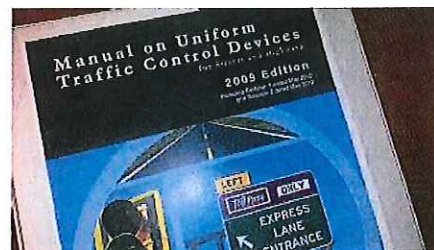


CITY OF NOBLESVILLE SPECIAL ADVISORY SIGN POLICY

The three primary documents and publications which govern and provide standards for the operation of motor vehicles on Indiana roadways are:

- **Title 9 of the Indiana Code**, which establishes laws for the ownership and operation of motor vehicles.¹
- **The Manual on Uniform Traffic Control Devices (MUTCD)** was created and regularly updated by the Federal Highway Administration to establish rules, standards and guidelines for the establishment of traffic control. This document has been adopted by the State of Indiana and local agencies to establish consistent traffic control that which supplements Indiana Code for the effective enforcement of traffic regulations.²
- **The Indiana Driver's Manual (IDM)** which is developed and published by the Indiana Bureau of Motor Vehicles to apply and establish rules and standards for the implementation and application of state law for the licensure and operation of motor vehicles. Signs contained in this manual are reference directly from standards in the MUTCD.³

The MUTCD and the IDM establish the protocol for operating a motor vehicle in public right-of-way and a hierarchy for traffic control and signage. At the top of the hierarchy of signs and the regulation of traffic, are regulatory signs such as railroad cross bucks, stop and yield signs, traffic signals, and speed limit signs, which are installed by either an engineering study or and or by ordinance or statute established by a governing body. Regulatory signage is enforced by law enforcement by ordinance or statute. Other signage, in order of importance includes warning and construction signage (typically diamond shaped and either yellow or orange in color); guide or directional signage (typically green in color and rectangular in shape); and landmark signage (typically blue or brown in color).



Speed Limits

Municipalities and other local public agencies are empowered to establish and enforce speed limits and speed zones by Section 9-21-5 of Indiana Code and under the guidance and rules established by the Manual on Uniform Traffic Controls Devices (MUTCD) created by the Federal Highway Administration and adopted by each State. Section 2B.13 of the MUTCD establishes criteria for the rules and guidelines to establish proper speed limits for them to be legally enforced in compliance with local ordinance and State Statute.

Speed limits are established, in general, in two different manners:

1. By incorporating geometrics and physical features into the original design of a roadway; or,

¹ <http://iga.in.gov/legislative/laws/2017/ic/titles/001>

² <https://mutcd.fhwa.dot.gov/>

³ <https://www.in.gov/bmv/2557.htm>

2. By engineering study, utilizing data collected and which is summarized below.
 - The 85th Percentile Speed (The speed at which 85 percent or less of total vehicles using the roadway are travelling) determined by speed study.
 - The 10 mph Pace – The 10 mph range of speed that is travelled by the largest number of vehicles in the study.
 - The Mode – The number of values in a given speed category of a speed study.
 - Physical conditions, such as the presence of a curve or other feature, which could limit speed unexpectedly.

Speed limit signs are not only installed to remind or notify motorist of the legal speed limit, but they are also placed in strategic locations so that the speed limit can be effectively enforced by law enforcement. Improperly established speed limits can be a danger to the community; cause congestion and pollution; be unenforceable by law enforcement; as well as be a source of frustration.

Stop Signs

Section 2B.04 of the MUTCD and all other reference guidance clearly state that ***YIELD or STOP signs should not be used for speed control.*** Improper placement of stop signs can cause a disregard and impatience for their purpose, resulting in rolling stops, and unsafe conditions for motorists, bicyclists, and pedestrians. Unnecessary or improperly placed stop signs have been determined to be the cause of higher mid-block speeds between stop signs. This is due the actions of drivers speeding up between stops to accommodate for lost time due to the unnecessary stop. Studies have also illustrated that improperly installed stop signs also causes driver confusion. The City of Noblesville has a policy of evaluating requests for stop controlled intersections in compliance with the MUTCD. If a concern is expressed regarding a stop sign or intersection, a traffic study and or field investigation will be completed to determine compliance with the protocol in the MUTCD and Indiana State Statute. A stop sign must be installed according to the adopted guidance and standards in order to be fully enforceable.

