

a need to detour pedestrians from existing routes or crossings. Although the City of Tucson, Arizona, supported this new text, the NCUTCD suggested that it was repetitive. The FHWA disagrees that it is repetitive, but removes this paragraph from this section, and places it in the new section numbered and titled, "Section 6G.05 Work Affecting Pedestrian and Bicycle Facilities."

290. In Section 6G.11 Work Within the Traveled Way of Urban Streets (numbered 6G.10 in the NPA), the FHWA adds to the first STANDARD statement that, if the temporary traffic control zone affects an accessible and detectable pedestrian facility, the accessibility and detectability along the alternate pedestrian route shall be maintained. The FHWA received one comment from a private citizen in support of this change, and four comments from the NCUTCD, the City of Tucson, Arizona, and traffic engineering consultants opposed to it. Most of the opposing commenters suggested that this statement should be a GUIDANCE, rather than STANDARD. The FHWA disagrees because this is an existing ADA requirement. Therefore, the FHWA adopts the text as proposed in the NPA. Based on a comment from the Florida DOT and for consistency with the new Section 6D.02 Accessibility Considerations, the FHWA adds another paragraph to the STANDARD that where transit stops are affected or relocated because of work activity, agencies shall provide access to temporary transit stops.

Additionally, the FHWA adds to the GUIDANCE statement that work sites within the intersection should be protected against inadvertent pedestrian incursion by providing detectable channelizing devices. The FHWA received one comment from the NCUTCD opposed to this new paragraph, stating that it is repetitive. The FHWA disagrees and adopts the text with an editorial change.

291. In Section 6G.12 Work Within the Traveled Way of Multi-lane, Nonaccess Controlled Highways (numbered Section 6G.11 in the NPA), the FHWA proposed adding to the first SUPPORT statement that Chapter 6D contains information regarding the steps to follow when pedestrian facilities are affected by the worksite. Although the City of Tucson, Arizona, supported this new text, the NCUTCD suggested that it was repetitive. The FHWA rewords this paragraph to match the same paragraph that the FHWA places in most of the other sections within Chapter 6G and places it at the beginning of the first SUPPORT statement.

Additionally, the FHWA moves the information in the second SUPPORT statement related to the four primary functions of temporary traffic barriers to Section 6F.81 Traffic Barriers (numbered Section 6F.75 in the NPA) as they more properly belong in that section.

292. In Section 6G.13 Work Within the Traveled Way at an Intersection (numbered Section 6G.12 in the NPA), to reinforce proper contact procedures, the FHWA proposed adding language to the first STANDARD statement and to the second GUIDANCE statement regarding contact with the highway agency having jurisdiction at intersections where pedestrian accessibility problems are anticipated. The FHWA received several primarily editorial comments regarding these changes. The NCUTCD suggested that the references to accessibility were repetitive. Based on a comment from a private citizen, the FHWA changes the language in the GUIDANCE to a STANDARD to provide greater consistency by requiring rather than recommending that the entity conducting the work contact the highway agency having jurisdiction when working near any (signalized or unsignalized) intersection where operational, capacity, or pedestrian accessibility problems are anticipated. If these types of problems are anticipated, it is important that the highway agency having jurisdiction be contacted even if it does not involve a signalized intersection.

The FHWA proposed adding a STANDARD statement after the second GUIDANCE statement that pedestrian crossings shall be protected with a pedestrian barrier detectable to pedestrians with visual disabilities. The FHWA received three comments from the NCUTCD, the City of Charlotte, North Carolina, and a private citizen opposed to this change suggesting that this should only be necessary if the crossing is an accessible pedestrian crossing. The FHWA agrees and revises the statement and classifies it as a GUIDANCE rather than a STANDARD to be consistent with new Section 6G.05 Work Affecting Pedestrian and Bicycle Facilities.

Additionally, the FHWA modifies item B of the third OPTION statement to indicate that uniformed law enforcement officers, as well as flaggers, may be used to direct road users when work is within an intersection. The FHWA received two comments from the Laborers' Health and Safety Fund of North America and a private citizen in support of this change and adopts this change.

293. In Section 6G.14 Work Within the Traveled Way of Freeways and Expressways (numbered Section 6G.13 in the NPA), the FHWA revises the first SUPPORT statement to include bicycles in the listing of road vehicle mix. The FHWA received one comment from the Kansas DOT opposed to this change, suggesting that bicycles should not be allowed on freeways. The FHWA adopts this change, with an editorial change to clarify that bicycles are included in the vehicle mix only if they are permitted. In some areas of the country, Interstate Routes or other freeways offer the only access for recreational bicyclists to get between destinations, and therefore bicycles are permitted. This is a safety issue that has traditionally been left to the States to decide.

294. In Section 6G.19 Work in the Vicinity of Highway-Rail Grade Crossings (numbered Section 6G.18 in the NPA), the FHWA clarifies the second sentence of the STANDARD statement by adding the word "uniformed" to describe a law enforcement officer. The FHWA makes this clarification in this final rule for consistency with other requirements elsewhere in the MUTCD.

295. The FHWA moves all of the information from Section 6G.19 Control of Traffic Through Traffic Incident Management Areas, as numbered and titled in the 2000 MUTCD, to a new chapter numbered and titled "Chapter 6I Control of Traffic Through Traffic Incident Management Areas." In its place, the FHWA adds a new section numbered and titled, "Section 6G.20 Temporary Traffic Control During Nighttime Hours." (This section was numbered Section 6G.19 in the NPA.) This new section contains SUPPORT, GUIDANCE, OPTION, and STANDARD statements regarding the temporary traffic control measures appropriate during nighttime hours. The FHWA received comments from the City of Tucson, Arizona, the Laborers' Health and Safety Fund of North America, and NIOSH in support of the new section. Many expressed that a new section devoted to temporary traffic control during nighttime hours is needed. Several commenters suggested that more information was needed to strengthen the section, and some suggested rewording and additional text. The NCUTCD favored replacing the proposed text with modified language developed by the NCUTCD Temporary Traffic Control Technical Committee. The FHWA agrees that additional information is necessary and believes the NCUTCD's rewording will clarify the section. Accordingly, the FHWA revises the text to incorporate and be