

# Speed Limits On Unpaved Roads Addendum

State law gives municipalities the option of setting speed limits on all or portions of unpaved roads at no less than 35 and no more than 50 mph *without* conducting an engineering and traffic investigation. But the law goes on to require that towns consider four criteria which are part of what is commonly accepted as criteria for conducting an engineering and traffic investigation.

An engineering and traffic investigation helps to base a reasonable speed limit on facts and not on whimsy, assuring motorists that a posted speed limit is safe and reasonable. The Manual on Uniform Traffic Control Devices (MUTCD) sets out six criteria:

1. Road surface characteristics, shoulder condition, grade, alignment and sight distance.
2. The 85<sup>th</sup> percentile speed/pace speed.
3. Roadside development and culture and roadside frictions.
4. Safe speed for curves or hazardous locations within the zone.
5. Parking practices and pedestrian activity.
6. Reported accident experience for a recent 12-month period.

In setting speed limits 35 to 50 mph on unpaved roads, the new law requires select boards to consider:

- Neighborhood character (number 3 of the MUTCD criteria)
- Abutting land use ( number 3 of the MUTCD criteria)
- Bicycle and pedestrian use (number 5 of the MUTCD criteria)
- The physical characteristics of the highway (number 1 and 4 of the MUTCD criteria).

We can assume, therefore, that the legislature means to eliminate the need for considering the 85<sup>th</sup> percentile and pace speed (#2, parking practices (#5) and accident experience (#6) when considering the

reasonable speed limit for unpaved roads (35, 40, 45 and 50 mph).

The Vermont Agency of Transportation, Vermont Local Roads and the VLCT suggest that municipalities take the following steps in establishing speed limits on municipal roads and streets.

## **Paved Roads**

Follow the standard procedures from the MUTCD which are explained more fully in the handbook *Setting Speed Limits: A Guide for Vermont Towns*. The handbook also contains a model traffic ordinance.

## **Unpaved Roads**

1. Physically view the entire length of each road, taking into consideration the four criteria under the law instead of the six from the MUTCD.
2. Document as much information as possible (necessary for credibility and enforcement).
3. If it appears that the reasonable speed should be 35, 40, 45 or 50 mph, go to step 5.
4. If it is clear that the reasonable speed should be 25 or 30 mph, continue the traffic investigation using all six of the standard criteria.
5. As a select board, formally decide what the speed limit is for each road, basing decisions on observations.
6. Incorporate the select board's decisions in a municipal traffic ordinance, following carefully all the steps for adopting or amending an ordinance.
7. Record all official actions with the Town Clerk.
8. Erect appropriate signs according to MUTCD guidelines.

*Call Vermont Local Roads for more info:  
800-462-6555 or 802-654-2652.*

