1. **SCOPE:**

This directive establishes the policy of the Department of Transportation and Development, Office of Highways, regarding the construction of pedestrian sidewalks adjacent to State maintained highways.

2. **POLICY:**

The following policy is hereby established for the provision of pedestrian sidewalks.

A. **New Construction and/or Reconstruction:**

   (1) Because proper and reasonable design for pedestrians is important, sidewalks on curbed roadway sections should be considered during project development, particularly in areas of access to schools, parks, shopping areas, and transit stops.

   (2) In suburban areas with little development, design should allow for the ultimate installation of sidewalks.

   (3) State funds will not be used to construct pedestrian sidewalks on newly constructed highways except in certain situations whereby it is deemed necessary for safety reasons. Such conditions may include new highway construction adjacent to hospitals, schools, and recreational facilities where pedestrian movements existed prior to the highway and are placed in jeopardy by its presence. When these conditions exist, it shall be the responsibility of the Road Design Engineer to prepare written recommendations for sidewalks to be included in the plans for approval by the Chief Engineer.

   (4) Sidewalks may be included in highway construction plans at the request of municipal or parish authorities, provided that all construction costs are borne by the requesting agency and the Department is reimbursed in full by said agency prior to commencing of construction. The municipality or parish authority will be required to accept responsibility for operation and maintenance of the sidewalk.
(5) On Federal Aid Projects, it will be the responsibility of the Road Design Engineer after concurrence of FHWA, to prepare written recommendations for the use of sidewalks to be included in the plans for approval by the Chief Engineer. The municipality involved will be required to accept the responsibility for operation and maintenance of the sidewalk.

(6) Sidewalks will not be permitted on DOTD right-of-way within the recovery clear zone area unless approved by the State Traffic Engineer.

B. Post Construction:

(1) The Department shall not construct nor participate in the construction of sidewalks adjacent to existing highways, except for those funded under the Enhancement Program. The municipality or parish authority will be required to accept responsibility for: operation, management and maintenance, and all legal liability for the sidewalks.

(2) When requested, a permit may be issued to the municipal or parish authority for the construction of a sidewalk(s), provided that all construction meets minimum adopted standards and at no cost to the Department. The permittee will be required to accept responsibility for: operation, management and maintenance, and all legal liability for the sidewalks.

3. Other Issuances Affected:
This directive supersedes EDSM 11.2.1.10 issued February 10, 1999.

4. Effective Date:
This policy will be implemented on all projects that have not progressed beyond the plan-in-hand beyond the plan-in-hand stage. Other provisions of the policy are effective immediately.

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