



# INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

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Michael R. Pence, Governor  
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May 16, 2014

## CONSTRUCTION MEMORANDUM 14-06

TO: District Deputy Commissioners  
District Construction Directors  
District Area Engineers  
District Traffic Engineers  
District Technical Service Directors  
Project Engineers/Supervisors  
Field Engineers

FROM: Mark A. Miller, Director *Mark Miller*  
Division of Construction Management and District Support

SUBJECT: Use of Worksite Speed Limit Assembly Signs during Construction

This memorandum describes the procedures to be followed when using the Worksite Speed Limit Assembly signs during construction activities. Legally enforceable reduced speed limits may be imposed in worksites where it is considered necessary for the safe operation of our work crews or for the safety of the traveling public through the worksite. **These speed limits are not legally enforceable unless the conditions outlined in this memorandum are met.**

Indiana statute (IC 9-21-5-11) provides for the establishment of enforceable reduced speed limits in worksites. This allows the establishment of the worksite speed limits without the official processes normally associated with speed zone establishment. A worksite is defined as a location where maintenance or construction work is being done on a public highway.

### **WORKSITE SPEED LIMIT TYPES:**

Worksite speed limits may be used either 1) to reduce the speed limit in the vicinity of the work while workers are present or 2) to reduce the speed limit on a continuous basis regardless of whether workers are present or not.

### **AUTHORIZATION:**

Requests for the establishment of temporary work site speed limits will be sent to the District Construction Director (DCD) or an authorized designee if the DCD is not available.

Prior to work site speed limits being put into effect, their use must be authorized by the DCD or designee. Such authorization shall consist of the attached form, **AUTHORIZATION FOR TEMPORARY WORK SITE SPEED LIMIT** (a filled out example is also attached), signed by an authorized position. This form must be signed prior to implementation of reduced work site speeds. This form can include all locations where temporary work site speed reductions are to be used for a particular time period (a separate form for each contract is recommended but not required). The rough locations and dates of use must also be included on the

form. The original signed form should be sent to District Traffic, before the worksite speed limits are implemented, with a copy retained for the final construction record.

For temporary work site speed limits that are continuous (“24/7”), the DCD will authorize the general location and determine the appropriate worksite speed limit with concurrence from the District Technical Services Director (DTSD).

For Temporary work site speed limits that are intermittent (“When Flashing”), the DCD will authorize the general location and determine the appropriate work site speed limit.

**DETERMINING THE SPEED LIMIT:**

The worksite speed limit established must be at least 10 mph below the permanent speed limit. Speed limit reductions greater than 15 mph should be based on site specific conditions such as unprotected workers/work equipment in close proximity to traffic or geometric features that are particularly challenging to the driver. The speed limit reductions that are greater than 15 mph must be done in two increments to allow motorists more time to reduce their speed.

The worksite speed limit will be set as follows unless otherwise determined by the DCD (intermittent type) or the DCD and the District Technical Services Division (continuous type).

| Roadway Type                                   | Normal Speed Limit | Worksite Speed Limit |
|--|--------------------|----------------------|
| Rural Interstate                               | 65 – 70 mph        | 55 mph               |
| Urban Interstate and High Speed Non-Interstate | 55 – 60 mph        | 45 mph               |
|  | 50 mph             | 40 mph               |

For highways with a normal posted speed of 45 mph or less the DCD will determine the appropriate worksite speed limit with input from the District Technical Services Division.

**INTERMITTENT USE (“WHEN FLASHING”) TYPE**

If the reduced speed limit is intended only while workers are present at the work site, the “WHEN FLASHING” plaque or message shall be included with the work site speed limit sign.

**Setup and Location:**

When used to reduce the speed limit while workers are present the Worksite Speed Zone is to be maintained in the area of work ONLY. For this use generally the worksite speed zone will begin at 1,500 ft ahead of the actual work and end 500 ft beyond the actual work area. If queuing is expected the intermittent work site speed limit should be established at least 1500 ft in advance of the end of queue rather than 1500 ft in advance of the work zone. If unexpected queuing occurs on a regular or repeated basis the work site speed limit should be relocated to at least 1500 ft in advance of the maximum queue and the change in location should be noted on the Temporary Work Site Speed Limit Activation Summary form.

All worksite speed limit sign assemblies shall be as shown on the Standard Drawings. Worksite speed limit signs shall be posted on both sides of the directional lanes on multi-lane roadways. They shall be placed on the right side of two lane roadways. The worksite speed limit signs shall be the standard speed limit size (R2-1-series) for the roadway being maintained.

