



Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza,
Los Angeles, CA 90012-2952

Phillip A. Washington
Chief Executive Officer
213.922.7555 Tel
213.922.7447 Fax
washingtonp@metro.net

May 14, 2021

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

RE: Request for reframing the Manual on Uniform Traffic Control Devices (MUTCD) for multi-modal streets and comments on update

Dear Acting Administrator Pollack:

I am writing on behalf of Los Angeles County Metropolitan Transportation Authority (Metro) to respectfully request that FHWA comprehensively reframe, update and rewrite the Manual on Uniform Traffic Control Devices (MUTCD). We ask that you do so to create standards for the installation and maintenance of traffic control devices for safe, convenient and comfortable travel and access for users of all ages and abilities regardless of their mode of transportation. This will allow FHWA and the Biden Administration to encourage equitable and sustainable transportation, while reducing traffic deaths and serious injuries.

Metro serves as the transportation planner and coordinator, designer, builder and operator for the most populous county in the United States. Within our nearly 1500 square mile service area, we operate over 2000 buses and approximately 100 miles of heavy and light rail, with another hundred miles under construction or in planning. Metro also plans and builds regional rail and highway projects, offers a bike share program, recently launched a micro transit service, is expanding a network of bus rapid transit routes and regionally significant active transportation routes in LA County, and helps plan and coordinate goods movement in the region. We fund and provide technical assistance to advance mobility, complete streets and first-last mile infrastructure on arterials and local streets.

Due to our multiple services that span across jurisdictions and our multiple roles as a transportation planning, programming and operating agency, Metro sees the value of consistent and clear street signage that reflects the needs for the broad range of users of our transportation network. We appreciate the FHWA's efforts to update and seek public comment on the MUTCD.

Metro has a mission to achieve world-class transportation in Los Angeles County, which includes doubling the share of trips taken by non-drive-alone modes while promoting safety and equity. We believe that these goals would best be served by a comprehensive update to the MUTCD to reflect the multiple modes that share street space. This document has not been fully updated in over 50 years, and still has roots in regulations for rural highways, which do not reflect the diversity and trajectory of transportation modes and uses of roadway capacity in the 21st century. A fresh look at the MUTCD would support world-class strategies to prioritize the rapid expansion of transit and active transportation in urban areas. It would help address racial disparities in deaths and injuries from vehicle collisions in LA County and nationwide. Such changes to the MUTCD would also align with the administration's goals on mobility, equity and sustainability. As Secretary of Transportation Pete Buttigieg has stated, "American communities could be as good as or better than any other place in the world when it comes to mobility options - we just have to make that choice."

Metro recommends the following:

1. Comprehensively update and rewrite the MUTCD for multi-modal mobility and proactive safety. The MUTCD could do far more to reduce the approximately 40,000 traffic deaths that occur in the United States each year. With strong leadership from policymakers at the FHWA, a renewed approach would result in an outcomes-based, injury-minimization approach to speed limits; make it easier to install the most effective traffic control devices; to accelerate networks of bus lanes and protected bike infrastructure; and to build complete streets for our most vulnerable users.
2. Return to the core purpose of the MUTCD, which is to provide uniformity where appropriate and standardize necessary signs and markings. With federal leadership and recommendations, cities and states would have more latitude to make decisions on how to use each device. To the extent detail federal guidance is needed, it should be geared toward problem solving for complex multi-modal environments.
3. Use data and best practices to inform the comprehensive update of the MUTCD, drawing from lessons learned and best practices in signage and traffic control devices from cities around the world that have lowered deaths and injuries - and racial disparities - from vehicle collisions and from places that have higher usage of transit and active transportation.
4. Monitor, analyze and incorporate the implications and applicability of recent Civil Rights case law and legal actions, such as American Council of the Blind of New York, Inc. v. The City of New York, in relation to MUTCD content and guidance for accessibility.
5. Conduct the engagement, outreach and drafting of the MUTCD in a way that increases the diversity of stakeholders and the writing team in expertise and identity. The FHWA should partner with cities, transit agencies, state DOTs and civil society on efforts to increase the diversity of the people involved with writing national standards. Metro is willing and able to contribute to this effort.

In addition, state and local governments should be able to benefit from incremental improvements to MUTCD while a comprehensive update is prepared. This can be accomplished through a streamlined use of experimental treatment approvals.

We offer the following feedback on specific sections of the MUTCD and encourage you to address them in both a short-term update and a comprehensive re-write:

- a. Do not set speed limits based on the disproven 85th percentile rule. Local jurisdictions should have discretion to set speed limits based on safety and context.
- b. Do not require an engineering study for installation of red treatments on bus lanes. Requiring an engineering study slows the adoption of this treatment. Section 3H.07, pg. 392, line 40 of the text-mark-up draft should be removed.
- c. Rethink requirements that red treatment shall be installed for the full width of bus lanes. [NPA Text-Mark-up 3H.07, pg. 393, line 9]. Some jurisdictions, such as the City of Los Angeles, have experimented with partial red lane treatments that are not the full width of the lane. Red treatments can be expensive, so flexibility in red lane treatments can allow more lane miles to be installed. An example of the allowed broken pattern should be included in Figure 3H-5. [3H.07, pg. 393, line 14].

- d. Clarify language on when and how vehicles other than buses can enter red lanes. [3H.07, pg. 393, line 6]. What are the rules for vehicles crossing and using red transit lanes for legal turning movements at intersections and driveways, as well as accessing parking lanes? An example of how to show the rules and exceptions could be: "General-purpose traffic is generally not allowed to travel in, queue, wait, idle, or otherwise occupy the lane, area or location where red colored pavement is used, except to momentarily cross a transit lane to access intersections, driveways, and parking lanes."
- e. Change outdated signal warrant requirements that focus on the history of pedestrian deaths or current crossing demand, instead of known conflicts, planned transit expansion or land use changes. The Manual limits traffic signal installation to reduce auto delay instead of encouraging traffic signal installation to reduce the risk of pedestrians or other people being injured or killed. The Manual requires more pedestrians than cars to trigger a signal for the same safe crossing. In some cases, warrant requirements (e.g. for school crossing guards) set a needlessly prescriptive national standard for issues that are best left to local discretion. These should be changed to center saving lives.
- f. Improve Accessible Pedestrian Signal (APS) requirements (4E.08, 4E.12) by adding important accessibility requirements such as clear space (per ADAAG 305) for mobility devices at pedestrian signal poles and contrasting pole markings for low vision pedestrians (see California Title 24 CBC 11B-703.7.2.7). Guidance for pedestrian needs (4E.09) and APS locational analysis (4E.13) should include transit facilities and crosswalks connecting routes leading to public transit facilities.
- g. Remove the stipulation in the NPA that gives engineers permission to ignore the needs of any user who isn't "a reasonable and prudent individual who is alert and attentive" and is "demonstrating due care." This could threaten the safety of children, elderly, and disabled road users.
- h. "Remove new 'shall' statements on how bike lanes are designed. These proposed traffic control device regulations would make hundreds of existing bike lanes in the U.S. non-compliant.
- i. Allow appropriate public art on streets. A prohibition of colorful crosswalks. can prevent treatments that promote safety as well as advance community identity, diversity and vitality.

We are excited and hopeful that FHWA will seize this opportunity to reframe and rewrite the MUTCD, creating a path for guidance that more closely aligns with the equity, safety, and sustainability goals of transit agencies, local jurisdictions and states as well as the Biden Administration.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip A. Washington". The signature is fluid and cursive, with a large initial "P" and a long, sweeping underline.

Phillip A. Washington
Chief Executive Officer