

TECH NEWS

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Liability checklist for local road departments

If you can answer yes to the following questions, your agency is in a good position to defend itself against tort liability. If you have other concerns, add them to the list. You may want to share this list with your board of supervisors or city council members.

Editor's note

This article was originally adapted by Texas LTAP's *Lone Star Roads* from "An ounce of prevention is worth a pound of cure," by Lori (French) Avery, *Nuggets & Nibbles*, fall 1996, New York LTAP. It was further adapted for Iowa and is reprinted here with permission.

Training

- Do all employees receive proper training for the work they perform and for the materials and equipment they use?
- Do employees understand the importance of using reasonable care in performing their duties?
- Are employees instructed to report hazardous conditions and to act on them?

Signs and markings

- Do we have an up-to-date copy of the Manual on Uniform Traffic Control Devices (MUTCD) available to all employees?
- Are employees familiar with the MUTCD?
- Are signs and markings adequate, properly installed, and well maintained?
- Do we have an up-to-date inventory of signs, signals, and markings and a plan for maintaining conformance with the MUTCD?
- Do we have an established annual day-and-night review of signs and markings?
- Are all road hazards posted with appropriate warning signs based on the MUTCD?
- Are all bridges properly posted for weight restrictions and low clearance?
- Are all dead-end roadways and railroad crossings properly signed?
- Do we provide proper temporary traffic control in work zones?
- Are sight lines clear at intersections?

Roads, culverts, and bridges

- Do we have a current inventory of road, culvert, and bridge conditions and a plan for addressing deficiencies?
- Are all roads and streets properly recorded and were proper procedures followed for declaring them as minimum maintenance or seasonal use only, abandoning them, or accepting them as new?
- Is the right-of-way for our roads properly established and recorded?
- Do we keep good records on agency activities including roadway conditions, accidents, and maintenance work?

- Do we use accepted guidelines in road design, construction, operations, and maintenance?

Administration

- Do we have an established procedure for receiving complaints, acting on them, and recording all actions?
 - Is our equipment in good repair and are employees instructed to report faulty equipment immediately?
 - Do we have and follow a snow and ice control policy?
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