal costs. Document any contact or use of law enforcement in SHAPES.

4. **External issues; press involvement.** Removing a STH connection may become highly publicized. The region director, region communications manager, other region managers/supervisors, and central office staff may need to be notified prior to the removal. A [public communication record](#) is a good tool to use for this.
5. **Project Set-up/Billing.** Bill the property owner for all costs related to removing the connection unless they are minor enough to be absorbed in a CHD’s routine maintenance budget or WisDOT improvement project<sup>9</sup> contract change order. The region office should make this decision.
6. **Salvaged materials.** A connection is typically composed of earth, gravel, and/or paved materials, and there may also be a culvert. If any of these materials are salvageable, they should be stored at the nearest CHD shop for future use on WisDOT STHs. If not, they must be properly disposed. A property owner is entitled to reclaim the salvaged materials if s/he pays the entire removal bill, and WisDOT must wait to use them until it has given the owner that chance. That chance ends when WisDOT notifies the Wisconsin Department of Revenue (DOR) that the property owner has not paid their removal bill, and DOR then seeks to have the bill paid using its statutory authority.

<sup>8</sup> The processes described in 5.4 may also be used when WisDOT needs to **restore** an illegal connection back to its preexisting condition.

<sup>9</sup> The connection should be within the limits of the project termini.

## 6.0 Permit Revocation Process

Four existing permit types may be revoked: connection work, STH connection, driveway, and work on highway ROW. In order to be revoked, a permit must be on file with WisDOT, or the property owner may submit a verifiable copy of the permit. In either case, the connection's status may be legal or illegal.

**Work Permit APPROVED** – ONLY FOR PERFORMING WORK ON STATE TRUNK HIGHWAY RIGHT-OF-WAY UNDER WIS. STAT. § 86.07(2)(a). **THIS PERMIT IS REVOCABLE.**

**Connection Permit APPROVED**  
DOES NOT CREATE A RIGHT OF ACCESS OR ACCESS EASEMENT FOR THE PROPERTY. **THIS PERMIT IS REVOCABLE.**

There are many situations in which a permit may be revoked whether project or property owner related. When owner related, it usually stems from a violation of the terms and conditions of the existing permit, which makes it illegal. For example, changing the use, physical dimensions, etc. of the connection. See in [Table 1](#) for other possibilities. Revocation also includes permits that WisDOT issued in error.

Anytime a permit is revoked,<sup>10</sup> the property owner may appeal WisDOT's decision under Wis. Stat. § [86.073](#). When an improvement project has to remove permitted connections, it is recommended to do so as early in the design process as possible to ensure that any legal challenges will be resolved prior to the project's PS&E date.

In SHAPES, select letter template in [Attachment 3](#) for existing STH connection, driveway, work on highway ROW permit revocations and [Attachment 3b](#) for existing connection work permit revocations to get started. Fill out the required property owner information, permit number, and select the reasons why the permit is being revoked. Notify the owner by certified<sup>11</sup> mail who then has 30 calendar days upon receipt of the letter to appeal to WisDOT. If the owner appeals, it must be in writing<sup>12</sup> and submitted to:

Wisconsin Department of Transportation  
Bureau of Technical Services Director  
Attn: Statewide Access Engineer  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705

Region staff should not help, advise, or say anything to the property owner during the appeals process. Once the appeals process begins, all inquiries should be directed to the Statewide Access Engineer.<sup>13</sup> Region staff should not encourage appeals as a method for reversing WisDOT policy.

When the BTS Director upholds the region office decision, the Director notifies the region and the property owner of the grounds for the action along with the right to **further** appeal to the Department of Administration, Division of Hearings and Appeals. A hearing may be scheduled if the owner submits a written<sup>10</sup> request within 30 calendar days upon receipt of the notice to:

Division of Hearings and Appeals  
General Government Unit  
4822 Madison Yards Way, 5<sup>th</sup> Floor North  
Madison, WI 53705

After receiving notice of the appeal, the DOA hearing examiner, in consultation with the appellant and Office of General Counsel (OGC), schedules a hearing. Should an appeal decision go against WisDOT, OGC and upper management will determine if additional appeals will be pursued.

