

guidance, and options contained in the text of the MUTCD. The FHWA agrees that the page layout and graphics formatting of the 2000 MUTCD needs to be improved in the 2003 edition to make the document more usable by the public. Accordingly, in this final rule the FHWA revises the text page layouts to reduce white space and thereby reduce the number of text pages by about one-third, while still maintaining good layout for readability both online and in printed book format. The FHWA also revises many of the figures in the MUTCD to make sign illustrations pattern-accurate and illustrations of pavement markings and other devices more understandable and to accurately reflect provisions in the MUTCD text.

The FHWA also received many comments about the lack of consistency between some of the signs and pavement markings illustrated in various figures in the MUTCD and the illustrations in the "Standard Highway Signs" (SHS) book.¹ The FHWA agrees that these inconsistencies cause inordinate confusion to users, and in this final rule the FHWA revises many of the MUTCD figures to illustrate or refer to all SHS signs that are consistent with this 2003 MUTCD. This will better serve users by greatly improving the consistency of the MUTCD with the SHS.

Additionally, in the NPA, the FHWA proposed minor grammatical or style changes to the MUTCD text to improve consistency with related text or figures, to improve clarity, or to correct minor errors. Where the FHWA proposed to add new sections within a chapter of the MUTCD, the FHWA proposed to renumber the sections that followed accordingly. The FHWA proposed to revise all Tables of Contents, Lists of Figures, Lists of Tables, and page headers and footers as appropriate to reflect the proposed changes. The FHWA received many comments, both in general and on many specific sections throughout the MUTCD, agreeing with these minor editorial changes. Some commenters opposed the proposed use of some specific words or phrases and recommended substitute words or phrases and/or additional minor editorial revisions to correct errors, improve grammar, clarity, consistency,

and accuracy. Where appropriate, the FHWA incorporates minor editorial revisions and corrections in this final rule.

The FHWA also received comments on the fact that many of the new sections proposed in the NPA were to be added at the end of the chapter in various parts of the MUTCD. Several commenters, particularly State DOTs, suggested that the new material would be more logically located near other similar subjects within the chapter rather than at the end. The FHWA agrees with many of the comments of this nature and makes editorial changes in the text and figures as appropriate in this final rule. The FHWA also relocates and renumbers some of the new sections to appropriate locations within the chapters to enhance user understanding, and renumbers subsequent sections accordingly.

In the discussions below, the section numbers and titles refer to those in this final rule, with parenthetical reference to the section numbers and titles in the NPA and/or the 2000 Edition if different, as appropriate.

The FHWA also received comments from traffic engineering consultants and others about inconsistency and errors in the 2000 MUTCD and in the NPA regarding conversions of English units to metric units. Accordingly, the FHWA made a comprehensive review of all dimensions and units of measure in the MUTCD and identified a variety of errors in conversions of English units to metric units that had occurred during the process of preparing the 2000 edition of the MUTCD and that had been perpetuated or inaccurately corrected in the NPA. The FHWA corrects these metric conversions in this final rule.

In the NPA, to facilitate easy reference, the FHWA also proposed giving figure numbers and titles to all pages that did not have a figure number for images of traffic control devices in the 2000 MUTCD. The FHWA also proposed changing the titles of a number of figures to clarify a figure as either "typical" or "example(s) of." In general, the FHWA proposed using the word "typical" in the title if the figure portrays preferred or recommended practice, and the words "example(s) of" in the title if the figure portrays one or several of a variety of things that would be acceptable practice with no recommended preference. Also, the FHWA proposed modifying figures, where appropriate, to reflect proposed changes in the text. Most of the commenters agreed with these proposed changes. In a few cases, the FHWA received comments opposing a

proposed change of a specific figure's title from "example(s) of" to "typical," citing reasons why the figure or figures in question were inaccurately named based on the FHWA's stated criteria. The FHWA adopts the proposed addition of or changes to figure numbers and titles with revisions to address comments as appropriate.

The FHWA also received several comments from the U.S. Access Board and from organizations representing the blind, visually impaired, and people with other disabilities, requesting that the MUTCD be changed throughout to make it fully consistent with the Draft Guidelines for Accessible Public Rights-of-Way that were published by the Access Board on June 17, 2002, on its Web site (<http://www.access-board.gov>). The FHWA disagrees because the draft guidelines published by the Access Board are only a preliminary draft for initial public comments, and they have not been finalized. The Access Board is currently reviewing the large number of initial public comments received on the draft and plans to issue a notice of proposed rulemaking (NPRM) with a revised proposal for Guidelines for Accessible Public Rights-of-Way in 2004. After the Access Board completes its rulemaking on this matter and issues a final rule, the FHWA plans to propose changes to the MUTCD to make it consistent with the Access Board's guidelines. However, in recognition of and support for the importance of accessibility issues related to traffic control devices, in the NPA the FHWA proposed a variety of changes to the MUTCD to assure consistency with existing requirements of the Americans With Disabilities Act (ADA), 42 U.S.C. 12101 *et seq.*, and other regulatory requirements concerning accessibility as they pertain to traffic control devices. In this final rule, the FHWA adopts most of those proposed changes. Further discussion of accessibility issues may be found elsewhere in this preamble to this final rule, especially under the discussion of adopted revisions to Part 6 of the MUTCD, Temporary Traffic Controls.

The FHWA is aware that section 508 of the Rehabilitation Act, 29 U.S.C. 794 (2001), requires that certain electronic and information technology (EIT) be accessible to individuals with disabilities. By regulation, 36 CFR 1194.4 (2001), EIT includes information contained on world wide Web sites. Because the FHWA distributes the MUTCD via the Internet site (<http://mutcd.fhwa.dot.gov>), it is aware that it must comply with section 508, and it has done so by providing, in addition to the PDF file format, an alternative

¹ "Standard Highway Signs," FHWA, 2002 Edition is available for purchase from the U.S. Government Printing Office Bookstore, Superintendent of Documents, Room 118, Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222. Internet Web site at <http://bookstore.gpo.gov>. It is also available on the FHWA's Web site at <http://mutcd.fhwa.dot.gov> and is available for inspection and copying at the FHWA Washington Headquarters and all FHWA Division Offices prescribed at 49 CFR part 7.