

ii. *Notes for Figure 6H-40:* The FHWA adds to item 3 that YIELD or STOP lines should be installed, if needed, across the ramp to indicate the point at which road users should YIELD or STOP. The FHWA received two comments from the City of Charlotte, North Carolina, and a private citizen suggesting additional information should be included in the GUIDANCE regarding the placement of YIELD or STOP lines. However, the FHWA does not add additional language in this final rule because such a change would require further study and public comment. Additionally, the FHWA adds a dimension of 7.5 m (25 ft) spacing between channelizing devices shown on Figure 6H-40. The FHWA includes this additional guidance, beyond the general guidance in Section 6F.58 Channelizing Devices about channelizing device spacing, to help improve channelization specifically in the median crossover by providing a recommended device spacing to minimize the tendency of vehicles to drive between devices. The FHWA received one comment from a private citizen in support of this change, and the FHWA adopts this change.

jj. *Figure 6H-41:* (See discussion regarding channelizing device spacing in paragraph ii above.)

kk. *Notes for Figure 6H-42:* The FHWA removes items 6 and 7 of the OPTION statement (as numbered in the 2000 MUTCD) because they are not applicable to the specific application depicted on Figure 6H-42. In the NPA, the FHWA proposed renumbering the remaining item. The FHWA received two comments from the City of Charlotte, North Carolina, and a private citizen suggesting that the remaining item, stating that a buffer may be used, was not clear without the two previous items, which had been removed. The FHWA agrees and deletes the remaining item (6) in this final rule because it is unlikely that a buffer will be used for this application, thus the note is not necessary. (See the discussion and comments for item gg above regarding the label "optional" for the arrow panels on the figure.)

ll. *Notes for Figure 6H-44:* The FHWA removes item 5 in the GUIDANCE statement (as numbered in the 2000 MUTCD) because it is too vague and there is no accepted practice to determine how traffic is stabilized. The FHWA renumbers the remaining items. The FHWA received no comments regarding this change. (See the discussion and comments for paragraph gg above regarding the label "optional" for the arrow panels on the figure.)

mm. *Notes for Figure 6H-45:* The FHWA adds a second sentence to items 2a and 2e to include changing the mode

of the second northbound and southbound arrow panels respectively from Caution to Right Arrow and from Right Arrow to Caution. The FHWA received comments suggesting that these changes are necessary for consistency with Chapter 6F of the MUTCD. The FHWA agrees and adopts these changes in this final rule.

nn. *Notes for Figure 6H-46:* The FHWA revises item 9 from GUIDANCE to a STANDARD consistent with Section 6E.05 Flagger Stations. The standard states, "At night, flagger stations shall be illuminated, except in emergencies." This change is necessary to be consistent with the new STANDARD in Section 6E.05 Flagger Stations.

297. The FHWA adds a new chapter, numbered and titled "Chapter 6I Control of Traffic Through Traffic Incident Management Areas." This new chapter contains text from Section 6G.19 Control of Traffic Through Incident Areas (as numbered in the 2000 MUTCD) in its entirety with several modifications and additional information on the use of temporary traffic control devices for traffic incident management zones. The new chapter contains a general section as well as sections on major, intermediate, and minor traffic incidents, and on use of emergency-vehicle lighting (flashing or rotating beacons or strobes). This Chapter is included to recognize the importance of safely and efficiently controlling traffic through traffic incident areas and the unique characteristics of incidents and the traffic controls that should be used.

In Section 6I.01 Control of Traffic Through Traffic Incident Management Areas, the FHWA received comments from Lake County, Illinois, and the Cities of Tucson, Arizona, and Charlotte, North Carolina, and a private citizen specifically in support of this new section, several informational and editorial comments, and some comments opposed to specific language within the section.

Based on a comment from NIOSH suggesting that a distinction be made between planned and unplanned events, the FHWA makes a distinction between planned and unplanned events and removes language in this section, as well as the entire chapter, referring to planned events. With pre-planning and coordination between law enforcement and transportation agencies, most special events, such as a sporting event or a scheduled visit by a dignitary, would not require the emergency measures described in this section. This section focuses on management of emergency and other unforeseen

incidents, including motor vehicle crashes, hazardous materials spills, and natural disasters. All references to special events are deleted from this chapter.

The FHWA also revises text within this section to be consistent with changes made in other areas of the MUTCD in this final rule. Such revisions include clarifying the limits of an incident management area and designating the color fluorescent pink as an optional background color for incident management signs. Some commenters felt that the special color for traffic incident management signing should be mandatory or recommended rather than an option. The FHWA agrees it would be desirable for all traffic incident management signs to be the special color but determines that this is not practical due to the unplanned nature of such incidents and the wide variety and capabilities of first responders. The reason that the FHWA establishes an optional distinctive color (fluorescent pink) for signing for incident management is to inform drivers that the temporary traffic controls have been set up for an emergency and therefore this is not a normal temporary traffic control zone. If incident management treatments, including the special sign color, are only used for unforeseen situations, drivers will realize that they need to be especially alert in incident management situations.

Consistent with Section 2C.33 of the MUTCD, the FHWA adopts the W4-2 Lane Ends symbol sign but revises its design to be consistent with the Canadian symbol. (Please refer to the discussion in Section 2C.33).

In response to comments from NIOSH, the City of Charlotte, North Carolina, and a private citizen, the FHWA also revises the third paragraph of the first GUIDANCE statement that "first responders" to the incident should assess the situation and set up temporary traffic control related to that assessment. First responders, however, will likely be too involved with other tasks related to the incident itself and accordingly the FHWA has deleted "first" from this statement. The statement now recognizes that other responders may perform this assessment and the associated tasks for temporary traffic control.

In Section 6I.02 Major Traffic Incidents, the FHWA received two comments from the City of Charlotte, North Carolina, and a private citizen opposed to the first GUIDANCE statement regarding the use of applicable procedures and devices for traffic incidents that are anticipated to