

## ADMINISTRATIVE REGULATIONS

*Regulations and notices published herein, pursuant to General Statutes Sections 4-168 and 4-173, are printed exactly as submitted by the forwarding agencies. These, being official documents submitted by the responsible agencies, are consequently not subject to editing by the Commission on Official Legal Publications.*

*A cumulative list of effective amendments to the Regulations of Connecticut State Agencies may be found in the Connecticut Law Journal dated February 5, 2013.*

### DEPARTMENT OF TRANSPORTATION

#### State Traffic Administration

Section 1: Section 14-298-500 of the Regulations of Connecticut State Agencies is amended to read as follows:

##### Part I

##### Signs

##### General Provisions

#### Sec. 14-298-500. Uniformity

(a) All regulatory, warning, and guide signs on public highways, in parking lots having a capacity of 20 or more vehicles, and in commercial establishments shall be of the type approved by the Office of the State Traffic Administration and shall be in compliance with the provisions set forth in 23 CFR 655.603.

(b) Such signs shall conform to the standards set forth in the following publications as applicable, except as otherwise provided in sections 14-298-500 to 14-298-900, inclusive, of the Regulations of Connecticut State Agencies:

(1) The 2009 edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD) approved by the Federal Highway Administration;

(2) The 2004 edition of the "Standard Highway Signs" approved by the Federal Highway Administration; and

(3) The Connecticut Department of Transportation's "Catalog of Signs".

(c) The decision to use a particular sign at a particular location shall be made on the basis of either an engineering study or the application of engineering judgment as defined in the MUTCD.

(d) Engineering judgment shall be exercised in the selection and application of all traffic control devices.

Sec. 2. Section 14-298-600 of the Regulations of Connecticut State Agencies is amended to read as follows:

##### Part II

##### Markings

##### General Provisions

#### Sec. 14-298-600. Uniformity

(a) All markings on public highways, in parking lots having a capacity of 20 or more vehicles, and in commercial establishments shall be of the type approved by

the Office of the State Traffic Administration and shall be in compliance with the provisions set forth in 23 CFR 655.603.

(b) Such markings shall conform to the standards set forth in the following publications as applicable, except as otherwise provided in sections 14-298-500 to 14-298-900 inclusive of the Regulations of Connecticut State Agencies:

(1) The 2009 edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD) approved by the Federal Highway Administration; and

(2) The 2004 edition of the "Standard Highway Signs" approved by the Federal Highway Administration;

(c) The decision to use a particular marking at a particular location shall be made on the basis of either an engineering study or the application of engineering judgment as defined in the MUTCD.

(d) Engineering judgment shall be exercised in the selection and application of all traffic control devices.

Sec. 3. Section 14-298-601 of the Regulations of Connecticut State Agencies is amended to read as follows:

**Sec. 14-298-601. Legal authority**

Markings shall be placed or caused to be placed only by the traffic authority having jurisdiction over the regulating, warning, and guiding of traffic.

Sec. 4. Section 14-298-700 of the Regulations of Connecticut State Agencies is amended to read as follows:

**Part III**

**Signals**

**General Provisions**

**Sec. 14-298-700. Uniformity**

(a) All traffic control signals on public highways, within parking lots having a capacity of 20 or more vehicles, and within commercial establishments shall be of the type approved by the Office of the State Traffic Administration and shall be in compliance with the provisions set forth in 23 CFR 655.603.

(b) Such traffic control signals shall conform to the standards set forth in the 2009 Edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD), except as otherwise provided in sections 14-298-500 to 14-298-900 inclusive of the Regulations of Connecticut State Agencies.

(c) The decision to install a traffic control signal at a particular location shall be made on the basis of an engineering study.

(d) Engineering judgment should be exercised in the selection and application of all traffic control devices.

Sec. 5. Section 14-298-701 of the Regulations of Connecticut State Agencies is amended to read as follows:

**Sec. 14-298-701. Legal Traffic authority**

Traffic control signals shall be installed or caused to be installed only by the traffic authority having jurisdiction to install, operate and maintain traffic control signals on public highways in accordance with Section 14-299 of the Connecticut General Statutes.

Sec. 6. Section 14-298-800 of the Regulations of Connecticut State Agencies is amended to read as follows:

#### **Part IV**

### **Temporary Traffic Control for Highway Construction, Maintenance, and Incident Management**

#### **Sec. 14-298-800. Uniformity**

(a) All temporary traffic control devices used on road or street construction, maintenance work, or for incident management, shall be of the type approved by the Office of the State Traffic Administration and shall be in compliance with the provisions set forth in 23 CFR 655.603.

(b) Such devices shall conform to the standards set forth in the following publications as applicable, except as provided otherwise in sections 14-298-500 to 14-298-900, inclusive, of the Regulations of Connecticut State Agencies:

(1) The 2009 edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD) approved by the Federal Highway Administration;

(2) The 2004 edition of the "Standard Highway Signs" approved by the Federal Highway Administration; and

(3) The Connecticut Department of Transportation's "Catalog of Signs".

(c) The decision to use a particular device at a particular location shall be made on the basis of either an engineering study or the application of engineering judgment as defined in the MUTCD.

(d) Engineering judgment should be exercised in the selection and application of all temporary traffic control devices.

