

CUT-THROUGH TRAFFIC; EXAMPLES OF SIGNS, AUTHORITY IN OTHER STATES

I. EXAMPLES OF SIGNS

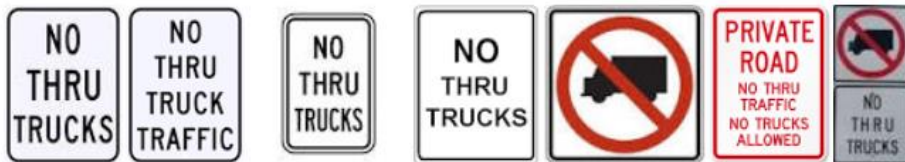
A. Source: MUTCD, 2009 edition, Figure 2B-29. Road Closed and Weight Limit Signs



R11-4

B. Source: Google

- Amy Gamble noted that the design of a particular sign does not need to appear in the MUTCD to be authorized, but that the sign must conform to general standards of the MUTCD governing font size, font type, clarity.
- Amy also noted that the truck symbol in the prohibitive circle/slash on its own doesn't convey the "no thru" nature of the prohibition.



II. EXAMPLES OF AUTHORITY; OTHER STATES

A. MASSACHUSETTS

Note: Massachusetts is a Home Rule State, not a Dillon's Rule State

Mass. Gen. Laws Ann. ch. 85, § 2. Traffic signs or devices; erection and maintenance; rules and regulations

The department of highways, in this chapter called the department, shall erect and maintain on state highways and on ways leading thereto and therefrom, and on all main highways between cities and towns, such direction signs, warning signs or lights, curb, street or other traffic markings, mechanical traffic signal systems, traffic devices, or parking meters as it may deem necessary for promoting the public safety and convenience and shall likewise install and maintain in accordance with the department's current manual on uniform traffic control devices, such curb, highway, street or other traffic markings as conditions may require or as may be necessary to carry out the provisions of other statutes pertaining to highway markings. The department may, from time to time, make, alter, rescind or add to rules and regulations relative to such signs, lights, signal systems, traffic devices, parking meters and markings, and may issue rules and regulations to direct, govern and restrict the movements of vehicles on all state highways and to carry out the purposes of section nine of chapter eighty-nine on highways, including state highways, which are designated thereunder by the department as through ways, with penalties for the violation thereof not exceeding twenty dollars for each offense. No such rule or regulation shall prohibit the use of passenger or station wagon type motor vehicles whose gross weight is less than five thousand pounds and which are registered for commercial use, on ways, parkways or boulevards where noncommercial passenger-type motor vehicles are permitted to operate. No such signs, lights, signal systems, traffic devices, parking meters or markings shall be erected or maintained on any state highway by any authority other than the department except with its written approval as to location, shape, size and color thereof, and except during such time as said approval is in effect. The department may, after notice, revoke any approval granted under this section. Except as otherwise provided in section two E, any rule, regulation, order, ordinance or by law which excludes motor vehicles from state highways shall be invalid and of no effect. Except as hereinafter provided, any rule, regulation, order, ordinance or by-law of a city or town hereafter made or promulgated relative to or in connection with the erection or maintenance of signs, traffic control signals, traffic devices, school zones, parking meters or markings on any way within its control shall take effect without department approval provided such signs, traffic control signals, traffic devices, parking meters, school zones or markings are in conformance with the department's current manual on uniform traffic control devices and the department's sample regulation for a standard municipal traffic code; provided, however, that such rule, regulation, order, ordinance or by-law shall not take effect until approved in writing by the department, or be effective after such approval is revoked, if made or promulgated relative to or in connection with the following: (1) any way at its intersection or junction with a state highway; (2) any project which is or was federally aided, in whole or in part; (3) any traffic control signal or flasher in any city or town which does not employ a registered professional engineer in the commonwealth to design, redesign or change the timing and sequence of signal or flasher; (4) any sign excluding heavy commercial vehicles; (5) any