<sup>10</sup> The Region Director should be informed of all permit revocations especially if they may become controversial.

<sup>11</sup> When sending, use a "certified mail receipt" so the person receiving the letter must sign for it, and the receipt is then returned to WisDOT.

<sup>12</sup> An electronic letter or response using *FORWARD* is not allowed since all appeal notices must be sent by certified mail.

<sup>13</sup> Reply to applicant with a brief message, e.g., "Inquires about appeals made to the Statewide Access Engineer (SAE) should be directed to that office. The region office has concluded its review of your application, and the SAE is reviewing that decision per your request."

## 7.0 Connection Removal Project Set-up

In most situations, a county highway department (CHD) working under contract for WisDOT maintenance is used to remove an illegal connection or one that has had its permit revoked. A CHD may also be used when STH repairs or restoration must be made and no irrevocable letter of credit ([HMM 09-10-25, 4.2](#)) was placed as a permit condition. Use the guidance in this section to set up a PeopleSoft project and pay a CHD for this work. Do not use this section if a connection will be removed as part of an improvement project.

Perform the following steps in SHAPES as part of a customer's account, i.e., all correspondence should be sent/received within SHAPES. Create a new account for the property owner if one does not exist.

1. Region access staff submits a request to a region maintenance engineer (or supervisor) to remove a connection after all steps are addressed and there are no further legal challenges in sections [5.5](#) or [6.0](#).
2. Region maintenance engineer (or supervisor) reviews the request to check for conflicts with ongoing or future CHD work, then coordinates with region access staff and CHD for possible dates to perform the work.
3. Region access staff contacts the region financial specialist to request that a project ID in PeopleSoft be set up for the connection removal. The request must include:
  - a. Property owner name and address
  - b. Tax parcel ID number
  - c. A picture(s) of the connection
  - d. Map showing the connection location<sup>14</sup>
  - e. Estimated removal cost
  - f. A detailed work description

For example:

*Remove the northerly state highway connection for Kelley Roach at W5104 State Hwy 104, Brodhead, WI, Green County tax parcel ID #1234-56-78-90-01-00. The work consists of removing asphaltic surface, gravel base, metal pipe culvert, and earthen material between the edge of the paved shoulder to the right-of-way line, reshaping the ditch to reestablish natural drainage, replacing the state highway gravel shoulder, and restoring disturbed earthen areas with 4" of finely graded topsoil. Estimated project cost is \$5,000.*

Quantities are not needed. Include law enforcement hours if the agency requires compensation for its costs.

4. Region financial specialist contacts the Bureau of Highway Maintenance (BHM) to update the *Miscellaneous* category on the *Manage Funding* screen of the Discretionary Maintenance Agreement (DMA) module using the estimated removal cost. This allocates funds for the project in the Maintenance Program Management (MPM) system. **Do not use** the CHD's routine maintenance agreement (RMA) budget for this work.
5. A DMA contract is required for a CHD to perform the connection removal work. Region financial specialist uses the standard DMA contract template in MPM and inserts the project information provided by region access staff in step 3 to complete the contract. In MPM, use Activity Code *092* within *Miscellaneous*.
6. Region financial specialist sets up a new project ID in PeopleSoft using the allocated funds to create a DMA contract in MPM.
  - a. The project ID is 00CN-Y6-3X, where:
    - ▶ CN is the two digit county number
    - ▶ Y is the last digit of the current calendar year
    - ▶ X is the lowest number starting with 0 if it has not been used

For example, the first Green County project in 2025 would have an ID of 0023-56-30. The next removal in the same county would be 31, then 32, etc. to 39. A CHD charges to this ID using activity code *092* when doing the work.
  - b. Upon request by the region financial specialist, the region maintenance engineer does quality control. The project description information (blue box above) must be in the DMA's "Agreement Text" section.
  - c. Region maintenance supervisor is listed as the project manager and automatically receives notification from the MPM system once the DMA project has been set up to obtain his or her approval.
  - d. CHD signs the DMA contract in MPM.
  - e. BHM State Maintenance Engineer approves the DMA contract.

<sup>14</sup> If there are multiple connections on a parcel, make sure to pinpoint the connection location that will be removed.

