



National Committee on Uniform Traffic Control Devices

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Attachment No. 01

Item No.: 19B-NCUTCD-01.Bylaws Change

NCUTCD Proposal for Changes to the Manual on Uniform Traffic Control Devices

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TECHNICAL COMMITTEE:	NCUTCD Executive Board
ITEM NUMBER:	19B-NCUTCD-01.Bylaws Change
TOPIC:	Bylaws Change
ORIGIN OF REQUEST:	Applications to become sponsoring organizations
AFFECTED SECTIONS OF MUTCD:	Not related to MUTCD content

DEVELOPMENT HISTORY

- Approved by Executive Board: 06/20/2019
- Approved by NCUTCD Council: TBD

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This is a proposal for a change in the NCUTCD Bylaws. The NCUTCD is distributing it to its sponsoring organizations for review and comment. Sponsor comments will be considered prior to NCUTCD Council consideration. This proposal does not address MUTCD content. If approved by the NCUTCD Council, the revised Bylaws will be posted on the NCUTCD website.

SUMMARY

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At its June 2019 meeting, the NCUTCD Executive Board considered two applications from organizations that wish to become NCUTCD sponsoring organizations. The two organizations are the National Association of City Transportation Officials (NACTO) and the Intelligent Transportation Society of America (ITSA).

DISCUSSION

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If approved by Council, the Bylaws would be revised to add NACTO as a Group I sponsoring organization with 3 Members and 3 Associate Members and would add ITSA as a Group II sponsoring organization with 1 Member and 1 Associate Member. The total number of sponsoring organizations would increase to 21 (which equals the number of NCUTCD sponsoring organization from 2004 through 2011). The overall size of Council would increase from 37 to 41 members.

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In its application: NACTO provided the following information in describing how the organization can contribute to the purpose and objectives of the NCUTCD:

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NACTO as an organization has an interest in continuing to develop the MUTCD itself as a document. In a time of rapid change, recalling in some respects the early days of

36 *the automobile, NACTO is committed to helping the NCUTCD maintain the relevance*
37 *of the guidance and standards of the MUTCD. NACTO has both staff and working*
38 *groups of city practitioners who are equipped to serve the Council and technical*
39 *committees by developing new recommendations, providing updates on research and*
40 *practice, analyzing and responding to proposals, and in general by supporting the core*
41 *work of the NCUTCD.*

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43 *The professional conversation function of the NCUTCD also provides an important*
44 *resource for cities. Many cities are conducting experiments on traffic control devices,*
45 *or have performed evaluations of the application of existing devices in their street*
46 *networks. Cities have access to a wealth of data and analysis but do not always have a*
47 *venue to share this information. City staff have shown strong interest in participating in*
48 *this forum role of the NCUTCD.*

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50 *Finally, NACTO and its cities have experience in structuring and advancing large*
51 *guidance projects, as well as using visual communications to reach professional and*
52 *public audiences. As the NCUTCD grows, we look forward to contributing to the*
53 *organization's efforts in this regard.*

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55 In its application: ITSA provided the following information in describing how the organization
56 can contribute to the purpose and objectives of the NCUTCD:

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58 *Bringing important additional perspective to the NCUTCD organization as they*
59 *develop proposals for future traffic controls.*

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61 Spread throughout its application is the thought that ITSA will bring technical knowledge and
62 expertise regarding Connected and Automated Vehicle technologies to NCUTCD discussions
63 and MUTCD language development.

64 65 **RECOMMENDED BYLAWS CHANGES**

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67 The following present the proposed changes to the current Bylaws. Proposed additions are
68 shown in blue underline and proposed deletions CD are shown in ~~red strikethrough~~. Only those
69 articles of the Bylaws that included changes are distributed for review. The Bylaws can be
70 reviewed in their entirety at
71 <http://ncutcd.org/wp-content/uploads/About%20Us/Bylaws/NCUTCDBylaws.2018-01.pdf>.

