

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

RE: Request for an expedited reframing of the MUTCD as a proactive safety regulation

Dear Acting Administrator Pollack:

As a transportation practitioner, I respectfully request that FHWA reframe and rewrite the MUTCD, creating a path for the creation of comprehensive safety-based guidance. Doing so will allow FHWA and the Biden Administration to make strides toward equity, sustainability, while reducing traffic deaths and serious injuries.

Even though I work in the transportation sector, as a person that lives and travels through the United States, this document impacts me, my family, and my friends – it impacts everyone. Everyday. It impacts everyone who walks, bikes, drives or is driven, and/or takes transit. It impacts the unhoused community and it impacts how people move through and around their communities and also how they may feel - do they feel safe or feel like they have safe access to transportation options. The document also impacts everyone because engineers in our cities, counties, and states point to this document as their “bible” and point to this document as a reason to not create people-friendly streets. They use this document as the reason to put people driving automobiles at the top of the roadway hierarchy and to continue to not address the needs of other roadway users beyond drivers of automobiles. This is very concerning, particularly when 40,000 people die in traffic deaths each year – and this is only in the United States, and this number increases each year.

The MUTCD has done little to address this public health crisis occurring on our streets. It is also important to note that people dying or being seriously injured on our streets are disproportionately marginalized and/or people of color, which further adds to the inequity. Additionally, these are also the same folks that are being targeted by police for “jaywalking” when the street has not been designed to allow them to cross the street conveniently, safely, or easily. This is wrong and this document further contributes to this inequity through the design of streets.

Not to mention the fact that our country has other serious public health crises – heart disease, obesity, or diabetes, and transportation is one of the top contributing industries to greenhouse gas emissions. No wonder we face these major issues – because if it is not safe to walk, bike, or take transit to get to work, school, or the store, people are forced to drive everywhere and miss out on the health benefits of active transportation. And those short automobile trips add up. According to the 2017 National Household Travel Survey, 21.4% of vehicle trips are one mile or less, which could be an easy walk. 45.6% of vehicle trips are three miles or less, which could be a good bike ride.

Clearly, our communities and our country face major challenges and one thing is certain – transportation is interconnected to everything as explained above. The MUTCD plays such a critical role to address transportation and currently, this document over-emphasizes motor vehicle operations and efficiency and neglects other modes and contexts. We will never make a dent in addressing traffic deaths, public health, inequity, or climate change unless we address transportation and address it through the MUTCD.

This is an opportunity to guide the development of an improved, safety-oriented document that supports the equity, safety, and sustainability vision of the Biden Administration. I would like to call attention to the following fundamental problems that must be addressed in an updated MUTCD:

- The draft 11th Edition of the MUTCD, released in December 2020, introduces new barriers to implementing environmentally responsible bicycle and transit infrastructure and does little to address existing ones.
- Traffic control devices appropriate for urban contexts, such as red transit lanes and pedestrian safety measures, are subject to high standards of testing.
- Elements of the new draft, particularly a new section aimed at accommodating automated vehicles, exacerbate already prohibitive cost burdens for cities.

As a transportation practitioner, I would also like to call out the following specific items:

- There is still no chapter for pedestrians – why?
- The warrants of a stop sign or a crosswalk are like building a bridge only where you find enough people swimming in the river. There is no accounting for where a network must carry people and how the routes of car and bike traffic overlap –it creates extra risk at intersections.
- Automated Vehicles pg. 510
 - There is still so much more work that needs to be done with AVs. I would like to point out that it is ironic that this new proposed version of the MUTCD has a chapter on AVs making sweeping and concerning changes to streets – yet AVs have not passed required safety studies or had all the required safety studies. Also, throughout the document, there are constant requirements for additional studies for communities to be able to implement proven safety countermeasures and infrastructure. There is no logic in this, and it is also cumbersome. It creates an excuse to not do anything because the barrier to implementing some of these items is too high.
 - Why are AVs at the top of the transportation hierarchy? Pedestrians are our most vulnerable roadway users, and they should be at the top.
 - There is no mention of pedestrians in the AV Chapter. Also, currently, machine vision is not routinely detecting bicyclists, which is very concerning. As the current version is written, it can be interpreted that a buffered bike lane should not be built when there is an AV present.

