§ 1681. State traffic-control devices. (a) The department of transportation shall order the installation, operation, maintenance and removal of such traffic-control devices, conforming to its manual and specifications, upon all state highways maintained by the state or on any highway intersecting a state highway maintained by the state on the approach to such intersection as it may deem necessary to indicate and to carry out the provisions of this chapter or to regulate, warn, or guide traffic, and elsewhere as specifically authorized by this chapter.

(b) The department of transportation may order the erection and maintenance of suitable directional signs upon the streets of cities and villages and upon county roads and town highways outside of cities and villages within the state, to facilitate through traffic, provided consent therefor is first obtained from the local authorities of the city, village or town or the county superintendent of highways.

(c) Except as otherwise provided the cost of providing, erecting, maintaining and removing traffic-control devices ordered by the department of transportation shall be paid from any moneys available for the maintenance, repair or reconstruction of state highways upon vouchers approved by the department of transportation. However, the work of providing, erecting and removing such traffic-control devices may be performed by contract in the same manner as provided for state highways in article three of the highway law, or, by the use of department of transportation forces and equipment and all materials purchased therefor, or by a combination of such methods, and the cost of such work may be paid from such moneys available for the construction of state highways. Except as herein provided, nothing shall be paid from such moneys for providing, erecting or maintaining traffic-control signals or flashing signals used in connection with regulating traffic upon a highway under the jurisdiction of the department of transportation at entrances to private property, and nothing shall be paid from such moneys for maintaining traffic-control signals or flashing signals used in connection with regulating traffic upon a highway under the jurisdiction of the department of transportation at entrances to schools. Upon determination by the department of transportation of the need for such a signal, the department of transportation may permit any person, firm, association, corporation or public body to provide and erect such signal in accordance with standards and specifications

established by the department of transportation. The department of transportation may require that some or all of the control equipment used in the signal construction be supplied by the state to ensure equipment quality and compatibility with state practices and the cost of such furnished equipment shall be reimbursed to the state by the party receiving permission to provide and erect the signal.

All signals erected on or after the first day of April, nineteen hundred eighty-six with permission of the department of transportation and in accordance with the standards and specifications established by the department of transportation shall be maintained by the state. The party which erected such signals shall pay the state an annual fee to be determined by the commissioner of transportation. Such fees shall cover the cost of normal signal maintenance, but shall not include the cost of electrical energy or major modifications or replacements which shall remain the responsibility of the party which erected the signal. The department of transportation may, in its discretion, agree to assume the same maintenance responsibility for signals erected with the permission of the department of transportation prior to the first day of April, nineteen hundred eighty-six, if the department of transportation determines that such signal substantially meets established standards and is in a satisfactory state of repair. The party which erected such signals shall also pay the state an annual fee which shall be calculated in the same manner as fees for signals erected on or after the first day of April, nineteen hundred eighty-six.

No such traffic signal or flashing signal erected with permission of the department of transportation shall be removed except with the written consent of the department of transportation.

The department of transportation shall have the right to revoke its permission to provide, erect or maintain such a signal and shall have the right to require that the signal be removed without a hearing or necessity of showing cause.

(d) Signs posting speed limits established on county roads and town highways as provided for in subdivision one of section sixteen hundred twenty-two, and traffic-control devices posting traffic regulations on

the grounds of state departments and certain state institutions as provided for in sections sixteen hundred twenty-three and sixteen hundred twenty-seven shall be provided, installed and maintained at their own expense by the county, town, state or state institution respectively. Signs posting speed limits established as provided for in subdivision two of section sixteen hundred twenty-two shall be provided, installed and maintained at its own expense by the town.

(e) Except as otherwise provided for in section sixteen hundred eighty-two no state agency, local authority or person shall place or maintain any traffic-control device upon any state highway maintained by the state except by permission of the department of transportation.