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74 NATIONAL COMMITTEE ON UNIFORM TRAFFIC CONTROL DEVICES
75 BYLAWS
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78 **ARTICLE 3. ORGANIZATIONS**

79 **3.1 Sponsoring Organizations.** The following Sponsoring Organizations shall be the
80 principal supporters of the activities of the National Committee:

- 81 • American Association of State Highway and Transportation Officials (AASHTO)
- 82 • American Automobile Association (AAA)
- 83 • American Highway Users Alliance (AHUA)
- 84 • American Public Transportation Association (APTA)
- 85 • American Public Works Association (APWA)
- 86 • American Railway Engineering and Maintenance of Way Association (AREMA)
- 87 • American Road and Transportation Builders Association (ARTBA)
- 88 • American Society of Civil Engineers (ASCE)
- 89 • American Traffic Safety Services Association (ATSSA)
- 90 • Association of American Railroads (AAR)
- 91 • Association of Pedestrian and Bicycle Professionals (APBP)
- 92 • Human Factors Resources (HFR)
- 93 • Institute of Transportation Engineers (ITE)
- 94 • [Intelligent Transportation Society of America \(ITSA\)](#)
- 95 • International Association of Chiefs of Police (IACP)
- 96 • International Bridge, Tunnel and Turnpike Association (IBTTA)
- 97 • International Municipal Signal Association (IMSA)
- 98 • League of American Bicyclists (LAB)
- 99 • [National Association of City Transportation Officials \(NACTO\)](#)
- 100 • National Association of County Engineers (NACE)
- 101 • National Safety Council (NSC)

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103 **3.2 Composition.** Each Sponsoring Organization shall be assigned to one of the following
104 Groups:

- 105 • **Group I.** Group I Sponsoring Organizations shall generally represent state, county
106 and municipal highway officials having the legal responsibility of administering
107 public highway programs.
- 108 • **Group II.** Group II Sponsoring Organizations shall represent national organizations
109 with a membership that includes officials directly associated with traffic operations
110 and regulations.
- 111 • **Group III.** Group III Sponsoring Organizations shall represent the general public
112 and/or private highway user groups.
- 113 • **Group IV.** Group IV Sponsoring Organizations shall represent industry oriented
114 organizations that include, but are not limited to, manufacturers, distributors, and
115 installers of traffic control devices and related equipment, and industry highway users
116 groups.

117 Sponsoring Organizations shall appoint Members and Associate Members in
118 accordance with Sections 6.2 and 6.3.

- 119 **3.3 Admission of New Sponsoring Organizations.** Any organization that demonstrates that
 120 it has a substantial and continuing interest in traffic control and meets the eligibility
 121 requirements established by the Executive Board may become a Sponsoring
 122 Organization, if approved by the Council.
- 123 **3.4 Application for Sponsorship.** The Executive Board shall establish admission procedures.
 124 Any eligible organization may file, with the National Committee Secretary, an
 125 application to become a sponsoring organization of the National Committee in the form
 126 prescribed by the Executive Board. The Board may require the applicant to furnish
 127 additional information and may otherwise inquire into the organization's qualifications.
- 128 **3.5 Election of Sponsoring Organizations.** The Executive Board shall consider the
 129 application of a prospective Sponsoring Organization and shall forward its
 130 recommendation and all application materials to the Council for consideration. The
 131 Council shall provide for and supervise the election of Sponsoring Organizations
 132 according to the Operating Procedures.
- 133 **3.6 Termination or Suspension of Sponsorship.**
- 134 (1) A Sponsoring Organization may withdraw from the National Committee at any
 135 time by submitting a letter to the Executive Board.
 - 136 (2) Failure by the Sponsoring Organization to appoint Members to the Council
 137 demonstrates lack of interest in the National Committee and may constitute
 138 grounds for the termination of the organization's sponsorship by the Executive
 139 Board.
 - 140 (3) Failure by a Sponsoring Organization to be represented by a full voting delegation
 141 at three consecutive Council meetings may constitute grounds for termination.
 - 142 (4) Notwithstanding Article 22, when a Sponsoring Organization withdraws or is
 143 terminated from the National Committee, all references to that Sponsoring
 144 Organization shall be deleted from the Bylaws. All Remaining Sponsoring
 145 Organizations shall be notified of the change.

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148 **ARTICLE 6. THE COUNCIL**

149 **6.1 Powers and Functions.** The governing body of the National Committee shall be the
 150 Council. As the governing body, the Council shall act upon all proposals and
 151 recommendations received from the Technical Committees and the Executive Board.
 152 Approval by the Council in accordance with Section 6.6 of the Bylaws is required before
 153 any such policies, recommendations, or other matters become the official statements of
 154 the National Committee. The Council shall supervise and direct the Executive Board, the
 155 Technical Committees, and the agents of the National Committee. The Council may
 156 delegate to the Executive Board the Authority to establish a Secretariat and may delegate
 157 to the Executive Board such duties, powers, and responsibilities as it may prescribe.

