

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****23 CFR Part 655**

[FHWA Docket No. 96-9]

RIN 2125-AD89

National Standards for Traffic Control Devices; Revision of the Manual on Uniform Traffic Control Devices; Pedestrian, Bicycle, and School Warning Signs**AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice of proposed amendment to the Manual on Uniform Traffic Control Devices (MUTCD); request for comments.

SUMMARY: The MUTCD is incorporated by reference in 23 CFR part 655, subpart F, and recognized as the national standard for traffic control on all public roads. After the current 1988 Edition of the MUTCD was published, a decision was made by the FHWA on January 6, 1988, at 53 FR 236, to postpone rulemaking on all requests for revisions to the MUTCD except those changes which would significantly impact safety. The FHWA announced its intent to rewrite and reformat the MUTCD on January 10, 1992, at 57 FR 1134. This effort is still underway and as work progresses, many changes and modifications are being proposed. The FHWA is inviting comments on a proposed change to the MUTCD which would assign the color fluorescent yellow green as an optional color for pedestrian, bicycle, and school warning signs.

DATES: Submit comments on or before October 7, 1996.

ADDRESSES: Submit written, signed comments to FHWA Docket No. 96-9, Federal Highway Administration, Room 4232, HCC-10, 400 Seventh Street, SW., Washington, DC 20590. All comments received will be available for examination at the above address between 8:30 a.m. and 3:30 p.m., e.t., Monday through Friday except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard.

FOR FURTHER INFORMATION CONTACT: For information regarding this notice of proposed amendment contact Mr. Ernest Huckaby, Office of Highway Safety, Room 3416, (202) 366-9064, or Mr. Raymond Cuprill, Office of Chief Counsel, Room 4217, (202) 366-0834, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590.

Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday except Federal holidays.

SUPPLEMENTARY INFORMATION: The MUTCD is available for inspection and copying as prescribed in 49 CFR Part 7, appendix D. It may be purchased for \$44.00 from the Superintendent of Documents, U. S. Government Printing Office, Washington, DC 20402, Stock No. 050-001-00308-2.

The FHWA both receives and initiates requests for amendments to the MUTCD. Each request is assigned an identification number which indicates, by Roman numeral, the organizational part of the MUTCD affected and, by Arabic numeral, the order in which the request was received.

This notice is being initiated by the FHWA to provide an opportunity for comment on the desirability of the proposed amendment to the MUTCD. Based on comments submitted in response to this notice and upon its own experience, the FHWA will issue a final rule concerning this request.

Background*Request I-16(C)—Fluorescent Strong Yellow Green Signs*

The FHWA is exploring new technology to improve transportation safety and the effectiveness of traffic control devices. The FHWA is working to reduce the number of pedestrian and bicycle accidents through the use of the new color called fluorescent yellow green, formerly called strong yellow green in the MUTCD. The word "fluorescent" more accurately describes the nature of the proposed color. Fluorescent colors not only reflect light, as do nonfluorescent colors, but they also emit additional light. For this reason, fluorescent colors appear brighter than similar nonfluorescent colors. A fluorescent yellow green sign will stand out from its background, commanding the attention of drivers approaching school zones and pedestrian and bicycle crossings. This color is one of four unassigned colors contained in the MUTCD for use on highways.

Studies

The FHWA has initiated and completed two studies with the use of fluorescent yellow green signs—a pilot study in conjunction with the National Park Service and a nationwide study. Copies of the final reports from the pilot study and the 24 participants in the nationwide study are available for review in FHWA Docket No. 96-9 in the FHWA Docket Room at the address listed above. In early 1992, an FHWA

pilot study was completed by the National Park Service which examined the effects of fluorescent yellow green crossing signs on motorist behavior at five pedestrian and bicycle crossings in the Washington, D.C. area. The scope of this study included before and after observations at five sites on the George Washington and Rock Creek Parkways, where the new crossing signs were installed, and at one comparison site where no changes were made. The pilot study was limited in scope to recreational crossings. While the results were positive, further studies were recommended to examine the effectiveness of the sign in other States and under other crossing conditions, such as, nonrecreational use and school crossings.

In early 1993, the FHWA conducted a nationwide study to evaluate the fluorescent yellow green on school, as well as pedestrian and bicycle, crossing signs. A total of 57 jurisdictions were given permission to participate in the study. Guidance was provided for evaluation design and site selection criteria. Field observations consisted of behavioral data used to measure motorist, pedestrian, and bicyclist actions, and volume counts used to provide a measure of exposure. In addition to collecting behavior data and volume counts, speed data was also collected to determine if the new crossing signs had an effect on the speed profile. Public opinion surveys were also distributed randomly to persons who traveled through the study area and to staff members and parents in schools which were a part of the study.

