

14 053 004. Rules Governing the Use of State Highways with Limited Access Facilities

A. Authorization

These rules are entitled and may be referred to as “Rules Governing Use of State Highways with Limited Access Facilities” and have been adopted by the authority under provisions of 23 V.S.A. §1004.

B. Penalties

Violations of these rules shall be considered a “traffic violation” under 23 V.S.A. §2302.

C. Definition

“Limited access highway” shall mean any portion of the right of way of a limited access facility as defined under 19 V.S.A. §1(25), and shall include but not be limited to the National System of Interstate and Defense Highways, and shall include all ramps and highways provided for approach thereto.

“Committee” shall mean the Traffic Committee, as defined under 19 V.S.A. §1(24).

SECTION I

Article 1.

1. Speed Limits

The speed limit on limited access highways shall be sixty-five (65) miles per hour, except when posted otherwise by authority of the Committee, or when such maximum speed is not reasonable and prudent under the conditions, having regard for the actual and potential hazards then existing.

Article 1.

2. Minimum Speed Limits

Except when reduced speed is necessary for safety, no motor vehicle shall be operated at a speed less than the minimum posted by authority of the Committee, nor at such a slow speed as to impede or block the normal and reasonable movement of traffic. The following vehicles are exempted from this provision:

- a. Police vehicles.
- b. Ambulances, fire engines, and other vehicles performing official emergency or authorized functions.
- c. Authorized construction, maintenance, survey, repair, and towing vehicles.

d. Motor trucks, truck tractors, and buses when the grade of the road renders such speed impracticable. These vehicles shall display four-way flashing signals under such conditions.

Article 1.

3. Uniform Direction of Traffic

No motor vehicle shall be operated, backed, pushed, or otherwise caused to move in direction which is against the normal flow of traffic on any lane, deceleration lane, acceleration lane, access ramp, shoulder, or other roadway on limited access highways.

Article 1.

4. Passing or Changing Lanes

Drivers shall keep to the right except to pass or avoid merging traffic. If vehicles on the roadway are moving in separate traffic lanes, the provisions of this article shall not be considered as prohibiting the vehicles in one lane overtaking and passing the vehicles in another lane either on the right or left. No movement may be made to the right or to the left upon the roadway unless and until such movement can be made with reasonable safety and then only after ample visible signal has been given to indicate the direction of movement.

Article 1.

5. U-Turns Prohibited

Making a "U" turn at any point on limited access highways is prohibited except when posted otherwise by authority of the Committee. Exempted from the provisions of this article are:

- a.** Police vehicles.
- b.** Ambulances, fire engines, and other vehicles performing official emergency or authorized functions.
- c.** Authorized construction, maintenance, survey, repair, and towing vehicles.

The foregoing exemptions shall be for the sole purpose of crossing the median to a roadway carrying traffic bound in the opposite direction, and no exempted vehicles shall make crossings in such a manner as to create a hazard to other vehicles.

Article 1.

6. Use of Median Strip and Roadside Areas Prohibited

The median strip between roadways, including crossovers and roadside areas beyond roadways, except designated rest areas, shall not be used by vehicles or by individuals on foot for any purpose, except for maintenance, construction or official purposes, or in emergencies, or as provided in Article 1. 5.

Article 1.

7. Parking, Standing, or Stopping on Roadway Prohibited, Except in Cases of Emergency

a. No parking, standing, or stopping is permitted on limited access highways, except in areas designated, or in cases of emergency. In cases of emergency, as hereinafter defined, vehicles shall be permitted to park, stop, and stand on the shoulders to the right of the travel lane facing in the direction of travel with all wheels and projecting parts of any such vehicles, including the load thereof, completely clear of the travel lanes. Any motor truck or motor bus so parked, standing, or stopped shall have flares placed on the highway, one approximately 100 feet to the front of the vehicle, one approximately 200 feet to the rear, and one on the traffic side of the vehicle. Any flares so placed shall be of a type in conformity with that described in 23 V.S.A. §1303 .

b. For the purpose of this rule, an "emergency" is defined as existing only when and so long as the vehicle in question is physically inoperable, or the driver of the vehicle is ill or fatigued, or when directed to stop by a law enforcement officer, but in no case shall the parking, standing, or stopping exceed a two-hour period.

c. Exempted from the provisions of this article are:

(1) Police vehicles.

(2) Ambulances, fire engines, and other vehicles performing official emergency or authorized functions.

(3) Authorized construction, maintenance, survey, repair, and towing vehicles.

d. Vehicles violating this article shall be towed away at the cost of the owner.

e. Stopping of vehicles on any part of limited access highways for the purpose of picking up or discharging any individual is prohibited, except as permitted by 23 V.S.A. §1009(c) , school buses when authorized by the Traffic Committee.

f. The Traffic Committee's guidelines for establishing a school bus stop on a limited access highway are as follows:

(1) School Boards, through the District School Superintendent, may petition the Vermont Traffic Committee in writing to establish a school bus stop on a limited access highway. Petitions for a school bus stop on the National System of Interstate and Defense Highways must comply with 23 V.S.A. §1009(c). The petition must be resubmitted each year and state why the bus stop is needed, number of children, age of children, and include a copy of the participating school's transportation policy.

(2) Upon receipt of such petition, an engineering and traffic study will be conducted as the Vermont Traffic Committee shall direct and will include information as to traffic volumes, roadway and shoulder widths, approaching sight distances, grade, alignment, prevailing speeds, and alternatives to the bus stop.

(3) The bus stop will be considered based on the results of this study, with the primary concern being safety.

(4) No bus stop will be permitted where the students are required to cross the limited access highway.

