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STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION NINE
44 HAWLEY STREET
BINGHAMTON, NEW YORK 13901-3200
WWW.NYS DOT.GOV

JOHN R. WILLIAMS, P.E.
REGIONAL DIRECTOR

JOAN McDONALD
COMMISSIONER

October 31, 2011

Mr. William C. Swagler
Code Enforcement Officer
Village of Newark Valley
9 Park Street
P.O. Box 398
Newark Valley, NY 13811

Dear Mr. Swagler:

Re: **NYS ROUTE 38**
VILLAGE OF NEWARK VALLEY, TIOGA COUNTY

Thank you for your letter dated July 20, 2011 in which you request a lower speed limit on NYS Route 38 within the Village of Newark Valley. The specific location you mentioned is north of the existing 35 MPH speed zone at the northern end of the Village. Our study found that current traffic conditions do not allow for a lowered speed limit at this time.

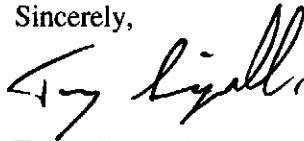
A radar check was conducted on September 26, 2011 between 12 Noon and 1:00 PM 450 feet +/- north of the existing 55 State Speed Limit sign just north of Jake's Ice Cream at RM 38 6501 1104 +/- . The study showed that 85% of traffic was traveling at 53 MPH. The "85th speed" is the speed at, or below which eighty-five percent of the vehicles travel. It is a well established and accepted standard used in determining speed limits in the United States and is the method the Department has adopted to establish linear speed limits. The study also showed that 100% of the vehicles were traveling above 35 MPH and 65% were traveling above 45 MPH. Therefore, a lower speed limit is not recommended at this time. It is a common misunderstanding that simply lowering a speed limit results in lower travel speeds on a roadway. Research conducted in many parts of the country confirms that this is not the case. Both research and experience have shown that most drivers are influenced more by the appearance of the highway and the prevailing traffic conditions than by the speed limit itself and, therefore, tend to drive at a speed at which they feel comfortable with. As you are aware, law enforcement will not ticket drivers for speeding if too many drivers are in violation. Locations of this type are considered "speed traps" and the court system will throw out speeding tickets when they perceive this to be the case.

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We will replace the existing "Speed Zone Ahead" sign with a new style sign showing 35 MPH ahead. This sign has more target value and should give drivers more warning of the reduced speed limit.

If you have any questions, please do not hesitate to contact Mr. Carl Haus of this office at (607) 721-8069.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Signorelli". The signature is written in a cursive style with a large, stylized initial "T".

Tony Signorelli, P.E.
Acting Regional Traffic Safety & Mobility Engineer

c: Honorable James Tornatore, Mayor, Village of Newark Valley