

*ANPRM "Public Outreach and Communications" Section—FHWA Response and Proposed Action*

There is strong support for public outreach and communications with regard to work zones, and several transportation agencies are already undertaking concerted efforts to better inform the public about the safety and mobility aspects and impacts of work zones. The proposed changes to the regulation therefore facilitate the consideration of public information and outreach strategies as part of the work zone impacts mitigation mechanisms; with flexibility for States in the choice of the different strategies and their scope and level of detail, based upon individual project requirements and work zone impacts.

*ANPRM "Work Zone Performance Monitoring and Reporting"—Comments Summary*

Evaluation is a necessary tool for analyzing failures and identifying successes in work zone operations. Work zone performance monitoring and reporting at a nationwide level has the potential to increase the knowledge base on work zones and help better plan, design and implement road construction and maintenance projects. The purpose of this section in the ANPRM was to identify the adequacy and appropriateness of the current data reporting, and the need for enhanced and increased reporting of data on work zones by States. The following data issues were addressed: work zone characteristics, work zone mobility performance, and work zone safety performance.

When asked if States should report information on work zone characteristics, about 46 percent of the respondents who commented on specific questions in the ANPRM said no; 12 percent did not respond; 12 percent of the responses were unclear; while 30 percent said yes. Of the respondents that said no, 91 percent belonged to DOTs. Of the respondents that said yes, 70 percent belonged to DOTs.

When asked if States should report information on work zone mobility performance, 40 percent said no; 21 percent did not respond; 1 percent of the responses were unclear; while 37 percent said yes. Of the respondents who said no, 89 percent belonged to DOTs. Of the respondents who said yes, 72 percent belonged to DOTs.

When asked if the current work zone safety data collection methods and efforts are adequate and appropriate, 36 percent said no; 28 percent did not

respond; 3 percent of the responses were unclear; while 33 percent of the respondents said yes. Of the respondents who said no, 72 percent belonged to DOTs. Of the respondents who said yes, 95 percent belonged to DOTs. Most of the respondents indicated that the mobility measures mentioned in the ANPRM were appropriate, and that the currently used safety measures are appropriate as well. Several respondents indicated that although reporting information on work zone characteristics, mobility performance and safety performance would be useful, they cautioned against requiring unwieldy data collection by States that are already strapped for cash and personnel. A fair number of respondents also indicated the need for more standardized crash reporting policies and procedures.

*ANPRM "Work Zone Performance Monitoring and Reporting" Section—FHWA Response and Proposed Action*

While establishing the benefits of data collection and reporting on the safety and mobility performance of work zones, the ANPRM comments are mixed with respect to regulations that mandate such data collection and reporting. The current provisions in the regulation require States to analyze crashes and crash data to correct deficiencies on individual projects and improve the content of future TCPs. We propose to retain this provision, with the option to include other safety performance measures (e.g., speed variance) as appropriate. Since performance monitoring serves as a basis for process and content improvement in work zone impacts mitigation, we propose to add a new provision that encourages States to analyze work zone mobility data. There are no proposed requirements on the type of analysis or the actual mobility parameters that should be analyzed.

**General Discussion of the Proposal**

*Summary of ANPRM Resolution and Areas Receiving Strong Support*

The following is a summary of the areas that are strongly supported by respondents to the ANPRM:

- There is support for a National policy on work zones that explicitly addresses both safety and mobility. The policy should be broad and address a wide range of issues. The FHWA should support the policy by providing appropriate guidance to States. There needs to be flexibility in the implementation of regulations, thereby enabling creativity and innovation in work zone impacts mitigation.

- The policy should stratify work zone regulations and allow flexibility to States in applying the regulations appropriately to individual projects, based on the State's program goals and the work zone impacts of the project.

- Work zone considerations should be mainstreamed and institutionalized in State procedures.

- Comprehensive work zone impacts mitigation plans should be developed. These plans should consider the work zone safety and mobility impacts of projects early in project level planning, and progress through the later stages of project development. Alternative project options including design, procurement and construction strategies that minimize these impacts should be developed and evaluated. We get strong validation that the costs borne by users as a result of the impacts of work zones could be a useful factor in decisionmaking for evaluating alternative project designs. Work zone induced user-costs are derivatives of the safety and mobility impacts of work zones. Therefore, as part of considering work zone safety and mobility in project development, there needs to be an analysis of the impacts of work zones, which will then lead to development and evaluation of alternative project designs and mitigation strategies. States should however have the flexibility to scale their work zone impacts analysis and evaluation of alternative project options and mitigation strategies, based on the severity of anticipated work zone impacts due to individual projects.

- The scope of TCPs should be expanded to address sustained traffic management and operations considerations. There needs to be flexibility for States in enlisting participation from law enforcement, the public and contractors in developing TCPs, but ultimate responsibility for the project should lie within the State.

The FHWA believes that the increasing pressures for work zone safety and mobility, growth of reconstruction, and the concern voiced by road users require reconsideration of how we plan, design and construct roadway projects to focus on highway and worker safety, as well as meet the mobility needs of our customers. Therefore, the purpose of the proposed regulation is to:

- Reduce the safety and mobility impacts of highway work zones on road users, workers, businesses, and society, and maximize the availability of the roadway for efficient traffic movement while ensuring worker safety and efficient construction.

- Enhance the way construction projects are currently conceived,