

R-39 Rev. 03/2012
(Title page)

IMPORTANT: Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

6107

State of Connecticut
REGULATION
of

Department of Transportation

concerning

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

[A]

General Provisions

Sec. 14-298-500. Uniformity

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

(b) [They] Such signs shall conform [as noted in these regulations, except that those signs that are used on interstate systems shall conform to interstate standards.] 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".

[as noted in these regulations, except that those signs that are used on interstate systems shall conform to interstate standards.]

(c) [Any exceptions to these regulations shall be based on an engineering study subject to approval of the state traffic commission.] 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) [The Connecticut Department of Transportation's catalogue of signs may be used as a guide.] Engineering judgment shall be exercised in the selection and application of all traffic control devices.

[(e) All dimensions in this part are expressed in English units. Any Connecticut Department of Transportation standards, manuals and guidelines which have been developed in metric dimensions are considered equivalent.]

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

Part II
Markings
[A]
General Provisions

Sec. 14-298-600. [Legal authority] Uniformity

[Markings as described in sections 14-298-601 to 14-298-636, inclusive, shall be placed or caused to be placed only by the traffic authority having jurisdiction over the regulating, warning and guiding of traffic.]

(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. [Standardization] Legal Authority

[(a) All markings used on public and private highways shall conform as prescribed in these regulations, except those markings that are used on the Interstate system shall conform to Interstate standards. Any exceptions to these regulations shall be based on an engineering study and subject to the approval of the State Traffic Commission.

(b) All dimensions in this part are expressed in English units. Any Connecticut Department of Transportation standards, manuals and guidelines that have been developed in metric dimensions and are considered equivalent.]

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

[A]

General Provisions

Sec. 14-298-700 [Legal Traffic Authority] Uniformity

[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 general statutes.]

(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 [Standardization] Legal Traffic Authority

[(a) All traffic control signals used on public highways shall conform as noted in these regulations. Any exception to these regulations shall be based on an engineering study and shall be subject to approval by the State Traffic Commission. Traffic control signals of non-standard design or application in operation or in use on the effective date of these regulations may continue to operate, but shall be replaced as soon as feasible, by traffic control signals to conform with Section 14-298-700 through Section 14-298-741 of these regulations.

(b) All dimensions in this part are expressed in English units. Any Connecticut Department of Transportation standards, manuals and guidelines that have been developed in metric dimensions are considered equivalent.]

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.

10107

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, [And] Maintenance, and Incident Management. [OPERATION]

Sec. 14-298-800 [Responsibility] Uniformity

[The provisions for public protection established herein are for application by:

- (1) The Department of Transportation, and municipal forces performing construction or maintenance operations on roads or streets.
- (2) Contractors employed in road or street construction or maintenance under contract to any governmental authority and
- (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.]

(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 [General Requirements] Responsibility

(a) All traffic control devices used on road or street construction or maintenance work shall conform to the applicable specifications of these regulations.

(b) Traffic control devices shall be installed at the inception of construction or maintenance operations and shall be properly maintained and/or operated during the time such special conditions exist. They shall remain in place only as long as they are needed and shall be removed immediately thereafter. Where operations are performed in stages, there shall be in place only these devices that apply to the conditions present.

(c) Signs that do not apply in existing conditions shall be removed, covered, or turned so as not to be readable by oncoming traffic.

(d) All dimensions in this part are expressed in English units. Any Connecticut Department of Transportation standards, manuals and guidelines that have been developed in metric dimensions are considered equivalent.]

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

[A]

General Provisions

Sec. 14-298-900. [Functions] 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 flashing lights shall operate for a minimum of 20 seconds before arrival of any train. 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): [-- The flashing lights and lights on the gate shall operate for a minimum of 20 seconds before arrival of any train. The gate shall start its downward motion a minimum of 3 seconds after the lights begin to operate and shall reach its horizontal position a minimum of 12 seconds before the arrival of any train. When the train clears the crossing and no other train is approaching, the gate shall ascend to its upright position in not more than 12 seconds, following which the flashing lights and lights on the gate shall cease operation.]

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.

[(c) Sequence of Operation (Bell)--The bell, when used, shall begin ringing when the flashing lights begin operation and should continue ringing until the lights cease operation or until a gate begins its upward motion after the train clears the crossing.]

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.

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CERTIFICATION

This certification statement must be completed in full, including items 3 and 4, if they are applicable.

- 1) I hereby certify that the above (check one) Regulations Emergency Regulations
- 2) are (check all that apply) adopted amended repealed by this agency pursuant to the following authority(ies): (complete all that apply)

a. Connecticut General Statutes section(s) 14-298.

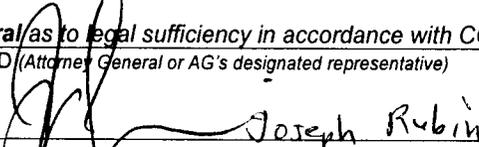
b. Public Act Number(s) _____.
(Provide public act number(s) if the act has not yet been codified in the Connecticut General Statutes.)

3) And I further certify that notice of intent to adopt, amend or repeal said regulations was published in the **Connecticut Law Journal** on June 5, 2012;
(Insert date of notice publication if publication was required by CGS Section 4-168.)

4) And that a public hearing regarding the proposed regulations was held on _____;
(Insert date(s) of public hearing(s) held pursuant to CGS Section 4-168(a)(7), if any, or pursuant to other applicable statute.)

