

Good morning Mr. Chairman and members of the committee. I'm Chad M. Orn, Project Development Director for the North Dakota Department of Transportation (NDDOT). I'm here to provide information related to SB 2350.

Senate Bill 2350 proposes to add language that would allow local governmental entities that have adopted an ordinance with a penalty for a traffic offense, to attach a penalty sign to any traffic sign within their jurisdiction. The language also states that the penalty sign must be uniform in size and text in relation to the sign to which it is affixed.

The Manual on Uniform Traffic Control Devices (MUTCD) is the law governing all traffic control devices. As part of the Federal Highway Administration's federal aid program, all states shall adopt the MUTCD or have a State MUTCD/supplement that is in substantial conformance with the manual.

Century Code 39-13-06 and 39-13-07 states that the director shall adopt the MUTCD and that no traffic-control devices, including markings signs and signals may be used on any street or highway that do not conform to the standards of design and location as prescribed in the manual.

Section 2A.04 of the MUTCD discusses excessive use of signs. It gives guidance that "regulatory and warning signs should be used conservatively because these signs, if used in excess, tend to lose their effectiveness."

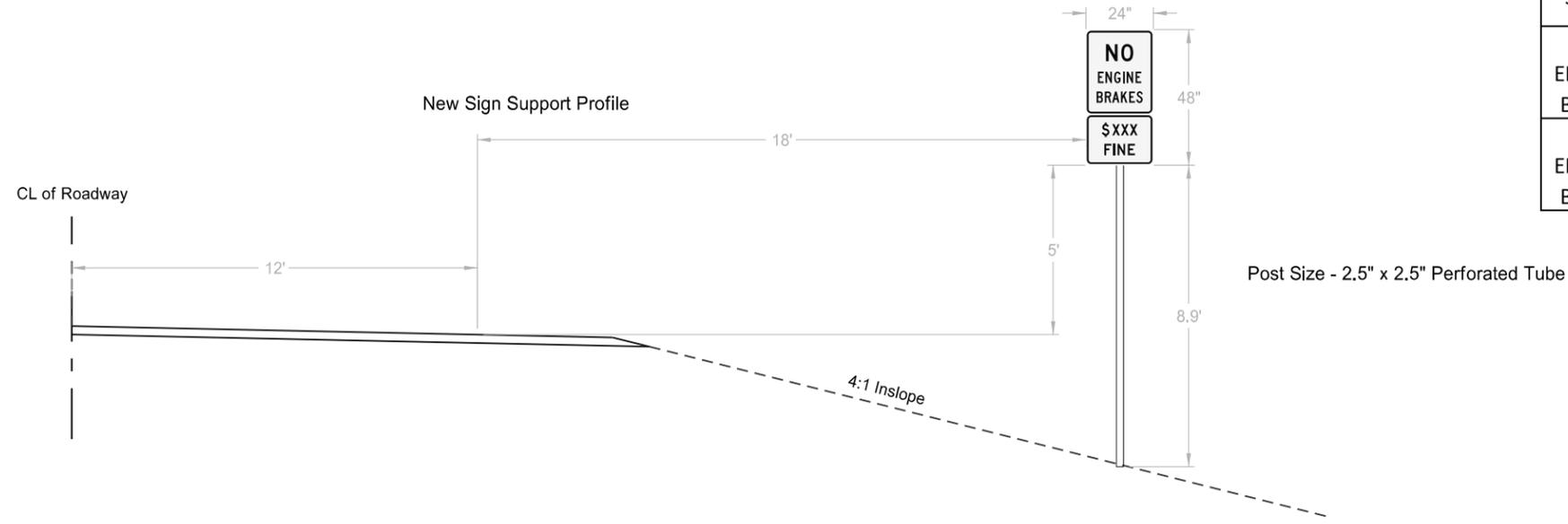
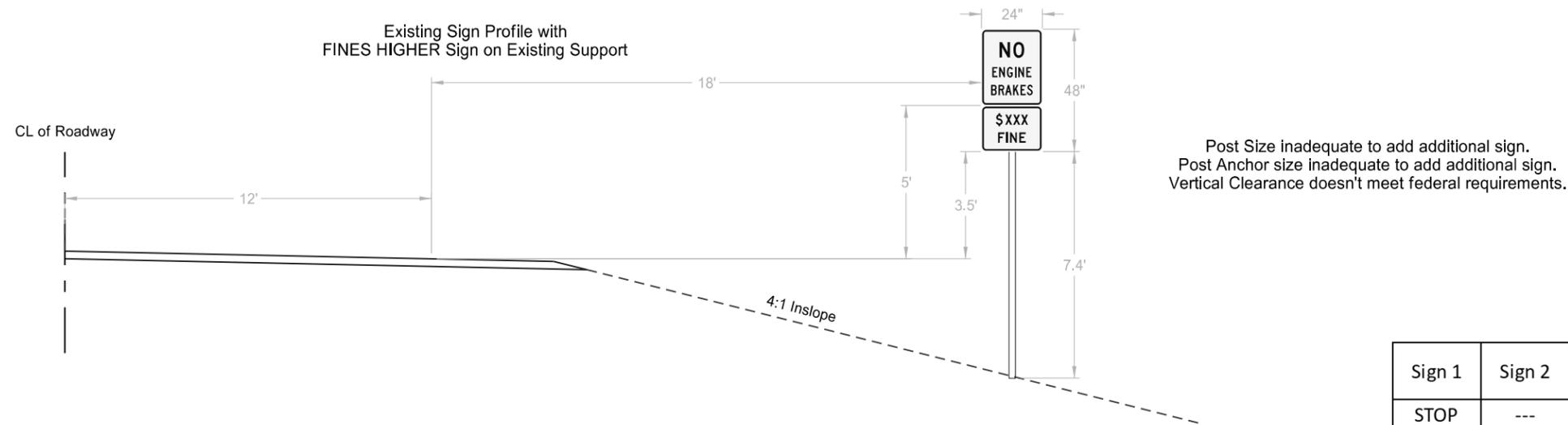
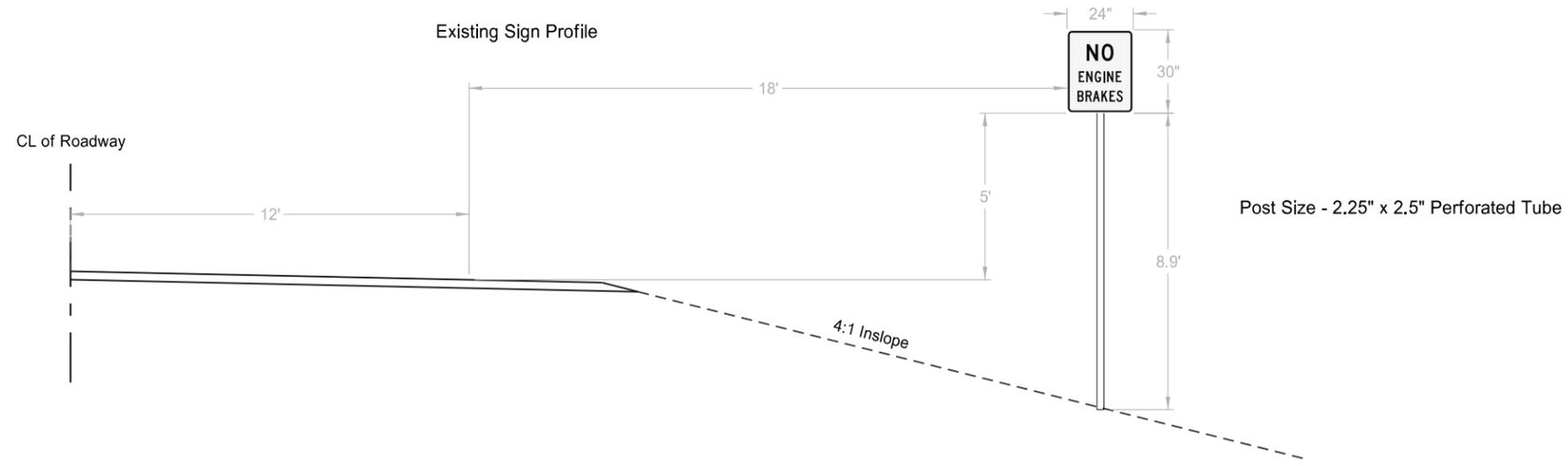
Section 2B.17 of the MUTCD discusses fine zones and plaques. When a fine zone is introduced, road users must be given notice of where the zone ends.

