

Wintertime Rural Mail Box Responsibilities

The Franklin County Traffic Safety Board writes a weekly set of articles (“*Did You Know*”) on various topics related to highway safety. With their permission we reprint those article that would be germane to local highway officials.

A recent “*Did You Know*” article reviewed snowplowing operations from the perspective of the snowplow driver and the problems encountered by impatient motorists. These articles have stated that the municipality responsible for plowing the road does not have any obligation to replace or repair rural mailboxes damaged by plowing operations. This caused some controversy and perhaps needs further clarification.



According to Highway Law, Section 319, coupled with an opinion from the Attorney General, “the owner of a rural mailbox has no right to interfere with speedy and efficient removal of snow by placing the mailbox in such a position as to cause this result, and no liability results on the part of the public official charged with the duty of snow removal if such a box is so placed that it may be injured by proper highway maintenance.”

Although rural mailboxes are usually placed beyond the paved portion of a road, in reality, the road right-of-way may extend well beyond the shoulder. Minimum road rights-of-way are normally three rods wide, approximately 50 feet, although occasionally, it

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could be narrower. Many roads, including most state highways, are even wider. This means that the road right-of-way is most likely at least 25 feet from the centerline of the highway. Even drainage ditches along the roadside are part of the highway. While property owners may have an informal license, this does not endow the owner of the mailbox any legal rights in the highway right-of-way when needed for highway purposes.

While it is unfortunate that encounters with rural delivery mail boxes occur, it is an unintended consequence of providing safe driving conditions for those traveling along maintained routes. As described in previous “*Did You Know*” articles related to wintertime road plowing, this job is difficult at best, and, although plow drivers occasionally may hit a rural mailbox, they do their best to avoid them. When a mailbox does get damaged, it is often the force of the snow/ice/slush that does the damage, not the plow itself.

Property owners may reduce the risk of mailbox damage by ensuring their mailbox is properly erected. Contact the US Postal Service for mailbox guidelines.

For more articles on Vehicle and Traffic Law and traffic safety, visit the Traffic Safety Board’s website at www.franklincony.org and click on the Traffic Safety Board from the pull-down menu under departments.

This article was prepared from an article written by David Werner, TSB Vice-Chairman, Franklin County Traffic Safety Board as part of the “*Did You Know?*” series of articles found at <http://franklincony.org/content/Departments/View/24#services>