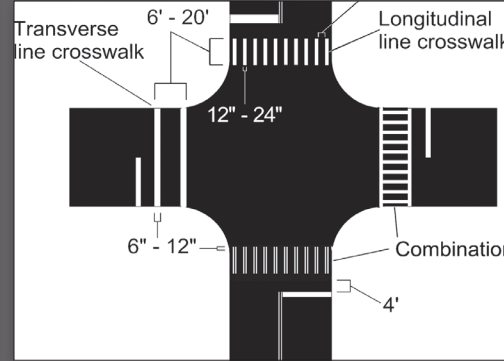


A Citizen's Guide to Local Highway Operations



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A long, straight road stretching into the distance under a cloudy sky, with fields on either side. The road has a yellow center line and white edge lines. The landscape is rural with green fields and distant hills.

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The Cornell Local Roads Program provides training, technical assistance, and information to municipal officials and employees responsible for the maintenance, construction, and management of local highways and bridges in New York State. The Cornell Local Roads Program (CLRP) is one of 52 centers nationwide that constitute the Federal Highway Administration (FHWA) Local Technical Assistance Program (LTAP). <https://www.clrp.cornell.edu/>

Mission Statement

Improving the Quality and Safety of NYS Highways

The Cornell Local Roads Program provides unbiased, timely and exceptional technical assistance and training to highway and public works departments across New York State to help improve the quality and safety of roads and streets. We support local communities through strong collaborations with partners that enhance the sustainability of local highway assets.

Our primary service is training and we travel all over New York State to host our workshops in the spring and fall. We announce workshop topics, dates, and locations by newsletter, website, e-mail, and mail to all highway and public works agencies in New York State.

Our workshops cover a variety of topics to meet the needs of highway and public works officials, supervisors, foremen, crews, and other municipal officials. Our current training curriculum includes:

- A Highway Department's Legal Liabilities
- Complete Streets
- Work Zone Traffic Control for Local Roads
- Powers and Duties of Local Highway Officials
- Roadway & Roadside Drainage
- Snow & Ice Control Operations
- Surveying

- Asphalt Paving Principles
- Local Roads (and Streets) Done Right
- Pavement Maintenance
- Road Safety Fundamentals
- Running Your Highway Department
- Stormwater Management
- Traffic Signs & Pavement Markings

Highway School

Over 700 participants, the majority being local highway and public works officials, attend the Highway School training conference every year. The annual Highway School is co-sponsored by the Association of Towns of the State of New York and the Cornell Local Roads Program

Bridge Conference

In the fall CLRP co-sponsors the Annual Statewide Conference on Local Bridges with the New York State Department of Transportation. This conference is intended for local highway officials in New York State who maintain and rehabilitate local bridges.





51% of the
bridges in NYS
are **locally**
owned

Source: Office of the NYS Comptroller

85% of the highway
miles in NYS are
local roads

Source: NYSDOT Highway Data Services Bureau

The Role of a Local Highway Department

What Do Local Highway Departments Do?

Local highway and public works departments provide critical services to local communities that allow for safe, efficient travel along local public roads and bridges. The important work performed by local transportation departments facilitates commerce and supports local economies. Good local roads truly are the backbone of prosperous thriving communities.

Departments vary in size and responsibilities. Some agencies only maintain highways and related infrastructure, while others (especially Villages and Cities) maintain water, sewer, and other public works infrastructure. Even a small department has a large list of assets that must be maintained. Every agency has to manage roads and streets, bridges and culverts, signs and markings, guiderail, ditches and slopes. Some agencies will also have storm sewers, sidewalks, traffic signals and other miscellaneous infrastructure. Highway Superintendents also have to manage equipment, buildings, personnel, and department budgets.

Who Oversees Local Highway Operations?

Every town must have a Superintendent of Highways who is a public official. Most Town Superintendents of Highways are elected officers who serve two-year terms. The position can be made into a 4-year term or an appointed office if approved by a voter referendum.

County Highway Superintendents are appointed by the county legislature for a term of at least four years and are responsible for the roads and bridges that comprise the county highway system.

In cities or villages, local highway officials are either appointed under civil service laws or appointed to serve at the pleasure of the local mayor.

The NYS Dept. of Transportation (NYSDOT) oversees state highways and supports local agencies in various ways.

