



Public Safety Paramount in Colonville Road Parking Issue

State Police, Local Governments, Independent Consultants Identify Road Hazard

Harrison, Michigan, January 7, 2019 — The Clare County Road Commission in the past year was presented with an issue concerning roadside parking on Colonville Road adjacent to a local business. The Road Commission received numerous complaints from residents regarding their concerns about vehicles regularly parked in the county highway right-of-way on the side of the road. These vehicles routinely parked at a 45 degree angle and then blindly backed up into 55mph traffic when departing. In addition to concerned residents, the Road Commission was also alerted to the problem by local elected officials, and the Sheridan Township Board requested that the Road Commission do a traffic study.

The main concern with roadside parking in this area was due to the 55mph speed limit, combined with the limited space off of the traveled portion of the highway and the sudden entrance into the road by vehicles parked on the side of the road. The Road Commission first sought to address this concern by attempting to reduce the speed limit to 35mph. However, lowering the speed limit could only be done in conjunction with the issuance of a Traffic Control Order from the Michigan State Police. The Michigan State Police determined that it would not be possible to lower the speed limit. Therefore, to fully assess the issue and explore its options, the Road Commission asked an independent engineering consultant, Prein & Newhof, to perform a traffic study and review how angled roadside parking affected the safety of traffic on Colonville Road. That study determined, based on applicable objective national standards, that the vehicles parked at an angle within the highway right-of-way, and just barely off the traveled portion of the road, posed “a serious safety concern for the traveling public.” The study recommended the installation of a curbed island to better delineate the edge of the roadway and deter improper roadside parking.

The Clare County Road Commission is a local governmental agency charged with keeping highways under its jurisdiction in reasonable repair so that they are reasonably safe and

convenient for public travel. To that end, the Michigan Constitution provides the Road Commission with reasonable control over the highway right-of-way. Here, in light of the results of the independent study by Prein & Newhof, as well as consideration of resident complaints and examination of the issue by the Board of County Road Commissioners for Clare County, it was determined that the proposed solution of a curbed island should be implemented. The Road Commission also obtained a legal opinion confirming that it had the authority to install improvements within the right-of-way that it deemed, in the exercise of its discretion, to improve public safety. The Michigan State Police had previously suggested that a curbed island could be installed to deter unsafe parking, and following the results of the study by Prein & Newhof, the State Police took the additional step of issuing a Traffic Control Order specifically prohibiting “stopping, standing, or parking within the right-of-way (both on the north and south side of the roadway) of Colonville Road from Rogers Avenue to a point one thousand (1,000) feet east of Rogers Avenue.” To enforce that parking order, Prein & Newhof was again consulted regarding the appropriate number of and location for placement of no-parking signs.

The Road Commission understands that sometimes residents and others disagree with its carefully reasoned decisions regarding public safety in the county highway right-of-ways. In this situation, the Road Commission has endeavored to work with the owner of the local business whose customers parked on the highway to promote public safety while also imposing as little inconvenience as possible. However, the central concern and mandate of the Road Commission is promoting public safety even when it is difficult or unpopular to do so. Ignoring safety issues that could lead to property damage, serious injury or death because the remedy would be inconvenient to businesses or private citizens is not in the public’s best interests. The funds expended by the Road Commission in its ongoing efforts to improve safety on its right-of-ways, in the Road Commission’s judgment, are well worth it. The Board and staff of the Road Commission enjoy serving the entirety of the public in Clare County, and will continue to strive to improve safety on Clare County public highways.

- *Clare County Road Commission*