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STANDARDS GOVERNING USE OF STOP SIGNS BY MUNICIPALITIES

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You asked if there are federal guidelines or regulations that govern the criteria for putting up stop signs on municipal roads and, if so, if they are mandatory.

SUMMARY

“STOP” signs and other types of signs, traffic lights, road markings, and any other device that is used to regulate, warn, or guide traffic are “traffic control devices.” Several decades ago, Congress determined that uniformity in the use and display of traffic control devices was an important federal interest and passed laws requiring the U.S. Department of Transportation to develop and adopt uniform standards for these devices. These standards currently exist in a document known as the *Manual on Uniform Traffic Control Devices* (MUTCD). The U.S. transportation secretary has decreed under authority granted by the Highway Safety Act of 1966 that traffic control devices on all streets and highway open to public travel in each state must be in “substantial conformance” with the standards issued and endorsed in the manual.

The manual contains standards and guidance for both the form and use of the various types of traffic control devices. The criteria the MUTCD identifies that should be considered when a decision is being made to use a particular type of traffic control device are also known as “warrants.” The standards and guidance in the MUTCD are universally accepted by traffic engineers and authorities at all levels, including municipalities, and are indicative of sound engineering judgment.

The MUTCD contains both general guidance for when STOP signs should be considered and more quantitative guidance for consideration when traffic officials are determining if signs should be installed on more than one approach to an intersection, i.e., “multiway” stops. Typical of the general guidance are stipulations that STOP signs should not be used for speed control and that, in most cases, the street carrying the lowest volume of traffic should be stopped rather than the busier street. Typical of the quantitative guidance applicable to consideration of multiway stops are criteria accounting for accident history for certain types of accidents that are amenable to correction from STOP signs, average traffic volumes on the major street approaches, average combined volume (vehicles, pedestrians, and bicyclists) on the minor street approaches, and approach speed of traffic on the major street.

FEDERAL LAW

Pursuant to federal statutory and regulatory requirements, the federal highway administrator of the U.S. Department of Transportation adopted the *Manual On Uniform Traffic Control Devices* (23 USCA §§ 109(d), 114(a), 217, 315, and 402(a); 22 CFR 655, and 49 CFR 1.48 (b)(8), 1.48 (b)(33), and 1.48(c)(2)). The manual defines traffic control devices as all signs, signals, markings, and other devices used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, pedestrian facility, or bikeway by authority of a public agency having jurisdiction. The manual is incorporated by reference in 23 CFR, Part 655, subpart f, and is recognized as the national standard for traffic control devices on all public roads open to travel in accordance with 23 USCA §§ 109(d) and 402(a).

In the MUTCD, 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 must be in substantial conformance with the standards issued and endorsed by the Federal Highway Administration.