There are 1585 distinct municipalities located throughout the State of New York as of January 2019.

How Do They Get The Job Done?

Budgeting

Budgets are created to balance limited resources with community transportation needs, equipment maintenance, emergency preparation, asset preservation, and numerous other items. 80% of department funding is local.

Scheduling & Planning

Most departments will create an annual work plan but many unforeseen circumstances can force plans to change. It is important to remember that highway departments respond to a variety of emergencies throughout the year and, in many cases, are the first to respond.

Communication

Local highway departments and the public need to productively communicate. It is important to understand that departments have limited resources and a lot to manage. Clear communication and patience help departments better respond to citizen service requests.



132 Road Construction Worker Fatalities in 2017

Source: National Work Zone Safety Information Clearinghouse

710 Total Fatal Work Zone Accidents in 2017

Source: National Work Zone Safety Information Clearinghouse

Road Safety

Safety For The Public

It is important to understand that public safety is always the highest priority for local highway departments. Road safety means designing and maintaining roads that efficiently allow the traveling public to make it to their destinations safely.

Much of the physical work of a local highway and public works department revolves around keeping motorists safe on the roads. Local highway departments respond during emergencies, redirect traffic in the event of unsafe conditions like floods or road failures, clear debris, undertake snow and ice operations, and perform many other tasks related to keeping the roads safe for the traveling public.

Citizens should always obey signs regarding road conditions such as closures, flash flood warnings, weight limits, or detours. On the other hand, when the public contacts local departments about adverse conditions that could impact the safety of the roads, citizens should be aware that local departments have limited personnel and resources and may have to prioritize other emergencies. When contacting your local department, always be detailed, clear, calm, and objective when describing a problem or hazard.

Safety in work zones is about more than just highway worker safety. In 2014, driver and vehicle passengers accounted for 82 percent of work zone fatalities.

Safety For Highway Workers

Work Zone Safety

Accidents caused by traffic hitting someone or something in the work area usually happen because drivers didn't see the hazard, or didn't see it in time to react, or didn't know what to do when they did see it. Highway departments use devices that are highly visible which is why traffic safety devices use bright colors and flashing lights. Warnings are in advance of the activity and repeated to ensure driver awareness. Drivers are given plenty of time to absorb the message and react to it. Drivers should be aware that the length or area of a work zone can be large relative to the location of the actual work being performed in order to provide proper warning and buffering against vehicle accidents. No matter what, it is very important for the traveling public to always stay alert and aware when driving in order for warnings and control devices to be effective.

Flagging Operations

Flaggers perform a critical job in work zones by preventing traffic from injuring workers in work zones. The role of a flagger also includes guiding traffic safely through the work area, avoiding unreasonable delays for motorists, and answering driver questions courteously.

It is important to always pay attention to flagger signals and treat flaggers with respect. Even though traveling through work zones can be frustrating at times, flaggers are serving a critical role for the safety of workers and drivers while working in a very dangerous and vulnerable position.