158 **6.2 Composition.** The Council shall consist of Members and Associate Members appointed
 159 by the Sponsoring Organizations. One Member from each Sponsoring Organization shall
 160 be appointed, by the Sponsoring Organization, as Chair of that organization's delegation.
 161 Each Member of the Council shall have one vote. In the event that a Member is absent,
 162 an Associate Member appointed by the Member's organization and designated as an
 163 alternate may vote in the Member's place. In no instance shall the Member and his/her
 164 alternate vote on the same issue at the same time. If neither the Member(s) nor Associate

165 Member(s) are present for the Council meeting, the Sponsoring Organization may
166 appoint a Technical Member (s) to represent them as a voting member of the Council for
167 that one meeting. Honorary Members serve as nonvoting members of the Council.

168 **6.3 Member Appointments.** The Members and Associate Members shall be appointed as
169 follows:

- 170 • **Group I.** A minimum of fifty percent (50%) of the Members and fifty percent (50%)
171 of the Associate Members shall be appointed by Group I Sponsoring Organizations.
172 Members of this Group generally represent those state, county and municipal
173 highway officials having the legal responsibility of administering public highway
174 programs. Of this Group, no more than forty-five percent (45%) of the Members and
175 forty-five percent (45%) of the Associate Members may represent any one level of
176 government (state, county, or municipal government each being a level of
177 government). Of this group at least seventy percent (70%) of the total number of
178 Members and Associate Members from each Sponsoring Organization shall, at the
179 time of appointment, be government members as defined by the Executive Board.
180 The number of Members and Associate Members appointed by each of the Group I
181 Sponsoring Organizations shall be as follows:
 - 182 ♦ AASHTO: 8 Members & 8 Associate Members
 - 183 ♦ ITE: 8 Members & 8 Associate Members
 - 184 ♦ APWA: 3 Members & 3 Associate Members
 - 185 ♦ NACE: 3 Members & 3 Associate Members
 - 186 ♦ [NACTO: 3 Members & 3 Associate Members](#)
 - 187 ♦ Each of the Group I Sponsoring Organizations shall designate a Member to serve
188 as its Delegation Chair and that Member shall serve as a member of the Executive
189 Board
- 190 • **Group II.** Members of this Group represent national organizations with a
191 membership that includes officials directly associated with traffic operations and
192 regulations. The number of Members and Associate Members appointed by each of
193 the Group II Sponsoring Organizations shall be as follows:
 - 194 ♦ AAR: 1 Member & 1 Associate Member
 - 195 ♦ APBP: 1 Member & 1 Associate Member
 - 196 ♦ APTA: 1 Member & 1 Associate Member
 - 197 ♦ AREMA: 1 Member & 1 Associate Member
 - 198 ♦ ASCE: 1 Member & 1 Associate Member
 - 199 ♦ IACP: 1 Member & 1 Associate Member
 - 200 ♦ IBTTA: 1 Member & 1 Associate Member
 - 201 ♦ IMSA: 1 Member & 1 Associate Member
 - 202 ♦ [ITSA: 1 Member & 1 Associate Member](#)
 - 203 ♦ There shall be two voting Members on the Executive Board from Group II. These
204 persons shall be elected by the Members of the Sponsoring Organizations
205 representing Group II.
- 206 • **Group III.** Members of this Group represent organizations that represent the general
207 public or private highway users. The Members and Associate Members appointed by
208 Group III Sponsoring Organizations shall be the following:
 - 209 ♦ AAA: 1 Member & 1 Associate Member
 - 210 ♦ HFR: 1 Member & 1 Associate Member

- 211 ♦ LAB: 1 Member & 1 Associate Member
- 212 ♦ NSC: 1 Member & 1 Associate Member
- 213 ♦ There shall be one voting Member on the Executive Board from Group III. This
- 214 person shall be designated as the Chair of Group III, and shall be elected by the
- 215 Members of the Sponsoring Organizations representing Group III.
- 216 • **Group IV.** Members of this Group represent industry oriented organizations. The
- 217 Members and Associate Members appointed by Group IV Sponsoring Organizations
- 218 shall be the following:
- 219 ♦ AHUA: 1 Member & 1 Associate Member
- 220 ♦ ARTBA: 1 Member & 1 Associate Member
- 221 ♦ ATSSA: 1 Member & 1 Associate Member
- 222 ♦ There shall be one voting Member on the Executive Board from Group IV. This
- 223 person shall be designated as the Chair of Group IV and shall be elected by the
- 224 Members of the Sponsoring Organizations representing Group IV.

