



*Leading the movement to build a  
Bicycle Friendly America for Everyone*

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Dear Acting Secretary Pollack:

In March, the League of American Bicyclists (the League), which is a sponsoring organization of the National Committee on Uniform Traffic Control Devices (NCUTCD), [wrote](#) to your office regarding the need to adopt an updated Manual on Uniform Traffic Control Devices (MUTCD) that will provide proactive safety guidance so the United States can make progress on equity, sustainability, and traffic safety.

In December 2020, the League identified a [drafting error](#) in the Notice of Proposed Amendment (NPA) to the MUTCD. The League thanks the Federal Highway Administration (FHWA) for its quick correction of that drafting error and for providing an extended comment period on the NPA.

The League, its representatives to the NCUTCD, and other reviewers, have reviewed the NPA as fully as possible and submit the attached line-by-line comments in addition to this letter with higher-level comments. We are excited for some of the advancements found in the NPA, such as the inclusion of separated bike lanes, painted curb extensions, mini-roundabouts, leading pedestrian intervals, and other traffic control devices that can contribute to a safer America for everyone.

The MUTCD is an extremely important document for the League, its members, and the thousands of participating businesses, communities, and universities in the League's Bicycle Friendly America program. In our more than 20 years as a sponsoring organization of the NCUTCD, the League has worked to shift the MUTCD from prioritizing operational efficiency for motor vehicles to encouraging safer roads for all users. We hope FHWA understands this and pays careful attention to ensuring the MUTCD increases safety for all users and supports the efforts of many people and organizations in communities who are working alongside federal efforts to make our shared transportation system better for people who walk, bike, and roll.

*We agree with the National Association of City Transportation Officials (NACTO) that the 11th edition of the MUTCD is a unique opportunity for the Biden Administration to enshrine its safety, sustainability, and equity goals in a core regulatory document that impacts nearly every roadway in the country.* We encourage FHWA to seize this moment to reframe the MUTCD to become a document that goes beyond merely *permitting* practitioners to build safer roads and instead *encourages* and *empowers* them to build roads that will truly make the people in our country safer, address fundamental inequities in our land use and transportation systems, and help us meaningfully turn the tide on climate change.

To assist FHWA in creating an MUTCD that puts [safety first](#), the League has developed over 200 comments in alignment with the FHWA goal of "[Saving Lives through a Safety Culture and a Safe System](#)." Since FHWA took over the MUTCD in 1971, at least 30,000 people have died on American roadways every year. The United States has one of the [worst per capita rates of traffic fatalities](#) among higher income countries and we experienced a [record increase](#) in traffic deaths over the last year while peer countries saw [record decreases](#). The Biden Administration must embrace this opportunity and make bold changes to shift from the fundamentally unsafe system enshrined in the MUTCD to a safe system that embraces freedom of transportation choices,

equity, climate change, and the fundamental human right of every American to get home safely.

The following recommendations serve as a summary of the League's line-by-line comments and highlight major issues the Biden Administration can address when reframing and rewriting the MUTCD. We are happy to work with FHWA on any issue in the MUTCD to ensure the outcome is a document that prioritizes safety for all users.

**1. *Enable Better Bike Networks***

The draft MUTCD takes several steps forward for bicycle facility guidance, but those improvements are offset by unnecessary design restrictions. The MUTCD should embrace best practice guidance from MassDOT's [Separated Bike Lane Planning and Design Guide](#), NACTO's [Urban Bikeway Design Guide](#), and FHWA's own [Separated Bike Lane Planning and Design Guide](#). League staff and our NCUTCD representatives identified more than 100 items within the MUTCD that might prevent the implementation of safe bicycle infrastructure. The most common type of unnecessary restriction was the use of "shall" where more permissive "should" or "may" language would better reflect best practices and implementation use cases.

**2. *Allow Context-Sensitive Solutions that Orient Streets to People***

The draft MUTCD, without any research basis, prioritizes motor vehicle mobility over the ability of communities to prioritize select bike facilities, transit lanes, and crosswalks using colored paint. The use of colored paint can meaningfully draw attention to space for people biking, walking, and using transit. There is no evidence the uses of paint prohibited in the draft MUTCD create adverse safety impacts for people biking, walking, taking transit, or driving. The prohibition of using paint to delineate street space for other road users appears to be based upon the prioritization of motor vehicle movement found throughout the MUTCD.

