

Frequently Asked Questions



To order the Manual on Uniform Traffic Control Devices, please visit the store on www.ATSSA.com.

Q: What is the Manual on Uniform Control Traffic Control Devices?

A: The Manual on Uniform Traffic Control Devices (MUTCD) is recognized as the national standard for all traffic control devices installed on any street, highway or bicycle trail open to public travel.

Q: Why does the Manual apply to the private property that I own or manage?

A: The Manual has always applied to “roads open to public travel”. On December 14, 2006, FHWA issued a final rule to make some nomenclature changes, remove outdated references, and provide clarification on the meaning of roads “open to public travel.” This rule became effective January 16, 2007. FHWA clarified that certain areas such as shopping centers, sports facilities and office and apartment complexes are “private roads open to public travel” within the intent of the regulation. Substantial safety benefits result from providing road users with consistent, uniform messages no matter where they travel.

Q: What does this regulation cover?

A: The regulation applies to “traffic control devices” and safety features on your property. Common examples of traffic control devices that are covered include signs such as STOP, YIELD, and RIGHT OR LEFT TURN ONLY, markings such as center lines, STOP bars, and directional arrows, and safety features such as channelizers and work zone drums and barricades.

Q: You said that a sign must be “retroreflective.” What does that mean?

A: “Retroreflective” means the ability of a material to return light to its source. In order to appear bright to our eyes at night signs need to be either directly illuminated or have “retroreflective” surfaces so that almost all of the light striking them from our vehicle headlights is reflected back to the drivers eyes.

Q: How long do I have to comply with this law?

A: The FHWA issued an effective date of January 16, 2007. Any new traffic control devices being installed or replaced must comply with the MUTCD. Any existing non-compliant devices can generally remain in place until such

time as they need to be replaced due to being worn out or knocked down. FHWA has issued another regulation addressing retroreflectivity of signs. All jurisdictions and owners of roads open to public travel have until January 2012, to establish and implement a sign assessment or management method to maintain minimum levels of sign retroreflectivity. The compliance date for replacing any regulatory, warning and ground-mounted guide signs that do not meet the minimum retroreflectivity levels is January 2015. For overhead guide signs and street name signs, the compliance date is January 2018.

Q: What happens if I don't comply?

A: If you don't comply with the regulation, you risk exposure to tort liability if someone is injured or loses their life on your property. Also, good modern signage and markings promotes safety and reflects positively on the property owner, and is more inviting to the public. It can help minimize insurance costs and maintain a safer environment.

Q: Can you give me examples of traffic control devices that don't “comply” with the law?

A: Here are some examples that we have seen:

- ◇ Signs that are the wrong color, such as a green STOP sign. STOP signs are required to be RED with WHITE lettering and octagonal in shape.
- ◇ Signs and markings that can't be seen at night because their retroreflectivity is worn out.
- ◇ Signs that are mounted at the wrong height such as four feet from the ground. The Manual requires signs be mounted at seven feet in urban areas and five feet in rural areas.
- ◇ Speed limits that are non-conforming, such as 14 MPH. The Manual requires that all speed limits be in 5 MPH increments.
- ◇ Markings that are the wrong color such as yellow or red STOP BARS at STOP signs. The Manual requires that these be white.



AMERICAN TRAFFIC SAFETY SERVICES ASSOCIATION

FEDERAL REGULATIONS IMPACT SIGNS ON PRIVATE PROPERTY

*Shopping Centers
Office Parks
Residential Developments
Apartment Complexes
Entertainment Centers
Hospitals and Universities*



New Federal Rules Impact Private Property

When the public travels on property that you own or manage, your traffic signs, pavement markings and other traffic control devices are now required to conform to the Manual on Uniform Traffic Control Devices (MUTCD).

Effective January 16, 2007, the Federal Highway Administration (FHWA) amended the 23 Code of Federal Regulations Part 655 to clarify the applicability of the MUTCD to ANY road open to public travel. **The 2009 MUTCD further defines private road open to public travel as “private toll roads and roads, including any adjacent sidewalks that generally run parallel to the road, within shopping centers, airports, sports arenas, and other similar business and/or recreation facilities that are privately owned, but where the public is allowed to travel without access restrictions. Roads within private gated properties, except for gated toll roads, where access is restricted at all times, parking areas, driving aisles within parking areas and private grade crossings shall not be included in this definition.”**

As a property owner or manager, you should understand the implications and risks associated with this law and what to do to keep your customers safe while traveling your property.

This brochure does three things to help you do that by providing:

- ◇ A series of frequently asked questions are presented to help you understand your responsibilities, risks and potential liabilities
- ◇ Examples of correct and incorrect traffic control devices
- ◇ Links and directions to obtain copies of two relevant guide books – the Manual on Uniform Traffic Control Devices and the Standard Highway Signs book

Examples of Compliant and Non-Compliant Signs

COMPLIANT (Correct)



NON-COMPLIANT (Incorrect)



No Reflectivity or Contrast



Incorrect Design & Color



Message & Design



Message & Design

Resources

- ◇ To view the “Final Rule” issued by FHWA, please visit:
<http://edocket.access.gpo.gov/2009/pdf/E9-28322.pdf>
- ◇ To view the Standard Highway Signs Book, please visit:
http://mutcd.fhwa.dot.gov/ser-shs_millennium.htm
- ◇ To order a copy of the Manual on Uniform Traffic Control Devices or the Standard Highway Signs book by mail, phone or online, please contact:

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