

The FHWA adds to the second OPTION statement that warning and guide signs used for temporary traffic control of incident management situations may have a black legend and border on a fluorescent pink (referred to as coral in the NPA) background. The FHWA received one comment from the Virginia DOT in support of this change, and one from a traffic control device manufacturer opposed to it. The opposing commenter, representing the sign manufacturing industry, suggested that stronger language changing this to a GUIDANCE would help define the use of the color for this application and reduce confusion, resulting in increased recognition and association with incidents on the part of the road user. The FHWA disagrees because of the unplanned nature of incidents and the varied agencies and capabilities of first responders, agencies should have the ability to continue to use orange signs in incident management situations. Use and experience with the fluorescent pink color over time will increase awareness. The FHWA adopts the optional color fluorescent pink in this final rule.

The FHWA adds a new table, numbered and titled, "Table 6F-1 Sizes of Temporary Traffic Control Signs" showing the sizes of temporary traffic control warning signs to facilitate the proper use of signs in temporary traffic control zones. This table contains the sizes that were illustrated with the individual signs in the figures in Chapter 6F in the NPA. This table consolidates the information in one location for clarity and easy reference. The FHWA references this table in the second STANDARD statement. The FHWA also revises the third OPTION statement to indicate that the dimensions of signs shown in Table 6F-1 may be increased wherever necessary for greater legibility or emphasis. The FHWA adds this table and makes these changes to respond to a comment from Caltrans suggesting that a table of sign sizes in Part 6 would better serve users than having the information spread throughout the part, and to clarify dimensions related to the class of highway on which the various sizes are recommended. The FHWA also removes sign sizes from the pages of sign images throughout this chapter, because this table consolidates all information regarding sign sizes in one location.

The FHWA revises the wording and changes the last SUPPORT statement, regarding external sign illumination, to a STANDARD because of the need for consistency with requirements throughout other areas of the MUTCD. The FHWA received two comments

from the City of Charlotte, North Carolina, and a private citizen noting this inconsistency and suggesting that it be corrected, and the FHWA agrees that it is important to be consistent.

237. In Section 6F.03 Sign Placement, in the first STANDARD statement, the FHWA adds "bicycle movements" to the list of reasons why in urban areas the distance between the bottom of the sign and the top of the near edge of the traveled way shall be at least 2.1 m (7 ft), to enhance safety for bicyclists. The FHWA received seven comments from the City and County of Denver and private citizens in support of this change, and two comments from the Ohio DOT and a private citizen opposed to it. The Ohio DOT questioned the relationship between the presence of a bicycle and sign height. The FHWA believes that because bicyclists do ride on sidewalks in urban areas, they will have an effect on signs, especially when riding in a standing position, thus higher mounting heights are needed. A private citizen felt that this should not be a STANDARD statement if obvious exceptions exist, unless they are specifically listed. The FHWA believes that this STANDARD is consistent with the first paragraph of Section 2A.18 Mounting Height, which is also a STANDARD. The FHWA adds a new SUPPORT statement (consistent with Section 2A.18) that the mounting heights apply except as otherwise provided elsewhere in the MUTCD.

Additionally, the FHWA adds language to the STANDARD requiring signs to be mounted and placed in accordance with Section 4.4 of the "Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG)."<sup>48</sup> The FHWA received three comments from the City of Tucson, Arizona, and associations representing the blind community in support of this new text, and comments from the NCUTCD, the Ohio DOT, and Lake County, Illinois, opposed to it. The opposing commenters stated several reasons, including that this statement is repetitive throughout Part 6, that agencies need the flexibility to use engineering judgment on a case-by-case basis to determine the appropriate measures in a temporary traffic control plan, and that the guidelines should be specifically stated in the MUTCD, rather

than referenced. The FHWA disagrees because the ADAAG guidelines are too voluminous to include directly in the MUTCD and because ADAAG provides flexibility to determine the need for accommodation of pedestrians with disabilities and the actual applications that will be used when necessary. The FHWA adopts the text, as proposed in the NPA with a modification to address the issue of need for accommodation. Repetition is important to elevate the practitioners' awareness on the accommodation of pedestrians with disabilities and there are specific details in this and other sections of Part 6 on the installation of devices to satisfy accommodation.

Additionally, the FHWA adds to the second GUIDANCE statement that signs mounted lower than 2.1 m (7 ft) should not project more than 100 mm (4 in) into pedestrian facilities. This is in accordance with the "Americans With Disabilities Act Accessibility Guidelines For Buildings And Facilities (ADAAG)."<sup>49</sup> The FHWA received two comments from associations representing the blind community supporting this change, and comments from the NCUTCD and a traffic engineering consultant opposed to it. The NCUTCD felt that this information was repetitive and the traffic engineering consultant suggested that "sidewalk" be removed from the GUIDANCE statement to better accommodate urban settings where paved sidewalks extend from the curb face to the building line. The FHWA disagrees and adopts the text as proposed in the NPA.

In the NPA, the FHWA proposed adding a SUPPORT statement indicating that the design and placement of work zone signs is described elsewhere in Chapter 6F of the Manual. The FHWA received one comment from the NCUTCD opposed this, suggesting that this statement is not necessary. The FHWA agrees and deletes this statement from this final rule.

Additionally, in the 2000 MUTCD, the FHWA established a new requirement in this section that sign supports for temporary traffic control devices shall be crashworthy, but no special phase-in target compliance date was established at that time. Based on comments that agencies are encountering difficulties and economic impacts given the extensive testing of devices that has to occur in accordance with NCHRP Report 350<sup>49</sup> in order to determine and

<sup>48</sup> "Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG)," as amended through January 1998, is published by the U.S. Architectural and Transportation Barriers Compliance Board (Access Board), 1331 F Street, NW., Suite 1000, Washington, DC 2004-111. It may be obtained from the Access Board, or viewed electronically at the following URL: <http://www.access-board.gov/adaag/html/adaag.htm>.

<sup>49</sup> NCHRP Report 350, "Recommended Procedures for the Safety Performance Evaluation of Highway Features," 1993, is available for downloading from the Transportation Research Board at the following URL: [http://gulliver.trb.org/publications/nchrp/nchrp\\_rpt\\_350-a.pdf](http://gulliver.trb.org/publications/nchrp/nchrp_rpt_350-a.pdf).