7. Region financial specialist informs the region maintenance engineer and region access staff that the CHD is now authorized to do the work.
8. Region maintenance engineer, region access staff, and CHD schedule the connection removal date.
9. CHD does the work and submits a *Statement of Expenditure* (a/k/a: invoice<sup>15</sup>) for the connection removal costs, which is included in the primary monthly invoice submitted to WisDOT. Any salvageable materials, e.g., a pipe culvert, are temporarily stored at the CHD shop.
10. Region financial specialist extracts the DMA connection removal invoice from the primary invoice and requests region access staff to approve it. Once approved, region financial specialist documents the approval in MPM with a note. MPM automatically notifies region maintenance supervisor to approve the invoice. Once approved, the CHD will receive payment for the removal work.
11. Using the CHD DMA invoice, region access staff completes form [DT1668](#) *Sales to Others*. The example in [Attachment 4](#) shows most of the necessary information. The items below provide additional details on various boxes:
  - a. **Date:** Insert the date that the request is sent to the Financial Operation Section (FOS).
  - b. **Description of Material:** Start all entries with “Removal of STH connection...” See [7.1](#).
  - c. **Customer ID and Customer Location:** Leave blank. These are generated by FOS.
  - d. **Budget Ref:** Make sure to insert the correct fiscal year.
  - e. **Department:** In PeopleSoft, this is the org code that relates to the project manager, i.e., either the region access coordinator or engineer. The region financial specialist inserts this number into MPM when developing the DMA contract. Contact the region financial specialist to obtain the number. The number should be the same as the one listed in the DTSD org chart (blue highlighting below).

SW Planning Unit 2		
	10-21-22-33-00	
005994	LAX	100
Sommerfield, Arthur	CE Trans Supv	
Access Management		
002523	MAD	100
Braun, Wendy	CE Trans Adv	
018013	MAD	100
Piotrowski, Brice	CE Trans Sr	
021337	LAX	100
Rox, Joseph	Trans Spec Adv	
030096	MAD	100
Lybek, Rita	Trans Spec Adv	
014510	MAD	100
Hinkle, Scot	Trans Spec Adv	

- f. **Project ID:** Insert the same project ID number created in step 6a with a leading 395 and no dashes, e.g. 39500CNY63X or 39500235630.
12. Email the DT1668 **and** a copy of the CHD DMA invoice to FOS at [dotdbmfiscalservices@dot.wi.gov](mailto:dotdbmfiscalservices@dot.wi.gov) whereby a PeopleSoft invoice is generated. FOS will send the PeopleSoft invoice to the region access staff person who initiated the request. **Note:** In the email to FOS, region access staff must request that FOS send the PeopleSoft invoice back to the region – otherwise the customer may get billed directly before step 13.
13. Region access staff sends a cover letter, copy of the PeopleSoft invoice, **and** a copy of the CHD DMA invoice, to the property owner via express mail, UPS, or FedEx<sup>16</sup> and via their SHAPES account if one has been established. The property owner has 30 days to submit payment to WisDOT. If the owner fails to pay within 30 days, PeopleSoft will automatically generate a reminder invoice for days 31-60, and for days 61-90 if necessary. After 90 days, step 14 is implemented.
14. If the property owner refuses to pay the invoice, WisDOT will follow the Accounts Receivable process for collections stated in the Wisconsin Accounting Manual Section 07, Subsection 01. If the costs are not recovered, WisDOT absorbs them under DTSD’s budget authority. In addition, the CHD may also use any salvaged materials at its discretion.

<sup>15</sup> The CHD invoice organizes work costs by labor, fringe benefits, equipment (including small tools), materials, and administration.

<sup>16</sup> This process eliminates issues WisDOT has had in the past with property owners not signing for certified mail, and it also gets the invoice to the property owner in a timely manner.

15. If the invoice is paid, the property owner is instructed (on the PeopleSoft invoice) to remit the check to:

Wisconsin Department of Transportation  
Financial Operations Section – Cashier  
PO Box 7366  
Madison, WI 53707-7366

FOS credits the payment as a refund of expenditures under Operations/Maintenance Program 368. The region financial specialist then notifies the region access staff that the invoice has been paid. Region access staff will inform the owner where and when to pick up any salvaged materials at the CHD shop.

