

## Steps to Guard Against Tort Liability

If you can answer “yes” to the following questions, your public works department is in a good position to defend itself against tort liability:

### Training

- Do employees regularly receive training appropriate for the work they perform and for the materials and equipment they use? YES NO
- Do employees understand the importance of using reasonable care in performing their duties? YES NO
- Are employees instructed to report hazardous conditions and to act on them? YES NO

### Signs and Markings

- Do you make an up-to-date copy of the Manual on Uniform Traffic Control Devices and other agency governing documents available to employees? YES NO
- Are employees familiar with the MUTCD and other governing documents? YES NO
- Are signs and markings adequate, properly installed and well-maintained? YES NO
- Do you have an up-to-date inventory of signs, signals and markings, and a plan for maintaining conformance with the MUTCD and other governing documents? YES NO
- Do you have and follow a plan for periodic day-and-night review of signs and markings? YES NO
- Are identified road hazards posted with appropriate warning signs based on the MUTCD and other governing documents? YES NO
- Are bridges properly posted for weight restrictions and low clearance? YES NO

### Roads, Culverts, and Bridges

- Do you have a current inventory of road, culvert, and bridge conditions, and a plan for addressing deficiencies? YES NO
- Is the right-of-way for your roads properly es-

tablished and recorded? YES NO

- Do you keep good records on agency activities, including roadway conditions, crashes, and maintenance work? YES NO
- Do you use current versions of accepted guidelines in road design, construction, operations, and maintenance? YES NO
- Are dead end roads and railroad crossings properly signed? YES NO
- Do you provide proper temporary traffic control in work zones? YES NO
- Are sight lines clear at intersections? YES NO

### Administration

- Are your roadways inspected on a regular basis? YES NO
- Is your equipment in good repair and are employees instructed to report faulty equipment immediately? YES NO
- Do you follow objective procedures in setting priorities? YES NO
- Are your maintenance standards achievable with the resources available? YES NO
- Do you have an established procedure for receiving complaints, acting on them, and recording all actions? YES NO
- Do you meet periodically with your legal counsel to review the status of roadway-related claims filed against your agency? YES NO

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### NHDOT's website for Municipalities

[www.nh.gov/dot/business/municipalities.htm](http://www.nh.gov/dot/business/municipalities.htm)

This website has important information for public works departments, such as:

- Airport Block Grant, Bridge Aid, Federal Aid, Highway Block Grant, State Highway Aid, Permits & Rules/Regulations/Policies.