“Children at Play” Signs

“Children at Play” signs are often mistakenly assumed to be standard effective warning signage and are not officially recognized as a standard regulatory or warning sign by the MUTCD. As it is not an officially recognized method of advisory traffic control, it not enforceable. Further ineffectiveness of these signs can be linked directly to drivers who disregard speed limits signs. If a driver is willing to disregard a posted speed limit, which is of the highest order of regulatory signage and enforced by law, it is not reasonable to assume the same driver would acknowledge a non-standard an unenforceable sign such as a “Children at Play” sign. Parents have a vital role in providing for their children’s’ safety – and which may, in fact, be the most effective means of addressing safety concerns. They have the ability to teach children that it is not safe to play in/near the street, and to discourage children from doing so without adult supervision.

Individual requests for this signage typically involves a complaint regarding speeding and/or a perception that the established speed limit is too high or perceived as “unsafe”. One point that is often overlooked and should be considered is that children could be playing in any residential area near any home or common area property. Virtually all drivers’ regular trips are generated in their own neighborhood, so they should always be acutely aware of the potential for children or other unexpected

activity. As children could be playing anywhere in a given neighborhood, it is impractical to place signs on every street to remind drivers to be aware of this activity. It is also equally impractical to select random locations to place "Children At Play" in only a few random areas and expect every driver to notice them in only random or isolated individual locations.

In the summer of 2010, the City of Noblesville investigated 12 locations in 6 neighborhoods in which "Children at Play" signs had been in place for approximately 10 years. The City collected speed data in each location and removed the signs. After a period of two weeks, speed data was collected a second time with the signs removed. The data from the before and after condition conclusively indicated that the presence in of the "Children at Play" signs had no impact on speeds in any of the neighborhoods investigated. A secondary fact associated with the study resulted in not one of the neighborhoods ever noticing that the signs had been removed. As these signs have proven to not be effective and even disregarded, the City will no longer stock or install "Children at Play" signs.

"Special Needs Children" Signs



Although not as commonly requested as "Children at Play" signs – or variations on that same message: "Slow Children at Play", "[running child image] at Play", "Watch for Children", etc. signs have been asked for by parents concerned about the safety of their children with vision or hearing impairments – or, children diagnosed with autism spectrum disorders.

The Federally-adopted Manual on Uniform Traffic Control Devices (MUTCD) states the following about warning signs:

"The purpose of a warning sign is to provide advance warning to the road user of unexpected conditions on or adjacent to the roadway that might not be readily apparent." - Section 5.01 "Introduction"

Manual on Uniform Traffic Control Devices for Streets and Highways, 2009, Federal Highway Administration

Chapter Five of the "Indiana Driver's Manual" begins with the statement:

"Even the most experienced drivers can be distracted while driving. A defensive driver looks out for the actions of other drivers and anticipates potential problems."

Signs that convey the message "Blind Child Area," "Deaf Child" or "Autistic Child" are not officially recognized by the State of Indiana or the Federal Highway Administration as official traffic control devices – and are no longer installed on public streets in Noblesville. These signs have been installed in the past in a few locations in the City; however, the signs that are installed in neighborhoods are being left in place until they are no longer serviceable with respect to reflectivity standards (as is permitted by the MUTCD), or we become aware that the family in question has moved from the neighborhood, at that time, the signs will be removed.

Public agencies across the United States have a variety of policies on these types of signs. Some agencies will do so upon request since a compelling point can be made that a motorist – in a residential neighborhood – may not be aware that a special needs child is living in the area – which meets the

'purpose' criteria for a warning sign, as noted above. The lack of consistency in use provides further proof of their lack of reliability and effectiveness.

