



U.S. Department  
of Transportation

**Federal Highway  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

August 29, 2003

Refer to: HOTO-1

Mr. Bill Wilshire  
Acting District Traffic Operations Engineer  
Florida Department of Transportation  
11201 North McKinley Drive  
Tampa, FL 33612-6456

Dear Mr. Wilshire:

Thank you for your July 8 letter to former Associate Administrator for Operations Christine M. Johnson requesting an interpretation as to whether a guardhouse and gate on public streets at the entrance to a subdivision is a traffic control device. This letter was forwarded to my office for response.

In the Manual on Uniform Traffic Control Devices (MUTCD), traffic control devices are defined 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 bicycle path by authority of a public agency having jurisdiction." Automatically or manually operated gates installed and operated under authorization of a public agency to control traffic accessing public streets are considered as traffic control devices based on this definition.

As traffic control devices within the highway right-of-way, traffic control gates should be placed only as authorized by a public authority or the official having jurisdiction for the purpose of regulating, warning, or guiding traffic. The decision to use a traffic control device at a particular location should be made on the basis of either an engineering study or the application of engineering judgment. As indicated in the MUTCD Section 1A.09, engineering judgment should be exercised in the selection and application of traffic control devices, as well as in the location and design of the roads and streets that the devices complement.

There are no current provisions specifically for generic traffic control gates on streets and highways in the MUTCD. The current edition of the MUTCD provides standards for gates used for traffic control at movable bridges in Section 4I.02 and at highway-rail grade crossings in Section 8D.04. Based on the basic principles and uniformity of traffic control devices contained in the MUTCD, the standards in Section 4I.02 and Section 8D.04 may be adopted currently by jurisdictions for the application of traffic control gates at locations other than movable bridges and highway-rail grade crossings. The standards indicate that gate arms shall be fully retroreflectorized on both sides, have 45-degree diagonal stripes alternately red and white at 400 mm (16 inch) intervals measured horizontally as illustrated in Figures 8D-1. It is also indicated in the standards that the gate arm shall extend across the approaching lanes of highway traffic. These standards are developed for better visibility and safer application of traffic control gates.



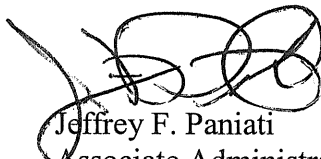
The inclusion of standards for general usage of traffic control gates on public streets for traffic control will be considered for a future edition of the MUTCD.

The subject gate described in your letter was placed as authorized by a public agency having jurisdiction. It warns and guides traffic to stop prior to accessing to public streets in a subdivision. Therefore, it is a traffic control device and the above interpretation applies to this gate. As to the guardhouse itself, since it does not interact with or convey any traffic control related indications directly to traffic, it is not considered a traffic control device.

Please be advised that the MUTCD itself describes the application of traffic control devices and is used to determine the conformity, not legality of the use of traffic control devices.

For reference purposes, we have assigned your request the following official interpretation number and title: 8-66(I)–"Traffic Gates on Public Streets, FDOT." Please refer to this number in future correspondence. If you have any questions regarding this matter, please contact Ms. Guan Xu at 202-366-5892.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey F. Paniati', with a stylized flourish extending to the left.

Jeffrey F. Paniati  
Associate Administrator for Operations  
Acting Director, ITS Joint Program Office