City of Austin

City Manager's Office
Gina Fiandaca, Assistant City Manager
P.O. Box 1088, Austin, TX 78767
(512) 974-2200, Fax (512) 974-2833

Comments from the City of Austin, Texas
Regulatory Identification Number (RIN): 2125-AF85

May 14, 2021

Ms. Stephanie Pollack, Acting Administrator
Federal Highway Administration
U.S. 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:

The City of Austin respectfully **requests 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 towards equity and sustainability, while reducing traffic deaths and serious injuries. We join with the National Association of City Transportation Officials (NACTO) in asking FHWA to commit to working with municipalities directly to re-format the MUTCD with a focus on the multi-modal urban environment.

The City of Austin is committed to providing the safest, most efficient, cost-effective, and sustainable roadway, bikeway, walkway, and transit systems possible for our City. As a rapidly growing city with limited right-of-way to increase vehicular capacity, the City prioritizes the expansion of transit and non-motorized modes that promote the safe and efficient movement of people, goods, and services within our mobility networks.

It is important to the Austin community that the MUTCD promote multi-modal facilities that consider the comfort of all users and for public health, access to opportunity, and social equity. Our city's Austin Strategic Mobility Plan (ASMP) is a comprehensive, city-wide mobility plan that sets Austin on a path to reach a 50/50 mode split by 2039, strongly predicated on prioritizing multi-modal alternative transportation options to the single occupancy vehicle.

Austin adopted a Vision Zero policy in October 2015 to end traffic related deaths and serious injuries. Austin's Vision Zero program embraces a ***Safe Systems*** approach to traffic safety. Many of the FHWA proposed revisions to the MUTCD reinforce a car-centric framework for

road design that prioritizes motor vehicle speed and throughput, conflicting with adopted City mobility policies and best practices identified by NACTO[1].

The MUTCD update is a strategic opportunity to help stem the approximately 40,000 traffic deaths the U.S. sees each year by shifting the Manual's over-emphasis on motor vehicle operations and efficiency, born from a traditional focus on rural highways, to include a more balanced multimodal urban context. To guide the development of an improved, safety-oriented document that supports the equity, safety, and sustainability vision of the Biden Administration, **the City of Austin would like to call attention to the following fundamental challenges that must be addressed in an updated MUTCD** as well as recommendations about how these concerns can be addressed.

Speed Limits [2B.21]

While the proposed MUTCD revisions are an improvement over existing guidance on speed limit setting, they do not go far enough in supporting recommendations made by NACTO, NTSB, and other organizations that have proposed new practices that align more closely with a *Safe Systems* approach. Of particular concern is the continued inclusion of the 85th percentile speed as a factor that should be considered in setting speed limits. While the revisions do clarify that other factors should be considered, the inclusion of the 85th percentile measure will continue to perpetuate a feedback loop that leads to increasing speeds over time. We recommend that reference to an 85th percentile criteria be removed and that it have no bearing on speed limit setting policy in urban environments, allowing agencies to use a *Safe Systems* approach to setting speed limits as the preferred approach, in accordance with documents such as NACTO's City Limits guide.

Traffic Signal Justification [Chapter 4C]

The City of Austin requests that the updated MUTCD provide qualified registered engineers greater flexibility to justify signals based on engineering judgement and system-based criteria. The existing warrant approach, while founded in proven engineering principles, is too often used as the only allowed criteria, creating fears of liability for the implementing agency when considering intersection signalization for system-based needs. This limits the engineer's ability to address know pedestrian or other non-vehicle throughput related needs, restricting the ability of the urban traffic engineer to fully address observed safety threats.

Pedestrian-Hybrid Beacons (PHBs) [Section 4J.01]

The City of Austin has adopted and funded corridor plans to install PHBs in locations where the community and observed crashes have indicated a need. These are usually on higher speed roadways in urban areas, often with upwards of a half mile or more between safe signalized pedestrian crossings. The current language of section 4J.01 would further make it challenging to install PHBs at these and similar locations, particularly when we are required to seek approval from the state DOT due to state ownership of the roadway. We recommend adding language that would make installation of PHBs more amenable to local policies and

[1] NACTO. "All Guides." *National Association of City Transportation Officials*, 2021, https://nacto.org/publications/design-guides/.

engineering judgment following a *Safe Systems* approach to provide more safety for pedestrians and cyclists. Including a Warrant similar to Warrant 8 for a vehicular signal but for PHBs with the justification of pedestrian and bikeway routes as part of adopted plans puts vehicle connectivity and safety on par for pedestrians and cyclists.

Bicycle Signals [Section 4H.01]

The City of Austin has concerns about the following language: "If used, a bicycle signal face shall only be used to control bicycle movements from a designated bicycle lane or from a separate facility, such as a shared use path." "Bicycle signal faces shall not be used for controlling any bicycle movement that is sharing a lane with motor vehicle traffic." The proposed language in this section could be problematic in cases where the City uses combined bus-bike lanes. We recommend a revision of the language to state that it is only referring to general vehicular traffic, not a transit lane.

