Purpose
To define the Utah Department of Transportation (Department) acceptable use of pedestrian safety flags on state highways.

Policy
The Department does not possess definitive information regarding the effectiveness of pedestrian safety flags, but may support a local governmental agency’s (Agency) concern for pedestrian safety. The Department may allow the Agency to install and maintain pedestrian safety flags according to the following criteria:

A. A cooperative agreement will be generated by the Department and signed by the Department and the Agency which sets forth conditions for furnishing, installing, and maintaining pedestrian safety flags. This agreement will include a clause to indemnify the Department.

B. Locations where pedestrian safety flags may be allowed must be specified.

C. Pedestrian safety flags will only be used at legal crosswalks across unsignalized approaches.

D. The Department may request the removal of pedestrian safety flags at any location at any time for any reason including but not limited to:
   1. An increase in pedestrian accidents.
   2. Lack of maintenance by the Agency.
   3. Removal of the crosswalk.

The removal of the pedestrian safety flags and their appurtenances will be done by the Agency at no cost to the Department.

E. Flag may include Agency name for identification purposes. Advertising will not be allowed.
Responsibility: Region Director or Region Traffic Operations Engineer

Actions

1. Receive a request from the Agency to install pedestrian safety flags.
   a. The request will include justification to install the flags and the specified locations.

Responsibility: Region Traffic Operations Engineer

2. Verify the request and conduct field review of locations as specified by the Agency, if necessary.

3. Send a reply letter to the Agency stating the request is approved or not approved.
   a. Attach a draft cooperative agreement for Agency review if approved.

4. Receive comments from the Agency.

5. Prepare final cooperative agreement for Region Director’s signature.

Responsibility: Region Director

6. Sign final cooperative agreement.

7. Send the agreement to the Agency for signature.

8. Receive signed agreement from the Agency.


Responsibility: Region Traffic Operations Engineer

10. Inform the Agency it may proceed with installation of pedestrian safety flags and associated appurtenances.

11. File the agreement.
ADDENDUM

COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT, made and entered into this ______ day of ______, 20XX, by and between the UTAH DEPARTMENT OF TRANSPORTATION, hereinafter referred to as "Department," and XXX CITY, a Municipal Corporation of the State of Utah, hereinafter referred to as the "CITY,"

WITNESSETH:

WHEREAS, the CITY has requested the Department’s concurrence to furnish and install pedestrian flags at certain crosswalk locations on State Route XXX in XXX City, XXX County, Utah.

WHEREAS, although the Department does not possess definitive information regarding the effectiveness of pedestrian flags, it supports the CITY's concern for pedestrian safety.

WHEREAS, the Department will allow the CITY to install pedestrian flags at specified locations according to the terms and conditions set forth herein.

NOW THEREFORE, it is agreed by and between the parties hereto as follows:

1. The CITY, at no cost to the Department, will furnish, install, and maintain the condition, quantity, and distribution of the pedestrian flags at all times. Installation, maintenance, replacement or repair costs will be borne entirely by the CITY. Flags may include the Agency name but advertising is not allowed.

2. The CITY desires, and the Department allows, the installation of pedestrian flags at the following location:

   a. Intersection of XXX and XXX.

Any future locations will require another agreement between the parties hereto.
XXX CITY CORPORATION

Federal ID No. XXX

3. The CITY will only install or use pedestrian flags at legal crosswalks across unsignalized approaches.

4. The CITY, at no cost to the Department, will remove the pedestrian flags from any or all of the above locations upon the Department's request. Grounds for removal include, but are not limited to: a substantive increase in pedestrian vs. motor vehicle crashes, verifiable lack of maintenance of conditions outlined in paragraph one, or removal of the crosswalk. All removal costs of the flags and appurtenances will be borne entirely by the CITY.

5. The CITY hereby acknowledges that the Department makes no claim or guarantee of the effectiveness of pedestrian flags. The CITY further agrees to indemnify the Department from any liability or legal action resulting from the installation and use of pedestrian flags.

IN WITNESS WHEREOF the parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written.

ATTEST:

XXX CITY CORPORATION:

By: ________________________________ By: ________________________________
Title: ______________________________ Title: ________________________________
Date: ______________________________ Date: ________________________________

(IMPRESS SEAL)

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RECOMMENDED FOR APPROVAL: UTAH DEPARTMENT OF TRANSPORTATION

By: ________________________________ By: ________________________________
Region Traffic Operations Engineer Region Director
Date: ______________________________ Date: ________________________________

APPROVED AS TO FORM: COMPTROLLER OFFICE

The Utah State Attorney General's Office has previously approved all paragraphs in this Agreement as to form.

By: ________________________________
Contract Administrator
Date: ______________________________