

APPENDIX K

MUTCD SECTION 1A.10 INTERPRETATIONS, EXPERIMENTATIONS, CHANGES, AND INTERIM APPROVALS

Section 1A.10 Interpretations, Experimentations, Changes, and Interim Approvals

Standard:

Design, application, and placement of traffic control devices other than those adopted in this Manual shall be prohibited unless the provisions of this Section are followed.

Support:

Continuing advances in technology will produce changes in the highway, vehicle, and road user proficiency; therefore, portions of the system of traffic control devices in this Manual will require updating. In addition, unique situations often arise for device applications that might require interpretation or clarification of this Manual. It is important to have a procedure for recognizing these developments and for introducing new ideas and modifications into the system.

Standard:

Requests for any interpretation, permission to experiment, interim approval, or change shall be sent to the Federal Highway Administration (FHWA), Office of Transportation Operations, 400 Seventh Street, SW, HOTO, Washington, DC 20590.

Support:

An interpretation includes a consideration of the application and operation of standard traffic control devices, official meanings of standard traffic control devices, or the variations from standard device designs.

Guidance:

Requests for an interpretation of this Manual should contain the following information:

- A. A concise statement of the interpretation being sought;
- B. A description of the condition that provoked the need for an interpretation;
- C. Any illustration that would be helpful to understand the request; and
- D. Any supporting research data that is pertinent to the item to be interpreted.

Support:

Requests to experiment include consideration of field deployment for the purpose of testing or evaluating a new traffic control device, its application or manner of use, or a provision not specifically described in this Manual.

A request for permission to experiment will be considered only when submitted by the public agency or private toll facility responsible for the operation of the road or street on which the experiment is to take place.

A diagram indicating the process for experimenting with traffic control devices is shown in Figure 1A-1.

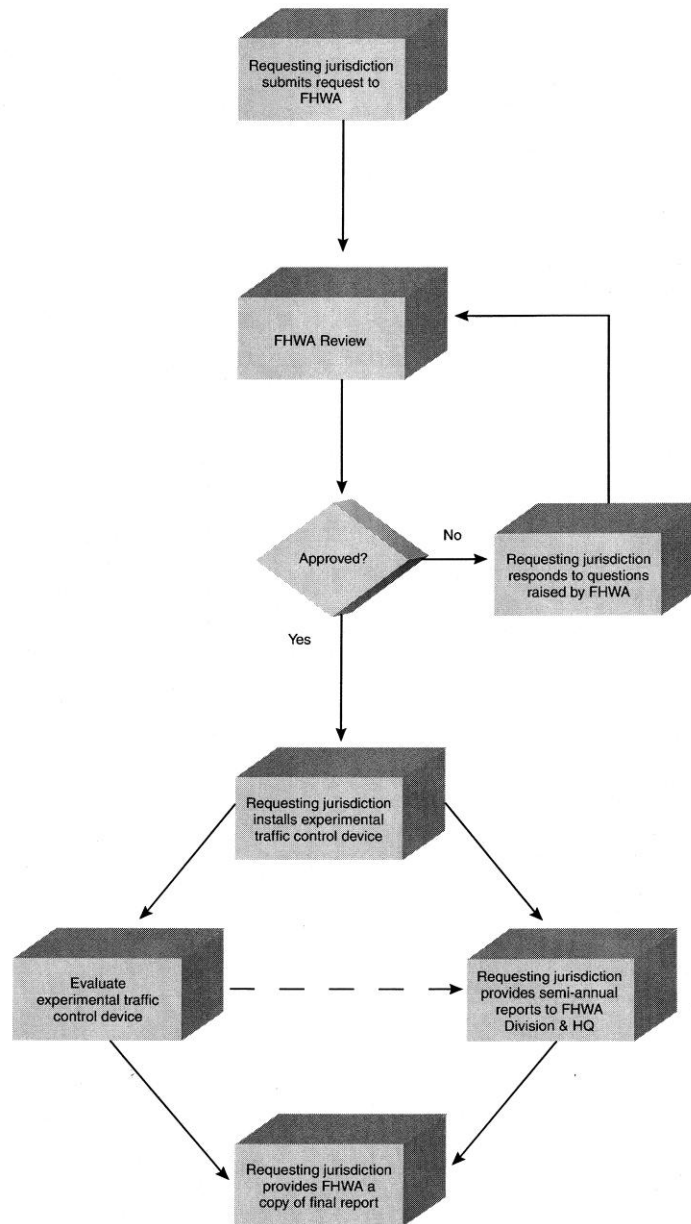
Guidance:

The request for permission to experiment should contain the following:

- A. A statement indicating the nature of the problem.
- B. A description of the proposed change to the traffic control device or application of the traffic control device, how it was developed, the manner in which it deviates from the standard, and how it is expected to be an improvement over existing standards.
- C. Any illustration that would be helpful to understand the traffic control device or use of the traffic control device.
- D. Any supporting data explaining how the traffic control device was developed, if it has been tried, in what ways it was found to be adequate or inadequate, and how this choice of device or application was derived.
- E. A legally binding statement certifying that the concept of the traffic control device is not protected by a patent or copyright. (An example of a traffic control device concept would be countdown pedestrian signals in general. Ordinarily an entire general concept would not be patented or copyrighted, but if it were it would not be acceptable for experimentation unless the patent or copyright owner signs a waiver of rights acceptable to the FHWA. An example of a patented or copyrighted specific device within the general concept of countdown pedestrian signals would be a manufacturer's design for its specific brand of countdown signal, including the design details of the housing or electronics that are unique to that manufacturer's product. As long as the general concept is not patented or copyrighted, it is acceptable for experimentation to incorporate the use of one or more patented devices of one or several manufacturers.)
- F. The time period and location(s) of the experiment.
- G. A detailed research or evaluation plan that must provide for close monitoring of the experimentation, especially in the early stages of its field implementation. The evaluation plan should include before and after studies as well as quantitative data describing the performance of the experimental device.



Figure 1A-1. Example of Process for Requesting and Conducting Experimentations for New Traffic Control Devices



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- H. An agreement to restore the site of the experiment to a condition that complies with the provisions of this Manual within 3 months following the end of the time period of the experiment. This agreement must also provide that the agency sponsoring the experimentation will terminate the experimentation at any time that it determines significant safety concerns are directly or indirectly attributable to the experimentation. The FHWA's Office of Transportation Operations has the right to terminate approval of the experimentation at any time if there is an indication of safety concerns. If, as a result of the experimentation, a request is made that this Manual be changed to include the device or application being experimented with, the device or application will be permitted to remain in place until an official rulemaking action has occurred.
- I. An agreement to provide semiannual progress reports for the duration of the experimentation, and an agreement to provide a copy of the final results of the experimentation to the FHWA's Office of Transportation Operations within 3 months following completion of the experimentation. The FHWA's Office of Transportation Operations has the right to terminate approval of the experimentation if reports are not provided in accordance with this schedule.

Support:

A change includes consideration of a new device to replace a present standard device, an additional device to be added to the list of standard devices, or a revision to a traffic control device application or placement criteria.

Guidance:

Requests for a change to this Manual should contain the following information:

- A. A statement indicating what change is proposed;
- B. Any illustration that would be helpful to understand the request; and
- C. Any supporting research data that is pertinent to the item to be reviewed.

Support:

Requests for interim approval include consideration of allowing interim use, pending official rulemaking, of a new traffic control device, a revision to the application or manner of use of an existing traffic control device, or a provision not specifically described in this Manual. If granted, interim approval will result in the traffic control device or application being placed into the next scheduled rulemaking process for revisions to this Manual. The device or application will be permitted to remain in place, under any conditions established in the interim approval, until an official rulemaking action has occurred.

Interim approval is considered based on the results of successful experimentation, results of analytical or laboratory studies, and/or review of non-U.S. experience with a traffic control device or application. Interim approval considerations include an assessment of relative risks, benefits, and costs. Interim approval includes conditions that jurisdictions agree to comply with in order to use the traffic control device or application until an official rulemaking action has occurred.

Guidance:

The request for permission to place a traffic control device under interim approval should contain the following:

- A. A statement indicating the nature of the problem.
- B. A description of the proposed change to the traffic control device or application of the traffic control device, how it was developed, the manner in which it deviates from the standard, and how it is expected to be an improvement over existing standards.
- C. The location(s) where it will be used and any illustration that would be helpful to understand the traffic control device or use of the traffic control device.
- D. A legally-binding statement certifying that the concept of the traffic control device is not protected by a patent or copyright. (An example of a traffic control device concept would be countdown pedestrian signals in general. Ordinarily an entire general concept would not be patented or copyrighted, but if it were it would not be acceptable for interim approval unless the patent or copyright owner signs a waiver of rights acceptable to the FHWA. An example of a patented or copyrighted specific device within the general concept of countdown pedestrian signals would be a manufacturer's design for its specific brand of countdown signal, including the design details of the housing or electronics that are unique to that manufacturer's product. Interim approval of a specific patented or copyrighted product is not acceptable.)
- E. A detailed completed research or evaluation on this traffic control device.
- F. An agreement to restore the site(s) of the interim approval to a condition that complies with the provisions in this Manual within 3 months following the issuance of a final rule on this traffic control device. This agreement must also provide that the agency sponsoring the interim approval will terminate use of the device or application installed under the interim approval at any time that it determines significant safety concerns are directly or indirectly attributable to the device or application. The FHWA's Office of Transportation Operations has the right to terminate the interim approval at any time if there is an indication of safety concerns.