Even those advocacy groups for individuals with these issues have mixed opinions on the use of these signs. Some even object to the notion of defining a child by their disability: "Blind Child" or "Deaf Child" – which is partly forced by the need to convey a readily-understood message that can fit on a standard-sized street sign

The need to convey a readily-understood message also does not account for the possibility that any particular child may have several issues: they may have impaired vision and impaired hearing, for one example. In addition, not only there is no quantifiable 'standard' of any of these impairments (a child may have very poor vision, but still be able to discern some objects, another may be able to hear some sound frequencies, but not others), but, some impairments are progressive – becoming worse, or better, with time and medical care.

Additionally, there is the real issue that the families of these children may move – without notice to the public agency responsible for the installation, maintenance, and – ultimately – removal of the sign. This requires a commitment of personal information that many parents are either unwilling, inconvenient or impractical to provide and administer. It also requires close tracking from the public agency to not only ensure the proper maintenance of the sign, but to ensure that it is still actually in use.


There is no evidence or published study that the signs provide any benefit to the safety of children and that the signs result in any behavioral changes by drivers. Reports from the National Cooperative Highway Research Program have indicated the "Non-uniform signs....should not be permitted at any time... and the removal of any non-standard signs should carry a high priority."

Unnecessary signs can confuse or annoy drivers and foster a disrespect for all signs, including harboring a disregard which leads to ignoring the message leading to ineffectiveness. Signs used in accordance with the Federal MUTCD can and should be posted for school zones and pedestrian crossings, as well as near established playgrounds and other recreational areas, where a need exists. It should also be noted that if a driver is willing to disregard a regulatory signs of the highest order, such as rolling through a stop sign or ignoring a posted speed limit, it is not reasonable to assume that the same driver would obey or acknowledge unenforceable advisory signs such as "Children at Play" or other specialized non-standard special warning signage.

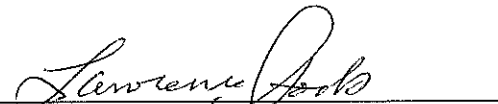
Furthermore, virtually all concerns of safety requests for special advisory signs come from residential neighborhoods, from which all daily driving trips both begin and end. There is substantial research and data available, including the City's 2010 study of the effectiveness of "Children at Play" signs that substantiates that drivers "program out" unnecessary data when routinely driving in very familiar environments, such as their own neighborhood. It is very common for an individual driver to not recall a common drive or commute home because the activity becomes a routine programmed and familiar behavior. This activity is known as "automacity". Given that the details of a common and repeated drive are often "programmed out" of a driver's activity in a familiar environment, further credence to past studies which indicate "Children at Play" signs and other special warning signs are not effective.

Approved and Adopted by the Board of Public Works and Safety of the City of Noblesville, Indiana this

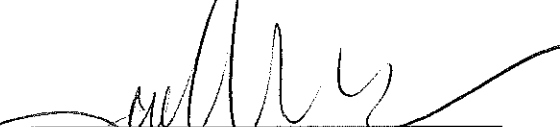
5th day of December, 2017.



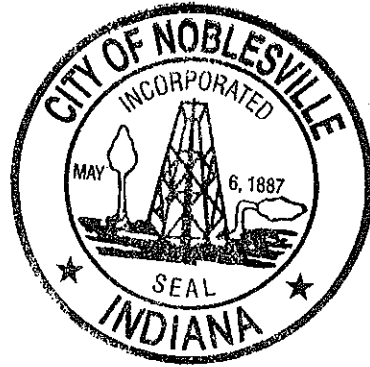
John Ditslear, Mayor



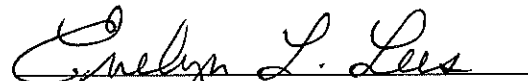
Lawrence Stork, Member



Jack Martin, Member



ATTEST:



Evelyn Lees, Clerk