

550-RICR-00-00-1

TITLE 550 - STATE TRAFFIC COMMISSION

CHAPTER 00 - N/A

SUBCHAPTER 00 - N/A

PART 1 - Rules and Regulations Governing the State Traffic Commission

1.1 Authority

These Rules of Practice and Procedure are promulgated pursuant to R.I. Gen. Laws Chapters 31-12 through 31-27.

1.2 Purpose

The purpose of these Rules of Practice and Procedure is to describe the State Traffic Commission, the nature and requirements of all formal and informal procedures of the State Traffic Commission, and all forms and instructions used by the State Traffic Commission.

1.3 Incorporated Materials

These regulations hereby adopt and incorporate Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), 23 C.F.R. § 655 subpart F (2009) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.

1.4 Duties

A. The State Traffic Commission is charged with the following responsibilities:

1. The State Traffic Commission has adopted the Manual on Uniform Traffic Control Devices (MUTCD), incorporated above in § 1.3 of this Part, as its manual of regulations and specifications establishing a uniform system of traffic control within the State of Rhode Island. The MUTCD is the official publication of the Federal Highway Administration that contains all national design, application, and placement standards for traffic control devices.

B. Public Access

1. State Traffic Commission meetings are open to members of the public, who may speak on any agenda item after completing a Request to the "State Traffic Commission to be Heard" form.
2. The form is provided to members of the public upon arrival at the meeting and collected after it is filled out.

3. The form is then handed to the chairperson so that he/she is aware that someone is present to speak on a particular issue and the person is heard when the agenda item is reached.
4. The State Traffic Engineer shall post electronically the annual report of the State Traffic Commission on the websites of the General Assembly and the Secretary of State pursuant to R.I. Gen. Laws §§ 31-13-1(c) and 42-20-8.2.
5. The State Traffic Engineer shall give written notice of all meetings and file a copy of all meeting minutes pursuant to R.I. Gen. Laws § 42-46-1 *et seq.*

1.5 Procedures

- A. Requests Concerning Traffic Regulations and/or Traffic Control Devices upon State Highways – The State Traffic Commission acts upon requests for installation and/or removal of traffic control devices, defined as all signs, signals, markings, and other devices used to regulate, warn, or guide traffic, placed on, over, or adjacent to a state highway.
 1. The following public officials or entities may initiate requests concerning traffic regulations and/or traffic control devices upon state highways:
 - a. Rhode Island municipal officials and police departments;
 - b. The Department of State Police;
 - c. Any member of the Rhode Island General Assembly;
 - d. Any member of the Rhode Island delegation to the United States Congress; and
 - e. The Director of the Department of Transportation.
 2. Members of the general public should submit requests via one of the aforementioned public officials or entities.
 3. Written requests concerning traffic regulations and/or traffic control devices upon state highways shall be submitted to: Rhode Island Department of Transportation Office of the Managing Engineer for Traffic Design, 2 Capitol Hill, Providence, RI 02903
 4. Upon receipt of a written request concerning traffic regulations and/or traffic control devices upon state highways, the State Traffic Engineer shall place the request on the agenda for the next scheduled meeting of the State Traffic Commission and notify the appropriate municipal governing body and police department.
 5. Requests concerning traffic regulations and/or traffic control devices upon state highways are subject to evaluation prior to State Traffic Commission

decision-making. However, the State Traffic Commission may, in its discretion, deny a request without a formal engineering study.

- a. The Department of Transportation conducts and/or oversees the following engineering studies when required for State Traffic Commission decision-making: traffic signal warrant analysis; multi-way stop sign warrant analysis; mid-block pedestrian crosswalk analysis; traffic calming studies; twelve-hour turning movement traffic counts; a.m. and p.m. peak hour turning movement traffic counts; twelve-hour pedestrian counts; a.m. and p.m. peak hour pedestrian counts; three-year accident analyses; capacity analyses (intersections); radar speed studies; delay studies; and other required field evaluations.
 - b. Residential, commercial, and industrial complexes along state highways that request traffic signals through the Physical Alteration Permit process must prepare a traffic impact study and submit it to the Department of Transportation as a preliminary physical alteration permit. If the study indicates that the traffic signal is warranted, the State Traffic Commission will act on a request for a traffic signal. The owner is financially responsible for the design, installation, and assessed Physical Alteration Permit fees.
 - c. Fire districts, school districts, and municipalities that seek to install fire station and/or school zone signals shall pay the design, installation, and monthly electrical costs of the approved signals. Municipalities requesting permission to use In-Street Pedestrian Crossing signs shall pay all costs associated with acquiring, mounting and maintaining the approved signs, and shall indemnify the State of Rhode Island for claims arising from use of the approved signs.
 - d. Engineering studies will be conducted in accordance with the current edition of the MUTCD, incorporated above in § 1.3 of this Part.
6. The decision of the State Traffic Commission granting or denying a request concerning traffic regulations and/or traffic control devices upon a state highway shall be the final agency decision. Furthermore, the State Traffic Commission will not consider or reconsider a request concerning traffic regulations and/or traffic control devices upon state highways where it has acted upon a substantially similar request within the previous twelve (12) months, unless conditions change, or new or additional relevant information exists.

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