

**CHAPTER 205. MUNICIPAL TRAFFIC ENGINEERING
CERTIFICATION**

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Authority

The provisions of this Chapter 205 issued under the Vehicle Code, 75 Pa.C.S. § 6122(a), unless otherwise noted.

Source

The provisions of this Chapter 205 adopted June 17, 1977, effective June 18, 1977, 7 Pa.B. 1645, unless otherwise noted.

Cross References

This chapter cited in 67 Pa. Code § 212.5 (relating to installation and maintenance responsibilities); and 67 Pa. Code § 212.501 (relating to school zone speed limits).

§ 205.1. Purpose.

This chapter establishes the requirements which a municipality shall meet to be qualified for certification by the Department to install or modify traffic signals on local highways in the municipality without prior approval of the Department under 75 Pa.C.S. § 6122(a)(2) (relating to authority to erect traffic-control devices).

Authority

The provisions of this § 205.1 amended under the Vehicle Code, 75 Pa.C.S. §§ 6103 and 6122(a).

Source

The provisions of this § 205.1 adopted June 17, 1977, effective June 18, 1977, 7 Pa.B. 1645; amended July 20, 1990, effective July 21, 1990, 20 Pa.B. 3979. Immediately preceding text appears at serial page (77678).

§ 205.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Department—The Department of Transportation of the Commonwealth.

Department manuals—Reference materials, consisting of handbooks, specifications, standards and guidelines, developed by the Department for use by

State and municipal engineering personnel involved in the design, location, installation, operation and maintenance of traffic signals or traffic signal systems, or both.

First class city—A city containing a population of 1 million or more.

Municipality—A county, city, borough, incorporated town or township.

Municipal traffic engineer—An employe of, or a consulting traffic engineer on retainer to, a municipality or a council of governments, established under the act of July 12, 1972 (P. L. 762, No. 180) (53 P. S. §§ 481—490), known as the Intergovernmental Cooperation Law, meeting the education, experience and responsibility requirements in §§ 205.4 and 205.5 (relating to municipal traffic engineer education and experience; and municipal traffic engineer responsibilities).

Second class city—A city containing a population of under 1 million but more than 500,000.

Secretary—The Secretary of the Department.

State Traffic Engineer—The Chief of the Traffic Engineering and Operations Division, Bureau of Maintenance and Operations, Department of Transportation.

Traffic signal—A power operated traffic control device, except a sign, warning light, arrow panel or steady burn electric lamp, by which traffic is warned or directed to take some specific action. The term includes electrically or mechanically operated traffic control signals, pedestrian signals, beacons, lane use control signals, movable bridge signals, emergency traffic signals, fire house warning devices, ramp and highway metering signals and weigh station signals.

Authority

The provisions of this § 205.2 amended under the Vehicle Code, 75 Pa.C.S. §§ 6103 and 6122(a).

Source

The provisions of this § 205.2 adopted June 17, 1977, effective June 18, 1977, 7 Pa.B. 1645; amended July 20, 1990, effective July 21, 1990, 20 Pa.B. 3979. Immediately preceding text appears at serial page (77679).

§ 205.3. Municipal responsibilities.

(a) *General.* A municipality or one or more municipalities represented by a council of governments desiring certification under this chapter shall:

(1) Adopt the nationally recommended Model Traffic Ordinance (MTO); or, as a minimum, officially charge its municipal traffic engineer with the responsibilities in § 205.5(a) (relating to municipal traffic engineer responsibilities), as provided in sections 2—10 of the MTO.

(2) Insure that work performed under 75 Pa.C.S. § 6122(a)(2) (relating to authority to erect traffic-control devices) is in conformance with Department

regulations, standards and manuals governing the installation, modification and maintenance of traffic signals.

(3) Insure that every effort is made to upgrade traffic signals within municipal boundaries to meet and be in conformance with national or State standards, or both.

(b) *Legal and financial consequences.* A municipality is responsible for legal and financial consequences associated with work performed under 75 Pa.C.S. § 6122(a)(2).

Authority

The provisions of this § 205.3 amended under the Vehicle Code, 75 Pa.C.S. §§ 6103 and 6122(a).

Source

The provisions of this § 205.3 adopted June 17, 1977, effective June 18, 1977, 7 Pa.B. 1645; amended July 20, 1990, effective July 21, 1990, 20 Pa.B. 3979. Immediately preceding text appears at serial page (77679).

§ 205.4. Municipal traffic engineer education and experience.

(a) *General.* A municipal traffic engineer shall possess a bachelor's degree with major course work in engineering and at least 5 years of progressively responsible experience in engineering, two of which shall have been in the traffic engineering field—appropriate graduate study may be substituted for the required experience on a year-for-year basis; or a combination of engineering education and appropriate engineering and traffic engineering experience comparable to the requirements of this subsection—experience may be substituted for undergraduate study on a two-for-one year basis.

(b) *License.* A municipal traffic engineer shall possess a professional engineer's license issued by the State Registration Board for Professional Engineers.

Source

The provisions of this § 205.4 adopted June 17, 1977, effective June 18, 1977, 7 Pa.B. 1645.

Cross References

This section in 67 Pa. Code § 205.2 (relating to definitions).

