

CRITERIA AND PROCEDURES

INSTALLATION OF SIGNS WHERE AN ADDITIONAL \$200 FINE FOR SPEEDING MAY APPLY

APPROVED BY THE COMMISSIONER OF HIGHWAYS SEPTEMBER 20, 2021

INTRODUCTION

Section 46.2-878.2 of the Code of Virginia provides that a fine of \$200, in addition to other penalties provided by law may apply for speeding in a residence district, when indicated by appropriately placed signs. Further, it states that the Commissioner of Highways shall develop criteria for the applicability of such signs on highways under his jurisdiction. A local governing body with jurisdiction over highways in their boundaries develops criteria for the applicability of such signs on their streets.

PURPOSE

This document establishes the criteria developed by the Commissioner of Highways for the applicability of “Additional \$200 Fine” signs (referred to as “\$200 Fine Signs” hereafter) on the state system of highways owned and maintained by VDOT, the process that a county or town must follow for initiating and installing signs on such streets within their boundaries and VDOT’s role in reviewing and supporting requests.



DEFINITIONS

A “Local Residential Street” is a street with a functional classification of “local” built as part of a residential development or a street where residential development has taken place; resulting in a residential development that resembles a neighborhood or community and where most of the residences face the street with driveway connections or curbside parking.

For purposes of this policy a “Minor Arterial Street” is defined as a street exhibiting the characteristics of a “Local Residential Street” but is functionally classified as a minor arterial. Per Section 46.2-878.2, a highway functionally classified as a minor arterial that otherwise meets the definition of a “Local Residential Street” may not be excluded from consideration for the \$200 Fine Signs where requested by the local governing body.

For purposes of this policy a “Collector Street” is a street exhibiting the characteristics of a “Local Residential Street” but is otherwise functionally classified

as a collector. Such collector streets likewise may not be excluded from consideration for the \$200 Fine Signs where requested by the local governing body.

A “Residence District” is defined in § 46.2-100 as the territory contiguous to a highway, not comprising a business district, where 75 percent or more of the property abutting such highway, on either side of the highway, for a distance of 300 feet or more along the highway consists of land improved for dwelling purposes, or is occupied by dwellings, or consists of land or buildings in use for business purposes, or consists of territory zoned residential or territory in residential subdivisions created under Chapter 22 (§ [15.2-2200](#) et seq.) of Title 15.2.

CRITERIA FOR INSTALLATION OF SIGNS

To qualify for the signs, a street must meet the following criteria:

1. Be in the statewide system of highways maintained by VDOT.
2. Meet the definition of a “Local Residential Street” as defined above.
3. Have a properly and legally posted speed limit of 45 mph or less established in accordance with §§ 46.2-870 through 46.2-878, the Commissioner of Highways January 25, 2017 “Delegation of Authority – Speed Limits on State-Controlled Roads” and VDOT’s IIM-TE-365.0, Speed Limit Change Process.

NOTE: Streets where the speed limit is not posted should have the speed limit signs installed for a reasonable time (at least 30 days or more) prior to making a determination if criteria # 4 (below) is met.

4. Have a documented speeding problem. A speed study is conducted that includes speed data collected at one or more points along the street as appropriate demonstrating that the 85th percentile speed of vehicles in at least one travel direction exceeds the posted speed limit by 10 mph or more. Other VDOT programs such as the traffic calming program utilize a similar threshold.

COUNTY/TOWN REQUEST

To initiate these procedures, the county or town must submit a request for the signs to the VDOT Resident Engineer or VDOT Liaison (Northern Virginia District) for the respective county as follows:

1. A request is made by a Resolution adopted by the locality that addresses and indicates the following:
 - i. That the request is for signs provided under § 46.2-878.2 of the Code of Virginia and that the locality will use its good offices for enforcement of

the proposed Additional \$200 Fine by the county or town police department as appropriate;

- ii. The requested signs are supported by the community; and
- iii. The intended source of funding (e.g. Locality provided funds or applicable VDOT funds, where available).

2. Request shall include the following supporting data demonstrating that the four **CRITERIA FOR INSTALLTION OF SIGNS** listed above are satisfied:

- i. Identification of the specific street where the sign installation has been requested, including the street name, route number and the beginning and ending location of the signs for each travel direction (e.g. Main Street, Route 646 between 1st St and 2nd St) and a map or diagram of the street location.
- ii. Confirmation that the street meets the above definition of a “Local Residential Street” as evidenced by a map (such as an aerial map) depicting the residences along the street, driveway connections, parking of vehicles, etc.
- iii. Documentation that the posted speed limit is 45 mph or less including the locations of existing speed limit signs along the street.
- iv. Documentation that a speeding problem exists as indicated by conducting a speed study that includes speed data collected at one or more points along the street as appropriate demonstrating that the 85th percentile vehicle speed in at least one travel direction exceeds the posted speed limit by 10 mph or more.

VDOT ACTIONS

Upon receipt of the adopted resolution and supporting data provided by the locality, the VDOT Resident Engineer or VDOT Liaison, in conjunction with the VDOT District Traffic Engineer, will review and approve the submittal upon confirmation of the following:

- 1. The **CRITERIA FOR INSTALLATION OF SIGNS** are met and properly documented by the supporting data submitted by the locality.
- 2. The requirements for the **COUNTY/TOWN REQUEST** are met.
- 3. The appropriate location of the proposed supplemental “Additional \$200 Fine” sign panels designating the zone where the additional fines apply.

VDOT will review submittals within the timeframe established by the local VDOT District office for handling such requests.

