



The Comptroller General  
of the United States

Washington, D.C. 20548

# Decision

Matter of: Pedestrian-Operated Traffic Signal--Army Materiel Command  
File: B-220226  
Date: September 22, 1986

## DIGEST

Needed traffic signals may be installed at government expense if private entities requesting a signal would be charged for installation in similar circumstances, and the government is the primary beneficiary of the light. 61 Comp. Gen. 501 (1982). City's determination that light does not meet its priority criteria means that a private entity would be charged for signal installation on the same basis. Fact that the building where the signal will be installed is leased by GSA from a private owner does not shift the primary benefit of the signal installation to the lessor, because the government will have full benefit of increased safety for its employees for the remainder of the lease term.

## DECISION

By letter dated September 4, 1985, Major General Jimmy D. Ross, United States Army, requested GAO's approval of a proposed \$14,400 expenditure to install a pedestrian-operated traffic signal at the entrance of the U.S. Army Materiel Command Headquarters (AMC HQ) in Alexandria, Virginia. Although there are some differences between this and our other traffic light cases, we have no objection to the proposed expenditure.

## FACTS

AMC HQ occupies GSA-leased space in a privately-owned building. The premises are held under a 20-year lease that will expire in 1993. The building is situated on a busy, four-lane street, and its main entrance is directly across from a bus stop in the middle of a long block. Approximately 100 to 200 AMC employees commute by bus, and they must cross the street once a day during rush hour traffic. Some of these employees are handicapped. AMC also experienced increased pedestrian crossings when an employee fitness program began in the fall of 1985 at facilities located across the street.

AMC requested the signal on public safety grounds. The City of Alexandria, however, has determined that the site does not qualify for signal installation based on its analysis and the priority criteria established by the Federal Highway Administration's Manual on Uniform Traffic Control for Streets and Highways (1978). However, the City is willing to approve installation of a pedestrian-activated signal at the AMC location, provided the requester pays the one time installation cost of \$14,400. The City will pay for maintenance thereafter.

### **ANALYSIS**

AMC recommended approval of the signal installation based on our decision 61 Comp. Gen. 501 (1982). That case established a new rule liberalizing traffic signal funding. If the particular signal installation is not among the services the local jurisdiction is required by law to provide, and any party requesting that traffic signal would be required to pay, then the government can fund the signal. 61 Comp. Gen. 501, 502 (1982).

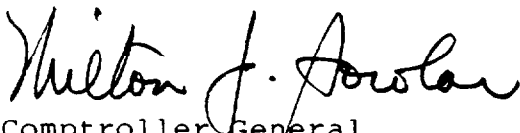
In this case, the City of Alexandria is not required by law to provide a signal at AMC HQ, because it has determined that the installation is not justified by the priority criteria. Any business or other entity that wanted to install a traffic signal in similar circumstances would be required to pay. The government is not being singled out for different treatment.

The other criterion in 61 Comp. Gen. 501 for traffic signal funding is that the installation must be for the primary benefit of the government. That issue arises in this case because the building where AMC HQ is housed is a privately-owned structure leased by GSA. This means that when the lease expires the building owner will retain the benefit of the traffic signal as a permanent improvement to the property.

We held in B-211044, June 15, 1984, that appropriations could not be used to construct a crosswalk across a state road that connected a federally-owned building with a privately-owned federally-leased building on the other side. Our decision was based on several factors, including the fact that city and state officials had not been requested to provide funds. Among the several factors we considered in that decision was the general prohibition on making improvements to non-government property. The decision concluded that the walkway there involved "would appear to benefit the Government and the owner of the privately-owned building equally." See 55 Comp. Gen. 872 (1976); B-187482, Feb. 17, 1977.

In this case, however, we do not regard installation of a traffic light as providing an equal benefit to the property owner. AMC's tenancy will continue at least another 6 years. During that time, AMC will enjoy the full benefit of the increased safety to its employees who commute by bus, and the efficiency of time saved crossing to and from the fitness facility. Amortized over the remainder of the lease term, the expenditure does not seem unreasonable in proportion to the gain. Any residual benefit to the property owner at the end of the lease term is purely coincidental, and we therefore conclude that the government would be the primary beneficiary of the traffic light here.

In view of the foregoing, we have no objection to AMC funding the installation of a pedestrian-activated traffic signal at the AMC HQ.

*for*   
Comptroller General  
of the United States