RESCINDED
JANUARY 2024

This Recommended Change to the MUTCD was rescinded by the NCUTCD Council on January 12, 2024.

ATTACHMENT NO. 26

APPROVED IN NCUTCD GENERAL SESSION ON JANUARY 20, 2006

National Committee on Uniform Traffic Control Devices
TASK FORCE RECOMMENDATION

Approved by NCUTCD Council January 20, 2006

TECHNICAL COMMITTEE: **Regulatory/Warning Sign TC**

TASK FORCE: 1A.07

DATE OF ACTION: 6-23-05 RWSTC; 1-18-06 RWSTC

REQUEST NUMBER

TOPIC: TCDs on private property

ORIGIN OF REQUEST: Edit Committee

DISCUSSION: Strengthen intent

Problem statement:

Language is not strong enough.

Response:

Add “should” as discussed in RWSTC meeting June 2005.

RESCINDED
JANUARY 2024
This Recommended Change to the MUTCD was rescinded by the NCUTCD Council on January 12, 2024.

RECOMMENDED WORDING:

Section 1A.07 Responsibility for Traffic Control Devices

Standard:

The responsibility for the design, placement, operation, maintenance, and uniformity of traffic control devices shall rest with the public agency or the official having jurisdiction. 23 CFR 655.603 adopts the Manual on Uniform Traffic Control Devices as the national standard for all traffic control devices installed on any street, highway, or bicycle trail open to public travel. When a State or other Federal agency manual or supplement is required, that manual or supplement shall be in substantial conformance with the national Manual on Uniform Traffic Control Devices.

23 CFR 655.603 also states that traffic control devices on all streets and highways open to public travel in each State shall be in substantial conformance with standards issued or endorsed by the Federal Highway Administrator.

Support:

The "Uniform Vehicle Code" (see Section 1A.11) has the following provision in Section 15-104 for the adoption of a uniform Manual:

> "(a)The [State Highway Agency] shall adopt a manual and specification for a uniform system of traffic control devices consistent with the provisions of this code for use upon highways within this State. Such uniform system shall correlate with and so far as possible conform to the system set forth in the most recent edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, and other standards issued or endorsed by the Federal Highway Administrator."
> "(b) The Manual adopted pursuant to subsection (a) shall have the force and effect of law."

Guidance:

Additionally, States should ~~are encouraged~~ ~~to~~ adopt Section 15-116 of the "Uniform Vehicle Code," which states that, "No person shall install or maintain in any area of private property used by the public any sign, signal, marking or other device intended to regulate, warn, or guide traffic unless it conforms with the State manual and specifications adopted under Section 15-104."

VOTE: For = Unanimous
Opposed =
Abstentions =