



May 14, 2021

Stephanie Pollack  
Acting Administrator  
Federal Highway Administration  
U.S. Department of Transportation  
Washington, DC 20590

RE: National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD); Revision (Docket No. FHWA-2020-0001)

Dear Administrator Pollack:

Our trade associations represent America's retail fuel industry.<sup>1</sup> More than 90 percent of retail sales of motor fuel in the United States occur at our members' outlets. On behalf of this diverse and forward-thinking industry, we appreciate the opportunity to share our perspective on the above-referenced docket proposing changes to the Manual on Uniform Traffic Control Devices for Streets and Highways ("MUTCD").

Although today our members primarily sell gasoline and diesel, many of them have invested in a variety of different alternative fuels. This includes electric vehicle ("EV") charging stations, hydrogen, and natural gas, as well as biofuels such as ethanol and biodiesel. Through these investments, the industry has demonstrated that they are prepared to sell any transportation energy technology that their customers desire. These comments are intended to ensure that the MUTCD adequately informs our customers of the availability of alternative fuels at the types of facilities that they expect when refueling. This will allow consumers to confidently gravitate toward vehicles that run on alternative fuels. The industry, in turn, will confidently invest in selling alternative fuels.

The proposed MUTCD would clarify that supplemental messages identifying an alternative fuel that is available may be added only to the business identification sign panels on the GAS Specific Services sign for a gas facility that provides an alternative fuel in addition to, rather than in lieu of, gasoline.

Supplemental information for essential motorist information such as refueling must be aligned with driver expectancy of the nature of the services requested. Our associations request, however, that rather than using gasoline as a "catch-all" label indicating the availability of other services and amenities at a particular facility (e.g., convenience stores, restaurants, security, and the like), the final text should be more specific as to how it delineates those expectations. While it is accurate that most

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<sup>1</sup> The National Association of Convenience Stores (NACS) is an international trade association representing the convenience store industry with more than 2,200 retail and 1,600 supplier companies as members, the majority of whom are based in the United States. The National Association of Truckstop Operators (NATSO) currently represents approximately more than 4,000 travel plazas and truck stops nationwide, comprised of both national chains and small, independent locations.

stores that sell gas also have the types of amenities that customers expect when refueling, the MUTCD should account for the fact that such amenities may also be present at sites that sell alternative fuels but do not sell gas.

As EVs grow as a percentage of the overall vehicle fleet, it is necessary to provide drivers of those vehicles with information regarding the availability of refueling facilities that are aligned with their expectations of a refueling facility's attributes. This generally includes fast, efficient refueling options, foodservice, convenience stores, restrooms, and security (including employees that work on-site who are able to contact law enforcement should the need arise).

Accordingly, the final rule should not use the availability of gasoline as the sole indicator that other attributes are present. While this may be a fair assumption to make today, looking forward there may be scenarios where alternative fuels are available at facilities that do not sell gasoline. The final rule should accommodate this by allowing alternative fuel logos to be present if, in addition to the alternative fuel, the facility also provides foodservice and/or convenience stores, restrooms, and on-site employees who are able to contact law enforcement.

Additionally, to align with drivers' expectations, the final rule should clarify that with respect to EVs, only direct current ("DC") fast chargers are eligible to be identified on highway signs. There will be many slower, "Level 2" chargers available in retail, restaurant and hotel parking lots, for example, which are not designed for fast "on-the-go" refueling for highway travelers. EV drivers will be looking for DC fast chargers so that they can refuel quickly and get back on the road.

Chapters in Part 2 of the proposed revised MUTCD should be revised to reflect these recommendations as mandatory requirements, not guidance as to a consideration. As to gas, in section 2j.01A, the criteria to be required by a state or local agency for signing should reflect minimum criteria (not only consideration), and should be expressed as a standard (as to A.) rather than guidance. Similarly, regarding information on refueling alternative-fuel vehicles described in section 2I.03, the guidance in that section as to "A. Gas, Diesel, and/or alternative fuels" should be a standard (as to A.) and the factors established as minimum requirements.

As to those minimum requirements, those two sections should mandate availability of foodservice and/or convenience stores or on-site employees who are able to contact law enforcement as a prerequisite for a facility to appear on a sign. Also, as noted above, as to EVs, the required minimum criteria should include DC fast charging.

These recommendations are essential to ensure that highway signage does not mislead consumers. The criteria noted above should be added to criteria listed in those provisions and established as requirements.

Sincerely,

National Association of Convenience Stores  
National Association of Truckstop Operators