The maximum longitudinal spacing shall be two miles. Closer spacing may be directed by the PE/PS to adequately address conditions of a specific job (i.e. crossroads, ramps, etc.).

Wherever a permanent speed limit sign exists within the limits controlled by the intermittent worksite speed limit sign assemblies, additional worksite speed limit sign assemblies shall be placed next to any permanent sign, or the permanent speed limit signs shall be covered.

Advance Warning:

When the speed limit reduction is 15 mph or greater the worksite speed limit sign shall be preceded by an appropriate "Worksite Reduced Speed Ahead" (W3-5) sign assembly.

Re-establishing the Normal Speed Limit:

If a permanent speed limit sign is not present within 500 ft of the end of the work zone, signing for the permanent speed shall be placed as shown in Standard Drawing 801-TCDV-12.

Record Keeping:

Record keeping will be done in the following manner to facilitate enforcement and successful prosecution of violations:

- For worksite speed limits that will be used only when workers are present at the site, the area, the date and time where each worksite speed limit is activated and deactivated, and the total number and location of signs in place will be recorded by the Contractor and furnished to the PE/PS on a weekly basis using the attached form, **TEMPORARY WORK SITE SPEED LIMIT ACTIVATION SUMMARY** (a filled out example is also attached). This weekly report shall be kept on file by the PE/S and submitted with the final construction record.

Per the terms of IC 9-21-4-7, a copy of these records may be requested for certification to a court that a valid worksite speed zone was in place on a given day, place, and time.

Attached are the worksite speed limit authorization form and a copy of the relevant statutes.

**CONTINUOUS USE (24/7) TYPE**

For INDOT Construction activities worksite speed limits are generally used to reduce the speed limits while workers are present at the work site. However, with the District Construction Director's approval and concurrence from the District Technical Services Director, work site speed limits may also be used to reduce the speed limit in the vicinity of the work site on a continuous basis. Continuous use worksite speed limit assemblies will not have the "WHEN FLASHING" plaque or message or the flashing strobe lights. No lights of any type will be placed on either sign in this type of assembly.

Setup and Location:

The installations will be under the direction of the INDOT PE/S or the Contractor's Certified Worksite Traffic Supervisor, and consistent with INDOT Standards and Specifications. The INDOT PE/S or the Contractor's Certified Worksite Traffic Supervisor will keep records as detailed. If queuing is expected the continuous work site speed Limit should be established at least 1500 ft in advance of the queue rather than 1500 ft in advance of the work zone as shown in the standards. If unexpected queuing occurs on a regular or repeated basis the worksite speed limit should be relocated to at least 1500 ft in advance of the maximum queue and the change in location should be noted on the Temporary Work Site Speed Limit Activation Summary form.

All worksite speed limit sign assemblies shall be as shown on the Standard Drawings. Worksite speed limit signs shall be posted on both sides of the directional lanes on multi-lane roadways. They shall be placed on the right side of two lane roadways. The worksite speed limit signs shall be the standard speed limit size (R2-1-series) for the roadway being maintained.

Wherever a permanent speed limit sign exists within the limits controlled by the continuous use worksite speed limit sign assemblies, additional worksite speed limit sign assemblies shall be placed next to any permanent sign and the permanent speed limit signs shall be covered.

Advance Warning:

When the speed limit reduction is 15 mph or greater the worksite speed limit sign setup shall be preceded by an appropriate "Worksite Reduced Speed Ahead" (W3-5) sign assembly.

Re-establishing the Normal Speed Limit:

If a permanent speed limit sign is not present within 500 ft of the end of the work zone, signing for the permanent speed shall be placed as shown in Standard Drawing 801-TCDV-12.

Record Keeping:

Record keeping will be done in the following manner to facilitate enforcement and successful prosecution of violations:

- For worksite speed limits that will be used to reduce the speed limit in the vicinity of the site on a continuous basis, the area where each worksite speed limit was used and the total number and location of signs in place shall be recorded by the PE/S using the attached form, **TEMPORARY WORK SITE SPEED LIMIT ACTIVATION SUMMARY** (a filled out example is also attached), on the date of installation and again on the removal date. This report shall be kept on file by the PE/S and submitted with the final construction record.

Per the terms of IC 9-21-4-7, a copy of these records may be requested for certification to a court that a valid worksite speed zone was in place on a given day, place, and time.

