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Background

Overview of the Proposal

The principal mission of the U.S. Department of Transportation (USDOT) is to provide the American people with a transportation system that is safe, effective, and secure. Transportation is vital to our Nation's economy, national security, and quality of life. We depend on transportation for access to jobs, to enable us to conduct our business, to supply us with services and goods, and to facilitate our leisure and recreational activities. When we take appropriate action to address our mobility needs, we can also improve the safety of our system and enhance our natural and human environment. We also find that there is a decrease in safety and a degradation in environment when we do not address critical mobility issues on our highway system. To help attain the mission of the USDOT, the FHWA has identified strategic goals in the areas of safety, mobility and productivity, environment, National security, and organizational excellence. Under the "mobility and productivity" area, the FHWA has identified "congestion reduction" as one of the vital few strategies. One way to reduce congestion

is to improve the performance of our Nation's "work zones."

The FHWA proposes to amend 23 CFR part 630 subpart J, "Traffic Safety in Highway and Street Work Zones." Work zones cause safety and mobility impacts on the traveling public, businesses, workers, and transportation agencies, resulting in an overall loss in productivity and growing frustration. These work zone impacts are exacerbated by growing congestion in many locations. The FHWA recognizes the trends of increased road construction, growing traffic, increased crashes, and public frustration with work zones. These trends call for a more broad-based understanding and examination of the safety and mobility impacts of work zones on road users, other affected parties, and workers. Better addressing work zone safety and mobility requires consideration of work zone issues starting early in project development and continuing through project completion.

The current regulation has a broadly stated purpose of providing guidance and establishing procedures to ensure that adequate consideration is given to motorists, pedestrians, and construction workers on all Federal-aid construction projects. However, the content of the current regulation is focused primarily on the development of traffic control plans (TCPs), the operation of work zones on two-lane, two-way roadways, and other provisions that address project responsibility, pay items, training and process review and evaluation. These provisions in the current regulation primarily address the issue of traffic control through the work zone itself. At the time this regulation was written, the TCP was an important concept that was and still is essential for work zone safety. Today's environment includes new challenges due to growing congestion, increasing reconstruction and public frustration with work zones. TCPs for work zones are still essential, but they are no longer a sufficient approach for managing work zone impacts that may extend to an area much bigger than the actual work area. The proposed changes to 23 CFR part 630 subpart J are intended to facilitate consideration of the broader safety and mobility impacts of work zones in a coordinated and comprehensive manner across project development stages. The following is a summary of key proposed changes:

- Title change of 23 CFR part 630 subpart J to "Work Zone Safety and Mobility."
- State transportation departments (hereinafter referred to as "States") to develop and adopt work zone safety and

mobility policies. These policies will support the systematic consideration of the safety and mobility impacts of work zones during project development; and address the safety and mobility needs of all road users (*i.e.*, motorists, pedestrians, bicyclists, and persons with disabilities), workers, and other affected parties (*i.e.*, public facilities such as parks, recreational facilities, fire stations, police stations, and hospitals; and private parties such as businesses and residences) on Federal-aid highway projects.

- States to conduct work zone impacts analysis during project development to better understand individual project characteristics and the associated work zone impacts. This will facilitate better decisionmaking on alternative project options and in the development of appropriate work zone impact mitigation measures.
- States to develop Transportation Management Plans (TMPs) for projects as determined by the State's policy and the results of the work zone impacts analysis. A Transportation Management Plan (TMP) documents the mitigation strategies identified during this analysis. The TMP facilitates a more comprehensive approach to manage the safety and mobility impacts of work zones, by including a Transportation Operations Plan (TOP) and a Public Information and Outreach Plan (PIOP) in addition to the current requirement for a Traffic Control Plan (TCP).
- Provisions that allow States to be more creative and performance oriented in their procurement processes by allowing flexibility to choose either method-based or performance-based specifications for their contracts.

Statement of the Problem

Work zones are a necessary part of meeting the need to maintain and upgrade our aging highway infrastructure. As much of the Nation's transportation infrastructure approaches the end of its service life, preservation, rehabilitation, and maintenance become an increasing part of our transportation improvement program.¹ The Transportation Equity Act for the 21st Century (TEA-21), (Pub. L. 105-178, 112 Stat. 107) enacted in June 1998, provides for a 40 percent increase in transportation funding over the total provided in the Intermodal Surface

¹ FHWA report, "Meeting the Customer's Needs for Mobility and Safety During Construction and Maintenance Operations," September 1998. This report is available electronically at: http://safety.fhwa.dot.gov/fourthlevel/pro_res_wzs_links.htm or may be obtained by writing the FHWA Office of Safety at, 400 7th Street, SW., Washington, DC 20590.