**3. *Embrace the Changes Necessary to Create a Safe System***

Almost all transportation stakeholders in the United States have embraced some version of a goal of [Zero Traffic Deaths](#). FHWA has done this through participation in groups like Toward Zero Deaths, the Road to Zero Coalition, and its own Safe System work. [FHWA](#) recognizes this change includes the recognition that "Humans Make Mistakes," "Humans Are Vulnerable," and "Safety is Proactive." The draft MUTCD fails to recognize these principles and instead unrealistically defines road users as people who are "alert and attentive," "operating in a lawful manner," and "demonstrating due care." Furthermore, the traffic signal warrants in the draft MUTCD are reactive to pedestrian and bicyclist volumes, crashes, and injuries, rather than embracing a proactive safety approach consistent with a Safe System.

**4. *Remove Barriers to Lowering Speeds***

FHWA has recognized the need to "[Reduce system kinetic energy](#)" as part of its shift to a Safe System approach. Since the last MUTCD update in 2009, a substantial body of research—including evidence-based recommendations from the [National Transportation Safety Board](#) in 2017—have shown the 85<sup>th</sup> percentile approach to establishing speed limits leads to increases in vehicular speed over time. Eliminating all guidance recommending the use of free-flow speed in setting speed limits aligns with FHWA's intent to heed the most updated and relevant safety research and signals to state DOTs that this approach is no longer nationally endorsed. Other language that prioritizes traffic flow should also be reconsidered to align with FHWA's intent to create a Safe System.

**5. *Rewrite the Proposed Autonomous Vehicle Chapter to be Informed by a Diverse and Inclusive Process***

The draft MUTCD proposes a new chapter on Autonomous Vehicles (Part 5) that prioritizes the needs of Autonomous Vehicles as road users over others. In the draft MUTCD, Part 5 suggests “bicycle facilities should be segregated from other vehicle traffic using physical barriers where practicable” not for the safety of people biking but to “better accommodate machine vision.” While there is a substantial body of research regarding the safety of separated facilities for people biking, including a [National Transportation Safety Board](#) report in 2019, there is no research on the necessity or value of separated bicycle facilities for enabling Autonomous Vehicles. [That the MUTCD chooses to embrace separated bicycle facilities for Autonomous Vehicles, but not for bicyclist safety, is reflective of an approach that prioritizes motor vehicles over other road users.](#) FHWA should remove the proposed Part 5 of the MUTCD on AVs and consult with a diverse set of transportation practitioners, including those who build and maintain roadways in cities, on appropriate guidance concerning AVs that might be incorporated into existing sections.

***In adopting a new edition of the MUTCD, the League of American Bicyclists encourages FHWA to be transparent and inclusive in its process.*** The League agrees with NACTO that “[o]nly through frequent, meaningful engagement with all stakeholders, including cities and transit agencies, public health experts, childhood development specialists, experts on aging, disability advocates and transportation safety champions, can FHWA develop an MUTCD that meets the needs of a full spectrum of roadway managers and users.” As a small non-profit, our ability to provide input is not unlimited and we hope our comment process demonstrates how the current and draft MUTCD are failing to provide a Safe System for all users.

***In adopting a new edition of the MUTCD, FHWA should ensure an inclusive process for experimentation and frequent updates to the MUTCD in the future.*** The experimentation process proposed in the draft MUTCD contains significant additional burdens for state and local agencies that want to create safer roadways. Advances in bicycle facilities such as green-colored pavement, bicycle signal faces, bicycle boxes, improved signage for bicycle routes, advisory bike lanes, two-stage turn boxes, and green-backed shared lane markings that have been implemented within the last decade may have never occurred if the proposed experimentation process in the draft MUTCD were in place at the time. We join NACTO in asking FHWA to develop a process for the MUTCD that allows for thoughtful experimentation and ensures new research and life-saving design practices can be quickly incorporated into the document and more expeditiously deployed at scale.

Updating the MUTCD to provide proactive safety guidance so the United States can make progress on equity, sustainability, and traffic safety goals aligns with the Biden Administration’s goals to “Build Back Better.” The recommendations in this letter, and line-by-line comments submitted, should be part of an inclusive process. The resulting 11<sup>th</sup> Edition of the MUTCD should support FHWA’s goals to foster a safe, equitable, and sustainable transportation system. Thank you for your thoughtful consideration of these comments and the work that has and will be put into engaging stakeholders. The League of American Bicyclists looks forward to working with FHWA to make sure the U.S. transportation system is a Safe System and that everyone can safely and comfortably enjoy and access their community by bike.

Sincerely,

Bill Nesper  
Executive Director