



May 10, 2021

Federal Highway Administration
US Department of Transportation
1200 New Jersey Ave S.E.
Washington, DC 20590

SUBJECT: MUTCD 11TH EDITION AND POLK COUNTY, FL

Dear Acting Administrator Pollack and Secretary Buttigieg:

In Polk County and in Florida we are currently trying to reverse roadway and pedestrian fatality and severe injury rates that in 2018 were far higher than all but five states. For the Polk Transportation Planning Organization (TPO) and our communities, this is a huge moral, ethical and financial issue. The Polk TPO and the State of Florida has adopted a goal of zero fatalities on our roadways but are having difficulties moving towards these objectives. In fact, our trend of pedestrian lives lost is heart-breaking.

The Polk TPO staff is submitting these comments because we feel that, in many instances, the proposed 11th Edition of the Manual on Uniform Traffic Control Devices (MUTCD) has not taken vision zero and the safe systems approach to safety serious enough and, in some instances, would make it more difficult to achieve zero fatalities. The gravity of our concern stems from both the longevity of the MUTCD, which is typically updated only every decade, and from how the MUTCD is frequently applied. Ironically, it is frequently applied in its most restrictive form because the uniformity it creates indemnifies against lawsuits, yet in its strictest form, it complicates the implementation of safety countermeasures.

Polk TPO staff joins with other communities and practitioners nationwide in asking that the USDOT refocus the MUTCD upon its initial, core mission of eliminating roadway fatalities and that it do so in an equitable way for all users and in their contexts. This must be evidenced through the following Federal Highway Administration (FHWA) actions:

1. Immediate initiation of an expedited, full rewrite of the MUTCD, reoriented toward zero fatalities for all users;

2. provision within the adopted 11th Edition a methodology for amending the MUTCD to encourage vision zero countermeasures as they come to light; and,
3. the removal of any guidance in the proposed 11th Edition that restricts or complicates the implementation of any currently proven vision zero countermeasure, even if it slows vehicular traffic.

Among the specific concerns with the MUTCD noted by staff, are those that illustrate how this guidance from the federal government has evolved from uniformity for safety to uniformity for speedy traffic:

- Outdated practices including requiring fatal crashes in warranting the placement of a traffic signal. This does not align with the Vision Zero principle of prevention and needs to be addressed.
- Requiring higher fatalities on communities with fewer than 10,000 residents in traffic signal warrants than larger communities needs to be addressed. Many small towns have historic centers that have been encroached upon by highways.
- Requiring higher demonstrated demand for traffic signals to help pedestrians than for cars. This is further complicated by the requirement for pedestrian counts, given that crossing is likely being inhibited by the dangerous, unsignalized crossing.
- Requiring coordination between pedestrian crossing beacons and intersection traffic signals if they are within 600 feet of each other. This requirement places an extra burden upon communities with small blocks or wishing to favor pedestrian lives over speedy traffic. Beacons that can be coordinated (e.g. HAWK) are many times the cost of other effective warning devices (e.g. RRFB) placing a greater burden on cities.
- Allowing the continued practice of using 85th percentile in the posting of speeds while the National Transportation Safety Board recommended the elimination of that practice.

- The 11th Edition generally omits the needs of children, elderly, and disabled road users while changing the language for accommodating the sensing of automated vehicles from “should” to “shall”.
- New language setting the ‘design pedestrian’ as a “reasonable and prudent individual” who is “alert and attentive” and is “demonstrating due care” while national engineering guidance is replete with guidance for “design vehicles” that gives wide latitude to motorist error (e.g. “shy distance”) .
- Requiring studies of innovative improvements be published without compensation inhibits innovation and places a significant burden on cities.

We are confident that at every level of government, there is a belief that the loss of life on our roadways is unacceptable. The MUTCD should reflect Federal Highway’s commitment. We respectfully request that the MUTCD be refocused upon its initial, core mission of eliminating roadway fatalities and that such commitment be evidenced through the FHWA actions enumerated above.

Sincerely,



Chandra Frederick, AICP
Executive Director

Cc: Ryan Kordek, Planning Administrator, Polk TPO