

CRASHWORTHY TRAFFIC CONTROL

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May 14, 2021

Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Ave. SE
West Building
Ground Floor Room W12-140
Washington, DC 20590-0001

Regarding:

Request to Amend Proposed Language in MUTCD to Specifically Identify
Manual for Assessing Safety Hardware ("MASH") as National Standards for
Crashworthy Devices under Docket No. FHWA-2020-0001/RIN 2125-AF85

Sent via email

Dear Department of Transportation:

I am writing to strongly urge that an explicit reference to the Manual for Assessing Safety Hardware ("MASH") be included within the definition of "Crashworthy" (Definition 44 on page 18) of the proposed amendments to the Manual on Uniform Traffic Control Devices for Street and Highways: Revision," now being considered by the Federal Highway Administration under Docket No. FHWA-2020-0001.

The current edition of the MUTCD, 2009 Edition, Revision 1&2, makes a representative reference to the National Cooperative Highway Research Program Report 350 ("NCHRP Report 350"), the MASH precursor, in the Crashworthy definition. The proposed update strikes this reference.

While a case can be made to eliminate such a reference in the interest of avoiding references that may become “stale” in the future as new standards evolve, the benefits of upgrading the reference from NCHRP Report 350 to MASH far outweigh the prospect of any future confusion to users of the new MUTCD edition once it is published.

It may seem to be a very narrow and petty editorial comment, but the reality is that failure to explicitly mention MASH in the new edition will likely have far reaching consequences for three key reasons:

1. Lost opportunity to help industry practitioners to become familiar with MASH. For many in the highway industry, policy makers, engineers, and field personnel, consider the MUTCD as a “bible” that is used on a regular basis. In the current draft, there is not a single reference to MASH within the 781 pages of the document. For both the regular and occasional MUTCD users, the MUTCD may be the only common denominator that would help familiarize the larger highway industry community with the term and its importance. Even with just a single mention in the MUTCD, many users would then have a context to know what MASH is when they hear the term in the future that would help speed adoption.
2. Implied Unimportance and Irrelevance. As with most things, without a mention in the MUTCD, an “out of sight, out of mind” reality will likely prevail. While the MUTCD covers a broad range of subjects, failure to include an explicit MASH reference can be perceived that it is obviously not important, or not as important as other more detailed narratives elsewhere in the MUTCD.

Replacing a specific mention of the current safety standards under MASH with a generic website link regarding “policy memo guidance” undermines the importance of the substantial benefits that MASH delivers relative to its NCHRP Report 350 predecessor.

The majority of long-term MUTCD users would likely believe that NCHRP Report 350 standards are still and will remain in place long into the future if

the NCHRP Report 350 reference is deleted and not replaced with a MASH reference.

For newer users of the MUTCD with no existing context about NCHRP Report 350, “policy memo guidance” is somebody else’s job to explore and an important link to safety awareness is lost.

3. Tool for Foot Dragging and Adoption Avoidance. Perhaps the most serious implication of silence on MASH in the updated MUTCD is the opportunity for policy makers and their advisers to delay adoption of MASH implementation in their respective jurisdictions. With the critical importance that policy makers and decisionmakers place in parsing the language of Federal Highway Administration documents, silence on MASH in the MUTCD can be used as an excuse to forestall speedy MASH implementation.

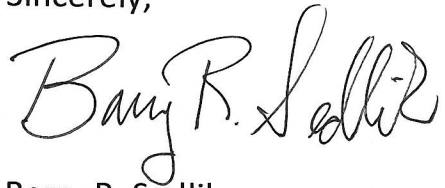
FHWA and AASTHO publications proscribe MASH implementation schedules and detail penalties, including prospective loss of federal funding for failure to meet scheduled milestones. However, from a practical viewpoint, a FHWA publication with the title, “Manual on Uniform Traffic Control Devices” becomes the de facto arbiter of what is necessary and what is not when it comes to the adoption, compliance, and enforcement of the deployment and use of traffic control devices in many state, county, and local jurisdictions.

For many jurisdictions looking for excuses to delay implementation of hardware and devices that require increased expenditures for replacement of old devices and deployment of new equipment, the exclusion of the term “MASH” in the updated MUTCD is a most convenient development.

Tremendous progress has been made in highway safety and the likelihood of serious injury or death from the rigorous efforts to develop MASH protocols, improve engineering design, and the arduous process of crash testing. The editors of the current MUTCD were correct in inserting a specific NCHRP Report 350 mention in the crashworthy definition. The editors of the update would well

serve the highway industry and the public at large by maintaining that practice in the new version with an explicit MASH reference.

Sincerely,

A handwritten signature in black ink, reading "Barry R. Sedlik". The signature is written in a cursive style with a large, stylized "B" and "S".

Barry R. Sedlik
Managing Member