

NorthAmerican Transportation Association Inc

**Corporate Headquarters
9120 Double Diamond Parkway, Suite 346
Reno, NV 89521
1-800-805-0040**

April 20, 2021

Stephanie Pollack, Acting Administrator
Federal Highway Administration
US Department of Transportation
1200 New Jersey Ave S.E.
Washington, Dc 20590

Re: Comments for Docket No. FHWA-2020-0001
Notice of Proposed Amendment (NPA) on the Manual on Uniform Traffic Control
Devices (MUTCD)

The NorthAmerican Transportation Association is 32-year-old association that has a mailing list that consists of over 828,000 private and for-hire small to medium transportation-related companies throughout the United States. Our Association strives to bring to the table various safety related services that our members can use on a daily basis to reduce crashes and over-all road safety.

We are petitioning you to not abandon the 85th percentile rule. We are in opposition to the proposed changes to MUTCD guidance for setting speed limits using arbitrary standards rather than the current standard which has been in place since about 1964.

The 85th percentile has the advantage of real data backing which has been gathered over the years from engineering studies for the most efficient and safest way to drive. It has also been shown the most effective standard for setting speed limits as the implementation of arbitrary standards locally has shown either no improvements or even created upward trends in numbers of traffic fatalities.

When a good speed limit is set based on data-driven decision making, drivers adapt, and less enforcement is needed. Sometimes speed limits are reduced in the hope of preventing crashes, but in most cases, lower speed limits aren't the solution. When a speed limit is set too low without supporting data, we see more variability in speeds. This creates conflicts and makes assessing the speed of other drivers difficult to determine.

While speed studies would still be suggested as an option for setting limits in the revised MUTCD, municipalities aren't going to spend the money to conduct a series of traffic surveys unless they have to. The 85th percentile standard will be all but dead, and local governments will be free to post speed limits based on opinion, not fact. We believe that if the proposed MUTCD revisions are adopted, then the administration should get ready for posted speed limits that most responsible and safe drivers will violate unintentionally.

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The requirement to conduct traffic speed distribution studies as the basis for determining speed limit postings must be retained instead of being relegated to optional guidance. Otherwise, roads across the country will become enforcement bonanzas for opportunistic local governments with no discernible safety benefit for the public. Traffic enforcement has a history of being applied inequitably.

We ask you to look at the inconsequential circumstances that will occur. The suggested changes would hit all drivers, but particularly the poor and marginalized communities worst of all. Keeping the 85th percentile would ensure that the racial inequality addressed by President Biden is fully addressed to the better of all.

Thank you for your consideration, should you have any questions or if NorthAmerican Transportation Association may assist in any way, please feel free to reach out to me at wayne@ntassoc.com or 800-805-0040 ext 102.

Sincerely,

Wayne Schooling

Wayne Schooling, CPSA
President and CEO



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