§ 205.5. Municipal traffic engineer responsibilities.

(a) *General.* A municipal traffic engineer has the responsibility, as provided in the Model Traffic Ordinance, to:

- (1) Determine the installation and proper timing and maintenance of traffic signals.
- (2) Conduct engineering analysis of traffic accidents and devise remedial measures.
- (3) Conduct engineering investigations of traffic conditions.

- (4) Plan the operation of traffic on the streets and local highways within the municipality.
 - (5) Cooperate with municipal officials in the development of ways and means to improve traffic conditions within the municipality in accordance with Commonwealth and municipal regulations, standards and manuals.
- (b) *Information in municipal files.* A municipal traffic engineer is responsible for maintaining the following information in municipal files for traffic signals installed or modified under 75 Pa.C.S. § 6122(a)(2) (relating to authority to erect traffic-control devices):
- (1) Data collected as a result of engineering and traffic studies.
 - (2) A completion certificate signed and dated by the municipal traffic engineer verifying the completed update or new installation and operation of traffic signals including the Department warrants under which new traffic signals are installed or updated after July 1, 1977.
 - (3) A schedule and results of periodic evaluations of the operation of traffic signals within municipal boundaries to include warranted update recommendations.
 - (4) A plan of the traffic signals, modes of operation, a traffic flow diagram of peak hour volume and a collision diagram for the 3-year period preceding the latest update.

Authority

The provisions of this § 205.5 amended under the Vehicle Code, 75 Pa.C.S. §§ 6103 and 6122(a).

Source

The provisions of this § 205.5 adopted June 17, 1977, effective June 18, 1977, 7 Pa.B. 1645; amended July 20, 1990, effective July 21, 1990, 20 Pa.B. 3979. Immediately preceding text appears at serial pages (57162) to (57163).

Cross References

This section cited in 67 Pa. Code § 205.2 (relating to definitions); and 67 Pa. Code § 205.3 (relating to municipal responsibilities).

§ 205.6. Application for municipal traffic engineering certification.

- (a) *First and second class cities.* First and second class cities with a traffic engineer possessing a professional engineer's license issued by the State Registration Board for Professional Engineers are automatically granted municipal traffic engineering certification upon submission of the city traffic engineer's name and professional engineer's registration number to the Bureau of Highway Safety and Traffic Engineering.
- (b) *A municipality other than a first or second class city.* A municipality, other than a first or second class city, desiring certification for the purpose of installing or modifying traffic signals on local highways inside municipal boundaries without prior approval of the Department may petition for approval to the

Bureau of Highway Safety and Traffic Engineering. A petition shall include the name and qualifications of the municipal traffic engineer and a resolution from the governing body of the municipality agreeing to comply with this chapter. A petition from a council of governments shall include the name and qualifications of its municipal traffic engineer and a resolution from the governing bodies of each member municipality agreeing to comply with this chapter.

Authority

The provisions of this § 205.6 amended under the Vehicle Code, 75 Pa.C.S. §§ 6103 and 6122(a).

Source

The provisions of this § 205.6 adopted June 17, 1977, effective June 18, 1977, 7 Pa.B. 1645; amended July 20, 1990, effective July 21, 1990, 20 Pa.B. 3979. Immediately preceding text appears at serial page (57163).

§ 205.7. Effect of municipal traffic engineering certification.

Approval of a municipal traffic engineering certification is issued by the Secretary through the Bureau of Highway Safety and Traffic Engineering. A municipal traffic engineering certification shall remain in effect until the municipality changes its municipal traffic engineer, which necessitates the submission of a new petition for certification, except that the automatic certification shall continue for first and second class cities if the new traffic engineer possesses a professional engineer's license issued by the State Registration Board for Professional Engineers; or the Secretary makes a determination, based on an evaluation of the municipality's operation under 75 Pa.C.S. § 6122(a)(2) (relating to authority to erect traffic control devices), that the municipality is not operating in compliance with Department regulations, standards and manuals.

Authority

The provisions of this § 205.7 amended under the Vehicle Code, 75 Pa.C.S. §§ 6103 and 6122(a).

Source

The provisions of this § 205.7 adopted June 17, 1977, effective June 18, 1977, 7 Pa.B. 1645; amended July 20, 1990, effective July 21, 1990, 20 Pa.B. 3979. Immediately preceding text appears at serial page (57163).

§ 205.8. Rescission.

(a) *Grounds.* Noncompliance with this chapter will result in rescission of a municipal traffic engineering certification.

(b) *Municipality action.* If a municipal traffic engineering certification is rescinded, the affected municipality shall follow required Department regulations, standards, manuals and procedures governing municipal requests for the approval of traffic signal installations and modifications.

(c) *Notice.* The Department will provide the municipality or council of governments with a written notice stating the effective date of and reasons for the rescission of a municipal traffic engineering certification.

Authority

The provisions of this § 205.8 amended under the Vehicle Code, 75 Pa.C.S. §§ 6103 and 6122(a).

Source

The provisions of this § 205.8 adopted June 17, 1977, effective June 18, 1977, 7 Pa.B. 1645; amended July 20, 1990, effective July 21, 1990, 20 Pa.B. 3979. Immediately preceding text appears at serial page (86065).

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