Safety of the Roads

Traffic Speed

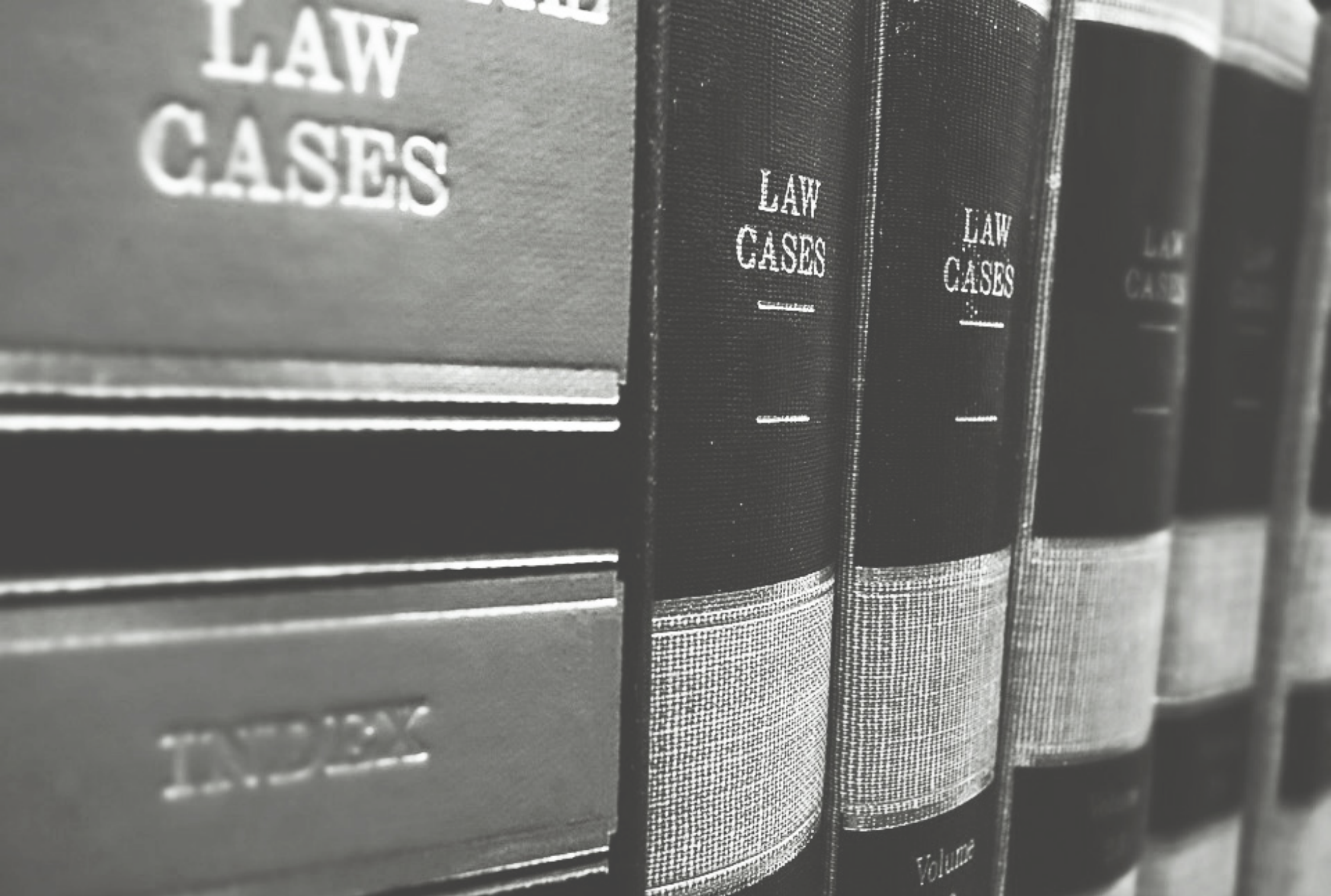
Other than continuous enforcement, few methods have been proven to reduce traffic speeds and arbitrarily lowering local speed limits will do little to improve safety. Speed limits are generally set using speed studies that gather data for a particular location. "Traffic calming," or making changes to the road to encourage slower speeds, can be effective, but generally should be installed in consultation with professional engineers and following an analysis of the problem using data gathered from studies.

Road & Traffic Safety Improvements

Local departments must always find the right balance between limited resources and improvements for safety. When setting priorities, departments consider the probability of an accident occurring at a location, and the likely severity if a crash does occur. Many factors are involved when deciding on making physical safety improvements to roads including:

- Accident history
- Prevailing speed along the road
- Amount of traffic on the road
- Position of the hazard

Remember, local highway departments often have access to information that the public does not. It is important to listen to the expertise of local highway department management when discussing problems or requesting safety improvements.



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Laws and Liability

Who Controls Local Roads?

Local roads are under the jurisdiction of either village, town, city, or county transportation departments. The State of New York maintains an inventory of local roads (and jurisdictions) in its Local Highway Inventory. The Local Highway Inventory (LHI) is a listing of the more than 95,000 miles of public roadways under the jurisdiction of the state DOT, counties, and local governments (cities, towns, and villages) in New York State. The LHI and other statistical information about state and local roads throughout NYS can be found on the NYSDOT highway data services webpage at <https://www.dot.ny.gov/highway-data-services>

A town, county, village or city can establish or layout a highway or street by acquiring the lands necessary by:

- Purchasing the lands under voluntary agreements. Accepting an offer from a private person to dedicate land for highway purposes.
- Acquiring the land through the power of eminent domain by condemnation.
- Continuous use by the public **and** public maintenance for a period of 10 years under Highway Law §189 or Village Law §6-624 (a “highway by use” or by prescription).
- Special procedures the legislature has authorized for towns. Town highways are governed by procedures not applicable to other types of highways or streets. More information on town highway establishment can be found in the publications “Powers and Duties of Local Highway Officials”, by the Cornell Local Roads Program or “The Office of Town Highway Superintendent” (commonly known as the “Red Book”) by Association of Towns of the State of New York.