Attached are the forms, examples of filled in forms, standard sheets and a copy of the relevant Indiana Codes.

**AUTHORIZATION FOR TEMPORARY WORK SITE SPEED LIMIT**  
*EXAMPLE*

This form is to be completed for all locations where temporary work site speed limits will be in use.

Temporary work site speed limits are hereby authorized for the contracts/jobs listed below:

| Contract             | Location |           | Begin Date        | End Date   | Speed Limit Type | DTSD Concurs | Permanent Speed Limit | Work Site Limit |
|----------------------|----------|-----------|-------------------|------------|------------------|--------------|-----------------------|-----------------|
|                      | Road     | County    |                   |            |                  |              |                       |                 |
| EXAMPLE:<br>R-28214  | I-70     | Hendricks | Contract Duration |            | When Flashing    | n/a          | 65                    | 50              |
| EXAMPLE:<br>TM-28281 | I-70     | Marion    | Contract Duration |            | 24/7             | <i>JD</i>    | 55                    | 45              |
| EXAMPLE:<br>R-30100  | US 41    | Sullivan  | 03/01/2012        | 03/15/2012 | When Flashing    | n/a          | 60                    | 50              |
|                      |          |           |                   |            |                  |              |                       |                 |
|                      |          |           |                   |            |                  |              |                       |                 |
|                      |          |           |                   |            |                  |              |                       |                 |
|                      |          |           |                   |            |                  |              |                       |                 |
|                      |          |           |                   |            |                  |              |                       |                 |

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Title: DCD or designee

Original to be sent to District Traffic Office, with a copy to the project file

## AUTHORIZATION FOR TEMPORARY WORK SITE SPEED LIMIT

This form is to be completed for all locations where temporary work site speed limits will be in use.

Temporary work site speed limits are hereby authorized for the contracts/jobs listed below:

| Contract | Location |        | Begin Date | End Date | Speed Limit Type | DTSD Concurs | Permanent Speed Limit | Work Site Limit |
|----------|----------|--------|------------|----------|------------------|--------------|-----------------------|-----------------|
|          | Road     | County |            |          |                  |              |                       |                 |
|          |          |        |            |          |                  |              |                       |                 |
|          |          |        |            |          |                  |              |                       |                 |
|          |          |        |            |          |                  |              |                       |                 |
|          |          |        |            |          |                  |              |                       |                 |
|          |          |        |            |          |                  |              |                       |                 |
|          |          |        |            |          |                  |              |                       |                 |
|          |          |        |            |          |                  |              |                       |                 |
|          |          |        |            |          |                  |              |                       |                 |
|          |          |        |            |          |                  |              |                       |                 |

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Original to be sent to District Traffic Office, with a copy to the project file

**TEMPORARY WORK SITE SPEED LIMIT ACTIVATION SUMMARY**

*This form is to be used to record each period of temporary work site speed limits activation.*

*EXAMPLE*

Contract:  R-28215

Road:  I-164  County:  Vanderburgh

Speed Limit Type (*circle one*):  When Flashing  24/7

No of Sign Locations:  2

Location No. 1 :  EB I-164 ~ 500 ft. S of CR 800 N (~MM 18.1)

Location No.2 (*if applicable*):  WB I-164 ~ 1,000 ft. N of CR 800 N (~MM 18.2)

Location No. 3 (*if applicable*):

Location No. 4 (*if applicable*):

Temporary work site speed limits were activated for this work zone as listed below:

| Location No. | Date    | Activation Time |          |
|--------------|---------|-----------------|----------|
|              |         | Start           | End      |
| 1            | 3/26/12 | 9:15 am         | 2:50 pm  |
| 2            | 3/26/12 | 9:15 am         | 2:50 pm  |
| 1            | 3/27/12 | 9:10 am         | 2:55 pm  |
| 2            | 3/27/12 | 9:10 am         | 2:55 pm  |
| 1            | 3/28/12 | 9:15 am         | 11:20 am |
| 2            | 3/28/12 | 9:15 am         | 11:20 am |
|              |         |                 |          |
|              |         |                 |          |

| Location No. | Date | Activation Time |     |
|--------------|------|-----------------|-----|
|              |      | Start           | End |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Original to be sent to District Traffic Office, with a copy to the project file

**TEMPORARY WORK SITE SPEED LIMIT ACTIVATION SUMMARY**

*This form is to be used to record each period of temporary work site speed limits activation.*

