



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Aubrey L. Layne, Jr.
Chairman

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Agenda item # 4

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

January 18, 2016

MOTION

**Made By: Mr. Whitworth, Seconded By: Mr. Kasprovicz
Action: Motion Carried, Unanimously**

Title: Prohibition of Bicycles, Pedestrians and Other Slow-moving, Unsafe Traffic on Highway Route 37 (Winchester Bypass), Frederick County

WHEREAS, Route 37 (also known as the Winchester Bypass) was designated a Limited Access Highway by the State Highway Commission, predecessor of the Commonwealth Transportation Board (CTB), on March 17, 1966; and

WHEREAS, no specific prohibitions on use were imposed at that time; and

WHEREAS, due to several recent incidents involving pedestrians and mopeds on the Bypass, a representative of the Virginia State Police (VSP) requested that the CTB impose use restrictions as allowed by § 46.2-808 of the *Code of Virginia*; and

WHEREAS, on June 22, 2016, the Board of Supervisors of Frederick County unanimously voted to support the VSP request.

WHEREAS, The Virginia Department of Transportation's (VDOT's) traffic engineering staff has determined that a number of traffic incidents have been reported in past years involving pedestrians or slow-moving vehicles such as mopeds, all-terrain vehicles, and self-propelled equipment on the Bypass and that in the interest of public safety and traffic mobility, it is necessary that such pedestrians and slow-moving vehicles be restricted from this high speed roadway where the posted speed limit is 65 MPH and the average daily traffic is 31,000 vehicles per day.

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NOW, THEREFORE, BE IT RESOLVED, in the interests of public safety, pursuant to § 46.2-808 of the *Code of Virginia*, the Commonwealth Transportation Board directs that the limited access portion of Route 37 (Winchester Bypass), beginning at a point south of Winchester at the intersection of Hillanddale Lane (Route 847) and Tasker Road (Route 642) and extending north 9.1 miles to a point north of Winchester at the intersection of US 11 and Route 37, including any relocations, interchanges, ramps, connections, etc., shall be prohibited for use by the following: pedestrians, persons riding bicycles, electric personal assistive mobility devices, mopeds, animal-drawn vehicles, self-propelled machinery or equipment, and animals led, ridden or driven on the hoof.

BE IT FURTHER RESOLVED, that VDOT post appropriate signage in such a manner as to clearly indicate these restrictions and the termini of the section of highway covered by this action.

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CTB Decision Brief

Prohibition of Bicycles, Pedestrians and Other Unsafe Traffic on Highway Route 37 (Winchester Bypass), Frederick County

Issue: Route 37 (Winchester Bypass) in Frederick County is a limited access highway that does not have restrictions on the type of traffic allowed to use the route. From a safety standpoint, use of this route by mopeds, bicycles, pedestrians, farm equipment and other slow-moving modes of transportation are not compatible with the traffic volume and speeds on the highway. To resolve this issue, the Commonwealth Transportation Board (CTB) must formally impose restrictions on use via authority granted by the *Code of Virginia*.

Facts: The Winchester Bypass was designated a Limited Access Highway by the State Highway Commission, predecessor of the CTB, on March 17, 1966. However, no restrictions as to use were included in this designation. Due to concerns over repeated incidents involving pedestrians and mopeds using the route, a representative of the Virginia State Police (VSP) contacted VDOT to request that steps be taken to designate the Route as a “controlled access highway” similar to I-81 (see Attachment A).

On June 22, 2016, the Frederick County Board of Supervisors unanimously voted to support the VSP request based on safety concerns (see Attachment B).

The Virginia Department of Transportation’s (VDOT’s) traffic engineering staff has conducted a review of Route 37 and determined that the roadway is posted at 65 MPH with an average daily traffic (ADT) volume up to 31,000 vehicles per day. Additionally, a review of crash history determined that a number of incidents involving pedestrians and slow-moving vehicles such as mopeds, all-terrain vehicles, and self-propelled equipment have been reported in past years, and the Virginia State Police indicated there have been several incidents more recently.

The proposed limits of the prohibition on use would encompass the limited access portion of Route 37: beginning at a point south of Winchester at the intersection of Hillanddale Lane (Route 847) and Tasker Road (Route 642) and extending northward 9.1 miles to a point at the intersection of US 11 and SR 37 North of Winchester, including any relocations, interchanges, ramps, connections, etc. As permitted by § 46.2-808 of the *Code of Virginia*, the route is proposed to be prohibited for use by the following: pedestrians, persons riding bicycles, electric personal assistive mobility devices, mopeds, animal-drawn vehicles, self-propelled machinery or equipment, and animals led, ridden or driven on the hoof. The estimated cost to provide the signage (10 – 12 signs) for this action is approximately \$5,000.

Recommendations: The Virginia Department of Transportation (VDOT) recommends that the indicated section of Route 37 be restricted for use as proposed.

Action Required by CTB: The *Code of Virginia* requires a majority of the CTB members to approve a resolution prohibiting certain uses of controlled access highways and other unsafe traffic, and directing that appropriate signage in such a manner as to clearly indicate the sections of the highway where these restrictions apply. A resolution will be provided for the Board’s consideration.

Result if Approved: The Route 37 (Winchester Bypass) will be closed to pedestrians, persons riding bicycles, electric personal assistive mobility devices, mopeds, animal drawn vehicles, self- propelled machinery or equipment, animals led, ridden or driven on the hoof. This designation will improve the safety of the facility and make use restrictions at the bypass consistent with other facilities of comparable vehicle speeds and traffic volumes.

Options: Approve, Deny, or Defer.

Public Comments/Reactions: VDOT is not aware of any opposition to this proposal.



COUNTY of FREDERICK

Board of Supervisors

540/665-6382
540/667-0370 Fax

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Stonewall District

July 27, 2016

Randolph Kiser
Virginia Department of Transportation
811 Commerce Road
Staunton, VA 24401

RE: Prohibition of Certain Uses of Controlled Access Highways

Dear Mr. Kiser:

Mr. Balderson has brought to our attention the State Police request that Route 37 be closed to bicycles, pedestrians, and other unsafe traffic for highway conditions under code section 46.2-808.

On June 22, 2016 our Board unanimously voted to support their request. Please forward this letter to the Commonwealth Transportation Board as the request from the Frederick County Board of Supervisors to prohibit the uses of Route 37 that would be covered under code section 46.2-808. Our Board is in agreement with the State Police that the uses governed under this code section are unsafe when mixed with traffic traveling at the speeds designated on Route 37.

Should you need any additional assistance or information, please do not hesitate to contact our staff or myself.

Sincerely,

Charles S. DeHaven Jr.
Chairman
Frederick County Board of Supervisors

cc: Dixon Whitworth – Commonwealth Transportation Board Member, Staunton District
Clifton Balderson – VDOT Edinburg Residency Administrator
John Bishop – Assistant Director - Transportation

107 North Kent Street • Winchester, Virginia 22601

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