Sec. 7. Section 14-298-801 of the Regulations of Connecticut State Agencies is amended to read as follows:

#### **Sec. 14-298-801. Responsibility**

The standards set forth in section 14-298-800 of the Regulations of Connecticut State Agencies are for application by:

(1) The Department of Transportation and municipalities performing construction, maintenance, and incident management operations on roads or streets.

(2) Contractors employed in road or street construction or maintenance under contract to any governmental authority.

(3) All others, including employees of public utility companies, performing any work on highways or so closely adjacent as to create hazards for the public or for themselves.

Sec. 8. Section 14-298-900 of the Regulations of Connecticut State Agencies is amended to read as follows:

#### **Part V**

### **Traffic Control Systems for Railroad-Highway Grade Crossings**

#### **General Provisions**

#### **Sec. 14-298-900. Uniformity**

(a) Traffic control systems for railroad-highway grade crossings include all signs, markings, signals, control or warning devices, and illumination devices and their supports along highways approaching and at railroad-highway crossings at-grade.

(b) Such control systems shall conform to the standards set forth in the following publications as applicable, except as otherwise provided in sections 14-298-500 to 14-298-900, inclusive, of the Regulations of Connecticut State Agencies:

(1) The 2009 edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD) approved by the Federal Highway Administration;

(2) The 2004 edition of the "Standard Highway Signs" approved by the Federal Highway Administration; and

(3) The Connecticut Department of Transportation's "Catalog of Signs".

(c) The decision to use a particular traffic control system at a particular location shall be made on the basis of either an engineering study or the application of engineering judgment as defined in the MUTCD.

(d) Engineering judgment should be exercised in the selection and application of all traffic control systems for railroad-highway grade crossings.

Sec. 9. Section 14-298-909 of the Regulations of Connecticut State Agencies is amended to read as follows:

**Sec. 14-298-909. Operation**

(a) Sequence of Operation (Flashing Lights): Automatic railroad flashing lights shall operate for a minimum of 29 seconds before the train enters the crossing. The operation shall continue until the train clears the crossing. When railroad flashing lights are activated by key, push button or an island type circuit, the flashing lights shall operate for a minimum of 20 seconds before the train enters the crossing.

(b) Sequence of Operation (Gates): Railroad gates shall operate for a minimum of 29 seconds before the train enters the crossing. The following sequence within the 29 seconds shall occur:

(1) The gates shall begin to lower approximately 7 seconds after activation of railroad flashing lights and bells.

(2) The gates shall reach the horizontal position approximately 17 seconds after activation of railroad flashing lights and bells.

(3) The train shall enter the crossing approximately 12 seconds after the gates reach the horizontal position.

The gates shall ascend to its upright position in not more than 12 seconds after the train clears the crossing, and the railroad flashing lights and bells shall cease operating.

Sec. 10. The following sections of the Regulations of Connecticut State Agencies are repealed: sections 14-298-504 to 14-298-554, inclusive; sections 14-298-602 to 14-298-636, inclusive; sections 14-298-702 to 14-298-741, inclusive; sections 14-298-802 to 14-298-811, inclusive; sections 14-298-902 to 14-298-908, inclusive; and sections 14-298-910 to 14-298-911, inclusive.

**Statement of purpose:** The Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) was developed by the Federal Highway Administration as a guideline to obtain basic uniformity of traffic control devices used to regulate, warn or guide traffic on public highways. Federal regulations dictate that the MUTCD shall be recognized as the national standard for all traffic control devices installed on any street, highway, bikeway, or private road open to public travel. The U.S. Secretary of Transportation, under authority granted by the Highway Safety Act of 1966, decreed that traffic control devices on all streets and highways open to public travel in each State shall be in substantial conformance with the Standards issued or endorsed by the Federal highway Administration.

Section 14-298 of the Connecticut General Statutes requires that, for the purpose of standardization and uniformity, the Office of the State Traffic Administration (formerly the State Traffic Commission) adopt regulations establishing a uniform system of traffic control signals, devices, signs and markings for use upon the public highways. The regulations were developed based on the standards contained in the MUTCD and have routinely been updated over the years to, at a minimum, conform with the most recent version of the MUTCD. The regulations have, in effect, been Connecticut's MUTCD. Current federal regulations require that states with their own MUTCDs shall revise same to be in substantial conformance with the 2009 National MUTCD by January 2012. Adoption of the relevant sections of the 2009 National MUTCD relating to signs, signals, markings, construction/maintenance/incident management, and at grade railroad crossings will assure conformance with this federal requirement and simplify any future revision of the regulations to conform with future versions of the National MUTCD.

Note: Public Act 12-132, An Act Streamlining Traffic Safety Evaluations, established the Office of the State Traffic Administration as a successor to the State Traffic Commission.

Be it known that the foregoing regulations are amended as hereinabove stated by the aforesaid agency pursuant to Sec. 14-298 of the General Statutes, after publication in the Connecticut Law Journal on June 5, 2012, of the notice of the proposal to amend such regulations.

Wherefore, the foregoing regulations are hereby amended as hereinabove stated, effective when filed with the Secretary of the State.

In Witness Whereof: July 16, 2012, James Redeker, Commissioner.

Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, Connecticut General Statutes: August 8, 2012.

Approved by the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes: December 18, 2012.

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Sec. 4-172, as amended, of the General Statutes, Secretary of the State: January 14, 2013.

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