Similar concerns exist about this language: "A bicycle signal face may be used to control bicycle movements where bicycles moving on a GREEN BICYCLE or YELLOW BICYCLE signal indication are in conflict with a simultaneous permissive turning movement only if the bicycle movement is from a one-way bicycle lane in the same direction as the adjacent general purpose lane, a flashing yellow arrow indication is shown to vehicles turning across the bicycle movement, and lane extension markings are provided for the bicycle lane across the intersection."

The City of Austin believes that this option to allow a conflicting permissive movement has been needed. This observation aligns with the experimentation that has been ongoing for this use. We recommend eliminating language limiting the direction to one-way bicycle lanes. For the case of a two-way bicycle lane where the signal controls the direction of bicyclist travel that is the same as the adjacent permissive vehicular movement, the presence of the contraflow direction would not conflict with adjacent traffic or operations and could in fact provide greater separation for the conflicting vehicle turn movement to react.

Bike Signals and PHBs [Section 4H.01]

"Bicycle signal faces shall not be used in any manner with respect to the design and operation of a hybrid beacon." Per the City of Austin's local engineering judgement and national best practice included in FHWA's STEP Guide for Improving Pedestrian Safety at Unsignalized Locations, PHBs are often the only tool available to create a safe pedestrian or bicycle crossing on high speed, high volume roadways. By disallowing bicycle signal faces at PHBs, there is no clear option for cyclists to cross these unsafe roadways. We recommend replacing this language with language and figures for allowance and phasing of bicycle signals at PHBs.

Bicycle Lanes at Intersection Approaches [Section 9E.02 -.04]

The City of Austin has concerns about the language: "A through bicycle lane shall not be positioned to the right of a right turn only lane or to the left of a left turn only lane." The City believes that there should be additional allowances for placing through bicycle lanes to the right of right turn only lanes. Our local engineering experience, as well as national best practice on protected and dedicated intersection design from NACTO as well as American Association of State Highway and Transportation Official's (AASHTO) draft update, indicate that there are factors that would make bicycle through movements to the right of right turn only lanes the safest design, even in the absence of bicycle signal faces or at unsignalized intersections. Some of these factors include: the level of protection of the bikeway, the elevation of the bikeway, the visual perspicuity of the bikeway, the placement of the advanced stop position of the bikeway, the setback of the bikeway, and the speed and volume of vehicular turns. The restrictive language should be changed to allow much more flexibility for engineering judgment.

In addition, the City is concerned about the following language: "Bicycle lanes shall not be marked within a general-purpose lane, either with dotted or any other line markings." We recommend removing this language. This added language would disallow commonly used "advisory bike lanes" that we have used with engineering judgement in cases where this option is deemed safer than a shared lane marking. It is unclear what problem this Standard is trying to solve.

Bicycle Lane Markings on an Approach to Intersection [Section 9E.02]

The City is concerned about the following language: "The longitudinal line defining a bicycle lane should be dotted on approaches to intersections where turning vehicles may cross the path of through-moving bicycles. "… "A buffer-separated or separated bicycle lane should not be shifted away from the adjacent general purpose lane at an intersection unless there is sufficient space for a vehicle to queue to between the general purpose lane and the extension of the bicycle lane." The City recommends removing this language to allow cities to continue using appropriate engineering judgement in the design of their bikeways. The above added language does not match Austin's local experience or national best practice on bikeway design from NACTO or the upcoming AASHTO revision of the bicycle guidance. The support statement does not match our experience with the purpose of bending a bikeway from the adjacent travel lane and the safety improvements achieved by doing so.

Extensions of Bicycle Lanes through Intersection [Section 9E.03]

The City of Austin is concerned with the language: "Shared-lane markings or chevron markings shall not be used in bicycle lanes or bicycle lane extensions." Chevron markings through intersections are frequently used by the City of Austin for marking areas of conflict in bike lanes and bicycle lane extensions through intersections. Our experience and engineering judgement is that these treatments have been effective in providing conspicuity and that changing this usage would create issues of user expectancy. The City recommends continuing to allow engineering judgement or to change from Standard to Guidance language.

Separated Bicycle Lanes [Section 9E.07]

The City of Austin believes that the placement of separated bicycle lane, while generally following the guidance of the MUTCD, should be determined by engineering judgement based on the specific application in context of a *Safe Systems* approach.

The issues described above are endemic to the document's underlying need to amplify 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. **We 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.** The City of Austin stands ready to work with you and looks forward hopefully to a more direct opportunity to interact between municipal governments and our FHWA/USDOT partners.

Thank you,

Sincerely,

Gina Fiandaca
Assistant City Manager, Mobility
City of Austin

Robert Spillar, P.E.,
Director, Austin Transportation Department
City of Austin

CC: Corinne Kisner – Executive Director, National Association of City Transportation Officials