

# Part 1

## General

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**PART 1. GENERAL**  
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**Section 1A.07 Responsibility for Traffic Control Devices****Support:**

The Division of Highways of the North Carolina Department of Transportation (NCDOT) has the responsibility for traffic control devices on all of the North Carolina State Highway System to include Interstate, primary, and secondary highways, both rural and urban. For municipal streets not on the State Highway System, the municipality has the responsibility for traffic control devices. For State Highway System streets within a city or town, the Division of Highways occasionally, by contractual agreement, delegates the maintenance of traffic control devices to the local government. However, the devices used must be approved by the Division of Highways and conform to the *Manual on Uniform Traffic Control Devices (MUTCD)* and the *North Carolina Supplement to the Manual on Uniform Traffic Control Devices (NCSMUTCD)*.

Any agency performing construction and maintenance work on or adjacent to a street or highway on the State Highway System is responsible for using the proper traffic control devices and procedures. The devices used are subject to approval by the Division of Highways and conformance to the *MUTCD* and the *NCSMUTCD*.

**Standard:**

**The Division of Highways of the NCDOT shall be responsible for traffic control devices on all of the North Carolina State Highway System. Local municipalities shall be responsible for municipal streets not part of State Highway System. The Division of Highways shall approve all traffic control devices used on the State Highway System.**

**Option:**

The Division of Highways may delegate by contract the maintenance of State Highway System streets within a city or town to the local municipal government.

**Section 1A.08 Authority for Placement of Traffic Control Devices**

Amended and add the following:

**Support:**

Under General Statutes 20-158, 20-158.1, 20-169, 136-18, 136-30, and 136-66.1, and Section 2B-0202, Title 19A, North Carolina Administrative Code, the NCDOT is authorized to install and maintain traffic control devices on State Highway System right-of-way. Under General Statute 160A-269 and 160A-300 a municipality, with reference to streets under its jurisdiction, is authorized to control and regulate traffic.

All traffic control devices installed on the State Highway System are to be in substantial conformance with the *MUTCD* and the *NCSMUTCD*. In addition, since the *MUTCD* has been approved by the Federal Highway Administration as a national engineering standard, it is applicable to all highways open to public travel in accordance with Title 23, United States Code, Sections 109(b), 109(d), and 402(a), and 23 CRF 1204.4. The *MUTCD* contains provisions for the design and use of traffic control devices on all streets and highways regardless of type or class or the governmental agency having jurisdiction. These facilities include local municipal streets and highways, and highways under Federal administration such as the National Park Service, United States Forest Service, Bureau of Land Management, Military reservations, etc.

**Standard:**

Under the General Statutes of North Carolina, the NCDOT shall be responsible for traffic control devices on all of the North Carolina State Highway System. All traffic control devices used on public streets and highways in North Carolina shall conform to the *MUTCD* and the *NCSMUTCD*.

**Section 1A.09 Engineering Study and Engineering Judgment****Standard:**

This Manual describes the application of traffic control devices, but shall not be a legal requirement for their installation.

**Guidance:**

The decision to use a particular device at a particular location should be made on the basis of either an engineering study or the application of engineering judgment. Thus, while this Manual provides Standards, Guidance, and Options for design and application of traffic control devices, this Manual should not be considered a substitute for engineering judgment.

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. Jurisdictions with responsibility for traffic control that do not have engineers on their staffs should seek engineering assistance from others, such as the State transportation agency, their County, a nearby large City, or a traffic engineering consultant.

**Section 1A.13 Definitions of Words and Phrases in This Manual**

Amended and add the following:

**Standard:**

When used in this Manual, the text heading of Standard shall be defined as follows:

A. **Standard**—a statement of required, mandatory, or specifically prohibitive practice regarding a traffic control device. All Standard statements are labeled, and the text appears in bold type. The verb “shall” is typically used. The verb “should” and “may” are not used in Standard statements. Standard statements are sometimes modified by Options.

The following words and phrases, when used in this Manual, shall have the following meanings:

64. **Engineering Judgment**—the evaluation of available pertinent information, and the application of appropriate principles, Standards, Guidance, and practices as contained in the Manual and other sources, for the purpose of deciding upon the applicability, design, operation, or installation of a traffic control device. Engineering judgment shall be exercised by an engineer, or by an individual working under the supervision of an engineer, through the application of procedures and criteria established by the engineer. Documentation of engineering judgment is not required.

**65. Engineering Study**—the comprehensive analysis and evaluation of available pertinent information, and the application of appropriate principles, Standards, Guidance, and practices as contained in this Manual and other sources, for the purpose of deciding upon the applicability, design, operation, or installation of a traffic control device. An engineering study shall be performed by an engineer, or by an individual working under the supervision of an engineer, through the application of procedures and criteria established by the engineer. An engineering study shall be documented.