

statements describing the use of the STOP HERE ON RED (R10-6) sign at highway-rail grade crossings. The FHWA received comments from the Wisconsin and New Jersey DOTs suggesting that the SUPPORT statement be clarified to indicate that the STOP HERE ON RED sign be restricted to just those crossings where traffic control signals are used to control traffic, and not used at locations with flashing-light signals. The FHWA also received several comments from the NCUTCD, railroad operators, traffic engineering consultants, and private citizens suggesting that the FHWA remove the term "traffic gates" from the SUPPORT statement because the term is not common in the railroad industry. The FHWA agrees with both of these comments and incorporates these clarifications into this final rule. The FHWA rennumbers the remaining sections accordingly.

322. In Section 8B.15 NO SIGNAL Sign (W10-10) or NO GATES OR LIGHTS Sign (W10-13) (numbered and titled "Section 8B.12 NO SIGNAL Sign (W10-10)" in the 2000 MUTCD), the FHWA adds to the OPTION statement that the NO GATES OR LIGHTS (W10-13) sign may be used as an alternate to the NO SIGNAL (W10-10) sign. There was one comment from the New Jersey DOT opposing this change, stating that they are not in favor of using these signs at grade crossings. Because the use of these signs is optional, States can determine whether or not they use these signs. Some States are interested in using these signs, so the FHWA adopts this change as proposed in the NPA.

323. In Section 8B.16 LOOK Sign (R15-8), (numbered Section 8B.15 in the NPA), the FHWA modifies the OPTION statement by removing the phrase, "that do not have active warning devices" to clarify that the LOOK (R15-8) sign may be mounted at any highway-rail grade crossing. There was one comment from the City of Tucson, Arizona, in support of the change, and two commenters from the Minnesota DOT and a traffic engineering consultant opposed the change. The traffic engineering consultant suggested that the LOOK sign should be a warning sign, rather than a regulatory sign. Because most State laws require road users to look for trains at a grade crossing, as well as the fact that this sign regulates pedestrians, the FHWA declines incorporating this suggestion. The Minnesota DOT, who opposed the change, suggested that the LOOK sign should only apply to highway-rail grade crossings with active warning devices. Because this sign is optional and may be used in areas of significant pedestrian traffic, regardless

of traffic control devices at the crossing, the FHWA disagrees and adopts the changes as proposed in the NPA.

324. The FHWA adds a new section numbered and titled "Section 8B.19 Skewed Crossing Sign (W10-12)" (numbered Section 8B.18 in the NPA), which describes the use of the Skewed Crossing (W10-12) sign at highway-rail grade crossings when railroad tracks are not perpendicular to the highway. Four commenters, representing the NCUTCD, Caltrans, the New Jersey DOT, as well as the City of Tucson, Arizona, agreed with the changes as proposed, while two commenters from the Nevada DOT suggested that more research should be conducted regarding the effectiveness of this sign. The FHWA disagrees that any additional study is needed and adopts this section in this final rule. One commenter from the Virginia DOT suggested revisions to the GUIDANCE statement to provide more guidance on the sign design to appropriately depict the skewed crossing. The FHWA agrees with this comment and incorporates this modification into this final rule.

325. In Section 8B.20 Pavement Markings (numbered Section 8B.19 in the NPA), the FHWA revises the second paragraph of the STANDARD statement to clarify that a no-passing marking on two-lane highways is needed only in locations where centerline markings are used. The FHWA incorporates this change for consistency with changes made in Part 3 in this final rule.

326. In Section 8B.22 Dynamic Envelope Markings (numbered and titled Section 8B.18 Dynamic Envelope Delineation in the 2000 MUTCD), the FHWA retitles this section to clarify that the text refers to pavement markings.

Additionally, the FHWA adds a second paragraph to the OPTION statement to clarify that dynamic envelope markings may be installed at any highway-rail grade crossing unless a Four-Quadrant Gate system is used.

327. In Section 8C.01 Illumination of Highway-Rail Grade Crossings, the FHWA proposed to change the OPTION statement to a GUIDANCE statement to indicate that illumination should be installed at, and adjacent to, a highway-rail grade crossing when an engineering study determines such illumination is needed to improve grade crossing safety. One commenter from the City of Tucson, Arizona, agreed with the change, however seven commenters, representing the NCUTCD, State and local DOTs as well as private citizens, opposed changing the OPTION to a GUIDANCE, stating that this would be very expensive to implement and that the FHWA should consider the economic impact. The FHWA agrees

with the economic concerns and to address this situation the FHWA adds an OPTION statement before the GUIDANCE, stating that illumination may be installed at or adjacent to a highway-rail grade crossing. The FHWA adopts the change proposed in the NPA to change the OPTION statement to a GUIDANCE statement; however, this GUIDANCE follows the new OPTION statement.

328. In Section 8D.01 Introduction, the FHWA revises the first OPTION statement to clarify that flashing-light signals that are post-mounted or overhead-mounted may be used separately or in combination with each other and that flashing-light signals may be used without automatic gate assemblies as determined by an engineering study. The FHWA received one comment from the Nevada DOT opposing this change, stating that this language may enable third parties to apply pressure to local authorities that approve crossings not to install automatic gates. The FHWA feels that the decision for the crossing treatment should be determined by the agency maintaining the roadway after an engineering study and adopts the change as proposed in the NPA.

Additionally, in the NPA the FHWA proposed adding to the second OPTION statement information that In-Roadway Stop Line Lights and In-Roadway Warning Lights may be installed at highway-rail grade crossings that are controlled by active grade crossing warning systems, as discussed in Chapter 4L In Roadway Lights. Eleven commenters representing the NCUTCD, State and local DOTs, railroad operators and associations, and private citizens opposed this new text. In concert with determinations made in Chapter 4L, the FHWA withdraws this proposal and retains the language in the 2000 MUTCD.

329. In Section 8D.02 Flashing-Light Signals, Post-Mounted, the FHWA modifies the GUIDANCE statement to clarify the sizes of lenses for use in highway-rail grade crossing flashing-light signals and to provide guidance for choosing the size of the background behind the lenses. The FHWA received five comments from the NCUTCD, stating that the NCUTCD Railroad and Light Rail Transit Committee opposed the proposed clarification of lens sizes for use in highway-rail grade crossing flashing-light signals because lens sizes have been understood for many years in the rail industry. The FHWA disagrees because the clarifying reference in this section is to Section 4D.15 Size, Number and Location of Signal Faces by Approach, which contains good advice