

Message Signs, with additional changes to the text. The NCUTCD and a traffic control device manufacturer supported the new GUIDANCE statement, however ATSSA and the Wisconsin DOT opposed it. The Wisconsin DOT stated that regulatory messages on changeable message signs should only be used to supplement standard ground mounted signs, rather than as the sole sign, because they cannot be enforced. ATSSA stated that there are previously identified problems regarding the contrast in colors of the red prohibition circle on changeable message signs. The FHWA disagrees with both of these comments and adopts the GUIDANCE statement in this final rule. Regulatory messages on changeable message signs can be enforced as long as the jurisdiction has the authority to enact temporary regulations and as long as the messages conform to MUTCD requirements. The red prohibitory circle and slash on a black background, as used on changeable message signs, generally have better contrast than those used on static signs. The FHWA adopts the changes to this section with revisions as described above.

27. In Section 2B.03 Size of Regulatory Signs, the FHWA removes the SUPPORT statement referencing the "Standard Highway Signs" book because this statement is general and applies to regulatory, warning, and guide signs, and a similar statement is included in Section 2A.12 Dimensions.

The FHWA modifies Table 2B-1 by adding, removing, and renaming signs, and by adding additional sign sizes. These changes and new sign sizes reflect changes in Part 2, are values from the "Standard Highway Signs" book, and reflect regular use by highway agencies. The FHWA received several editorial comments from the NCUTCD and Caltrans regarding these changes and incorporates those changes as appropriate.

Additionally, the FHWA increases the sizes of the ONE WAY (R6-2) sign and the DIVIDED HIGHWAY CROSSING (R6-3, R6-3a) signs for all roads based on the research⁸ addressing the needs of older road users. The FHWA adds sign sizes in the "Expressways" and "Freeways" columns for these signs and the R6-1 ONE WAY sign because these are the main signs to alert road users of

the divided highway. The FHWA received one comment from ATSSA supporting these changes. The City of Tucson, Arizona, opposed the increase in sign size, stating that the current sign sizes are adequate for urban/city street systems. The FHWA adopts the sizes as proposed in the NPA because the research indicates these sizes are needed in most cases for older drivers. However, to address the comment from the City of Tucson, the FHWA is currently reviewing ways to better incorporate the needs of urban areas into the MUTCD and plans to address those needs in a future rulemaking.

The FHWA establishes a phase-in target compliance date of 10 years from the date of this final rule for these sign sizes, for existing signs in good condition to minimize any impact on State or local governments.

Additionally, the FHWA adds to the OPTION statement that signs larger than those shown in Table 2B-1 may be used. Sometimes there are special conditions that warrant much larger signs and this flexibility is needed. There were no comments regarding this change, and the FHWA adopts this change.

28. In Section 2B.04 STOP Sign (R1-1), the FHWA received three comments, one from a traffic engineering consultant and two from private citizens regarding the use of supplemental plaques with multi-way STOP signs. The FHWA did not propose any change to this section in the NPA, and these comments are outside the scope of this final rule.

29. In Section 2B.06 STOP Sign Placement, the FHWA corrects an error in the STANDARD statement (as published in the 2000 MUTCD) by changing the word "correct" to "right" so that the statement reads, "The STOP sign shall be installed on the right side of the approach to which it applies." There was one comment from a private citizen suggesting that the FHWA replace "traffic lane" with "approach" in order to avoid this statement being misinterpreted as requiring a separate sign to the right of each stopped lane on a multi-lane approach. The FHWA agrees and revises the text accordingly.

Additionally, the NPA included a proposal that other than a DO NOT ENTER sign, no other sign shall be mounted back-to-back with a STOP sign, to assure that the shape of the STOP sign is visible to road users on other approaches to the intersection. The proposed exception for the DO NOT ENTER sign was to allow flexibility in urban areas where there may not be enough room to install separate poles for each sign and both signs must be installed at the corner. While there was

one comment from ATSSA in support of this proposed change, the NCUTCD, the Arizona, Oregon, Virginia, Wisconsin, and Illinois DOTs as well as the Cities of Plano, Texas; Beaverton, Oregon; Kennewick, Washington; and Tucson, Arizona, opposed this change, stating that it was too restrictive. The FHWA agrees with the State and local DOTs that there may be some locations where it may be appropriate to mount signs to the back of STOP signs, and changes this STANDARD to a GUIDANCE in this final rule and revises the statement to read, "Other than a DO NOT ENTER sign, no sign should be mounted back-to-back with a STOP sign in a manner that obscures the shape of the STOP sign." The FHWA adds a phase-in target compliance date for this new GUIDANCE of 10 years from the effective date of this final rule for existing signs in good condition, and adds a SUPPORT statement referencing Section 2A.16 Standardization of Location for further information regarding separate and combined mounting of signs with STOP signs.

30. In Section 2B.09 YIELD Sign Applications, the FHWA clarifies the OPTION statement by adding a reference to STOP signs. The change states that instead of using a STOP sign, a YIELD sign may be used if engineering judgment indicates that one or more of the listed conditions exist. The conditions for using a YIELD sign are not being changed. The FHWA received four comments from the NCUTCD, ATSSA, the City of Tucson, Arizona, and the Association of Pedestrian and Bicycle Professionals in general support of the change. A traffic engineering consultant mistakenly thought that the change represented a major change in the method of determining if YIELD is the appropriate sign, and suggested a 10-year phase-in target compliance date. The most significant change was made in the 2000 MUTCD. The only new concept is the clarification that YIELD signs would be used "instead of STOP signs." This is only an OPTION and existing STOP signs that are in place at intersections where these conditions apply would not be in violation of the MUTCD. The FHWA adopts the change with minor editorial revisions in this final rule. There is no need for a long compliance date to comply with an OPTION. The FHWA notes that the 10-year phase-in target compliance date for the change in application of YIELD signs is tied to the effective date of the 2000 MUTCD (January 11, 2011).

Additionally, the FHWA adds a STANDARD statement after the OPTION statement to require the use of a YIELD sign to assign right-of-way at

⁸Information about this research is summarized on pages 94-100 of the "Highway Design Handbook for Older Drivers and Pedestrians," Report number FHWA-RD-01-03, published by the FHWA Office of Safety Research and Development, 2001. It is available for purchase from The National Technical Information Service, Springfield, Virginia 22161, (703) 605-6000. Internet website address at <http://www.ntis.gov>.