



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

May 13, 2021

Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, DC 25090

Reference: North Carolina Department of Transportation comments on number FHWA-2020-0001, National Standards for Traffic Control Devices: Manual on Uniform Traffic Control Devices for Streets and Highways; Revision

The North Carolina Department of Transportation thanks the Federal Highway Administration for the opportunity to provide comments on the proposed rulemaking for the Manual on Uniform Traffic Control Devices (MUTCD).

While we support many of the proposed changes and provide some comments on clarification of these changes in the attached document, we do have some major concerns with a few items that we felt should be pulled out from the larger attachment.

The primary purpose of the manual is the uniform appearance and meaning of traffic control devices. The MUTCD has too frequently expanded into other areas with many variations and options that subvert its primary purpose. The rule making portion that carries the weight of a federal regulation should simply cover technical aspects of the traffic control devices, such as their color, shape, symbols, and most of all meaning.

The attempt to achieve uniformity in application has expanded the manual to an unmanageable document. There were over 700 revisions suggested to the manual many were application items. Chapters 6, 7, 8 and 9 are essentially application guides of how to use the traffic control devices that are/or should be defined in Chapters 2, 3 and 4. Removing the application portions to a separate publication will allow a more manageable national standard.

In general, we believe the manual is too prescriptive and it is impossible to have a national prescriptive manual that fits every condition on the roadway. There are just too many one-out situations across the country, and it is cost prohibitive, or too disruptive for the local community to force conformance with the manual.

The figures, diagrams, and drawings for the application of traffic control devices are for clarification purposes; however, they frequently show up in tort cases because they are

represented as “THE” standard. And as most in FHWA know, these items are simplistic and rarely match the real-world application.

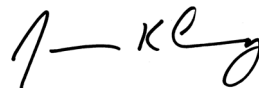
Revision 10 that indicates that FHWA will consider policies, standard drawings, and other documents that a state may issue involving a traffic control device as a supplement to the manual is an overreach that is unnecessary and overly burdensome. Strict application would require FHWA approval of all items that contain a traffic control device. It is unnecessary because these documents should be developed with the consideration of the MUTCD and any state supplement and there should be very little deviation from them. Any deviations are likely to include a higher level of requirement versus a lower level.

We agree with the expectation established in modification number 22 that a qualified person with the applicable engineering experience and education apply the manual. We believe that this manual should be written for those individuals; therefore, reducing the redundancy, application examples, and other items placed for the novice that may find themselves responsible for applying the MUTCD. Items such as text, figures, and examples, can be placed in a much broader and easy to modify application guide that is not adopted as a federal regulation.

Thank you for your time in reviewing and considering our comments above and those attached. We continue to value our strong working relationship with FHWA and its North Carolina Division. We appreciate the partnership in working to make our State’s and Country’s transportation system safe and efficient.

If you need any additional information concerning our comments, please contact me at (919) 814-5000.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Kevin Lacy". The signature is fluid and cursive, with the first name "J." and last name "Lacy" clearly distinguishable.

J. Kevin Lacy, P.E.
Director of Transportation Mobility and
Safety Division/State Traffic Engineer

Attachment

cc: J. Eric Boyette, NCDOT Secretary
Ronnie Keeter, PE, NCDOT Chief Engineer
John Sullivan, PE, FHWA NC Administrator