

Federal Highway Administration

U.S. Department of Transportation  
1200 New Jersey Ave S.E.  
Washington, DC 20590



April 20th, 2021

RE: Serious concerns about the MUTCD in its current form

Dear Acting Administrator Pollack and Secretary Buttigieg:

I write, as a woman who has dedicated almost two decades to re-designing my community in a way that prioritizes people, happiness, and health over cars. We have degraded our cities and towns for the sole convenience of parking cars and deadly speeds. I am writing to raise concerns about the current draft MUTCD under revision by the agency. The MUTCD is a major obstacle to the kind of humane, activity-supporting street level changes that are needed in my community and others across the United States. Communities across the country are spending tens of thousands of dollars on community comprehensive plans, community master plans, and other community visioning plans, but those plans can only go so far when it comes to safer, people-oriented street design because traffic engineers' "holy grail" is the MUTCD. The outdated document limits flexibility, experimentation, and sadly, it has demanded an inhuman level of attention in order to stay alive. The current draft continues to reflect much of the same.

Many streets have designed optimizing speed over comfort- leaving people with few reasons to interact. One way in which cities and towns have been trying to change this is through the small but mighty experimentation of "creative crosswalks." Creative crosswalks are designed and executed by the community in an effort to foster community connection as well as bring more people into the process of improving their neighborhood streets. Creative crosswalks have been one of the most controversial topics between cities and their desperate need to try new methods to reduce pedestrian deaths, and the Federal Highway Administration's ruling against using color and aesthetics in crosswalks – currently reinforced in the MUTCD. In 2011, the FHWA ruled against using color and aesthetics within crosswalks. Without any data, the FHWA felt that those treatments *could* distract or confuse drivers and said the colors would degrade the contrast of the white transverse lines. Since 2011, there has been no evidence suggesting this. Despite the ruling, and because of the continued increase in pedestrian death on our streets, many cities have ignored this ruling and have taken safety into their own hands by experimenting with color and aesthetics within their crosswalks and have had positive resounding results. On the other hand, many cities have not experimented with this intervention because of the fear of going outside of the manual and loss of federal-aid funds.

The MUTCD recommends a set of crosswalk design standards. While some design standards enhance visibility of people crossing the street, people are still dying in these crosswalks. And while I understand that crosswalk design is not the sole reason why people are dying in crosswalks, what I do know is that people are dying in those approved designs. Cities and towns need flexibility to try something new. When we get behind the wheel and drive our normal route on a daily basis, we do so on automatic pilot. We zone out and because of that, people have become desensitized to certain pavement markings. And when you add decades of design that places speed at the top of the urban hierarchy and human beings as an after-thought, you get streets that kill.

Secretary Buttigieg recently tweeted out how appalled he was at how many pedestrians are dying on streets that have been poorly designed. Rather than designing streets based on context, under the MUTCD, streets in neighborhoods are designed in the same manner as highways. I understand the need for uniformity when it comes to highways, but cities are living, breathing organisms that iterate and transform, and our streets should reflect this. The price of decades of poor street designed is high, leaving people in the street stressed and afraid – rightfully so.

The use of color and public art have brought a new sense of community engagement with our streets. Public art in high pedestrian/auto conflict zones such as crosswalks and intersections address the lack of comfort and safety many pedestrians experience on a daily basis. It is incredible that something as small as a creative crosswalk has created such a reverberating effect across the country. Local Public Service Departments have created programs specifically dedicated to creating creative crosswalks. Yet, the FHWA still cannot concretely prove that this intervention degrades any currently approved crosswalk design.

Streets *are* public spaces, but we all know they are not treated as such. We have designed them to be eminent domain for cars and speed, and pedestrians are collateral damage. The fixed mindset of the MUTCD being the “holy grail” for street design is killing people! It has limited progress and continues to restrict the elements that citizens want on their streets –in their communities.

This past year during COVID, we saw cities and local governments stepping outside of their confined ‘guidebook’ boxes allowing businesses to use parking lots for café seating, transforming on-street parking spaces into dining areas, reclaiming street space using public art, and closing streets to provide more people with access to safe public spaces. Why does it take a pandemic to ease restrictions on common sense changes that benefit communities in a way we all desire? What happens post-pandemic? Do we go back to the same old, same old- status-quo thinking and remove these interventions that energize our communities and brings social interactions into our streets? Our streets need to be balanced with places for cars *and* places for people every day, not just when we are going through a pandemic. The current revision prohibits public art in the right-of-way and the new language stipulates that “the right-of-way is dedicated exclusively to “highway related” functions and that people should not

be encouraged to “engage” with the street.” Do we not want our community members to make where we live better? Haven’t we seen what not being engaged with our streets look like? It looks like an increase in unnecessary pedestrian death on an annual basis – particularly in marginalized communities. Are we okay with continuing to allow this to happen? Aren’t succeeding editions of the MUTCD supposed to reflect growth and change?

City champions, like myself, have valuable local knowledge and a deep passion to create safer streets that is too often brushed aside by traffic engineers based on the rule-bound dictates of the MUTCD. To make matters worse, much of the guidance is outdated, pseudoscientific and based on the premise that speeding cars through intersections is the most important goal.

I join America Walks, NACTO, and other organizations in that the U.S. DOT performs a comprehensive overhaul of the MUTCD, centering safety, equity, accessibility, and flexibility. We need a rule book that:

- Ensures every urban and suburban signalized intersection has accessible pedestrian infrastructure, including curb ramps, audible and tactile signals, pedestrian signal heads that display “Walk” and “Don’t Walk” messages, and painted crosswalks.
- Set speed limits based on safety, not based on how fast cars are driving on the road.
- Gives local residents a voice in what kind of infrastructure is needed.
- Gives engineers flexibility to design urban streets that are safe enough for children to navigate.

**I ask 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.**

Thank you,

**Jessica Mathews, Owner of Epic Small Consulting, LLC**