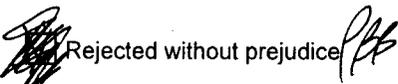
5) And that said regulations are **EFFECTIVE** (check one, and complete as applicable)
 When filed with the Secretary of the State
OR on (insert date) _____

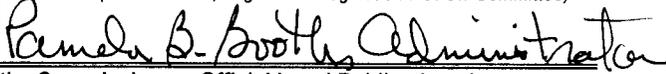
DATE July 16, 2012	SIGNED (Head of Board, Agency or Commission) 	OFFICIAL TITLE, DULY AUTHORIZED Commissioner
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APPROVED by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended		
DATE 8/8/12	SIGNED (Attorney General or AG's designated representative)  Joseph Rubin	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL

Proposed regulations are **DEEMED APPROVED** by the Attorney General in accordance with CGS Section 4-169, as amended, if the attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.

(For Regulation Review Committee Use ONLY)

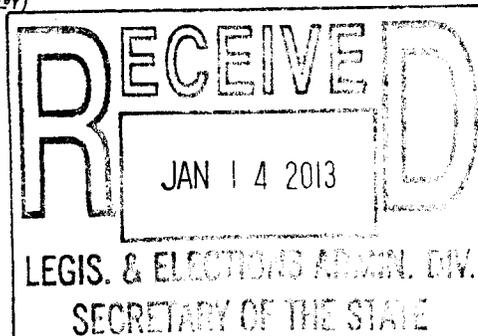
- Approved
- Rejected without prejudice 
- Approved with technical corrections Disapproved in part, (Indicate Section Numbers disapproved only)
Deq + Sub Pages.
- Deemed approved pursuant to CGS Section 4-170(c)

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE 12/18/2012	SIGNED (Administrator, Legislative Regulation Review Committee)  Pamela B. Booth, Administrator
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Two certified copies received and filed and one such copy forwarded to the Commission on Official Legal Publications in accordance with CGS Section 4-172, as amended.

DATE 1-14-2013	SIGNED (Secretary of the State)  Dan W. Mitchell	BY 
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(For Secretary of the State Use ONLY)



GENERAL INSTRUCTIONS

1. All regulations proposed for adoption, amendment or repeal, *except* emergency regulations, must be presented to the Attorney General for his/her determination of legal sufficiency. (See CGS Section 4-169.)
2. After approval by the Attorney General, the original and one electronic copy (in Word format) of all regulations proposed for adoption, amendment or repeal must be presented to the Legislative Regulation Review Committee for its action. (See CGS Sections 4-168 and 4-170 as amended by Public Act 11-150, Sections 18 and 19.)
3. Each proposed regulation section must include the appropriate regulation section number and a section heading. (See CGS Section 4-172.)
4. New language added to an existing regulation must be in underlining or CAPITAL LETTERS, as determined by the Regulation Review Committee. (See CGS 4-170(b).)
5. Existing language to be deleted must be enclosed in brackets []. (See CGS 4-170(b).)
6. A completely new regulation or a new section of an existing regulation must be preceded by the word "(NEW)" in capital letters. (See CGS Section 4-170(b).)
7. The proposed regulation must have a statement of its purpose following the final section of the regulation. (See CGS Section 4-170(b).)
8. The Certification Statement portion of the form must be completed, including all applicable information regarding *Connecticut Law Journal* notice publication date(s) and public hearing(s). (See more specific instructions below.)
9. Additional information regarding rules and procedures of the Legislative Regulation Review Committee can be found on the Committee's web site: <http://www.cga.ct.gov/rr/>.
10. A copy of the Legislative Commissioners' Regulations Drafting Manual is located on the LCO website at http://www.cga.ct.gov/lco/pdfs/Regulations_Drafting_Manual.pdf.

CERTIFICATION STATEMENT INSTRUCTIONS

(Numbers below correspond to the numbered sections of the statement)

1. Indicate whether the regulation is a regular or an emergency regulation adopted under the provisions of CGS Section 4-168(f).
2.
 - a) Indicate whether the regulations contains newly adopted sections, amendments to existing sections, and/or repeals existing sections. Check all cases that apply.
 - b) Indicate the specific legal authority that authorizes or requires adoption, amendment or repeal of the regulation. If the relevant public act has been codified in the most current biennial edition of the *Connecticut General Statutes*, indicate the relevant statute number(s) instead of the public act number. If the public act has not yet been codified, indicate the relevant public act number.
3. Except for emergency regulations adopted under CGS 4-168(f), and technical amendments to an existing regulation adopted under CGS 4-168(g), an agency must publish notice of its intent to adopt a regulation in the *Connecticut Law Journal*. Enter the date of notice publication.
4. CGS Section 4-168(a)(7) prescribes requirements for the holding of an agency public hearing regarding proposed regulations. Enter the date(s) of the hearing(s) held under that section, if any; also enter the date(s) of any hearing(s) the agency was required to hold under the provisions of any other law.
5. As applicable, enter the effective date of the regulation here, or indicate that it is effective upon filing with the Secretary of the State. Please note the information below.

Regulations are effective upon filing with the Secretary of the State or at a later specified date. See CGS Section 4-172(b) which provides that each regulation is effective upon filing, or, if a later date is required by statute or specified in the regulation, the later date is the effective date. An effective date may not precede the effective date of the public act requiring or permitting the regulation. Emergency regulations are effective immediately upon filing with the Secretary of the State, or at a stated date less than twenty days thereafter.

Regulation of the Department of Transportation
CONCERNING State Traffic Administration
Approved by the Attorney General August 8, 2012
Approved by the Legislative Regulation Review Committee on December 18, 2012
Received and filed in the Office of the Secretary of the State January 14, 2013 Effective Date: January 14, 2013
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