

Examples of Non-Compliant Signs (Incorrect)



Examples of Compliant Signs (Correct)



Frequently Asked Questions

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

A. The Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) is incorporated by reference in 23 Code of Federal Regulations (CFR), Part 655, Subpart F and shall be recognized as the national standard for all traffic control devices installed on any street, highway, bikeway, or site roadway open to public travel (see definition in Section 1C.02) in accordance with 23 U.S.C. 109(d) and 402(a). The policies and procedures of the Federal Highway Administration (FHWA) to obtain basic uniformity of traffic control devices shall be as described in 23 CFR 655, Subpart F. Section 15-116 of the UVC (see Section 1A.06) states, "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." Adoption by agencies of such a provision through statute or ordinance can help maintain the integrity of official traffic control devices and provide continuity of uniformity at locations that are not subject to the provisions of this Manual.

Q. Why does the MUTCD apply to the private property that I own or manage?

A. The current MUTCD states that any street, roadway, or bikeway open to public travel, either publicly or privately owned; Streets and roadways on sites that are off the public right-of-way that are open to public travel without full-time access restrictions. Examples include roadways within shopping centers, office parks, airports, sports arenas, other similar business and/or recreation facilities, governmental office complexes, schools, universities, recreational parks, and other similar publicly-owned complexes and/or recreation facilities. The above-described examples of streets and roadways are referred to in this Manual as site roadways open to public travel; Publicly-owned toll roads, including those under the jurisdiction of a public agency, public authority, or public-private partnership; Privately-owned toll roads where the public is allowed to travel without access restriction. This includes gated toll roads or roadways where the general public is able to pay to access the facility; and Grade crossings of publicly-owned roadways with railroads or light rail transit. *Exceptions: The MUTCD shall not apply to the following types of facilities: Roadways within private gated properties where access to the general public is restricted at all times;*

Grade crossings of privately-owned roadways with railroads; and Parking areas, including the driving aisles within those parking areas, that are either publicly or privately owned.

Q. What does this law cover?

A. The law 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 STOP bars and directional arrows, and safety features such as barriers or guardrail.

Q. What happens if I don't comply?

A. If you don't comply with the law, you risk exposure to tort liability if someone is injured or, worse yet, loses their life on your property. More importantly, good modern signage promotes safety, 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 with some regularity:

- 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 that are mounted at the wrong height such as four feet from the ground. The MUTCD requires signs to be mounted at seven feet in urban areas and five feet in rural areas.
- Signs that are made of the wrong material such as wood. Signs must be retroreflective, and it is impossible to make wood retroreflective.
- Speed limits that are non-conforming, such as 14 MPH. The MUTCD 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 MUTCD requires that these be white.

Q. You said that a sign must be "retroreflective." What does that mean?

A. "Retroreflective" means the ability 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 driver's eyes.

View entire MUTCD at: <http://mutcd.fhwa.dot.gov/index.htm>