Federal Highway Administration

US 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 and Secretary Buttigieg:

I write as a person who cares very deeply about my community—the San Francisco East Bay Area—and as someone who works in planning bicycle and pedestrian improvements. I appreciate the current efforts underway by the FHWA to amend the MUTCD, but I still have serious concerns about the current draft MUTCD under revision by the agency.

While the amendments would support many improvements—e.g., through clear guidance for green pavement for bicycle facilities, bicycle signal faces, two-stage bicycle turn boxes, intersection bicycle boxes (all interim approvals which should be included in the MUTCD)—the underlying goal of the MUTCD remains a Level of Service approach, which is in conflict to bicyclist and pedestrian safety as well as the need to reduce transportation emissions in the face of climate change.

I respectfully request that the FHWA reframe and comprehensively rewrite the MUTCD, centering safety and equity. Doing so will allow FHWA and the Biden Administration to make strides towards equity, sustainability, while reducing traffic deaths and serious injuries.

To date, the MUTCD has done little to help stem the ~40,000 traffic deaths in the U.S. each year. This is due largely to the Manual’s over-emphasis on motor vehicle operations and efficiency on rural highways, and neglect of other modes and contexts. To guide the development of an improved, safety-oriented document that supports the equity, safety, and sustainability vision of the Biden Administration, there are multiple problems that must be addressed in an updated MUTCD:

* While the proposed amendments provide greater flexibility in considering safety factors outside of the 85th percentile of traffic speeds, there is still a continued reliance on the 85th percentile approach to setting speed limits over a safe systems approach. This means safety-minded individuals within local jurisdictions may be able to advocate for a safe systems approach; however, the lack of mandate for a safe systems approach means that many jurisdictions will continue to follow the 85th percentile approach that frequently leads to ever-increasing speeds, which leads to more traffic fatalities and severe injuries. A safe systems approach, with no consideration to the 85th percentile approach, should be mandated for setting all speed limits.
* The mandated 85th percentile approach that is maintained for freeways, expressways and rural highways will only continue leading to ever-increasing speeds; which, through the lower-traffic/higher-speed conditions during the COVID-19 pandemic, we have seen leads to more fatal crashes. The 85th percentile speed should be removed altogether as a consideration in setting speed limits.
* While the proposed amendments provide updated warrants for all-way stop control, there are still many outdated signal warrant requirements that ignore known conflicts and land use, and these signal and stop control warrants all require past crashes and certain levels of pedestrian volumes. However, this guidance entirely ignores the fact that pedestrians will not walk (in large numbers) in areas where they do not feel safe. Mandating certain levels of pedestrian volumes in an unsafe intersection in order to then implement safety improvements is a backwards approach that priorities vehicle level of service over the basic human right to walk safely (without being killed by a negligent driver). The MUTCD should instead require intersection improvements to always use a safe systems approach to encourage future bicycle and pedestrian access, without requiring that people be risking their lives in the present in order to meet the MUTCD’s warrants.
* The new section of the MUTCD aimed at accommodating automated vehicles (e.g., through new line widths) exacerbate already prohibitive cost burdens for cities and only continue to prioritize vehicles and level of service over the safety of bicyclists and pedestrians.

The issues described above are endemic to the document’s underlying approach and undercut 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.

I 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.

Thank you,

Sarah Kolarik