

**Comments on Docket No. FHWA-2020-0001 National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways; Revision**

<b>Proposed Section Number</b>	<b>Agree with concept and text as proposed</b>	<b>Agree with concept; suggested rewording of text in Comment</b>	<b>Disagree with concept</b>	<b>Comments</b>
General				Adding new standards and prohibitions to the MUTCD that are not based upon any published safety research will make it even more difficult than it already is for communities and user agencies to innovate and make changes to local systems based on local knowledge and local needs. In addition, many of these new standards and prohibitions appear to be a continuation of an historic pattern in the development of the MUTCD that stretches back decades and which is based on the unexamined assumption that strict uniformity in the design and application of traffic control devices always results in improved safety. To the extent that uniformity enables higher vehicle speeds on streets that are not limited access, and include pedestrians and cyclists, the safety value of uniformity is not supported by either research or experience. It is vitally important that FHWA be disciplined in following, and amplifying, published research on proven safety treatments but not otherwise clutter up the MUTCD with arbitrary rules that are unsupported by published research, cause confusion and impede progress towards reducing injuries and fatalities.
1A.03 ("Target Road Users")	NO	NO	YES	Everyone makes mistakes. The proposal to add a definition of "Target Road Users" who behave like not like human beings but like fantasy automatons ("reasonable", "prudent", "alert", "attentive", "has demonstrated a basic proficiency", "has demonstrated a basic understanding", "lawful" and "demonstrating due care") is absurd. Just as politicians should not be permitted to choose their voters. transportation system designers cannot be permitted to choose their system users. They must design for the users that exist, not the ones they would like to exist.

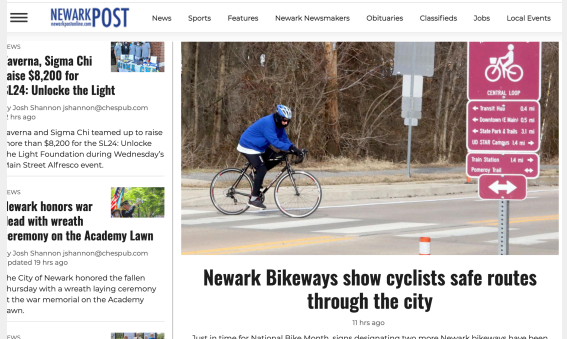
1A.04 "Use of the MUTCD"	NO	YES	NO	<p>Replace: <i>"In making traffic control device decisions, individuals should consider the impacts of the decision on the following: safety and operational efficiency (mobility) of road users at that location; the effective utilization of agency resources; cost-effectiveness; and enforcement and education aspects of traffic control devices")</i></p> <p>With: <i>"In making traffic control device decisions, individuals shall consider the impacts of the decision on the safety of road users at that location. After safety, individuals should consider secondary factors including the impacts of the decision on operational efficiency (mobility), the effective utilization of agency resources, cost-effectiveness, and enforcement and education aspects."</i></p> <p>Safety is not just one of many goals to be optimized in balance with others. This section should be clear that the MUTCD should be used to prioritize safety.</p>
1A.05 "Relation to Other Publications"	NO	NO	YES	<p>As a standard, this statement limits communities and user agencies in their ability to apply new safety research, including from AASHTO, ITE and NACTO manuals, some of which are updated more frequently than the Federal MUTCD. Not all wisdom is contained in the MUTCD and the impulse to believe that it's possible to stuff the entire universe into a single manual lays behind many of the weaknesses and flaws of the MUTCD. If the section is not deleted altogether then, at a minimum, this section should explicitly acknowledge that communities and user agencies must be permitted to use research and resources in order make changes to local systems that are responsive to local needs (even when those changes are not included explicitly in the MUTCD).</p>

