



Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JARED W. PERDUE, P.E.
SECRETARY

August 15, 2025

Mr. Terrance Moore, City Manager
City of Delray Beach
100 NW First Avenue
Delray Beach, FL 33444

RE: Traffic Control Device Noncompliance

Dear Mr. Moore:

You were previously notified via Engineering and Operations Memorandum No. 25-01 regarding the need to comply with the Florida Department of Transportation's Design Manual (FDM), FHWA's Manual on Uniform Traffic Control Devices (MUTCD) and the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (2023 Greenbook) on all public roads.

Many local jurisdictions received this Memorandum and immediately began undertaking actions to ensure compliance. However, the City of Delray Beach has publicly stated it does not intend to comply.

The Department's Memorandum served as official notification to remedy all noncompliance across the State. However, the Department is providing you an additional notification by location that the pavement markings **at the intersection of NE 2nd Avenue and NE 1st Street** is in violation of FDOT's traffic control device standards, which include the FHWA's MUTCD, the 2025 FDOT Design Manual and the 2023 Florida Greenbook. Section 316.0745, Florida Statutes requires removal of these pavement markings immediately.

As required by state law, if the pavement markings are not removed by September 3, 2025, the Florida Department of Transportation will remove them by any appropriate method necessary without further notice.

You are further notified that if the markings are removed by the Department, all costs associated with the removal will be assessed against City of Delray Beach. You may avoid these costs by removing the pavement markings and then notifying the Department of compliance immediately.

Any additional violations by City of Delray Beach shall be cause for the immediate withholding of state funds.

You are further notified that you may file a request for an administrative proceeding pursuant to Chapter 120, Florida Statutes as set forth in the enclosed Notice of Administrative Hearing Rights. If

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you request a hearing, the Department has reserved time on September 2, 2025 beginning at 10:00 a.m. at the Florida Turnpike Enterprise's offices in Orlando. Because the issues likely to be raised are straightforward and involve only interpretations of the law and the national and state engineering standards, the hearing should be informal. More details will be provided should you elect to proceed with a hearing. Please be advised that the hearing will not involve a request for an exception or waiver to permit the nonconforming pavement markings to remain in place. The Department has already reviewed the pavement markings at the location mentioned above and determined that the pavement markings will not be allowed.

Sincerely,

DocuSigned by:

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Steven C. Braun, P.E.
District 4 Secretary

Enclosure

cc: Tom Carney, Mayor – City of Delray Beach
John P. Krane, P.E., Director of Transportation Development – FDOT
Paul A. Lampley, P.E., Director of Transportation Operations – FDOT
Rudy Powell, Jr., P.E., Chief Engineer of Operations – FDOT
Jennifer Marshall, P.E., Chief Engineer of Production – FDOT