

# Louisiana Laws Governing Traffic Control Device Failures

OPELOUSAS, LA, UNITED STATES, February 28, 2025 /EINPresswire.com/ -- Traffic control devices, such as stop signs, traffic signals, and warning lights, are integral to the safe and orderly movement of traffic on roadways. These devices help to manage the flow of vehicles, prevent accidents, and protect pedestrians. When a traffic control device fails or malfunctions, the results can be severe, leading to accidents, injuries, and fatalities. In Louisiana, laws exist to govern traffic control devices and to ensure that the appropriate actions are taken when such failures occur.

[William P. Morrow](#), a lawyer at [Morrow Law Firm](#) in Opelousas, Louisiana, discusses the legal implications of traffic control device failures and how Louisiana law addresses the

responsibility of government agencies and private entities in ensuring safe roadways. "When a traffic control device fails or is improperly maintained, the potential for accidents increases," says Morrow. "Louisiana law holds governmental agencies and other parties accountable for ensuring these devices are functioning properly to prevent harm to the public."

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*William P. Morrow*

What Constitutes a Traffic Control Device Failure?

Traffic control devices include stop signs, yield signs, traffic lights, warning signals, and other measures that regulate, warn, or guide drivers and pedestrians. These devices are designed to create a safe environment by preventing confusion, controlling speed, and providing important information for drivers and pedestrians to navigate



intersections, construction zones, and other high-traffic areas.

A traffic control device failure occurs when the device malfunctions, is not functioning at all, or is improperly placed. Examples of device failures may include:

Non-functioning traffic lights – Traffic signals that are not illuminated or that fail to switch to the correct color can cause confusion and result in accidents.

Missing or damaged signs – Stop signs, yield signs, or warning signs that are obscured, missing, or damaged can cause drivers to make unsafe decisions at intersections.

Faulty pedestrian signals – When pedestrian signals fail to operate, pedestrians are left without guidance for safely crossing streets.

Confusing or unclear signage – Misplaced or improperly installed traffic signs that confuse drivers, leading to dangerous situations.

In these cases, it is crucial that responsible parties take quick action to remedy the issue and prevent accidents.

Who Is Responsible for Traffic Control Device Failures?

In Louisiana, the responsibility for ensuring that traffic control devices are in good working condition falls primarily on government entities, including state, parish, and municipal authorities. These agencies are charged with the installation, maintenance, and inspection of traffic control devices to ensure that they comply with the Louisiana Manual on Uniform Traffic Control Devices (LMUTCD) and federal standards.

When a traffic control device fails, the government agency responsible for the area where the failure occurred may be held liable for any damages or injuries that result. This is known as governmental liability and is governed by the Louisiana Tort Claims Act (LTCA).

However, in certain cases, private contractors or entities may be responsible for traffic control devices, particularly in areas where construction or maintenance work is being performed. If a contractor improperly installs or maintains a traffic control device, the contractor may be held liable for any resulting damages.

Louisiana Tort Claims Act and Governmental Liability

The Louisiana Tort Claims Act (LTCA) governs the extent to which a governmental entity can be held liable for damages caused by traffic control device failures. Under the LTCA, governmental entities, including the state, parishes, and municipalities, are generally immune from liability for certain actions, such as discretionary functions. However, they can still be held liable in specific circumstances, including cases where:

A government entity was negligent in its maintenance of a traffic control device. The government entity failed to properly inspect or repair a device after it was reported as malfunctioning.

The failure of the traffic control device directly caused or contributed to an accident. If a governmental entity is found to be at fault due to a failure to maintain or repair a malfunctioning traffic control device, it may be required to compensate victims for damages, including medical bills, lost wages, pain and suffering, and property damage.

### The Role of Contractors and Private Entities

In some cases, private contractors or businesses are responsible for maintaining or installing traffic control devices. This is particularly true in construction zones or temporary traffic control situations. For example, when roadwork is being done, the contractor handling the construction may be responsible for ensuring that all traffic control devices, such as signs, cones, and signals, are properly installed and functioning.

If a contractor's negligence causes a traffic control device failure, resulting in an accident, the contractor may be held liable for the damages. This includes both physical damages and any harm caused to individuals involved in accidents resulting from the failure.

### What to Do if Injured by a Traffic Control Device Failure

If a person is injured in an accident caused by a malfunctioning or missing traffic control device, the first step is to seek medical attention. After ensuring that immediate medical needs are addressed, victims may consider taking the following steps:

Document the scene – Take photographs of the area where the failure occurred, including damaged or missing signs or signals.

Gather witness information – Speak with anyone who witnessed the accident and gather their contact information. Witness statements can be valuable in proving liability.

Report the failure – Notify the relevant local authorities, such as the police department or state highway department, about the malfunctioning traffic control device.

Consult an attorney – Consult with a personal injury lawyer to discuss the possibility of filing a claim against the responsible party, whether it is a governmental entity or a private contractor.

A lawyer can help assess the case and advise on the legal avenues available to seek compensation for damages and injuries resulting from a traffic control device failure.

### Conclusion

Traffic control device failures present serious risks to public safety. Understanding Louisiana's laws regarding governmental liability, contractors' responsibilities, and the role of building codes in preventing these failures is crucial for anyone affected by such issues. Whether through

negligence in installation or failure to maintain, these failures can lead to serious accidents and injuries, making it essential for both public agencies and private contractors to be diligent in their maintenance and care of traffic control devices.

For those involved in accidents caused by these failures, legal remedies may be available. Legal professionals, such as those at Morrow Law Firm, provide guidance in navigating these complex cases to help victims receive the compensation they deserve.

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