Option:

A State may submit a request for interim approval for all jurisdictions in that State, as long as the request contains the information listed in the Guidance above.

Standard:

Once an interim approval is granted to any jurisdiction for a particular traffic control device or application, subsequent jurisdictions shall be granted interim approval for that device or application by submitting a letter to the FHWA Office of Transportation Operations indicating they will abide by Item F above and the specific conditions contained in the original interim approval.

A local jurisdiction using a traffic control device or application under an interim approval that was granted either directly to that jurisdiction or on a statewide basis based on the State's request shall inform the State of the locations of such use.

Support:

A diagram indicating the process for incorporating new traffic control devices into this Manual is shown in Figure 1A-2.

Procedures for revising this Manual are set out in the Federal Register of June 30, 1983 (48 FR 30145).

For additional information concerning interpretations, experimentation, changes, or interim approvals, write to the FHWA, 400 Seventh Street, SW, HOTO, Washington, DC 20590, or visit the MUTCD website at <http://mutcd.fhwa.dot.gov>.

Section 1A.11 Relation to Other Publications

Standard:

To the extent that they are incorporated by specific reference, the latest editions of the following publications, or those editions specifically noted, shall be a part of this Manual: "Standard Highway Signs" book (FHWA); and "Color Specifications for Retroreflective Sign and Pavement Marking Materials" (appendix to subpart F of Part 655 of Title 23 of the Code of Federal Regulations).

Support:

The "Standard Highway Signs" book includes standard alphabets and symbols for highway signs and pavement markings.

For information about the above publications, visit the Federal Highway Administration's MUTCD website at <http://mutcd.fhwa.dot.gov>, or write to the FHWA, 400 Seventh Street, SW, HOTO, Washington, DC 20590.

The publication entitled "Federal-Aid Highway Program Guidance on High Occupancy Vehicle (HOV) Lanes" is available at <http://www.fhwa.dot.gov/operations/hovguide01.htm>, or write to the FHWA, 400 Seventh Street, SW, HOTO, Washington, DC 20590.

Other publications that are useful sources of information with respect to use of this Manual are listed below. See Page i of this Manual for ordering information for the following publications:

1. "A Policy on Geometric Design of Highways and Streets," 2001 Edition (American Association of State Highway and Transportation Officials—AASHTO)
2. "Guide for the Development of Bicycle Facilities," 1999 Edition (AASHTO)
3. "Guide to Metric Conversion," 1993 Edition (AASHTO)
4. "Guidelines for the Selection of Supplemental Guide Signs for Traffic Generators Adjacent to Freeways," 2001 Edition (AASHTO)
5. "List of Control Cities for Use in Guide Signs on Interstate Highways," 2001 Edition (AASHTO)
6. "Roadside Design Guide," 2001 Edition (AASHTO)
7. "Standard Specifications for Movable Highway Bridges," 1988 Edition (AASHTO)
8. "Traffic Engineering Metric Conversion Folders— Addendum to the Guide to Metric Conversion," 1993 Edition (AASHTO)
9. "2000 AREMA Communications & Signals Manual," American Railway Engineering & Maintenance-of-Way Association (AREMA)
10. "Designing Sidewalks and Trails for Access—Part 2—Best Practices Design Guide," 2001 Edition (FHWA) [Publication No. FHWA-EP-01-027]
11. "Practice for Roadway Lighting," RP-8, 2001, Illuminating Engineering Society (IES)
12. "Safety Guide for the Prevention of Radio Frequency Radiation Hazards in the Use of Commercial Electric Detonators (Blasting Caps)," Safety Library Publication No. 20, Institute of Makers of Explosives
13. "American National Standard for High-Visibility Safety Apparel," (ANSI/ISEA 107-1999), 1999 Edition, ISEA - The Safety Equipment Association.
14. "Manual of Traffic Signal Design," 1998 Edition (Institute of Transportation Engineers—ITE)

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