
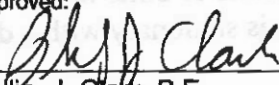
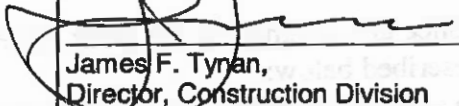


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| To: MODIFIED BY EB 06-037 EFFECTIVE 8/22/06 SUPERSEDED BY EB 20-038 EFFECTIVE 9/3/20 |  | New York State Department of Transportation ENGINEERING INSTRUCTION | EI 06-011 |
| Title: INTERIM IMPLEMENTATION OF WORK ZONE SAFETY ACT OF 2005 | | | |
| Distribution: <input type="checkbox"/> Manufacturers (18) <input type="checkbox"/> Local Govt. (31) <input checked="" type="checkbox"/> Agencies (32) <input type="checkbox"/> Surveyors (33) <input checked="" type="checkbox"/> Consultants (34) <input checked="" type="checkbox"/> Contractors (39) <input type="checkbox"/> _____ () | Approved:  Philip J. Clark, P.E. Deputy Chief Engineer, Design  James F. Tyran, Director, Construction Division | | 04/21/06 Date 5-1-06 Date |

ADMINISTRATIVE INFORMATION:

- This Engineering Instruction (EI) is effective upon signature.
- This EI supplements EI 93-30 Dedicated Police Services on Department Construction Projects.
- This EI will be superseded by a future instruction for long-term implementation of the Work Zone Safety Act of 2005.
- This EI will be issued for state forces operations as an Office of Operations Management Instruction.

PURPOSE:

This EI issues interim instructions for the 2006 construction and maintenance season regarding implementation of the Work Zone Safety Act of 2005.

TECHNICAL INFORMATION:

Actions in 2006 will focus on reduction of operating speeds in excess of posted work zone speed limits. Actions will be taken in three areas:

- 1) State Police presence and enforcement in major active work zones.
- 2) Use of radar speed display signs in major active work zones.
- 3) Installation of "Loss of License" signs.

Changes: The following instructions/provisions differ from that issued with EI 93-30 (Sections I-VI):

- Consistent with the Department's TEA-21 Agreement with FHWA, the requirement to seek FHWA approval of the Supplemental Memorandum of Understanding (MOU) on a project-by-project basis has been removed.
- Dedicated police services are now focused on active rather than passive enforcement.
- Use of dedicated police services is required in all major active work zones as defined below.
- Selection criteria in this EI supersede those in section II of EI 93-30.

The Department is developing regulations in conjunction with the Division of State Police to address the resource need to comply with the Work Zone Safety Act of 2005, which requires police presence and radar

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speed display signs in “major active work zones.” Until new regulations are formally adopted, the Department shall define “major active work zone” as follows:

1. Work on a fully controlled access roadway with posted preconstruction speed limit of 55mph or greater; – AND -
2. Workers on foot in the roadway and not predominantly separated from traffic by temporary concrete barrier or other non yielding system; – AND -
3. Work zone is stationary with a duration exceeding four hours.

“Police Presence” shall be defined as follows:

- Police are assigned to the work zone a minimum of 10% of the total duration of work as described below:
 - For work zones occurring at the same site for more than 1 day, the 10% minimum applies to the individual project duration. (1 day = 1 continuous 24-hour period)
 - For work zones of 1 day or less, the total duration of all operations region-wide should be used to determine the number of hours required to meet the 10% minimum. For example, for 100 work zones of 4 hrs each (total=400hrs), at least 40 hrs of enforcement must be performed. A police presence is not required at each individual site as long as the “pooled” minimum is met.

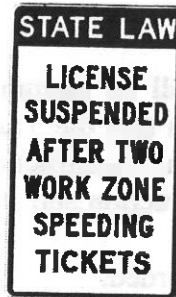
Radar Speed Display Signs:

- Radar speed display signs or radar-equipped, portable variable message signs (PVMS) shall be deployed in “major active work zones” a minimum of 10% of the total project duration.
- This requirement applies to capital construction work as well as state force operations.
- If necessary, radar speed-display devices shall be rotated among major active work zones to achieve the 10% duration requirement as described below:
 - For work zones occurring at the same site for more than 1 day, the 10% minimum applies to the individual project duration.
 - For work zones of 1 day or less, the total duration of all operations region-wide should be used to determine the number of hours required to meet the 10% minimum.
- These devices should be located in close proximity to a regulatory speed limit sign.

IMPLEMENTATION:

- Each Region shall arrange for police presence and radar speed-display signs in major active work zones.
- Each Region shall appoint a Surface Transportation Coordinator (STC) or designee(s) to oversee and document use of police services. Each Region shall prioritize major active work zones to optimize deployment of available enforcement resources.
- To the extent possible, State Police resources should be spread out over the entire duration of a project and not be concentrated within a brief period of time.

- The STC shall also oversee and coordinate rotation of State-owned PVMS among projects. Priority for deployment of radar speed-display devices shall be on major active work zones when police are not on site.
- For capital projects, the EIC may authorize the contractor to use the sign shown below in lieu of the “fines doubled” sign. The Department will provide the Contractor with sign panels as inventory allows.



- **Program Level Coordination:**

The STC shall meet with State Police Zone Commander(s) or designee to develop an enforcement plan for 2006 to include the following:

- Number and locations of all construction projects deemed “major active work zones.”
- Estimate number and types of State force operations where police will be required.
- Outline a Region-wide procedure for obtaining and scheduling dedicated police services.
- Evaluate State Police resource availability and determine if local police could fulfill enforcement requirements.

- **Project-Level Coordination:**

Capital Construction:

- Designers and the STC (or designee) shall invite input from the State Police Zone Commanders before PS&E to address safety needs for Troopers operating in work zones.
- The EIC for “major active work zones” and the State Police Zone Commander shall hold an on-site preconstruction meeting before work begins to develop an enforcement plan.
- EICs and assigned police personnel should meet daily to coordinate a safe and effective enforcement plan and to document and evaluate it. Officer and worker safety shall be a primary focus for operations. The officer should be provided a similar level of personal protection from traffic as the workers. This may include the use of concrete barrier, placement of police vehicles protected by attenuator vehicles, temporary widening of shoulders or providing additional turnarounds.

State Forces:

Regional staff shall take the following actions:

- The STC shall coordinate with the Regional Director of Operations to formulate and maintain a 2-week schedule of work meeting “major active work zone” criteria.

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- This schedule shall be updated every week as weather, emergency operations, or other situations require changes.
- The STC will provide the work schedule to State Police and request appropriate resources to meet the police presence requirements above.
- Daily, the STC shall confirm times and locations of state forces operations and notify the State Police of minimum needs.

REPORTING:

All police enforcement in work zones shall be documented by submitting a completed copy of the attached form to the Office of Construction and the Transportation Systems Operations Bureau by the 15th of each month. The STC and Regional Construction group shall use this format to cooperatively document and report police activity in construction and state forces operations.

Efforts to obtain police services shall be recorded.

CONTACT: Questions regarding this EI should be directed to Chuck Riedel (518) 457-2185 (criedel@dot.state.ny.us) or Rob Limoges (518) 457-2452 (rlimoges@dot.state.ny.us) of the Transportation Systems Operations Bureau.

