



## Florida Department of Transportation

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July 8, 2003

Ms. Christine Johnson  
Federal Highway Administration (FHWA)  
Office of Transportation Operations  
400 Seventh Street SW, HOTO  
Washington, DC 20590

Subject: Request for Interpretation

Dear Ms. Johnson:

This is to request a determination as to whether a guardhouse and gate on public streets at the entrance to a subdivision is a traffic control device, which must conform to the Manual on Uniform Traffic Control Devices.

The City of Tampa has authorized the installation of a guardhouse and gate at the entrance to a single-family subdivision. The device is on public right-of-way and is intended to discourage use of the subdivision streets by persons who do not reside in the subdivision. Such an installation is permitted under Florida statutes and City of Tampa ordinances. The installation is being opposed by one or more residents of the subdivision on the basis that its purpose makes it a traffic control device, as described in the introduction on Page 1 of the MUTCD and in Florida Statute 316.003(23). Their position is that if there is no standard in the MUTCD it is an illegal device and must be removed to comply with Florida statute 316.0745(1), which requires the Department of Transportation to adopt a uniform system of traffic control devices. The Department has adopted the MUTCD to meet this statutory requirement. If it is a traffic control device per MUTCD, also please provide a determination of whether the device conforms to the standards of MUTCD since there are no standards explicitly listed in the MUTCD for this device.

Enclosed are documents that provide additional information in regard to this issue.

Sincerely,

Bill Wilshire, P.E.  
Acting District Traffic Operations Engineer

BW:KC  
Attachments

AUG -7 2003