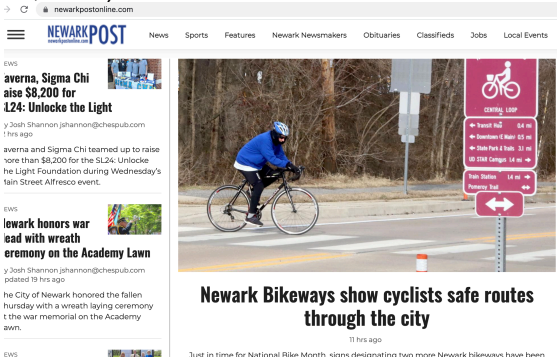
1B.06 “Experimentation”	NO	YES	NO	The requirement to go through an experimentation process already places an unfair burden on small and resource-constrained communities and user agencies. Unless FHWA intends to subsidize the cost of the experimentation it requires, the proposed language will just make a bad situation even worse and will result in fewer experiments. To make the experimentation requirement less onerous, FHWA should not only consider the need for subsidies but should also work to simplify the process: Develop a short, practical guide to experimentation; a simple experimental data collection best practice document; and dedicate staff to working proactively with communities and user agencies that require assistance. In addition, FHWA should formally acknowledge that, when it comes to their lower speed streets, and designing for walking and cycling and improved quality of life, there should be some reasonable scope for communities to innovate without going through an expensive and time-consuming formal experimentation process at all.
1C.02 “Definitions”	NO	YES	NO	Instead of “Counter-Flow Lane”, the more common and accepted term for a dedicated lane for transit or bicycle use in an otherwise one way street for vehicles appears to be “Contraflow Lane”.
1C.02 “Definitions” (Missing)				“Separated Bike Lane” definition is missing.
1C.02 “Definitions”	NO	YES	NO	The definition of “Shoulder” is missing an acknowledgment that pedestrians and cyclists are usually permitted to use these spaces for travel.

1D.03 "Uniformity"	NO	YES	NO	<p>Suggested new language for this section:</p> <p><i>"Uniformity of the meaning of traffic control devices is vital to their effectiveness in the context of high speed roadways. Uniformity of devices simplifies the task of the road user because it aids in recognition and understanding, thereby reducing perception/ reaction time. Uniformity assists police, lawyers and courts by giving everyone the same interpretation and also simplifies the manufacture, installation, maintenance, and administration of devices. Uniformity is not the same as safety, however. To the extent that uniformity enables higher vehicle speeds in contexts where those higher speeds are inappropriate and dangerous (e.g. local streets), complete uniformity in all traffic control devices - similar to a limited access highway - may not always be consistent with safer streets."</i></p> <p>It is extremely important for the MUTCD to clearly explain the difference between the two most important concepts in the manual: "uniformity" and "safety". While these two concepts are <i>related</i>, they are not the same.</p>
1D.04 "Responsibility and Authority for Traffic Control Devices"	NO	YES	NO	<p>Delete: <i>"in compliance with the provisions of this manual"</i></p> <p>This is yet another example (as in 1A.05 and 1B.06) of an overly prescriptive effort to reduce flexibility for communities and user agencies.</p>
1D.06 "Design of Traffic Control Devices"	NO	NO	YES	<p>As with previous comments (1A.05, 1B.06, 1D.03 and 1D.04), in the absence of published safety research to the contrary, communities and user agencies should be permitted flexibility when it comes to the design of lower speed streets That includes the design of "traffic control devices."</p>
2A.04 "Design of Signs"	NO	YES	NO	<p>See comments on section 1D.03. Uniformity is an important value but communities and user agencies should be permitted to innovate if they have a safety argument for doing so.</p>
2A.06 "Colors"	NO	YES	NO	<p>See comments on section 1D.03 and 2A.06. Uniformity is an important value but communities and user agencies should be permitted to innovate if they have a safety argument for doing so.</p>