(5) No bus stop will be considered except at existing at-grade intersections.

(6) Students waiting for the bus at an established bus stop on a limited access highway will be required to wait in back of the right-of-way limits in an area approved by the Traffic Committee until the arrival of the bus.

(7) The Agency of Transportation shall cause advance warning signs to be erected in conformance with the Manual on Uniform Traffic Control Devices on both approaches to a bus stop on an undivided highway, or on the single approach in the direction of travel of the bus on divided highways.

(8) Bus stops will be established for one school year at a time. Warning signs will be removed at the end of the school year and reinstalled following a consideration of changes in information on the Engineering and Traffic survey prior to 1 September each year. School Boards will notify the Vermont Traffic Committee of any change in use of the established bus stop during the school year.

Article 1.

8. Limitations on Use of Highway

a. No vehicle shall enter upon or leave limited access highways except at access points designated.

b. Use of limited access highways and entry thereon by the following is prohibited at all times:

(1) Vehicles drawn by animals.

(2) Pedestrians, except in areas specifically designated for that purpose.

(3) Bicycles, with or without motors, except as allowed by 23 V.S.A. 1139.

(4) Animals led, ridden, or driven on the hoof except leashed dogs in permitted areas.

(5) Vehicles with deflated pneumatic tires, metal or solid tires, and vehicles with caterpillar treads, except by permit from the Secretary of the Agency of Transportation. .

(6) Motor vehicles in tow-away zones.

(a) Except removal of disabled vehicles from limited access highways at the nearest access point by wrecker.

(b) Except vehicles being towed with a stiff hitch.

(c) Except trailers and semitrailers being drawn by a vehicle.

(7) Farm implements and farm machinery, whether self-propelled or towed.

(8) Vehicles with improperly secured attachments or loads.

(9) Self-propelled snow vehicles.

(10) Single saddle mount transports towing more than one vehicle (23 V.S.A. §1302).

(11) Motor trucks with more than one trailer attached (Except as authorized by 23 V.S.A. §1302(c)).

(12) Motor-driven cycles as defined by 23 V.S.A. §4(45).

c. On limited access highways that have at grade access points thereon, the Committee may make special rules, on the basis of an engineering and traffic investigation, relative to the use of such highways by vehicles drawn by animals, bicycles, animals led or ridden, farm implements and farm machinery, whether self-propelled or towed, self-propelled snow vehicles, and pedestrians. The beginning and ending of areas to which the special rules apply shall be designated by appropriate signs detailing the special rules.

Article 1.

9. Emergency Powers of Governor

Applicable Emergency Powers of the Governor as set forth in 20 V.S.A. §§ 8 and 9 and any plans or directives issued in accordance with these statutes shall be complied with on limited access highways.

SECTION II - GENERAL RULES

Article 2.

1. Waste and Rubbish

No individual shall throw, drop, or discard bottles, cans, paper, garbage, rubbish, sewage, or other material of any kind or description on limited access highways.

Article 2.

2. Damaging of Shrubs or Plants and Defacement of Limited Access Highways Prohibited

No individual shall cut, mutilate, or remove any trees, shrubs, flowers, plants, top soil, or sod located upon limited access highways or attempt to do so. Injury, defacement, removal, or destruction of the surface of limited access highways or its structures, appurtenances, recreation facilities, or property is prohibited.

Article 2.

3. Display of Posters Prohibited

No individual shall erect, place, or display any advertising matter, posters, or placards of any kind, regardless of character of message, on limited access highways. This shall not apply to signs erected by the Agency of Transportation.

Article 2.

4. Parades and Demonstrations Prohibited; Picnics Prohibited Except at Designated Areas

Parades or other demonstrations are prohibited. Picnics or other gatherings, games, entertainment, or sports, on limited access highways are prohibited except at sites which may be designated for such purposes.

Article 2.

5. Hunting and Trapping Prohibited

No individual shall hunt, trap, or molest any wildlife upon limited access highways, or fish on or from limited access highways, except at designated locations.

Article 2.

6. Use of Firearms Prohibited

The use, display, or discharge of any firearms or other weapons or fireworks on limited access highways, except by individuals authorized by the Traffic Committee or by law, is prohibited.

Article 2.

7. Fire Prohibited

The igniting of fires for any purpose whatsoever is prohibited on limited access highways, except in fireplaces or pits in designated rest areas and for highway maintenance purposes.

Article 2.

8. Soliciting Money or Goods Prohibited

Soliciting money, goods, donations, or contributions on limited access highways is prohibited.

Article 2.

9. Hitchhiking and Loitering Prohibited

Soliciting of rides on limited access highways, commonly known as "hitchhiking," is prohibited. Loitering in or about limited access highways for the purposes of hitchhiking or participating in a "car pool," or as part of a demonstration or protest, or for any other purpose, is prohibited. Nothing contained in the above wording shall prohibit the use of commuter parking areas, constructed by the Agency of Transportation, within the right of way of a limited access highway.

Article 2.

10. Sales and Distribution Prohibited

No individual shall enter or remain on limited access highways for the purpose of selling, hiring, or leasing any goods, wares, merchandise, or services, nor for the purpose of distributing samples, pamphlets, or advertising matter of any sort, except official State information as authorized by the Traffic Committee, or by an individual or individuals authorized by said Committee.

Article 2.

11. Use of Designated Rest Areas

No individual shall use any part of a limited access highway right-of-way, or a designated rest area in or adjacent to a limited access highway right-of-way, for the purpose of overnight camping unless such rest area is designated for that purpose by the Committee.

No individual shall park any vehicle in a designated rest area for any other reason than to use the facilities available in said rest area.