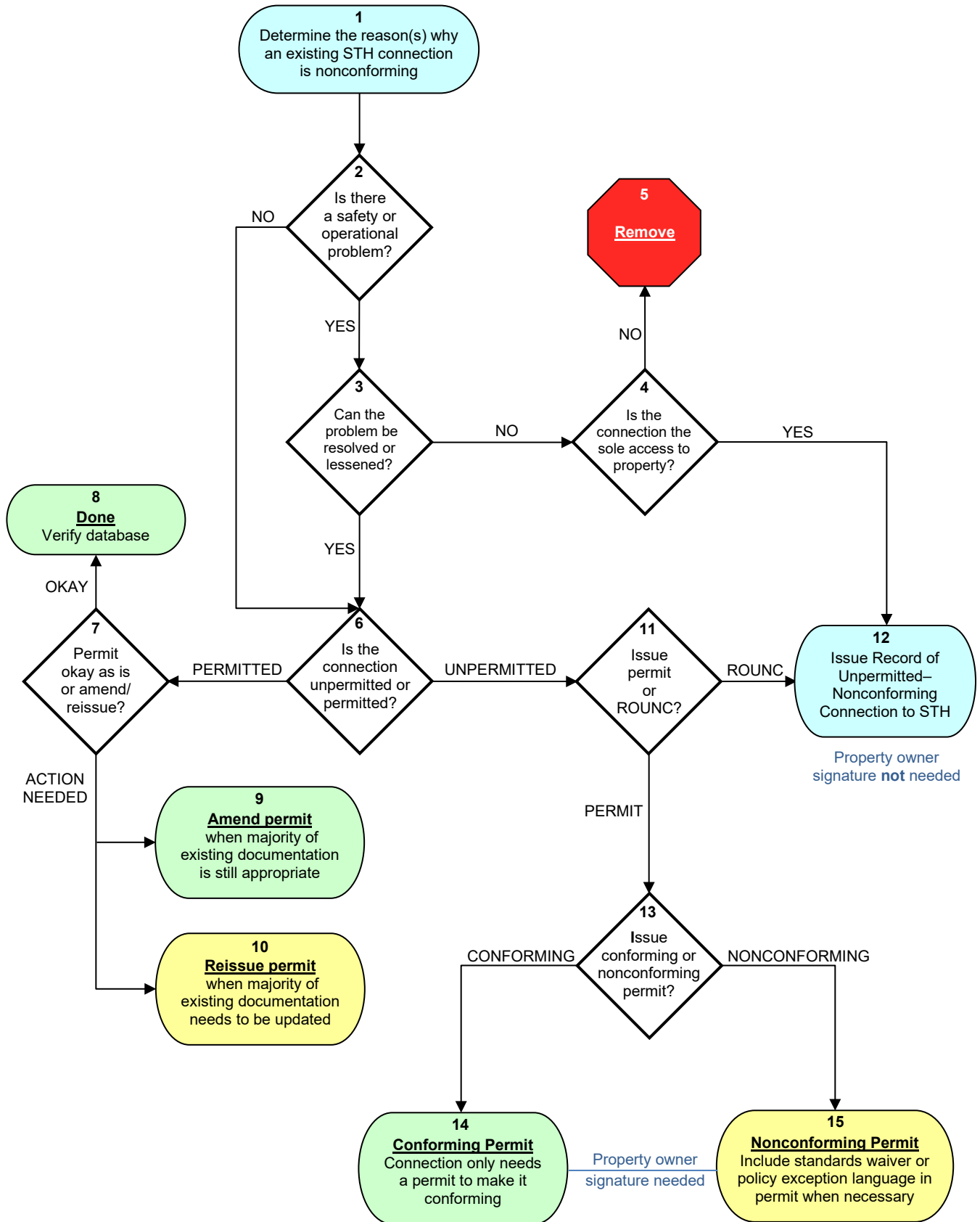
Remember fiscal year accounting cut-off date deadlines when scheduling removals and submitting the *Sales to Others* form. If the removal work is done in June, make sure to send the *Sales to Others* form to FOS before June 30<sup>th</sup>. If the work is done in June and the *Sales to Others* form is not submitted until after the accounting cut-off date deadlines, any money paid by the property owner gets credited to the general transportation fund instead of the project ID. If necessary, wait until July to schedule the removal work.

