State of New York
Department of Transportation

Form PERM 33 (8/01)

Highway Work Permit Application for Non-Utility Work

Instructions and Form

Submit three copies (photocopies acceptable)

INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR HIGHWAY WORK PERMIT – NON-UTILITY

FRONT OF APPLICATION

An Applicant may not have all pertinent information at the time of completing the application form since certain information relative to fees, insurance and guarantee deposits may be contingent upon determinations to be made by the Department. In such cases, the information may be left blank and remittance withheld until the information is determined by the Department.

Please complete the following:

- Permittee's name and address. For more than one applicant, also fill in the joint applicant's name and address.
- Federal Identification Number of the company or individual Social Security Number.
- Applicant's telephone number. A telephone number where applicant can be contacted concerning the application. Please include area code.
- Project Identification No. and Highway Work Permit No. will be completed by the issuing office.
- Name of Contact person and their telephone number in case of emergency.
- If Highway Work Permit is to be returned to someone other than the applicant, complete this section.
- Estimate the cost of work being performed in the State highway right-of-way and place this figure on the blank line.
- Indicate anticipated duration of work to be performed with starting date and ending date on this line.
- You may provide your own insurance, purchase insurance through the Department, if available, or provide an Undertaking (for Utilities and Municipalities only). If you choose to provide your own insurance, a PERM 17 will be necessary. The PERM 17 may be obtained at the office you obtained this form from. It must be completed by your insurance company and accompany the permit application upon submission. The Policy number and expiration date of the PERM 17 should be shown on this line.
- Give a brief description of the proposed work that is to be done under this permit
- Plans and specifications should accompany this application for any work that involves construction within the State highway right-of-way. Place a check mark on the lines for plans and specifications if they are attached.
- Location of the project should be identified by: State Route; State Highway Number, if known; State Highway reference markers and Town and County in which work area is located.
- SEQR requirements: This may be required for larger projects – Contact the Regional Office of the Department of Transportation to determine if these requirements are necessary.
- Signature of applicant (permittee) and date.
- Signature of second applicant, if any, and date.

BACK OF APPLICATION

- Check type of work that will be performed.
- In the appropriate column indicate:
  - Manner in which insurance coverage is furnished the Department, i.e., PERM 17 (P17) or Under-Taking (UT) or Insurance Fee (IF), if available (N/A means the Department's insurance is not available).
- Indicate total amount of permit fee and insurance fee, if applicable.
- Indicate check number of Guarantee Deposit or Bond Number, if required. This will be determined by the Department upon submission of application.

Shaded areas will be completed by the Department of Transportation.

Remove the application form from the back of this packet and submit 3 copies to the Department for approval.

RESPONSIBILITIES OF PERMITTEE
PURSUANT TO NON-UTILITY HIGHWAY WORK PERMITS

FAILURE TO OBTAIN A PERMIT OR FAILURE TO COMPLY WITH THE TERMS OF A PERMIT MAY RESULT IN THE DEPARTMENT HALTING THE ACTIVITY FOR WHICH A PERMIT IS REQUIRED UNTIL ADEQUATE CORRECTIONS HAVE BEEN MADE.

PROTECTIVE LIABILITY INSURANCE COVERAGE

Permittee must have protective liability insurance coverage in accordance with Department requirements. See "Certificate of Insurance for Highway Permits" (Form PERM 17, NYSDOT).

Expiration of, or lack of, liability insurance automatically terminates the permit. Insurance coverage may be provided by furnishing the Department with one of the following:

1. A completed Certificate of Insurance for Highway Permits (Form PERM 17, NYSDOT).
2. Purchase the Department Blanket Policy for Highway Work Permits from the Department, if available. N/A shown on the Application in the insurance column means Department insurance coverage is not available for that type of project.
3. Provide an Undertaking. Undertakings are limited to Public Service Corporations and government units.

COMPENSATION INSURANCE AND DISABILITY COVERAGE

The permittee is required to have compensation insurance and disability coverage as noted in the provisions of the Worker's Compensation Law and Acts amendatory thereof for the entire period of the permit, or the permit is invalid.

NOTIFICATION

The following should be notified at the appropriate time as shown below:

1. Commissioner of Transportation, through Regional Office, one week prior to commencing work.
2. Area gas distributors 72 hours prior to any blasting.
3. Utility companies with facilities in work areas before starting work, in accordance with Industrial Code 53 (permission from utility company must be obtained before commencing work affecting utilities' facilities).
4. New York State Department of Transportation, Regional Signal Maintenance Shop, 3 days prior to starting work.
5. New York State Department of Transportation Regional Office at conclusion of work and return original copy of permit to Resident Engineer.

