





## PUBLIC ROAD CRITERIA

### What Constitutes a County Road?

The Texas Department of Transportation (TxDOT) maintains a Centerline file of county road locations and alignments in all 254 counties in Texas. These roads have been collected using a Global Positioning System (GPS) and are updated annually. Information TxDOT collects about each road includes the road's name, aliases (if applicable), number of lanes, whether the road is one-way or two-way, surface type, length and a unique route number assigned in our office. The following is a generalized listing of the criteria for inclusion in this County Road file.

#### A County Road must be:

<b>clear of all obstructions</b>	Transportation Code, Ch 251.008 states that a road must be clear of all obstructions. A road that has been platted but has not been Opened to the public is not a county road.	
<b>open to the public</b>	24 hours a day, 7 days a week. Posted hours of access are acceptable, such as Parks and Landfill hours of operation. See 23 U.S.C. 101 below.	
<b>owned by the county</b>	While generally the county owns their roads, county roads that are maintained by an HOA/POA are still county roads.  Acceptance into the county maintenance inventory generally occurs after a Developer's Bond has expired, typically one to two years after the road has been opened.	
<b>located outside of city limits and inside the county boundaries</b>	City Limits are updated annually by TxDOT's mapping branch. County boundaries are maintained by the General Land Office.	
<b>accessible</b>	A county road must be open to the public and have connectivity to the road network. Locked gates and posted signs such as "KEEP OUT" or "PRIVATE PROPERTY," which are intended to limit access, will end TxDOT's inventory of a road. A road must also be free from barriers that preclude the passage of a standard passenger car (fallen trees, flowing water, stream erosion, etc.)	

**E-911 vs. County Roads:** There are differences between the E-911 road system and County Roads (CR). First Responders might travel over Federal, State, County, City, Private Roads, Pathways, Driveways, and Alleys and may not distinguish “ownership.” E-911 roads are only concerned with getting from one point to another using all possible choices. In contrast, County Roads are a sub-set of the overall transportation network and are defined by the *responsibilities of construction and maintenance*.

**Inter-Local Agreements:** While a county may maintain a City Street, the obligation to do so lies in a written Inter-Local Agreement. A City Street is still owned by the city while the county is the sub-contractor that performs the work. The *responsibility* to do the maintenance is the city’s. Therefore, even if a city street is maintained by the county, it will not be considered part of the county’s road inventory. Similarly, if a county road is owned by the county but maintained by the city, HOA, POA, or other local entity, then it is considered part of the county’s road inventory.



**Private Roads, Driveways and Alleys:** Driveways and private roads are owned and maintained by an individual, business, or other non-county entity and alleys are likely maintained by two adjoining property owners.

**Public Road:** A road that is owned by a public authority and open to the public is classified as a public road. A Federal, State, county, town or township, Indian tribe, municipal or other local government is defined as a public authority. A public authority could also be an authority to finance, build, operate, or maintain toll or toll-free facilities.



To be open to public travel, roads must be available, passable, and open. Specifically, roads must be available at all times, with the exception of extreme weather or emergency conditions, or during scheduled periods. They must also be passable by four-wheel standard passenger cars and open to the general public for use without restrictive gates, prohibitive signs, or regulation other than restrictions based on size, weight or class of registration. Toll plazas of public toll roads are not considered restrictive gates.