

planned, designed, and executed to more fully consider work zone impacts on road users, workers, and other affected parties.

Summary of Proposed Changes

We propose changing the title of 23 CFR part 630 subpart J to “Work Zone Safety and Mobility” to more accurately represent the impacts of work zones on the public. To this end, we propose to update the “Purpose” and “Policy” sections of the current regulation to emphasize the consideration of both the safety and mobility of work zones. We also propose to amend and relocate some of the language that is currently in the “Background” section to the “Purpose” section. The “Background” section of the current regulation contains a reference to the MUTCD, and its purpose and applicability. We propose to amend this reference to the MUTCD and include it in a new section entitled, “References”.

The current regulation indicates that its purpose is to assure that adequate consideration is given to all motorists, pedestrians, and construction workers on all Federal-aid construction projects. We propose language in this section to indicate that work zones have impacts on bicyclists, and persons with disabilities, in addition to motorists, pedestrians and workers. We propose to introduce the term “road users,” which encompasses motorists, pedestrians, bicyclists, and persons with disabilities. We also propose language to indicate that work zones impact other parties in addition to road users and workers. We therefore propose to introduce the phrase “other affected parties,” which may include public facilities like parks, recreational facilities, fire stations, police stations, and hospitals, and private parties such as businesses and residences.

Further, in the “Purpose” section we propose to provide a brief synopsis of the safety and mobility impacts that work zones have on road users, workers and other affected parties. We also propose to indicate that these safety and mobility impacts of work zones are exacerbated by growing congestion in many locations, and that addressing these issues requires considerations that start early in project development and continue through project completion.

The “Background” section of the current regulation recognizes the importance of traffic control for work zone safety, and presents the MUTCD as a guide that provides basic principles and standards for the design and application of traffic control devices. We propose to amend this reference to the MUTCD and include it in a new

section entitled, “References”. We propose to retain the current language that refers to the MUTCD as a guide for traffic control, but augment it with language that recognizes that there are considerations in addition to traffic control that are required to comprehensively address the safety and mobility impacts of work zones.

We propose to add a new section entitled, “Definitions/Explanation of Terms” to explain the meaning and implications of certain terms that are key to understanding and interpretation of the proposed provisions in the regulation. The inclusion of this proposed new section results in a change in the section numbering scheme.

We propose minor changes to the current section on “Implementation” to clearly indicate the responsibilities of States and those of the FHWA Division Administrators, and to convey that States and their respective FHWA Divisions are encouraged to work together to ensure conformance with, and implementation of the requirements of this proposed regulation.

We propose reorganizing the requirements that are currently under the “Contents of the Agency’s Procedures” into a new section entitled, “State Transportation Department Policy and Procedures.” The purpose of this reorganization is to clearly delineate policy level and project level requirements. The major proposed changes to the regulation are located in this section. Most of the proposed changes are developed around the consideration and analysis of the work zone safety and mobility impacts of projects, and the development of mitigation measures that are contained within a Transportation Management Plan (TMP) for projects.

The section on “State Transportation Department Policy” consists of proposed requirements that specify the following: development of a “Work Zone Safety and Mobility Policy”; provision of work zone related “Training” to personnel; conduct of “Process Review and Evaluation”; and collection and analysis of “Work Zone Performance Data.”

The proposed requirement for the development of a “Work Zone Safety and Mobility Policy” is new. We propose that States develop their own “work zone safety and mobility policies” that will support the systematic consideration of work zone impacts across all stages of project development; and address the safety and mobility needs of all road users, workers, and other affected parties on all Federal aid highway projects.

The proposed requirements on “Training” are part of the current regulation with proposed changes that encourage documentation of the training provided, and the provision of periodic training updates to appropriate personnel.

The “Process Review and Evaluation” requirements are in the current regulation, and we propose to modify the requirements to provide flexibility to States with regard to the conduct of the reviews, and the frequency and the type of reviews. We also propose to encourage States to address these reviews in their respective stewardship agreements with the FHWA Divisions.

We propose to remove the language on work zone crash data collection and analysis from the current “Process Review and Evaluation” section, and include it in a new paragraph entitled, “Work Zone Performance Data.” In this paragraph we propose changes that encourage the collection and analysis of work zone mobility performance data in addition to crash data.

In the project level requirements we propose a section that outlines systematic “Project Impact Analysis and Management Procedures” to include the following: conduct of “Work Zone Impacts Analysis”; development of a “Transportation Management Plan (TMP)”; development of provisions for “Pay Items” for work zone traffic control and management; and assignment of “Responsible Persons” for projects.

We propose a new section on Work Zone Impacts Analysis. It proposes to require an analysis of work zone impacts for projects, and provides flexibility to States in scaling the level of detail of the analysis based on the anticipated work zone impacts of individual projects. It also proposes that if States determine that a project is anticipated to have minimal sustained work zone impacts, they may exempt the project from the impacts analysis.

The TMP would be a new requirement and would include updated requirements on the Traffic Control Plan (TCP). We propose to delete the current language on TCP requirements for two-lane/two-way operations on highways as they are available in the MUTCD. In addition to the TCP, the TMP may consist of a Transportation Operations Plan (TOP), and a Public Information and Outreach Plan (PIOP). The proposed requirements indicate that TMPs are required for all projects, but the TCP is the only mandatory component of TMPs. The need for the other two components of the TMP, namely the TOP and the PIOP, is dependent upon the State’s policy