Selected Powers & Duties

Temporary Road Closure - A town or county Highway Superintendent is authorized to close a town or county highway for emergencies and for related work on such highways (Highway Law §104). Highway Law §104 is not applicable to village or city streets as such streets are generally not considered “highways” within the meaning of the term.

Speed Limits - The New York State Vehicle and Traffic Law (VTL) gives the authority to set speed limits to villages and cities. Towns with populations of 50,000 or more, or defined as “suburban towns” in Section 3A of the Town Law, may also set their own speed limits. NYSDOT has the authority to set speed limits on county and town roads that do not meet the requirements listed above. To change speed limits on these roads, the town board and the county highway superintendent must file a joint request with the Regional Office of NYSDOT to conduct a speed limit study.

Vegetation - If the road is a right-of-way (ROW) by use, where the landowner owns to the center of the road, than the landowner is responsible for tree removal. The town does have the authority to remove trees if they feel they are a safety issue. If the ROW has been established by a deed and the town owns the land, then the town may be responsible for the tree removal. The town board may have also passed a local law or regulation making the landowner responsible.

Towns may cut brush and vegetation to improve the visibility and safety of the road regardless of the type of ROW.

Responsibilities of Citizens

Written Notice - In general, municipalities have the protection of so-called written notice laws. Written notice laws generally require that municipalities receive prior written notice of any defect in the condition of roads and streets under their jurisdiction before they can be exposed to civil liability.

Obstructions - It is the responsibility of citizens to not obstruct highways or street rights-of-way. Such obstructions can interfere with highway maintenance duties and thus impede a local highway department from carrying out their duties with respect to the maintenance of roads under their jurisdictions. Unauthorized obstructions may be removed under procedures delineated by local or State legislation.

Winter Maintenance - Snow and ice should not be deposited or stockpiled on or along the highway as this activity poses a hazard and is illegal according to VTL section 1219.

Property owners enjoy an informal license to place their mailbox in the highway right of way, but this does not endow the owner of the mailbox with any special legal rights in the highway when needed for highway purposes.

Municipalities have a duty to keep roads free from obstructions. The removal of snow is necessary to keep the roads unobstructed and available for public use. Accordingly, when a property owner places his or her mailbox in the highway right-of-way, the municipality is not liable for damage to the mailbox if such damage was caused by snow removal activities.

Sources & Resources

Cornell Local Roads Program

416 Riley-Robb Hall, Ithaca, NY 14853

t. 607-255-8033

f. 607-255-4080

clrp@cornell.edu

www.clrp.cornell.edu



New York LTAP Center

New York State Association of
Town Superintendents
of Highways

125 State Street

Albany, NY 12207

(518)-426-1023

info@nystownhwys.org



New York State
County Highway
Superintendents Association

136 Everett Road

Albany, NY 12205

(518) 465-1694

info@countyhwys.org



New York State Department of Transportation

50 Wolf Road, POD 54

Albany, New York 12232

(518) 457-6195

PublicTransportation@dot.ny.gov

Association of Towns
150 State St.

Albany, NY 12207

(518) 465-7933

info@nytowns.org



New York State Conference
of Mayors and
Municipal Officers

119 Washington Avenue

Albany, NY 12210

(518)-463-1185

<https://www.nycom.org/>



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Albany Office

110 State Street

Albany, NY 12236

(518) 474-4044

contactus@osc.ny.gov



State Directory of County Soil
& Water Conservation District
(SWCD) Offices

[https://www.nys-soilandwater.](https://www.nys-soilandwater.org/contacts/county_offices.html)

[org/contacts/county_offices.html](https://www.nys-soilandwater.org/contacts/county_offices.html)



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Federal Highway Administration

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