Section 2A.18 of the MUTCD discusses mounting height. The minimum height from the edge of the roadway to the bottom of a sign is 5 feet in rural areas and 7 feet in urban areas. The additional height in urban areas is required to not obstruct a drivers view and for pedestrian movements. The manual states that the height to the bottom of a secondary sign mounted below another sign may be 1 foot less than previously stated.

Section 2A.21 of the MUTCD discusses posts and mountings. The MUTCD states in part: "Signposts, foundations, and mountings shall be constructed as to hold signs in a proper and permanent position, and to resist swaying in the wind."

The department has concerns that adding a penalty sign as described in SB 2350 to an existing sign post will not comply with the MUTCD. In order to comply with the MUTCD, the original sign would need to be raised to provide minimum clearance for the additional signs and a higher strength support may be needed depending on the existing sign/support. *(See handout)*

This concludes my testimony. Thank You.



Sign 1	Sign 2	Pipe Size (in.)	Sleeve (in.)	Pipe Length (ft)	Anchor Size (in)	Cost to Replace
STOP	---	2.5 x 2.5	---	15.5	3 x 3	---
STOP	\$XXX FINE	2.25 x 2.25	2.5x2.5	17	3 x 3	\$500 - \$1000
NO ENGINE BRAKE	---	2.25 x 2.25	---	14.9	2.5 x 2.5	---
NO ENGINE BRAKE	\$XXX FINE	2.5 x 2.5	---	16.9	3 x 3	\$500 - \$1000

Sign Profile
FINES HIGHER