

study are released, that in-roadway signs should be discouraged for safety reasons, and that signs that remind drivers to obey the law are unnecessary. The FHWA disagrees with those opposed to this section because research, including an experimentation in Redmond, Washington,¹⁰ has found that this sign is effective at communicating important information to drivers and provides for uniformity of these regulatory messages and for improved pedestrian safety. Also, the TCRP research cited by some commenters is only just beginning and its scope of work is too broad to adequately address this specific signing issue. The use of these signs is optional, and jurisdictions may decide not to allow the use of these signs. The FHWA adopts this new section and sign in this final rule, and adds a SUPPORT statement that the provisions of Section 2A.18 Mounting Height are not applicable to the mounting height of the In-Street Pedestrian Crossing Signs.

The FHWA also adds a new figure numbered and titled "Figure 2B-2, 'Unsignalized Pedestrian Crosswalk Signs'" (numbered Figure 2B-22 in the NPA) to illustrate the design of the R1-5, R1-5a, the R1-6, and the R1-6a signs.

The FHWA renumbers the remaining sections in this chapter.

34. In Section 2B.13 Speed Limit Sign (R2-1), numbered Section 2B.11 in the NPA, the FHWA modifies the STANDARD statement to reference the speed limit signs shown in Figure 2B-1. In the NPA, the FHWA proposed a new, unique design for the metric speed limit sign. The sign had a red circle around the speed value with a "km/h" legend below, and the supplemental "km/h" plaque removed. The FHWA received eight comments from the NCUTCD, ATSSA, and private citizens in general support of the new metric speed limit design, and ten comments from the Oregon and Minnesota DOTs and private citizens opposed to the sign design. Those opposed cited concerns that the red circle is generally associated with a prohibitory regulatory message, and that a speed limit does not fall into that category of message. In response to the comments, the FHWA revises the sign in this final rule to include a black circle around the speed value, rather than red. The concept of placing a circle around the metric speed limit digits was

developed to provide a clear and easily noticed distinction between metric and English speed limit signs. Because the color red suggests prohibition, and green is already used as a permissive message with hazardous materials routing signs, the FHWA requires the black colored circle to provide distinction for a metric speed limit.

Based on this new design, the FHWA removes the first SUPPORT statement (from the 2000 MUTCD), as it is no longer needed. The new design of the metric Speed Limit sign better differentiates a metric speed limit sign from an English-unit speed limit sign, and also remedies the possible situation where the "METRIC" plaque used in the old design is damaged or stolen and the sign appears to be an English units Speed Limit sign with a higher but erroneous value. Other than comments opposed to the change in the metric sign design, there were no comments specifically regarding this change, and the FHWA adopts this change.

In the NPA, the FHWA proposed to add a new paragraph to the first GUIDANCE statement indicating that non-statutory speed limits be reevaluated at least once every five years to determine if any adjustments would be appropriate. The FHWA received one comment from a private citizen in support of this change, and four comments from the NCUTCD, City of Kennewick, Washington; Lake County, Illinois; and Pierce County, Washington, opposed to the new paragraph. Those opposed cited concerns about the five-year frequency of review, stating that there are many roads and streets on which conditions remain stable for much longer than five years and that conducting speed limit reevaluations every five years on such roads would be a major burden on the States and local governments. The FHWA agrees with some of these concerns, and therefore the FHWA expands the paragraph to clarify that this review should take place on segments of roadways that have undergone a significant change in roadway characteristics or surrounding land use since the last review.

In the NPA, the FHWA proposed clarifications to the third paragraph of the GUIDANCE statement to differentiate the rounding of a speed limit on a sign located on a non-residential street from a sign located on a residential street. The FHWA received several comments from the NCUTCD, the Wisconsin DOT, and a traffic engineering consultant opposing this change, requesting simpler terminology and the ability for jurisdictions to round speeds up or down, regardless of street

classification. A traffic engineering consultant suggested less reliance on the 85th percentile speed. Based on these comments, the FHWA simplifies the statement to read, "When a speed limit is to be posted, it should be within 10 km/h or 5 mph of the 85th percentile speed of free-flowing traffic."

The FHWA adds a paragraph to the end of the OPTION statement, which states that a changeable message sign that displays to approaching drivers the speed at which they are traveling may be installed in conjunction with a Speed Limit sign. The FHWA received one comment from a traffic control device manufacturer supporting this change. The FHWA adopts the change, as proposed in the NPA, in this final rule.

The FHWA also adds, following the OPTION statement, a GUIDANCE statement, which states that if a changeable message sign displaying approach speeds is installed, the legend YOUR SPEED XX KM/H (MPH) or similar legend should be shown. Changeable message signs displaying the actual speeds of approaching drivers have been widely used in many jurisdictions over the past decade or more to enhance driver compliance with speed limits. However, a variety of colors have been used for the display of the numerals of the actual speed. For consistency with Table 2A-4 and the MUTCD's general principles of sign colors, FHWA adds to this GUIDANCE statement that the color should be yellow legend on black background or the reverse of these colors. The FHWA establishes a 10-year phase-in target compliance date from the effective date of this final rule for the color of the legend of the changeable message portion of the "YOUR SPEED" sign, for existing signs in good condition, to minimize any impacts on State or local governments.

35. In Section 2B.15 Night Speed Limit Sign (R2-3) (numbered Section 2B.13 in the NPA), while there were no changes proposed in the NPA, the FHWA makes editorial changes in this section to be consistent with Section 2B.13 Speed Limit Sign. In addition, in response to comments received, the FHWA changes the metric version of the Night Speed Limit sign in Figure 2B-1 to show a white circle around the metric speed digits and include the "km/h" message all within one panel. This is necessary for consistency with the adopted concept of enclosing metric speed limit values in a circle to assure that they are easily distinguished from speed limits in English units.

36. In Section 2B.16 Minimum Speed Limit Sign (R2-4), numbered Section 2B.14 in the NPA, the FHWA received

Program (TCRP). The study is numbered NCHRP Project 3-71 and TCRP D-08. Information is available at the following URL: <http://rip.trb.org>.

¹⁰ A copy of "City of Redmond In-Street Pedestrian Crossing Sign Test", FHWA Experimentation #2-507(EX), six-month report by the City of Redmond, June 30, 2003, is available on the docket.