Permit Notification for Annual Permits: Notify by telephone, the Regional or Resident Engineer's Office in advance, when work is to be performed.

SITE CARE AND RESTORATION

An Undertaking, a bond or a certified check in an amount designated by the Department of Transportation may be required by the Regional Office, before a permit is issued, to guarantee restoration of the site to its original condition. If the Department is obliged to restore the site to its original condition, the costs to the Department will be deducted from the amount of the permittee's guarantee deposit at the conclusion of the work. Costs in excess of the Bond/guarantee deposit on file will be billed directly to the permittee.

The permittee is responsible for traffic protection and maintenance including adequate use of signs and barriers during work and evening hours. Anyone working within the State highway right-of-way will wear high visibility apparel (orange/yellow) and hard hat.

No unnecessary obstruction is to be left on the pavement or the State highway right-of-way or in such a position as to block warning signs during non-working hours.

No work shall be done to obstruct drainage or divert creeks, water courses or sluices onto the State highway right-of-way.

All false work must be removed and all excavations must be filled in and restored to the satisfaction of the Regional Maintenance Engineer.

COSTS INCURRED BY ISSUANCE OF THIS PERMIT

All costs beyond the limits of the protective liability insurance, surety deposits, etc. are the responsibility of the permittee. The State shall be held free of any costs incurred by the issuance of this permit, direct or indirect.

SUBMITTING WORK PLANS

The applicant will submit work plans and/or a map as required by the Department. This shall include such details as measurements of driveways with relation to nearest property corner, positions of guys supporting poles and a schedule of the number of poles and feet of excavation necessary for completion of the work on the State right-of-way. A description of the proposed method of construction will be included.

Plan work with future adjustments in mind, as any relocation, replacement or removal of the installation authorized by this permit and made necessary by future highway maintenance, reconstruction or new construction, will be the responsibility of the permittee.

Driveway plans should be prepared in accordance with the POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.

The permittee must coordinate the work with any state construction being conducted.

TRAFFIC MAINTENANCE

A plan detailing how the permittee intends to maintain and protect traffic shall be submitted with work plans. Traffic shall be maintained on the highway in a safe manner during working and non-working hours until construction is completed. The permittee is responsible for traffic protection and maintenance, including adequate use of signs, barriers, and flag persons during working and non-working hours until construction is completed.
All sketches will be stamped with "MAINTENANCE OF TRAFFIC SHALL BE IN CONFORMANCE WITH THE NEW YORK STATE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES."

COST OF INSPECTION AND SUPERVISION

Prior to issuance of the Highway Work Permit, the permittee may be required to sign an INSPECTION PAYMENT AGREEMENT FOR HIGHWAY WORK PERMITS (FORM PERM 50) agreeing to the payment of inspection charges and/or PAYMENT OF AGREEMENT FOR HIGHWAY WORK PERMITS DESIGN REVIEW (FORM PERM 51) for Department employees. Inspection charges will be based on number of work days. Design Review charges will be based on number of work hours.

SCOPE

Areas Covered: Permits issued are for highways, bridges and culverts over which the New York State Department of Transportation has jurisdiction. (Local governments issue permits for highways under their jurisdiction.)

Legal: The privilege granted by the permit does not authorize any infringement of federal, state or local laws or regulations, is limited to the extent of the authority of this Department in the promises and is transferable and assignable only with the written consent of the Commissioner of Transportation.

Commissioner's Reservation: The Commissioner of Transportation reserves the right to modify fees and to revoke or annul the permit at any time, at his discretion without a hearing or the necessity of showing cause.

Locations: Work locations must be approved by the Department.

Maintenance: Property owners having access to a state highway shall be fully responsible for the maintenance of their driveway in accordance with POLICY AND STANDARDS FOR ENTRANCES TO STATE HIGHWAYS.

Work Commencement: The Permittee shall have a copy of the permit available at the site during the construction period. Work should start within 30 days from validation date of permit or said permit may be revoked.

COMPLETION OF PROJECT

Upon completion of the work within the state highway right-of-way authorized by the work permit, the person and his or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the Terms and Conditions of the Highway Work Permit.

