



ADMINISTRATIVE RULES OF MONTANA



18.7.104 ENCROACHMENTS ON CONTROLLED ACCESS HIGHWAY RIGHT-OF-WAY

- (1) No private use of right-of-way of highways under the jurisdiction of the department shall be allowed within and between the access control limits of a controlled access highway except:
 - (a) the department may approve individual private encroachments within the controlled access right-of-way, with prior concurrence from the Federal Highway Administration;
 - (b) encroachments within controlled access right-of-way must conform to all department statutes, rules, and design standards; and
 - (c) the encroachment must be constructed, maintained, and allow removal from the area outside of the access control limits.

Authorizing statute(s): 60-3-101, 61-8-203, MCA

Implementing statute(s): 60-3-101, 61-8-203, 61-8-706, MCA

History: Eff. 12/31/72; AMD, 2014 MAR p. 2828, Eff. 11/21/14.