

DID YOU KNOW???

GET YOUR RURAL MAILBOX READY FOR WINTER

If you are among the many residents in Franklin County with a rural mailbox along the side of the road, pay attention to the rest of this article, as fixing your box in the middle of the winter is not much fun.

If a property owner places his or her mailbox in the highway right-of-way (ROW), usually a minimum of 25 feet from the centerline of the road, the municipality that owns and maintains the road is not liable for damage to the mailbox if such damage was caused by non-negligent snow removable operations. While the property owner may have an informal license to erect the mailbox within the ROW, this does not endow the owner of the mailbox any legal rights in the highway when needed for highway purposes. Highway Law Section 319 supports this policy as does an opinion from the Attorney General stating that “The owner 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 the snow removal if such a box is so placed that it may be injured by proper highway maintenance.”



Property owners may reduce the risk of mailbox damage due to snow and ice removal by ensuring their mailbox is properly erected. More rural mailboxes are damaged not by being hit by the snowplow but rather by the force of the snow and slush hitting the box from the action of snowplowing. A strong post in a concrete base will prevent a lot of knocked over mailboxes. A word to the wise – make sure your mailbox is in good condition, that the box is supported by a strong post, and that the mailbox is properly secured to the post.

Remember, during the winter months, snow and ice removal is the priority operation for highway departments. While it is unfortunate that encounters with rural delivery mailboxes occur, it is an unintended consequence of providing safe driving conditions for those traveling along maintained routes.

If you have traffic law and/or traffic safety questions that you would like addressed in this column, please send me an email with your ideas at:

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