INSTALLATION AND MAINTENANCE OF SIGNS

Once the VDOT Resident Engineer or the VDOT Liaison, in conjunction with the VDOT District Traffic Engineer has approved a sign request, the Locality shall fabricate and install the signs as described in Figure 1 and Figure 2 respectively, with VDOT's approval and the appropriate permitting to complete such work on VDOT's right-of-way.

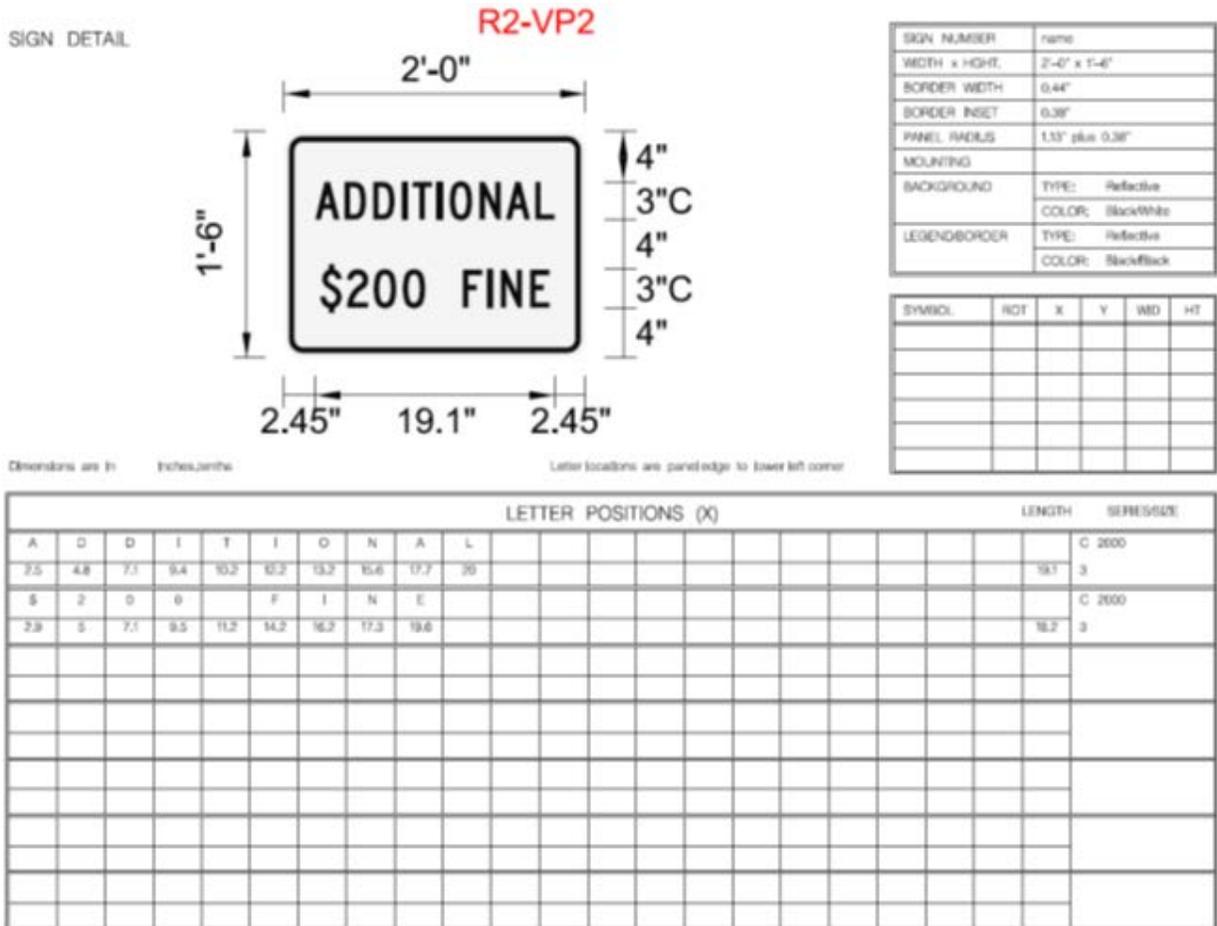
FUNDING

Sign installations may be funded using locality provided funds or applicable VDOT funds where available or, a combination of those funds.

As stipulated in §46.2-878.2, signs installed in a town do not require the approval of the county within which the town is located and; such signs shall be paid for by the town requesting installation of the signs, or from any applicable VDOT funds where available.

Figure 1

“ADDITIONAL \$200 FINE” SIGN DETAIL



NOTES:

1. The specifications for the supplemental “Additional \$200 Fine” sign panel are as shown in Figure 1 or as indicated in the future edition of the Virginia Standard Highway Signs book or the Virginia Supplement to the MUTCD.

Figure 2

“ADDITIONAL \$200 FINE” SIGN



NOTES:

1. Per the 2009 MUTCD * Section 2B.17:
 - i. The supplemental sign panel (R2-VP2) shall be posted below the regulatory R2-1 speed limit sign panel as shown in Figure 2 in each travel direction at the beginning of the zone where the additional \$200 fine is designated.
 - ii. A sign indicating “End Higher Fines Zone” (R2-11) shall be installed in each travel direction at the end of the higher fines zone to indicate the end of the zone where the additional \$200 fine is designated.
2. On multi-lane highways dual-indicated signs are recommended for maximum effectiveness in conveying the higher fine as well as the posted speed limit.

* The most recent approved version of the MUTCD, the Virginia Standard Highway Signs book and the Virginia Supplement to the MUTCD, where different from the above shall be followed.