

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION
DESIGNATION OF RESTRICTED HIGHWAY**

Pursuant to Section 104a of the Highway Law the following described highway:

I-290 in the westbound direction from its interchange with NY 263 (Millersport Highway) and continuing along I-290 for approximately 2.0 miles to its interchange with NY 425 (Colvin Boulevard).

Also included are all ramps at NY 425 and US 62 interchanges.

All in the towns of Tonawanda and Amherst in Erie County

Which is being reconstructed under Contract No. D264072 is hereby designated as a Restricted Highway. Designation of Restricted Highway shall expire on October 31, 2020.

Pursuant to Section 1625 of the Vehicle and Traffic Law all movement of vehicles, persons or animals on such highway is hereby restricted and regulated in accordance with the determination of the Commissioner of Transportation as evidenced by posted signs, signals or barriers placed along said highway and/or by direction by an authorized representative of the Commissioner of Transportation.

Any action taken by the Commissioner of Transportation pursuant to Section 1625 of the Vehicle and Traffic Law shall supersede any other provisions of the Vehicle and Traffic Law where inconsistent or in conflict with respect to the following enumerated subjects:

1. Establishment of maximum and minimum speed limits at which vehicles may proceed along any such restricted highway.
2. Weights and dimensions of vehicles.
3. Use of such restricted highway by pedestrians, equestrians, and animals.
4. Parking, standing, stopping and backing of vehicles.
5. Control of persons and equipment engaged in work on such highway.

The provisions of the Vehicle and Traffic Law with respect to registration shall not apply to vehicles and equipment engaged in work on such restricted highways.

When used on such restricted highways, all traffic control devices shall be considered as official traffic control devices and shall conform to the manual and specifications for a uniform system of traffic control devices adopted by the Department of Transportation.

Marie Therese Dominguez
Acting Commissioner

Original Signed By:
F.P. Cirillo

BY: _____
FRANK P. CIRILLO, SR/WA
Regional Director, Region 5
New York State Department of Transportation
100 Seneca Street
Buffalo, New York 14203

11/20/19

Date

County Clerk: Erie
Town Clerk: Tonawanda and Amherst ✓
Contractor: Union Concrete & Construction Corp.
Engineer-in-Charge: Thomas Orłowski.
Regional Construction Engineer: Daniel W. Paskie, P.E.
Regional Permit Engineer: John Billittier
Regional Traffic Engineer: Michael Roche
Contracts & Estimates Engineer: Karen Beller
New York State Department of State (4 copies required)
New York State Police, Troop A
Residency: N. Kinderman, North Erie

Title 17 NYCRR Part 155

Traffic Regulations on Restricted Highways (Statutory authority: Vehicle and Traffic Law, Section 1625.)

Section 155.1 Definition. The term *restricted highway* when used in this part shall mean any highway or portion thereof under construction or reconstruction under the supervision of the Commissioner of Transportation and which is designated by the Commissioner as a restricted highway pursuant to Section 104a of the Highway Law.

155.2 Traffic control devices. Unless otherwise posted, traffic control devices used on restricted highways shall conform to the requirements of the Vehicle and Traffic Law.

155.3 Flagmen. Operators of vehicles on restricted highways shall follow the directions of any flagman with respect to movement of such vehicles.

155.4 Control of persons and equipment. Construction personnel and equipment engaged in work on such restricted highway shall be afforded the widest latitude in operating within the restricted highway consistent with the safety of the traveling public. This shall include, but not be limited to, the crossing of the highway and the mall; the shutting-off of lanes of travel consistent with the contract and the orders of the Commissioner of Transportation or his duly authorized agent; the loading, unloading and manipulation of material; the movement and direction of vehicles and equipment; and other similar operations necessary to the reasonable and practical performance of the contract.

155.5 Other requirements. The other provisions of the Vehicle and Traffic Law relating to motor vehicles shall not apply to special purpose construction equipment, such as described in section 401, subdivision 7, paragraph (f) of the Vehicle and Traffic Law, while engaged in work on a restricted highway, except that all such vehicles and equipment shall be kept in safe, mechanical operating condition at all times and reasonable caution shall be used to protect the traveling public. However, such other provisions shall apply to those vehicles that normally operate on public highways to transport persons and/or material and are ordinarily considered commercial vehicles.

155.6 Emergency or unusual conditions. The Commissioner of Transportation may, by the erection of signs, signals or other traffic control devices, alter or modify the provisions of this Part to adequately protect the public at locations where emergency or unusual conditions occur or exist as a result of the construction or reconstruction on a restricted highway. These alterations or modifications shall have the same force and effect as though they were specifically set forth in this Part and shall remain in force until the condition is considered by the Commissioner to be safe and the erected signs, signals or other traffic control devices have been officially removed.

155.7 Effective date. The provisions of this Part shall be effective with respect to a specific restricted highway from the date the highway is designated a restricted highway by an official designation of the Commissioner of Transportation. The provisions of this Part shall also be effective with respect to all restricted highways which have theretofore been designated as restricted highways by the Commissioner of Transportation and on which the restriction has not been removed by a notice of cancellation issued by the Commissioner of Transportation.

155.8 Restricted highway designations. The following locations are hereby designated as *restricted highways*, as defined by Section 155.1 of this Part.