



Quick Reference

District 5 Right-of-Way (ROW) Permits Frequently Asked Questions

❖ When do I need a ROW Permit from ITD?

- Any individual, business, or other entity planning to add, modify, change use, relocate, maintain, or remove an encroachment on the state highway or use highway right-of-way for any purpose other than normal travel, shall obtain a permit to use state highway right-of-way. Encroachment permits approved by the Department are required for private and public approaches (driveways and streets), utilities and other miscellaneous encroachments.

❖ Are there permit application fees?

- Yes, Per IDAPA 39.03.42.700.02(a):

Approaches:

Land Use Category	Permit Application Fee
Residential, < 100 units (includes farm and field approaches)	\$50
Residential, ≥ 100 units	\$100
Retail, < 35,000 sq. ft.	\$50
Retail, ≥ 35,000 sq. ft.	\$100
Office, < 50,000 sq. ft.	\$50
Office, ≥ 50,000 sq. ft.	\$100
Industrial, < 70,000 sq.ft.	\$50
Industrial, ≥ 70,000 sq.ft.	\$100
Lodging, < 100 rooms	\$50
Lodging, ≥ 100 rooms	\$100
School (K-12)	\$100

* *Encroachments other than approaches: fifty dollars (\$50)*

***Subject to change. Other miscellaneous cost or other fees may be determined by the Department may apply per IDAPA 39.03.42.700.03.*

❖ How long does it take to get a permit?

- Permit applications are processed as they are received. Please allow for a minimum of 30-60 days (subject to change).

❖ How long are permits valid for?

- 1 Year
- Per IDAPA 39.03.42.201: (01) If work does not begin immediately, the permittee shall notify ITD or local highway agency five working days prior to commencing such work. (03) All



Quick Reference

permitted work shall be completed and available for final inspection within thirty days.

❖ What documents do I need to include with a permit application?

- Non-refundable application fee (please confirm the applicable amount with ITD).
- A copy of the latest deed of record which identifies proper owner and legal description of property abutting the State Highway Right-of-Way (ROW). ****Note. If ownership of the property changes during the permit process, a new form must be submitted with the new ownership documentation.***
- Photographs of the proposed driveway location, including one looking along the highway from the proposed location (digital photographs are acceptable).
- Plans or drawings
- If applicable, a Traffic Impact Study (TIS)
- For full details, please refer to the corresponding application form, IDAHO, or the Department website. <https://itd.idaho.gov/d5>

❖ What are some of the reasons for disapproval for a permit?

- Void Application – Once application is submitted, if the permitting process is not completed within one year because of inactivity on the applicant's part, the application shall be considered void (IDAPA 39.03.42.12).
- Denial of Application – Applications for encroachments not allowed shall be verbally denied. If the applicant insists on proceeding with the application, the non-refundable fee shall be accepted, and a permit denial issued by certified letter. Upon receipt of the denial letter, the applicant can appeal the Department's action.

❖ What are other resources available to me?

- [Sign & Right-of-Way Construction Permits](#)
- [Idaho 511](#)
- [811 "Call Before You Dig"](#)
- [IDAPA Website](#)
- [Idaho Parcels](#)

❖ Can't find an answer to your question(s) or special circumstances?

- Check out the District 5 Website: <https://itd.idaho.gov/d5>
- Non-Permit related? Check out Idaho Transportation Department Website: <https://itd.idaho.gov/>
- Permit Coordinator: (208) 239-3300