- Speed Limits pg. 76-2b.21
 - Drivers should not be allowed to determine speed limits – the document has a continued reliance on the 85th percentile approach to setting speed limits over a safe systems approach.
 - Remove speed setting guidance from the MUTCD. Remove references to the 85th percentile speed or remove the 85th percentile speed and provide a new speed setting framework to achieve Target Speed. (See Washington DOT as an example).
 - Where speeds are greater, target by 5 mph implement speed management to achieve target speed.
 - There is plenty of data and supportive research that speed kills. Imagine how many lives could be saved by setting appropriate speed limits.

- Signing pg. 108 – 2B.60, pg. 746 – 9B.21, & pg. 750 – 9B.21
 - Please adopt the NCUTCD recommended R10-12b sign. MUTCD's current proposal limits use of only one or the other for bikes/peds. Having both signs could create confusion and sign clutter.
 - Allow both R10-12b & 15 signs, if necessary
 - Remove "Limited Applications" of use for R10-12b
 - Provide guidance that bike/ped symbols may be replaced or supplemented on signs where appropriate (or to align with state or municipal laws)

- Counter-Flow Bicycle Lanes Pg. 774 – 9E.08
 - Remove guidance related to on-street parking and allow for more flexibility
 - Remove as a Standard in favor of Guidance or Support
 - Provide guidance on applicable traffic control (e.g. a dash vs. a solid yellow line)

- Aesthetic Treatments in Crosswalks Pg. 390 – 3H.03
 - Provide human factors/studies that show the use of artistic elements within a crosswalk is safe and effective
 - Remove references to the right-of-way being for Highway-related functions
 - Remove references to example interior colors for crosswalks
 - Move all Standards (except vision-impaired pedestrian info) to Guidance
 - Remove references to pedestrians loitering in the crosswalk
 - Revise Vision impaired Ped Standard to not "symbols & multiples color arrangements that could confuse"
 - Remove current "Option"

- Colored Pavement for Aesthetic Purposes Pg. 389 – 3H.01
 - Guidance is unclear related to decorative/painted intersections. The guidance should be made clearer that this type of treatment for aesthetic crosswalks is allowed.

- Curb extensions designed by pavement markings Pg. 399 – 3J.07

- Requires a solid double line and defines the area between the double line and the curb as being “outside the street”
- Recommend removing this definition being outside of the street.
- Provide an option “C” with detectable warning surfaces at the safety edge of the travel lane, tubular markers required, and removal of the detectable warning at the curb.
- Ped Signals pg. 423-4D.02
 - Guidance that pedestrian signals should be installed at marked crosswalks at signalized intersections. This needs to be changed to shall.
 - Section 3C.02 regarding marked crosswalks notes that “crosswalk markings should not be indiscriminate.” Revise that crosswalks shall be installed at signalized intersections. Should implies that they may not be necessary. If not necessary, provide examples.
- Bike Signal Faces pg. 464-4H
 - Remove guidance that bike signals be used consistently throughout a jurisdiction. Let jurisdictions decide.
 - Revise “shall” to “should for controlling current bike/motorist movements
 - Add a threshold of conflicting motorists where use may be considered
 - Remove prohibition for use at hybrid beacons
 - Outdated signal warrant requirements that ignore known conflicts and land use.
- Bike lanes at intersections Pg. 768 – 9E.02
 - Bike lane should not be shifted away from an intersection unless
 - Remove Guidance Section entirely – full car length ridiculous requirement
 - Remove Support that the bicyclist’s visibility is improved in the bend-in design.

The issues described above are endemic to the document’s underlying approach and undercut efforts to provide safe, multimodal accessibility in urban settings. The MUTCD needs holistic reframing to support cost-effective, sustainable, and equitable city street design and improve safety and accessibility for the most vulnerable users.

I respectfully request that FHWA reframe and rewrite the MUTCD, creating a path for guidance that more closely aligns with the equity, safety, and sustainability goals of American cities, as well as those of the Biden Administration.

I truly appreciate your time and consideration, and the opportunity to provide comments.

Thank you!