### **7.1 Removal Reports**

In the DESCRIPTION OF MATERIAL section on the *Sales to Others* form, start all entries with “Removal of STH connection...” This allows removal projects to be queried, and reports generated by FOS regarding payments made, total expenditures, etc. If a region office wants a report, contact BHM’s Highway Maintenance and Roadside Management section who will make the request to the FOS Section Chief.



**Attachment 2 – Handling Existing Nonconforming STH Connections Flowchart**



**Attachment 3 – STH Connection Permit Revocation and Removal Template**

**WisDOT, Division of Transportation System Development**

Choose office  
Choose office street address  
Choose city-state-zip

**Governor Tony Evers**  
**Secretary Katrina Boardman**  
[wisconsindot.gov](http://wisconsindot.gov)  
Telephone: Click to enter text  
Email: Click to enter text



Click to enter date

Via Certified Mail

[ADDRESS]

RE: WisDOT State Trunk Highway Connection  
**Connection Permit # Click to enter text REVOKED**  
Removal of Connection from Choose State or U.S.  
Highway Click to enter text  
Click to enter text County

Dear [Mr./Ms./Mrs./etc.]

The Wisconsin Department of Transportation (WisDOT) has determined that it is in the best interest of the traveling public to permanently remove the above referenced permitted connection to the State Trunk Highway (STH) System. Therefore, WisDOT hereby revokes permit # Click to enter text issued on Click to enter date. The reason(s) for the revocation is(are):

- To eliminate conflict points along the STH therefore increasing safety and mobility.
- To restore adequate sight distance to maintain safety standards and improve mobility on the roadway.
- To improve the spacing between connections to the roadway.
- To remove a connection that is no longer in consistent use where alternate access is available.
- To maintain safety and mobility within the functional area of the interchange or intersection in which the existing connection currently exists.
- To be consistent with new access controls that have been established on the highway.
- Because the connection use has changed from that stated on the permit.
- Click to enter a different [or additional] reason[s]

Choose appropriate option

If you wish to appeal this revocation order, you must do so in writing within 30 days of receipt of this letter. You should include the reason(s) for the appeal and a copy of this letter. Please send the request to:

Wisconsin Department of Transportation  
Bureau of Technical Services Director  
Attn: Statewide Access Management Coordinator  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705

Upon receipt, WisDOT will provide appellant, property owner (if different than the appellant), and any other affected party confirmation of receipt of the appeal. WisDOT central office staff will then review the region's decision and notify the persons involved of the agency's final decision.

If you have any questions, please contact me using the information listed at the top of the page.

Sincerely,

*Your signature*

Click to enter your name  
Access Choose one

**Attachment 3b – STH Connection Work Permit Revocation and Removal Template**

**WisDOT, Division of Transportation System Development**  
Choose office  
Choose office street address  
Choose city-state-zip

**Governor Tony Evers**  
**Secretary Katrina Boardman**  
[wisconsindot.gov](http://wisconsindot.gov)  
Telephone: [Click to enter text](#)  
Email: [Click to enter text](#)



[Click to enter date](#)

Via Certified Mail

[ADDRESS]

RE: WisDOT State Trunk Highway Connection  
**Work Permit # [Click to enter text](#) REVOKED**  
Choose State or U.S. Highway [Click to enter text](#)  
[Click to enter text](#) County

Dear [Mr./Ms./Mrs./etc.]

The Wisconsin Department of Transportation (WisDOT) has determined that it is in the best interest of the traveling public to revoke the above referenced work permit issued on [Click to enter date](#). Be advised that any work in the right-of-way (ROW) after receipt of this letter would be unpermitted and therefore illegal. The reason[s] for the revocation is[are] listed below.