PERM 33 (8/01)

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION
HIGHWAY WORK PERMIT APPLICATION FOR NON-UTILITY WORK

PREPARE 3 COPIES
(photocopies acceptable)

Application is hereby made for a highway work permit:

Name _____

Address _____

City _____ State _____ Zip _____

Federal I.D. No. or Social Security No. _____

Applicant Telephone No. _____

Contact person in case of emergency _____

Telephone No. of contact person _____

For Joint application, name and address of Second Applicant below:

Name _____

Address _____

City _____ State _____ Zip _____

Project Identification No. _____

Highway Work Permit No. _____

RETURN PERMIT TO (If different from above):

Name _____

Address _____

City _____ State _____ Zip _____

RETURN OF DEPOSIT/BOND TO (Complete only if different from permittee):

Name _____

Address _____

City _____ State _____ Zip _____

1. Estimated cost of work being performed in state highway right-of-way $ _____

2. Anticipated duration of work: From _____ 20, _____ thru _____, 20 _____, to apply to the operation(s) checked on the reverse side.

3. Protective Liability Insurance covered by Policy No. _____ ; expires on _____ 20 _____

4. A $20.00 fee will be charged for checks returned by the bank.

PROPOSED WORK (Brief description): _____

_____

_____

_____

ATTACHED: Plans _____ Specifications _____ LOCATION: State Route _____ State Highway _____

between Reference Marker _____ and Reference Marker _____

Town of: _____ County of: _____

SEQR REQUIREMENTS (Check appropriate item):

☑ Exempt ☐ Ministerial ☐ Type 11 ☐ EIS or DEIS Lead Agency _____

If project is identified to be ministerial, exempt, or TYPE 11, no further action is required.

If project is determined to be other than ministerial, exempt, or TYPE 11, refer to M.A.P.7.12-2, Appendix A SEQR REQUIREMENTS FOR HIGHWAY WORK PERMITS.

Acceptance of the requested permit subjects the permittee to the restrictions, regulations and obligations stated on this application and on the permit.

Applicant Signature _____ Date _____ 20 _____.

Second Applicant Signature _____ Date _____ 20 _____.

Approval recommended _____ 20 ___, By Resident Engineer _____ Residency No. _____.

Approved _____ 20 ___, By Regional Traffic Engineer _____ Region No. _____.

PERMIT IS ISSUED CONTINGENT UPON LOCAL REQUIREMENTS BEING SATISFIED.

CHECK TYPE OF OPERATION	Permit Fee	Insurance Fee	Perm 17 or Under Taking	Total Amount of Fee and/or Insurance	Guarantee Deposit and/or Bond Amount
5. ☑ Single job – Permit issued for each job					
a. ☐ Driveway or roadway					
1. ☑ Residential	$ 15	$ 25			
2. ☑ Commercial – Minor	550	175			
a. ☐ Home Business	100	75			
3. ☐ Commercial – Major – (Less than 100,000 square feet Gross Building Area)	1400	N/A			
4. ☑ Commercial – Major – (100,000 square feet Gross Building Area and Greater)	Actual cost with Minimum of $2000 upon permit app.	N/A			
5. ☑ Subdivision Street	900	N/A			
6. ☑ Temporary access road or street	200	150			
b. ☐ Improvement					
1. ☐ Residential	15	25			
2. ☐ Commercial					
Check additional description below:					
a. ☐ Install sidewalk, curb paving, stabilized shoulder, drainage, etc.	200	150			
b. ☐ Grade, seed, improve land contour, clear land of brush, etc.	100	75			
c. ☐ Resurface existing roadway or driveway	50	50			
d. ☐ Annual resurfacing of residential and commercial roadways or driveways.					
1. ☐ Per County	150	N/A			
2. ☐ Per Region	400	N/A			
c. ☐ Tree Work					
1. ☐ Residential	15	25			
2. ☐ Commercial (not required for pruning if utility has annual maintenance permit)	25	50			
Check additional description below:					
a. ☐ Removal or planting					
b. ☐ Pruning, applying chemicals to stumps, etc.					
3. ☐ Vegetation control for advertising signs	150/sign	75			
d. ☐ Miscellaneous Construction					
1. ☐ Beautifying ROW – (for Civic Groups only)	NC	25			
2. ☐ Temporary signs, banners, holiday decorations					
a. ☐ Not-for-profit organizations	NC	25			
b. ☐ Organizations other than not-for-profit	25	25			
3. ☐ Traffic control signals	500	175			
4. ☐ Warning and entrance signs	25	50			
5. ☐ Miscellaneous – Requiring substantial review	400	175			
6. ☐ Miscellaneous	25	50			
6. ☐ Encroachment caused by D.O.T. acquisition of property	25	50			
7. ☐ Compulsory permit required for work performed at the request of D.O.T.					
a. ☐ Building demolition or moving requested by D.O.T.	NC	25			
1. ☐ Demolition 2. ☐ Moving					
b. ☐ Improvement to meet Department standards	NC	25			
8. ☐ Miscellaneous	25	25			
9. ☐ Adopt a Highway	NC	N/A			

Guarantee Deposit Check Number or Bond Number _____