Contract: \_\_\_\_\_

Road: \_\_\_\_\_ County: \_\_\_\_\_

Speed Limit Type (*circle one*):                      When Flashing                      24/7

No of Sign Locations: \_\_\_\_\_

Location No. 1 : \_\_\_\_\_

Location No.2 (*if applicable*): \_\_\_\_\_

Location No. 3 (*if applicable*): \_\_\_\_\_

Location No. 4 (*if applicable*): \_\_\_\_\_

Temporary work site speed limits were activated for this work zone as listed below:

| Location No. | Date | Activation Time |     |
|--------------|------|-----------------|-----|
|              |      | Start           | End |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |

| Location No. | Date | Activation Time |     |
|--------------|------|-----------------|-----|
|              |      | Start           | End |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |
|              |      |                 |     |

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Original to be sent to District Traffic Office, with a copy to the project file

## Relevant Indiana Codes

### **IC 9-21-4-7**

#### **Designation or determination of the location of, necessity for, and extent of traffic control devices; order of department of transportation; violation; trial; certification of order; permits**

Sec. 7. (a) Whenever, under this article, the Indiana department of transportation designates or determines the location of, necessity for, and extent of:

- (1) traffic control devices;
- (2) state speed limits, other than maximum limits;
- (3) speed limits on elevated structures;
- (4) no passing zones;
- (5) one-way roadways;
- (6) certain lanes for slow moving traffic;
- (7) course of turning movements at intersections;
- (8) dangerous railroad crossings requiring stops;
- (9) through highways and stop intersections;
- (10) angle parking; or
- (11) restrictions on the use of highways for certain periods or for certain vehicles, including low speed vehicles;

the designation or determination shall be by order of the commissioner of the Indiana department of transportation and shall, except for subdivision (1), be evidenced by official signs or markings under this article. The commissioner of the Indiana department of transportation may designate an order adopted under this subsection as an emergency rule and adopt the order in the same manner as emergency rules are adopted under IC 4-22-2-37.1.

(b) At a trial of a person charged with a violation of the restrictions imposed by subsection (a) and in all civil actions, oral evidence of the location and content of the signs or markings is prima facie evidence of the adoption and application of the restriction by the Indiana department of transportation and the validity of the adoption and application of the restriction. The Indiana department of transportation shall, upon request by a party in an action at law, furnish, under the seal of the Indiana department of transportation, a certification of the order establishing the restriction in question. A certification under this subsection shall be accepted by any court as conclusive proof of the designation or determination by the commissioner of the Indiana department of transportation. Certified copies shall be furnished without cost to the parties to a court action involving the restriction upon request.

(c) Whenever, under this article, a permit or permission of the Indiana department of transportation is required, the permit must be in writing and under the seal of the Indiana department of transportation.

### **IC 9-21-5-11**

#### **Temporary maximum speed limits; worksite speed limits; penalties**

Sec. 11. (a) Subject to subsection (b), the Indiana department of transportation, the Indiana finance authority, or a local authority may establish temporary maximum speed limits in their respective jurisdictions and in the vicinity of a worksite without conducting an engineering study and investigation required under this article. The establishing authority shall post signs notifying the traveling public of the temporary maximum speed limits established under this section.

(b) Worksite speed limits set under this section must be at least ten (10) miles per hour below the maximum established speed limit.

(c) A worksite speed limit set under this section may be enforced only if:

- (1) workers are present in the immediate vicinity of the worksite; or
- (2) if workers are not present in the immediate vicinity of the worksite, the establishing authority determines that the safety of the traveling public requires enforcement of the worksite speed limit.

(d) Notwithstanding IC 34-28-5-4(b), a judgment for the infraction of violating a speed limit set under this section must be entered as follows:

(1) If the person has not previously committed the infraction of violating a speed limit set under this section, a judgment of at least three hundred dollars (\$300).

(2) If the person has committed one (1) infraction of violating a speed limit set under this section in the previous three (3) years, a judgment of at least five hundred dollars (\$500).

(3) If the person has committed two (2) or more infractions of violating a speed limit set under this section in the previous three (3) years, a judgment of one thousand dollars (\$1,000).

(e) Notwithstanding IC 34-28-5-5(c), the funds collected as judgments for the infraction of violating a speed limit set under this section shall be transferred to the Indiana department of transportation to pay the costs of hiring off duty police officers to perform the duties described in IC 8-23-2-15(b).

MAM/GGP/DHB