

last more than 24 hours. The commenters stated that normal temporary traffic control procedures should be recommended for any incident lasting more than a few hours. The FHWA disagrees with these comments because incidents that are relatively severe can last for most of a day, and it is appropriate during these incidents to allow the use of incident management procedures and devices, rather than temporary traffic control procedures and devices.

Based on comments from NIOSH and the Iowa DOT, the FHWA revises the third paragraph of the second GUIDANCE statement to add uniformed law enforcement officers, for consistency with other sections in Part 6.

Based on comments from the NCUTCD, the City of Charlotte, North Carolina, and a private citizen, the FHWA revises the third GUIDANCE statement in this final rule to delete the recommendation that channelizing devices should be used whenever possible if a roadway is expected to be closed for more than three hours. That recommendation was inconsistent with the first GUIDANCE statement in this section, which states that other chapters of Part 6 should be used if the incident will last more than 24 hours. Finally, the FHWA revises the last paragraph of the GUIDANCE statement to address a comment from the NCUTCD suggesting that the reference to using flares for short-term temporary traffic control be deleted.

In Section 6I.03 Intermediate Traffic Incidents, the FHWA revises the SUPPORT statement to clarify the duration of intermediate traffic incidents, based on comments from the NCUTCD and to be consistent with Section 6I.01 General. The FHWA makes additional revisions to this section to be consistent with changes as discussed in Section 6I.02 Major Traffic Incidents.

In Section 6I.04 Minor Traffic Incidents, the FHWA revises the SUPPORT statement to clarify the duration of minor traffic incidents. The FHWA also removes the first paragraph of the GUIDANCE statement and adds that paragraph to Sections 6I.01, 6I.02, and 6I.03, as this recommendation for training of on-scene responders is generally applicable to all types of traffic incidents but especially major and intermediate ones.

In Section 6I.05 Use of Emergency-Vehicle Lighting, the FHWA received one comment from NIOSH opposed to the section, suggesting that the section does not provide clear, consistent advice on the use of emergency-vehicle

lighting. The FHWA disagrees because the first sentence of the first paragraph points out that emergency-vehicle lighting is essential prior to establishing good traffic control and the second and third paragraphs encourage emergency-vehicle lighting to be kept to a minimum after good traffic control has been established. The FHWA adopts this section with an additional GUIDANCE paragraph stating that vehicle headlights not needed for illumination, or to provide notice to other road users of the incident response vehicle being in an unexpected location, should be turned off at night.

Discussion of Adopted Amendments to Part 7—Traffic Controls for School Areas

298. In Section 7A.01 Need for Standards, the FHWA received one comment from Caltrans suggesting that the STANDARD, which states that the types of traffic control devices used in school areas shall be related to the volumes and speed of vehicular traffic, street width, and the number and age of the students using the crossing, is not practical because the type of traffic control devices cannot be related to all of the conditions listed. The FHWA agrees that GUIDANCE, to provide recommendations rather than a requirement, is appropriate and revises this statement in the final rule to a GUIDANCE. In addition, this is consistent with the rest of the GUIDANCE statement in Section 7A.01.

299. In Section 7A.04 Scope, the FHWA received four comments from the NCUTCD, the Kansas DOT, and the Minnesota DOT opposing the removal of the second paragraph of the STANDARD restricting the use of portable school signs. The FHWA disagrees with the commenters because Arizona has extensively used portable school signs, in accordance with Arizona State laws and Arizona DOT guidelines that have been in effect for several decades.⁵⁶ The FHWA believes that, when designed and placed

appropriately, portable school signs can be helpful in reducing speed, increasing road user awareness of the crossing, and enhancing school pedestrian safety. The FHWA believes that the use of these signs is a subset of overall “in-street” pedestrian devices that the FHWA adopts in Part 2. In addition, the State of Washington successfully experimented with in-roadway school warning signs,⁵⁷ as discussed below under Sections 7B.08 School Advance Warning Assembly (S1–1 with Supplemental Plaque) and 7B.09 School Crosswalk Warning Assembly (S1–1 with Diagonal Arrow). Accordingly, the FHWA adopts the removal of the text as specified in the NPA. For consistency with other parts of the MUTCD, the FHWA also adds an OPTION that in-roadway signs for school traffic control areas may be used consistent with the requirements of Sections 7B.08, 7B.09, and 2B.12 In-Street Pedestrian Crossing Signs.

300. In Section 7A.09 Unauthorized Devices and Messages, (titled Section 7A.09 Removal of Confusing Advertising in the 2000 MUTCD), the FHWA changes the title to provide consistency with other text in the MUTCD as well as to avoid conflicting statements to clarify the intent of this section. Two commenters from the Ohio DOT and Caltrans suggested that the title of the section be changed to clarify the intent of the section. The comment from the Ohio DOT also suggested that the SUPPORT statement be revised to reference Section 1A.01 Purpose of Traffic Control Devices in addition to Section 1A.08 Authority for Placement of Traffic Control Devices, which is already referenced. The FHWA agrees that these changes are necessary for consistency.

301. In Section 7B.01 Size of School Signs, the FHWA revises the STANDARD statement to indicate that the “Conventional Road” size sign shall be used on public roads, streets, and highways unless engineering judgment determines that a special sign size would be more appropriate, and that “oversized” sign sizes shall be used on expressways. The FHWA also revises the OPTION statement to indicate that “oversized” sign sizes may be used for application that require increased emphasis, improved recognition, or increased legibility.

⁵⁶ “Traffic Safety for School Areas Guidelines”, 30–012, Arizona Department of Transportation, June 2003, includes Arizona DOT guidelines for use of portable school signs and citations of applicable Arizona State laws. This document is available at the following URL: http://www.dot.state.az.us/ROADS/traffic/standards/School_Safety/Schoolsafety.pdf. The longstanding use and success of these signs in Arizona is reported in “School Zone Flashers—Do they Really Slow Traffic?” by Benjamin E. Burritt, Richard C. Buchanan, and Eric I. Kalivoda”, an article in ITE Journal, volume 60, number 1, January, 1990, pages 29–31. A copy of this article is available on the docket. Also, this issue of ITE Journal is available for purchase from the Institute of Transportation Engineers (ITE) at the following URL: <http://ite.org> and click on “Bookstore”.

⁵⁷ “School Zone ‘Delineator’ Project: Summary of Preliminary Analysis Data” was prepared in August 2003 by the Washington Traffic Safety Commission for the Washington State Department of Transportation, as a part of FHWA-approved experimentation number 7–16. This document is available on the docket.