



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

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Chairman

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Agenda item # 1

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

December 7, 2011

MOTION

Made By: Mr. Martin Seconded By: Mr. Bowie
Action: Motion Carried, Unanimously

Title: Adoption of Manual on Uniform Traffic Control Devices (MUTCD), Virginia Supplement to the MUTCD, and Related Regulatory Consolidation

WHEREAS, on March 15, 1979, the State Highway and Transportation Commission (Commission), predecessor to the Commonwealth Transportation Board (Board), adopted the 1978 edition of the *National Manual on Uniform Traffic Control Devices* for Streets and Highways (*MUTCD*) as the standard for all highways under the jurisdiction of the Virginia Department of Transportation (VDOT), which had previously been approved by the Federal Highway Administration (FHWA) as the national standard for highways open to public travel; and,

WHEREAS, in recognition of the fact that some state standards exceeded minimum federal requirements and some design, installation, and operation details were not covered in the federal *MUTCD* for streets and highways, the Commission adopted the *Virginia Supplement to the Manual on Uniform Traffic Control Devices (Virginia Supplement)* on November 20, 1980; and,

WHEREAS, on February 18, 1988, the Board approved Department Policy Memorandum (DPM) 9-1, *Classifying and Marking State Highways*, which establishes the rules that the Commonwealth Transportation Commissioner, as authorized by the Board, will follow in matters relating to classifying, designating, and marking state highways, and the posting of signs and markings; and,

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WHEREAS, the Board adopted revisions and rulings to subsequent editions of the *MUTCD* on November 16, 1989, September 19, 2002, and March 17, 2005; and,

WHEREAS, the FHWA published the 2009 *MUTCD* in the *Federal Register* on December 16, 2009, as a Final Rule, under which states had up to two years to adopt the new edition of the *MUTCD* as the standard for traffic signs, traffic signals and markings, and to revise any state Supplements to the *MUTCD*; and,

WHEREAS, the FHWA has approved a new *Virginia Supplement* to be used with the 2009 *MUTCD*; the *Virginia Work Area Protection Manual (WAPM)* is included in the *Virginia Supplement* and considered a part thereof, but is physically separate to facilitate its use in instruction and field operations; and,

WHEREAS, the Office of the Attorney General (OAG) established a Government and Regulatory Reform Task Force to review governmental rules and regulations regarding education and transportation construction infrastructure in order to increase efficiencies, reduce bureaucracy and mitigate adverse impacts on Virginia businesses and individuals; and,

WHEREAS, to comply with the provisions of Chapter 735 of the 1993 Acts of Assembly, the *MUTCD* and *Virginia Supplement* were filed as Administrative Process Act-exempt regulations along with Department Policy Memorandum 9-1 (*Classifying and Marking State Highways*) in the *Virginia Administrative Code*; and,

WHEREAS, the OAG Task Force determined that the following three traffic engineering regulations relate to traffic signals, signing and marking highways in accordance with the *MUTCD* and could be combined into one regulation - the *Virginia Supplement to the Manual on Uniform Traffic Control Devices*, including the *Virginia Work Area Protection Manual* (24 VAC 30-310), *Classifying and Marking State Highways* (24 VAC 30-520), and *Adoption of the Federal Manual on Uniform Traffic Control Devices* (24 VAC 30-561).

NOW THEREFORE BE IT RESOLVED, that the Board approves (i) the *MUTCD* (2009 edition) as the standard for all traffic control devices installed on any street, highway, or bicycle trail open to public travel in accordance with 23 U.S.C. 109(d) and 402(a) and (ii) the *Virginia Supplement to the MUTCD* (2011 edition), of which the *WAPM* (2011 edition) is considered a part of, to be the standard for all highways under the jurisdiction of the Virginia Department of Transportation, and that adoption of these standards will be effective January 1, 2012.

BE IT FURTHER RESOLVED, to become effective January 1, 2012, that the Commonwealth Transportation Board hereby approves the adoption of the consolidated *Standards for Use of Traffic Control Devices to Classify, Designate, Regulate, and Mark State Highways* (24 VAC 30-315) attached hereto as Attachment A, repeals the *Virginia Supplement to*

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the Manual on Uniform Traffic Control Devices (24 VAC 30-310), Classifying and Marking State Highways (24 VAC 30-520), and Adoption of the Federal Manual on Uniform Traffic Control Devices (24 VAC 30-561) attached hereto as Attachment B, and rescinds all prior resolutions concerning these regulations.

BE IT FURTHER RESOLVED, that the Virginia Department of Transportation is directed to process the regulatory actions approved herein as provided for by the submission requirements established by the *Code of Virginia*, Executive Order 14 (10), and the State Registrar of Regulations.

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