school zone establishment or signing in relation to which the city or town intends to seek reimbursement from the commonwealth; (6) any one-way street sign not placed at an intersection of public ways; (7) any rule, regulation, order, ordinance or by-law of a city or town which when made or promulgated would exclude motor vehicle travel on any existing way which connects one city or town with another, unless such rule, regulation, order, ordinance or by-law was promulgated in compliance with the following: (a) the rule-making body of the city or town initiating such rule, regulation, order, ordinance or by-law gives written notice of such action to the chief executive officer of the abutting city, town or county into which the said way extends, and (b) a public hearing is held by the city, town or county initiating such alteration, relocation or discontinuance, public notice of which must be published for each of the two weeks preceding such hearing in a newspaper of general circulation in the abutting city, town or county into which the said way extends, and (c) after concurrence in writing by the chief executive officer of the abutting city or town into which the said way extends or his designee. Notwithstanding the foregoing, speed control signs may be established only in accordance with the provisions of section eighteen of chapter ninety. If any city or town installs and maintains any of the aforesaid traffic control devices without either requesting or obtaining the required approval or after being notified of such disapproval, or in noncompliance with said manual, the department shall withhold or withdraw the unexpended balance of any funds assigned to the said city or town under the provisions of section thirty-four of chapter ninety or sections twenty-five and twenty-six of chapter eighty-one. Any traffic control device which has not been erected or maintained in accordance with the foregoing provisions may be removed by or under the direction of the department and be stored by the department until claimed by the owner or, if not claimed within sixty days after written notice to said owner, may be disposed of at the discretion of the department. Color and arrow indications of traffic control signals shall have the commands ascribed to them in said manual. The use of the flashing white walk pedestrian signal indication, as defined in the official standards of the department, is prohibited. The superior court shall have jurisdiction in equity to enforce the provisions of this section and section one, and also sections one and four of chapter eighty-nine and any rule or regulation made thereunder or to enjoin the violation thereof. The provisions of this section shall not apply to the installation by any city or town, on any way within its boundary, of signs warning motorists of the presence of blind, deaf or otherwise handicapped children in the vicinity.

B. NEW YORK

N.Y. Veh. & Traf. Law § 1640 (McKinney)

(a) The legislative body of any city or village, with respect to highways (which term for the purposes of this section shall include private roads open to public motor vehicle traffic) in such city or village; subject to the limitations imposed by section sixteen hundred eighty-four may by local law, ordinance, order, rule or regulation:

1. Designate through highways and order stop signs, flashing signals or yield signs erected at specified entrances thereto or designate any intersection as a stop intersection or a yield intersection and order like signs or signals at one or more entrances to such intersection.

2. Prohibit or regulate the turning of vehicles or specified types of vehicles at intersections or other designated locations.

3. Regulate the crossing of any roadway by pedestrians.
4. Designate any highway or any separate roadway thereof for one-way traffic.
5. Exclude trucks, commercial vehicles, tractors, tractor-trailer combinations, tractor-semitrailer combinations, or tractor-trailer-semitrailer combinations from highways specified by such legislative body. Such exclusion shall not be construed to prevent the delivery or pickup of merchandise or other property along the highways from which such vehicles and combinations are otherwise excluded.

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C. VIRGINIA

Virginia

VA Code Ann. § 46.2-809.1. Regulation of residential cut-through traffic by Board

The Commonwealth Transportation Board may develop a residential cut-through traffic policy and procedure for the control of residential cut-through traffic on designated secondary highways.

For the purposes of this section, “residential cut-through traffic” means vehicular traffic passing through a residential area without stopping or without at least an origin or destination within the area.

The provisions of this section shall not apply in (i) cities, (ii) any town that maintains its own system of streets, and (iii) any county that owns, operates, and maintains its own system of highways.

For copy of policy, see <http://www.virginiadot.org/programs/resources/CUTTHRUPOLICY.pdf>