Of the 57 original jurisdictions, 24 of the participants responded with final report recommendations. Two major issues were mentioned concerning the adoption of fluorescent yellow green. The first issue involved the cost of the fluorescent yellow green sheeting material. This material costs more than one and a half times as much as the High Intensity sign material. A gradual phase-in is recommended as part of routine maintenance in view of the cost and number of replacements necessary. Another major issue is that the novelty effect may wear off and over time the fluorescent yellow green signs may be regarded as the standard yellow signs are now.

Overall evaluation results showed that the fluorescent yellow green signs had only marginal effects in improving the behavior of motorists. At the few sites where the number of motorists slowing or stopping for pedestrians or bicyclists did increase, the amount of increase was not significant. The fluorescent yellow green signs had little

or no noticeable effect on the speed of motor vehicles. The greatest impact from the study was found in the public opinion surveys. Survey comments indicated a positive response to the new signs. It was evident from the survey results that the signs were very effective in getting the attention of motorists. Many people felt the fluorescent yellow green signs would increase pedestrian safety.

Proposed Change to MUTCD

Although the evaluation data showed only marginal effects in improving the behavior of motorists, the FHWA's review and examination of the studies and public surveys described above appear to indicate that this new color warning sign would improve the conspicuity of the sign message and is very effective in getting the attention of motorists during daylight conditions. The FHWA proposes to adopt the fluorescent yellow green as an optional color for Pedestrian Crossing Sign (W11-2), Bicycle Crossing Sign (W11-1), School Advance Sign (S1-1), School Crossing Sign (S2-1), and School Bus Stop Ahead Sign (S3-1). If a State or local highway agency elects to use the fluorescent yellow green signs at these specified locations, the FHWA recommends that a systematic approach be used to install these signs. For example, if a specific school area is identified as a candidate for fluorescent yellow green, then all school signs installed in that immediate area should be fluorescent yellow green. The mixing of standard yellow and fluorescent yellow green within a selected site area should be avoided.

The Commission Internationale de l'Eclairage (CIE) (English: International Commission on Illumination) chromaticity coordinates (x,y), defining the corners of the Fluorescent Yellow Green daytime color region, are as follows:

x	y
0.387	0.610
0.460	0.540
0.421	0.486
0.368	0.539

These four pairs of chromaticity coordinates determine the acceptable color in terms of the CIE 1931 Standard Colorimetric System (2 degree standard observer) measured with CIE Standard Illuminant D65 in accordance with

ASTM E991. In addition, the color shall be fluorescent, as determined by ASTM E1247.

The chromaticity limits given above supersede the color Brilliant Yellow Green, issued by the National Joint Committee on Uniform Traffic Control Devices in May 1969, which is no longer applicable.

Rulemaking Analyses and Notices

Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures

The FHWA has determined that this action is not a significant regulatory action within the meaning of Executive Order 12866 or significant within the meaning of Department of Transportation regulatory policies and procedures. It is anticipated that the economic impact of this rulemaking would be minimal. The change proposed in this notice provides additional guidance, clarification, and optional applications for traffic control devices. The FHWA expects that application uniformity will improve at little additional expense to public agencies or the motoring public. Therefore, a full regulatory evaluation is not required.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (Pub. L. 96-354, 5 U.S.C. 601-612), the FHWA has evaluated the effects of this proposed action on small entities, including small governments. This notice of proposed rulemaking adds some alternative traffic control devices and only a very limited number of new or changed requirements. Based on this evaluation, the FHWA hereby certifies that this action would not have a significant economic impact on a substantial number of small entities.

Executive Order 12612 (Federalism Assessment)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this action would not have sufficient federalism implications to warrant the preparation of a federalism assessment. The MUTCD is incorporated by reference in 23 CFR part 655, subpart F, which requires that changes to the national standards issued by the FHWA shall be adopted by the States or other Federal agencies within two years of

issuance. The proposed amendment is in keeping with the Secretary of Transportation's authority under 23 U.S.C. 109(d), 315, and 402(a) to promulgate uniform guidelines to promote the safe and efficient use of the highway. To the extent that this amendment would override any existing State requirements regarding traffic control devices, it does so in the interests of national uniformity.

Executive Order 12372 (Intergovernmental Review)

Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.

Paperwork Reduction Act

This action does not contain a collection of information requirement for purposes of the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

National Environmental Policy Act

The agency has analyzed this action for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that this action would not have any effect on the quality of the environment.

Regulation Identification Number

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

List of Subjects in 23 CFR Part 655

Design standards, Grant programs—transportation, Highways and roads, Incorporation by reference, Signs, Traffic regulations.

(23 U.S.C. 109(d), 114(a), 315, and 402(a); 23 CFR 1.32, 655.601, 655.602, and 655.603; 49 CFR 1.48)

Issued on: May 28, 1996.

Rodney E. Slater,

Federal Highway Administrator.

[FR Doc. 96-14261 Filed 6-06-96; 8:45 am]

BILLING CODE 4910-22-P