

encourage widespread and ineffective use of the W13-1 plaque. The FHWA disagrees and adopts the revision in this final rule, changing the proposed phrase "recommended speed" to "advisory speed" in this statement, as well as the STANDARD, GUIDANCE, and OPTION statements for consistency.

In the STANDARD statement, the FHWA requires the use of the Advisory Speed plaque where an engineering study indicates a need to inform road users of the advisory speed for a condition and, if they are used, the speed shown shall be a multiple of 10 km/h or 5 mph. This change clarifies which sign should be used when an engineering study indicates the need to advise road users of the advisory speed and how to determine what the recommended speed is for the condition. The FHWA received two comments from the Oregon and Kansas DOTs stating that an engineering study is an unnecessary expense, and recommended that the statement be changed to engineering judgment. The OPTION statement gives the flexibility to use the Advisory Speed plaque where only engineering judgment has been applied and no study has been performed. The STANDARD only requires the use of an Advisory Speed plaque where an engineering study has been performed and shows a need for the plaque. Because there is no requirement for an engineering study, the FHWA adopts the change, as proposed in the NPA, in this final rule.

In the NPA, the FHWA proposed to add an OPTION statement at the end of the section indicating how to determine the advisory speed along a ramp or curve. The FHWA received several comments from the NCUTCD, Yakima and Pierce Counties in Washington State, and a traffic engineering consultant opposed to the language in the NPA. As a result, the FHWA replaces the proposed language with the language adopted in Section 2C.36 Advisory Exit, Ramp, and Curve Speed Signs (W13-2, W13-3, W13-5). In concert with the changes in Section 2C.36, the FHWA also repeats the SUPPORT statement that further describes the ball-bank indicator reading and its correlation with the 85th-percentile speed in this section. (See also the discussion in Section 2C.36 regarding the ball-bank indicator reading and its correlation with the 85th percentile speed.)

87. In Section 2C.47 Supplemental Arrow Plaques (W16-5p, W16-6p, W16-7p) (numbered Section 2C.43 in the NPA), the FHWA changes the title to reflect the existence of the diagonally pointing down arrow plaque and

includes the designation in the section text. The FHWA received one comment from the City of Tucson, Arizona, in support of this change and adopts this change. The FHWA also received another editorial comment from a traffic engineering consultant suggesting that all plaques be assigned a "p" designation to distinguish them as plaques. The FHWA agrees that this change will provide additional clarity and consistency and will perform a comprehensive review of the MUTCD to achieve consistency in this designation in the future. The FHWA will consider including this in a future rulemaking.

88. The FHWA removes Section 2C.46 DEAD END/NO OUTLET Plaques (W14-1P, W14-2P), as numbered in the NPA, from the MUTCD. The FHWA changes the designation of these plaques to signs because they are permitted to be used alone, and moves the appropriate information to Section 2C.21 DEAD END/NO OUTLET Signs (W14-1, W14-1a, W14-2, W14-2a) in this final rule.

89. In Section 2C.50 CROSS TRAFFIC DOES NOT STOP Plaque (W4-4p) (numbered Section 2C.27 in the NPA), the FHWA replaces the entire section (of the 2000 MUTCD) with new OPTION and STANDARD statements. The OPTION statement specifies that the CROSS TRAFFIC DOES NOT STOP (W4-4p) plaque may be used in combination with a STOP sign when engineering judgment indicates that conditions are present that are causing or could cause drivers to misinterpret the intersection as a multi-way stop condition. The STANDARD statement specifies that if the W4-4p plaque is used, it shall be installed below the STOP sign. The new text for this section is necessary to provide for more uniform application of this plaque. The FHWA received two comments from the Cities of Plano, Texas, and Tucson, Arizona, in support of these changes and one editorial comment from the NCUTCD, which the FHWA incorporates in this final rule. The FHWA also changes the sign designation in the title to "W4-4p" and changes corresponding text throughout the section. In response to two comments from private citizens, the FHWA adds to the OPTION statement that the W4-4p plaque may use alternate messages such as TRAFFIC FROM LEFT (RIGHT) DOES NOT STOP or ONCOMING TRAFFIC DOES NOT STOP when such messages more accurately describe the traffic controls established at the intersection.

Additionally, the FHWA removes the arrow from the design of the plaque to reduce potential confusion and misunderstanding as to whether the arrow denotes the direction cross traffic

is flowing or the direction toward which the driver is to look for cross traffic. The FHWA received four comments from the Cities of Plano, Texas, and Tucson, Arizona, and private citizens in support of this change. The FHWA received one comment from the Minnesota DOT opposed to it, citing concerns that removal of the arrow would increase the confusion. The FHWA believes that the arrow is the source of the confusion and therefore removes the arrow from the design of the plaque.

90. The FHWA adds a new section numbered and titled, "Section 2C.52 High Occupancy Vehicle (HOV) Plaque (W16-11)." (This section was numbered Section 2C.48 in the NPA.) This new section includes an OPTION statement on the use of the High Occupancy Vehicle (HOV) Plaque. Specifically, an HOV (W16-11) plaque may be used to warn drivers in an HOV lane of a specific condition and to differentiate a warning sign specific for HOV lanes when the sign is also visible to traffic on the adjoining general purpose roadway. Additionally the diamond symbol may be used instead of the word message HOV and, when appropriate, the words LANE or ONLY may be used. This will enhance road user understanding of which signs apply to which lanes. The FHWA received three comments from the NCUTCD, ATSSA, and the City of Tucson, Arizona, in support of this new section, and adopts this new section, with minor changes to Figure 2C-11.

91. The FHWA adds a new section numbered and titled, "Section 2C.53 PHOTO ENFORCED Plaque (W16-10)." (This section was numbered Section 2C.49 in the NPA.) This new section includes an OPTION statement on the use of the PHOTO ENFORCED plaque in advance of locations of photo enforcement of traffic laws, thereby alerting motorists of the use of cameras as an enforcement tool. This section facilitates consistency with the PHOTO ENFORCED plaque for use with regulatory signs, as described in Section 2B.46 Photo Enforcement Signs (R10-18, R10-19).

Additionally, the FHWA adds a STANDARD statement to require that, if used below a warning sign, the PHOTO ENFORCED plaque be a rectangle with a black legend and border on a yellow background. This STANDARD makes the color of the plaque consistent with the color of the warning sign it supplements.

The FHWA received three comments from the NCUTCD, ATSSA, and the City of Tucson, Arizona, in support of this new section, and adopts this section. The Wisconsin DOT stated that some States have statutes that do not allow