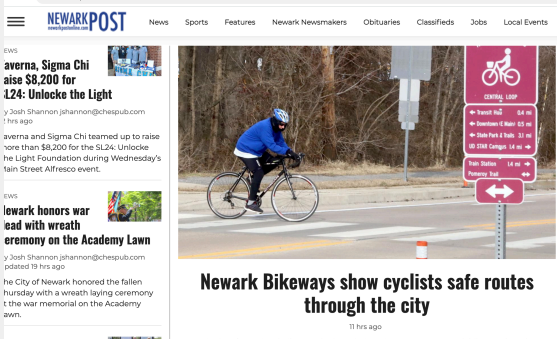
2D.55 “Community Wayfinding Signs”	NO	NO	YES	As in 1A.05, 1B.06, 1D.04, 1D.06, 1D.07, 2A.04 and 2A.06, this is yet another example of an arbitrary effort - unrelated to any published safety research - to make the MUTCD even more “notorious” (in the words of the current USDOT Secretary), more prescriptive and less flexible for communities and user agencies. In 2019, over 42,000 people were killed on America’s roads. The Federal Highway Administration should be focused - like a laser - on reducing that annual epidemic of death and carnage not on nonsensical rules unrelated to safety.
3H.03 “Aesthetic Treatments in Crosswalks”	NO	YES	NO	<p>Delete: <i>“Patterns that constitute a purely aesthetic treatment for the interior portion of a crosswalk shall not be designed to encourage other road users such as pedestrians to loiter in the crosswalk, engage in the pattern, or otherwise not encourage those users to vacate the street in an expedient manner.”</i></p> <p>This is a policy matter that belongs to a community or user agency to decide, not the Federal government. It should be deleted altogether but, as a compromise, it could be changed from a standard to guidance.</p>
3H.06 “Green-Colored Pavement for Bicycle Facilities”	NO	YES		<p>Delete: <i>“Green-colored pavement shall not be incorporated into shared-use paths, shared-lane markings, crosswalks, separated bicycle lanes on an independent alignment, or electric-vehicle parking stations or parking stalls.”</i></p> <p>As in 1A.05, 1B.06, 1D.04, 1D.06, 1D.07, 2A.04, 2D.55 and 3H.03, there is simply no compelling Federal interest in being so prescriptive in this section. Why prohibit the use of colored pavement for shared-use paths, shared-lane markings, crosswalks or separated bicycle lanes on an independent alignment if a community or user agency wants to do so for some reason? Again, we have no objection to strict provisions in the MUTCD that research has shown to be important for reducing crashes but, like so many of these proposed changes, this has nothing to do with safety. Also, why isn’t this in Chapter 9 instead of Chapter 3?</p>
4H “Bicycle Signals”				Bike Delaware supports the inclusion of bicycle signal guidance in the MUTCD.

Part 5 “Automated Vehicles”	NO	NO	YES	<p>Delete the entirety of Part 5.</p> <p>It is premature for the FHWA to act in advance of any action, or legislated policy framework, from Congress on automated vehicles in a way that is coercive to communities and user agencies (i.e. through the MUTCD).</p>
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<p>9A.02 “Standardization of Application for Signing”</p>	<p>NO</p>	<p>NO</p>	<p>YES</p>	<p>Delete: <i>“The installation of nonstandard signing on bikeways or modifying standard signing in a manner inconsistent with Chapter 2A to draw special attention, educate users or the community, or brand a bicycle facility can contribute to public acceptance and enforcement problems.”</i></p> <p>This proposed new language is without merit and is also particularly ironic given the front page of today’s (May 14, 2021) <i>Newark Post</i> (covering Newark, Delaware’s 3rd largest city and the home of the University of Delaware’s main campus):</p>  <p>To address a sky-high bicycle fatality rate (#1 in the U.S. in 2018 and 2019 according to StreetLight Data), Delaware is spending more (per capita) on bicycle infrastructure than any other state in the country. But all that spending will have almost zero value unless the infrastructure being created is both <i>visible</i> and <i>intelligible</i> to potential users. Delaware has found that existing green signage - used for vehicle wayfinding - is almost completely invisible to people using bicycles and a state-municipal partnership to create color-unique bicycle wayfinding signage has been absolutely essential to solving this critical problem. This proposed change - if implemented and then interpreted strictly by FHWA - would result in a demand that DelDOT and municipalities trash all of the state’s installed bicycle wayfinding signage (making the front pages of our newspapers). In addition to all the wasted expense this would cause with respect to the installed signs, the more serious long-term effect would be to cripple the safety value of Delaware’s \$100 million+ in recent bicycle infrastructure investments, our state’s primary strategy to reduce injuries and fatalities among people using bicycles.</p>
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9B.02 "Except Bicycles Plaque"	YES	NO	NO	An "Except Bicycles" sign is a good tool for communities and user agencies to have in their toolbox. The sign, however, should have a bicycle symbol.
9C.05 "Except Bicycles Plaque"	YES	NO	NO	An "Except Bicycles" sign is a good tool for communities and user agencies to have in their toolbox. The sign, however, should have a bicycle symbol.
9D.01 "Bicycle Destination Signs"	NO	NO	YES	<p>This section starkly underlines the difficulty of using the same green backed signage to give directions to both drivers and cyclists. Delaware has solved this problem by using different colors for driver and cyclist wayfinding. That has simultaneously avoided driver confusion AND made the bicycle network far more visible and intelligible to cyclists. Here is the front page of <i>today's</i> (May 14, 2021) Newark Post:</p> 
9D.01 "Bicycle Destination Signs"		YES		Rather than refer to a " <i>lower class of roadway</i> ", Delaware instead refers to "low traffic stress streets". Every road and street in Delaware has been carefully (and officially) characterized by DelDOT by its level of "traffic stress" specifically for cycling.
9D.06 "Non-Numbered Bicycle Route Sign"	NO	YES	NO	<p>Delete: "<i>Standard: Non-Numbered Bicycle Route (M1-8b, M1-8c) signs shall have a green background</i>"</p> <p>As in 1A.05, 1B.06, 1D.04, 1D.06, 1D.07, 2A.04, 2D.55, 3H.03 and 3H.06, communities and user agencies need the latitude to innovate in order to improve the safety of bicycle users.</p>



