

Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

July 11, 2001

Township Roads – MFT Eligibility

#01-09

COUNTY ENGINEERS/SUPERINTENDENT OF HIGHWAYS

Under the Motor Fuel Tax distribution statute ([35 ILCS 505/8](#)), IDOT has the responsibility to determine the mileage of all township and district roads for the purpose of making allotments of MFT funds. Last summer Secretary Brown requested a review of the department's process for determining township mileage for MFT distribution.

During the summer of 2000, the Bureau of Local Roads and Streets, the Bureau of Accounting and Auditing, and roadway inventory personnel from each district conducted a sample survey of township roads in Districts 2-9. Roads selected to be sampled were primarily unpaved and dead-end roads. In each district, the team performed a survey of one county.

In general, the roads surveyed were open and passable and their lengths were equal to the MFT recorded length. However, there were discrepancies in some of the roads inspected. These discrepancies ranged from the road being abandoned and overgrown with vegetation to the road being barricaded by the township or landowner.

Based on review team recommendations, along with input from our districts, the Township Officials of Illinois (TOI) and the Illinois Association of County Engineers (IACE), we have developed criteria for "open and passable." These criteria have been incorporated into the attached "MFT Eligibility Guidelines for Township Roads."

The department has initiated a complete inventory of all unimproved and dirt township roads. Data for all counties will be entered into our Illinois Roadway Information System (IRIS) database by December 1, 2002. Once all changes have been made in IRIS, our bureau will revise the mileage for MFT distribution. This revision is expected to occur in January 2003. During the interim (from now until January 2003), IRIS mileage deductions resulting from this review will not affect MFT distributions. Township mileage changes not related to these new guidelines (new road, municipal annexations, jurisdictional transfers, etc.) will continue to be processed and will affect MFT distributions.

The review team also made recommendations regarding reinventory requirements, additions of new roads to the township system, and the annual updating of township maintenance maps.

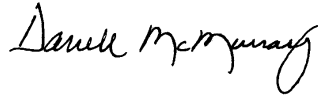
The reinventory requirements and procedures for correcting deficiencies are included in the attached eligibility guidelines.

It is important that statutory criteria for adding new roads to the township system be adhered to before they become eligible for MFT distribution. Please ensure that the district is provided with documentation that all statutory requirements covering petitions, public hearings, and plats have been met.

Most counties are updating and certifying township maintenance maps. All township maintenance maps need to be updated and certified by the respective township highway commissioner and county engineer annually. We will coordinate the wording of the certification with the IACE Policy Committee prior to finalizing this issue. Further guidance will be forthcoming.

Thank you for your continued cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Darrell W. McMurray". The signature is written in a cursive, flowing style.

Darrell W. McMurray, P.E.
Engineer of Local Roads and Streets

cc: Bryan Smith, Executive Director, TOI

Attachment

MFT Eligibility Guidelines for Township Roads

In accordance with Section 8 of the Motor Fuel Tax Law, 35 ILCS 505/8, the Department of Transportation is required to determine the mileage of all township and road district highways for the purposes of making allotments and allocations of motor fuel tax funds for use in road districts. The determination is governed by the definitions of "township road", "district road", and "highway" found in the Illinois Highway Code, 605 ILCS 5/2-202, 2-205 and 2-206. Generally, that portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder is referred to as the roadway and is included in the mileage total provided that the highway is a public way for vehicular travel. Previously unreported public highways must be 0.04 miles or longer to be included in the inventory for mileage totals.

To be considered a public way for vehicular travel, a road must be both "open" and "passable". The roadway shall be free of obstructions (no gates, chains, fences, fallen trees, etc.) that prevent the public from gaining access to the full length of the road. The road shall not be marked with no trespassing, road closed or other signs or markers which indicate that vehicular travel by the public is prohibited. Roads leading up to a closed bridge or culvert will be considered a public way for vehicular travel as long as the approaches are passable. Vehicular travel may be prohibited or restricted for up to 90 days in any one calendar year as allowed in 625 ILCS 5/15-316.

The test for passability is if the road can be traversed in a four-wheel drive vehicle in dry conditions without having to leave the roadway. Specifically, the following criteria will be utilized by the department to determine passability:

1. The roadway shall be free of excessive ruts or potholes. Rutting in excess of 9 inches in depth should not exist on the majority of the roadway unless a four-wheel drive vehicle can straddle the ruts and traverse the road with relative ease at a low rate of speed.
2. For dirt roadways, delineation of the roadway must be readily identifiable, either by wheel paths or cross section recognition.
3. Vegetation and other obstructions lateral to the roadway should be adequately cleared to allow a standard size four-wheel drive vehicle to pass without rubbing and scratching the vehicle.
4. Adequate drainage shall be provided to prevent ponding on the roadway or erosion of the roadway, except in instances of seasonal or prolonged flooding.

When the open and/or passable criteria has not been met, the department will notify the township road commissioner and the County Engineer of the specific problem and give them 30 days to correct the deficiency. If the correction is not made in 30 days, the road shall be removed from MFT eligibility.

Township roads, along with other state and county highways, shall be reinventoried within a county within a cycle determined by the district to determine MFT eligibility and verify length. A five-year cycle for complete reinventory of roads within a district is desirable.