May 7, 2021

Federal Highway Administration
US Department of Transportation
1200 New Jersey Ave S.E.
Washington, DC 20590

RE: Docket No. FHWA-2020-0001
National Standards for Traffic Control Devices: Manual on Uniform Traffic Control Devices for Streets and Highways; Revision

Dear Acting Administrator Pollack and Secretary Buttigeig,

I am a student at the University of Iowa College of Law enrolled in Transportation Law & Policy, and I am writing to recommend that the current draft of the MUTCD be revised to better take into account the safety of pedestrians and bikers. While the country has made strides in improving driver and passenger safety, over the past decade the United States has experienced a sharp increase in pedestrian fatalities (up by 53%) between 2009 and 2018.[1] While there may be a few factors that help explain the discrepancies between driver and pedestrian fatality numbers, it is clear that a contributing factor is that more emphasis has been placed on designing roadway infrastructure to be faster and safer for drivers than for pedestrians. The goal of the Manual on Uniform Traffic Control Devices (MUTCD) is to provide enhanced safety and improved multimodal mobility on the public way.[2] On its face, the premise is good, the manual simply provides uniformity for all road users, treating similar situations in a similar way to provide us with instant recognition for immediate response. Yet, in practice, the manual prioritizes the expediency of vehicle journeys to the detriment of pedestrians and bikers, thus falling short of its goals of safety and mobility.

One area of specific concern is that the MUTCD discourages the installation of pedestrian crosswalks, which may interfere with vehicle traffic flow. Section 4C.05 discusses crosswalk warrants, essentially factors that justify the installation of crosswalks at intersections or midblock crossings. The section provides, without further elaboration, that crosswalks with traffic signals are only warranted when "the traffic volume on a major street is so heavy that pedestrians experience excessive delay in crossing the major street."[3] The corresponding chart provides that crosswalk installation is only warranted if a minimum of 107 pedestrians per hour cross at the location being studied. The fewer number of vehicles crossing the same intersection per hour raises the floor of the number of pedestrian crossings needed to install a crosswalk. [4] This high minimum threshold and its correlation to vehicle crossings indicates that the curve is

[1] GOVERNORS HIGHWAY SAFETY ASS'N, PEDESTRIAN TRAFFIC FATALITIES BY STATE: 2019 PRELIMINARY DATA (Feb. 2020), https://www.ghsa.org/sites/default/files/2020-02/GHSA-Pedestrian-Spotlight-FINAL-rev2.pdf .
[2] Webinar: Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) – Pedestrians, Bicycles, and Transit; Overview of Proposed Changes (Mar. 25, 2021), https://www.fhwa.dot.gov/exit.cfm?link=https://connectdot.connectsolutions.com/pn4g59ssemml/?proto=true.
[3] U.S. DEP'T OF TRANSP., FED. HIGHWAY ADMIN., MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) 367 (Proposed Text Dec. 2020) [Hereinafter, MUTCD].
[4] MUTCD at Figure 4C-5. Warrant 4, Pedestrian Four-Hour Volume.

biased towards traffic flow of vehicles. In other words, pedestrian safety is traded for time savings of drivers. This is further supported by the fact that if the warrant requirements under 4C.05 aren't met, a location may warrant a signal only if 4-5 pedestrians are struck by vehicles in a year.[5] Human lives are an extraordinarily high price to pay for making intersections safer for pedestrians.

When it comes to the need for pedestrians to cross the street in non-intersection locations, the manual also discourages the installation of crosswalks. Section 3C.02 of the manual states that, "crosswalk markings should not be used indiscriminately," and also requires an engineering study.[6] Furthermore, when designing a crosswalk, why is the default paint design not the highest standard of safety? Currently, according to Section 3C.03, the default, a basic crosswalk marking, consists of two white traverse lines. Contrast that to those falling under the category of high visibility markings which consist of either Longitudinal Bar, Perpendicular, or Double-Paired designs.[7] To protect pedestrians, shouldn't the norm be that all crosswalks are highly visible to drivers, and that in only some special occasions, lesser, basic crosswalk markings be allowed?

In conclusion, I encourage the FHWA to reframe and revise the MUTCD in a way that ensures that our streets support the safe mobility and efficiency for all users — whether they be drivers, pedestrians, bicyclists, or public transportation riders. The draft as it currently stands does not do so, prioritizing private motor vehicle users over all others. The proposed edition of the MUTCD should be rejected and re-written so that the needs of the users of pedestrian and bicycle facilities are given proper attention.

Sincerely,

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[5] MUTCD at 366, Table 4C-2. Minimum Number of Reported Crashes in a One-Year Period.
[6] MUTCD at 326.
[7] MUTCD at 326-328, Figure 3C-1.