- You have requested to move an unconstructed connection to a new location, which requires a new permit application be submitted.
- You have determined that a new or improved connection is not needed at this time.
- You want to reapply for a different connection that has a different use, configuration, etc. from what was approved on the original work permit.
- WisDOT has been made aware of new facts regarding your property that alternate access is available, and therefore this new connection is not needed.
- There are continued violations of the permit conditions, supplemental provisions, or special provisions, which are adversely affecting STH safety, operation, or maintenance.
- [Click to enter a different \[or additional\] reason\[s\]](#)
  
- You must remove the connection and restore the ROW within 30 days of receipt of this letter. Damaged or destroyed WisDOT items may also have to be repaired or replaced (see attached list if applicable). A permit is required for all work and may be applied for online at [URL](#) or by submission of the attached form. Failure to timely remove the connection will result in WisDOT taking action to remove it, which may result in a charge of three times the cost of removal to you under Wis. Stat. § 86.02.
- Due to safety concerns, WisDOT will temporarily block this connection. WisDOT will then remove the connection as part of a highway improvement project or through regular highway maintenance operations.
- [Click to enter a different option](#)

Nothing in this letter permits the abandonment or discontinuance of environmental protections which were required to be put in place under the terms of the now revoked permit.

If you wish to appeal this revocation order, you must do so in writing within 30 days of receipt of this letter. You should include the reason(s) for the appeal and a copy of this letter. Please send the request to:

Wisconsin Department of Transportation  
Bureau of Technical Services Director  
Attn: Statewide Access Engineer  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705

Upon receipt, WisDOT will provide appellant, property owner (if different than the appellant), and any other affected party confirmation of receipt of the appeal. WisDOT central office staff will then review the region's decision and notify the persons involved of the agency's final decision. If WisDOT does not receive an appeal letter, we will consider this matter closed.

If you have any questions, please contact me using the information listed at the top of page one.

Sincerely,

*Your signature*

Click to enter your name

Region Choose one

**Attachment 4 – DT1668 Sales to Others Example**



**SALE TO OTHERS INVOICE**

Wisconsin Department of Transportation  
DT1668 02/2024

Please email completed form to DOTDBMFiscalServices@dot.wi.gov and include any necessary attachments for supporting documentation of the charges.

Invoice Number (Financial Operations Section (FOS) Completes)	Date (m/d/yy)

DESCRIPTION OF MATERIAL	QUANTITY	UNIT PRICE	AMOUNT
Removal of STH connection at W5104 State Hwy 104 (Jones)	1 LS	2,345.670	2,345.67
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
<b>TOTAL AMOUNT</b>			<b>\$2,345.67</b>

SEND INVOICE TO		SIGNATURE REQUIRED	
Name, Organization, Address, City, State, ZIP Code Kelly Jones W5104 State Hwy 104 Brodhead, WI 54452		Signature (Brush Script font, if computer filled) <i>Robert Brown</i>	
Email Address: Homeowner email (if known)		Bureau/Region/Service Center Southwest Region – Madison	
Customer ID (10 digits)	Customer Location (3 digits)	(Area Code) Telephone Number (608) 246-1234	

- Refer to Valid Projects and STAR Account Code (MyDOT/Finance/Accounting/Chart of Accounts) for the Chartfield information required in table.
- Funds should be credited to the same Project ID where expenses occurred.

Budget Ref (e.g. FY2024)	Fund (5 digits)	Appropriation (5 digits)	Department (10 digits)	Account (7 digits)	Project ID (11 digits)	Activity (e.g. LABOR-DLVY-OTHR)	Source Type	Total Cost
FY2025	21100	96100	1021223300	8700139	39500234630	LABOR-DLVY-OTHR	OTHER	\$2,345.67

BSA Code 39500-21100-900SE-3959901000-1499000	G/L JE Number	G/L Approval
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## End notes

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• While the policy established in this section could be used for handling nonconforming connections for highway improvement projects, it is outside the scope of HMM 9-10-30. However, criteria should be established corresponding to the various improvement project types as to when nonconforming connections should be brought up to standards (or as close to as possible) at WisDOT's expense based upon a benefit/cost ratio, crash history, report of near misses, and other factors. The initial decision needs to be made in the project scoping process so the appropriate budget can be set. It may be reasonable to improve some nonconforming connections but not others along the same project corridor.