Temporary Traffic Control

• The Minnesota Manual on Uniform Traffic Control Devices (MN MUTCD) is the document adopted by the Commissioner of Transportation based on his authority by statute (169.06) that sets the standards for the uniform application of Traffic Control Devices on all public roads in the state of Minnesota. The MN MUTCD is based on the federal MUTCD published by the Federal Highway Administration. The Code of Federal Regulations requires that state adopted MUTCDs are in substantial conformance with the federal MUTCD. Changes to Standard statements are not allowed. Changes to Guidance statements have to be reviewed by the FHWA to determine that the state MUTCD is still in substantial conformance with the federal MUTCD. There are just a few devices mentioned that can be used as a hand-signaling device for the purpose of Temporary Traffic Control (TTC):

  o The STOP/SLOW paddle is the identified hand signaling device to be used for flagging operations. This is the device to be used as stated in the proposed Rule.

  o Flags – should be limited to emergency situations as they don’t provide enough positive guidance for drivers

  o The STOP/STOP paddle is the identified hand signaling device to be used at school crossings (crosswalks) by adult crossing guards.

  o MN MUTCD 6E.3 includes the following relevant language:

  Guidance: The STOP/SLOW paddle should be the primary and preferred hand-signaling device because the STOP/SLOW paddle gives road users more positive guidance than red flags. Use of flags should be limited to emergency situations.

  Standard: The STOP/SLOW paddle shall have an octagonal shape on a rigid handle. STOP/SLOW paddles shall be at least 18 inches wide with letters at least 6 inches high. The STOP (R1-1) face shall have white letters and a white border on a red background. The SLOW (W20-8) face shall have black letters and a black border on an orange background. When used at night, the STOP/SLOW paddle shall be retro-reflectorized.

  o MN MUTCD 6E.7 includes the following relevant language:
Standard: Flaggers shall use a STOP/SLOW paddle, a flag, or an Automated Flagger Assistance Device (AFAD) to control road users approaching a TTC zone. The use of hand movements alone without a paddle, flag, or AFAD to control road users shall be prohibited except for law enforcement personnel or emergency responders at incident scenes as described in Section 6.1.

In addition, the curriculum developed so far requires:

- A road guard at each approach where traffic needs to be stopped to allow the group ride to ignore any existing traffic control devices. Each road guard will display the STOP message towards the traffic stream approaching the road guard.

- An advance road guard in specific applications (high speed approaches, signalized intersections, limited sight distance approaches, and approaches with no existing traffic control) and the advance road guard will display the SLOW message to prepare drivers for the unexpected presence of the road guard at the intersection approach.

- MN Statute 169.06 Subd. 4e authorizes flaggers to control traffic in work zones, and the MN MUTCD is the standard of care for flaggers; MN Statute 169.06 Subd. 4g authorizes motorcycle road guards to control traffic, and the road guard field guide (identified in the Rule as part of the curriculum) is intended to be the standard of care for road guards. Technically, the statute does not define specifically how the traffic control is supposed to be done - so if flaggers or road guards don't follow the standard of care, it's not directly illegal; however, not following the standard of care opens them up to legal liability. With flaggers, the road authority also has the capability to remove them as they are working under contract, under a permit or for the road authority. This will not be the case with road guards.

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