



State of Tennessee

HOUSE JOINT RESOLUTION NO. 304

By Representative Phillip Johnson

A RESOLUTION relative to federal retroreflectivity standards for traffic control devices.

WHEREAS, the Federal Highway Administration (FHWA) has amended the Manual on Uniform Traffic Control Devices (MUTCD) to establish new compliance mandates for the states, including setting minimum retroreflectivity standards for traffic signs; and

WHEREAS, these new retroreflectivity standards are especially burdensome to local governments, as evidenced by the fact that eighty-four per cent (84%) of roads in Tennessee and seventy-five per cent (75%) of roads nationally are maintained by county and municipal governments, which do not receive direct federal highway funds; and

WHEREAS, the replacement cost for each non-compliant traffic sign is estimated to be one hundred fifteen dollars (\$115), and thus the implementation of the federal retroreflectivity standards will cost Tennessee's ninety-five (95) county highway departments alone approximately forty to fifty million dollars (\$40,000,000-\$50,000,000); and

WHEREAS, the retroreflectivity standards are being mandated at a time when local governments are facing declining revenues and escalating costs for highway and bridge construction materials and are struggling just to maintain existing roads and bridges; and

WHEREAS, because the technical requirements for retroreflectivity are objective and measurable, local governments must exercise due diligence in complying with the standards or else be targets for litigation for non-compliance; and

WHEREAS, the MUTCD deadlines for complying with minimum retroreflectivity standards are as follows: local governments have until January 22, 2012, to implement a method for maintaining traffic sign retroreflectivity, which includes establishing a sign inventory system and measuring all traffic and road name signs' retroreflectivity, and is an incredibly expensive process that will cost millions of dollars; local governments have until January 22, 2015, to replace non-compliant regulatory warning and ground-mounted guide signs; and local governments have until January 22, 2018, to replace non-compliant overhead guide signs and street name signs; and

WHEREAS, in a letter to the U.S. Department of Transportation dated January 14, 2011, the American Road and Transportation Builders Association (ARTBA) stated: "federal funding must be provided to local governments in advance of the deadlines for replacing inadequate signs to ensure new national standards are fully and effectively implemented."; and

WHEREAS, the ARTBA is certainly correct in making this assertion, and there can be little doubt that adequate federal funding is essential for local governments to succeed in complying with the new retroreflectivity standards in a timely manner; now, therefore,

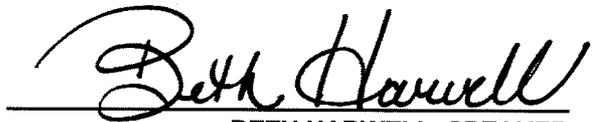
BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that we hereby strongly urge the United States Congress to appropriate adequate funds for local governments to implement the new minimum retroreflectivity standards for traffic signs mandated by the FHWA.

BE IT FURTHER RESOLVED, that we call upon Congress in reauthorizing the Federal Surface Transportation Act to include funding for off-system roads to implement the retroreflectivity standards mandated by the FHWA via the MUTCD.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Speaker of the U.S. House of Representatives, the President of the U.S. Senate, and to each member of Tennessee's Congressional delegation.

HOUSE JOINT RESOLUTION NO. 304

ADOPTED: MAY 21, 2011



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 30th day of May 2011


BILL HASLAM, GOVERNOR