<p>9D.12 “Destination Guide Signs for Shared-Use Paths”</p>	<p>NO</p>	<p>YES</p>	<p>NO</p>	<p>Delete: “<i>Standard: Except as provided in Paragraph 27, Destination Guide signs for shared-use paths shall have a white legend and border on a green or brown background</i>”</p> <p>Not only is it overly prescriptive to mandate cycling wayfinding signs match the design of driver highway signs, but it also is profoundly confusing to both drivers and cyclists. The contortions of Section 9D.01 illustrates the potential for confusion to drivers (who mistakenly interpret wayfinding information intended for cyclists as being for them). And those signs don’t work for cyclists either, who often assume that information on green backed signs are for drivers, not for them. FHWA should revise the entire bicyclists wayfinding guidance to clarify that bicycle wayfinding signs may follow community wayfinding principles with the goal of establishing a uniform design for the community system.</p> <p>Delaware already has such a system in place on the ground. Indeed, this is the front page of today’s <i>Newark Post</i>:</p> 
<p>9E.05 “Bicycle Lanes at Circular Intersections”</p>	<p>NO</p>	<p>NO</p>	<p>NO</p>	<p>There are a lot of issues with both the existing MUTCD and with the amendments proposed in December of 2020, almost all of which involve the manual being far too prescriptive. But this proposed new section is a significant opportunity for the manual to actually offer some really badly needed guidance for communities and user agencies about bicycle infrastructure for roundabouts. When designed correctly, roundabouts are potentially enormously important for improving both driver AND cyclist safety. The section, as is, however, does not provide the needed guidance.</p>

9E.08 “Counter-Flow Bicycle Lanes”	NO	YES	NO	<p>Delete: “<i>Counter-flow bicycle lanes shall not be used between a general purpose lane and an on-street parallel parking lane for motor vehicles</i>”</p> <p>This is backwards. Contraflow lanes are the <i>only</i> type of lane configuration that is safe (on low speed streets) in the location between a vehicle travel lane and parking.</p>
9E.08 “Counter-Flow Bicycle Lanes”	NO	YES	NO	<p>Instead of “Counter-Flow Lane”, the more common and accepted term for a dedicated lane for transit or bicycle use in an otherwise one way street for vehicles appears to be “Contraflow Lane”.</p>
9E.14 “Bicycle Route Pavement Markings”			NO	<p>Bicycle route pavement markings can be incredibly important to creating a useful bicycle network where bicycle routes take indirect routes. This is a positive addition to the MUTCD although - like so many other sections - it’s included in a far too prescriptive manner.</p>