225 **6.4 Terms and Vacancies.** The term of a Member and Associate Member shall be three

226 National Committee years, beginning with the adjournment of an Annual Meeting.

227 Members and Associate Members may be reappointed. In case of a vacancy, the

228 Sponsoring Organization shall promptly appoint an individual to fill the unexpired term.

229 **6.5 Meeting Agenda.** The agenda at all Annual, Midyear and Special Meetings of the

230 Council shall be prepared by the Chair. The National Committee Secretary shall transmit

231 and/or post on the official National Committee website all Council agenda material

232 including proposed revisions and recommendations, and important supporting documents

233 and minority reports to Members and Associate Members and Sponsoring Organizations

234 at least twenty (20) days in advance of each meeting of the Council. If agenda material is

235 posted only on the official National Committee website, all National Committee

236 Members, Associate Members and Sponsoring Organizations shall be notified via email

237 that the material has been posted on the website. At the same time, these materials

238 should be made available for inspection at the National Committee offices. A copy of the

239 agenda shall be available to all registrants at the time of the meeting. Items not included

240 on the announced agenda may be added at the meeting by a vote of two-thirds of the

241 Members of the Council.

242 **6.6 Referendum for a Recommendation.** On questions relating to the substance of

243 proposed changes or revisions in the standards relating to the MUTCD or other accepted

244 national standards, the following principles and procedures shall be adhered to in

245 generating a recommendation of the National Committee

- 246 (1) Changes in the standards should be recommended only after thorough
- 247 consideration of the demonstrated need for a change, based on substantial
- 248 documentation from research, scientific study, or operational experience giving
- 249 due consideration to all aspects of implementing the proposed change.
- 250 Technological advances and experimentation from time to time reveal the
- 251 desirability for changes in the design, location, and operation of traffic control
- 252 devices, and the knowledge thus derived should be considered for incorporation
- 253 of the standard.
- 254 (2) Technical Committee actions and supporting research materials shall be promptly
- 255 transmitted to the Sponsoring Organizations. The Sponsoring Organizations shall
- 256 have forty-five (45) days to review the materials and to submit their

257 recommendations to the National Committee Secretary and to the Chair of their
258 own delegation. The National Committee Secretary shall then have them
259 transmitted to the appropriate Technical Committee(s) and to the Council and/or
260 post them on the official National Committee website. If the Sponsoring
261 Organization’s recommendations are posted only on the official National
262 Committee website, all National Committee Members, Associate Members and
263 Sponsoring Organizations shall be notified via email that the material has been
264 posted on the website.

(3) 265 The Technical Committee(s) shall carefully consider all comments and
266 recommendations made by the Sponsoring Organizations in formulating their
267 final recommendations to the Council.

(4) 268 The Council shall carefully consider all comments and recommendations made by
269 the Sponsoring Organizations, the Executive Board and the Technical
270 Committees. Following this review and floor discussion, the Council shall vote
271 on all proposals for changes or revisions in the MUTCD. An affirmative vote of
272 two-thirds (2/3) of the Members of the Council determines the policy of the
273 National Committee with respect to a motion made and seconded.

(5) 274 A Technical Committee Chair who is an Associate Member or Technical Member
275 may, at meetings of the Council, make motions that the Council approve
276 recommendations of the Technical Committee. However, such Technical
277 Committee Chair shall not have the right to vote unless serving as the designated
278 alternate to an absent Member.

(6) 279 The Federal Highway Administration solicits input on possible changes to the
280 MUTCD via notices published in the Federal Register. On occasion, the date of
281 publication of a Federal Register notice and the comment due date may not allow
282 for the referendum procedure described in paragraphs (1), (2), (3) and (4) to be
283 followed and completed by the comment due date. The publication date and
284 comment due dates may not allow an opportunity for one or more of the
285 following:

(a) 286 Consideration by a Technical Committee at a meeting of the Technical
287 Committee.

(b) 288 Sponsoring Organization review and comment

(c) 289 Floor discussion and a vote by the Council at a meeting of the Council.

(d) 290 Other steps in the development of a recommendation.

291 In these instances, the Referendum procedure described in paragraphs (1), (2), (3)
292 and (4) should be followed to the fullest possible extent. In the event that the
293 publication date and comment due date do not allow time for Sponsoring
294 Organization review and comment, the Council, acting as representatives of the
295 Sponsoring Organizations, shall vote based upon the recommendation of the
296 appropriate Technical Committee(s) and all other pertinent information. The
297 Sponsoring Organizations shall be notified of the Council’s action. Mail ballots
298 or electronic ballots may be used by Technical Committees and/or the Council.

(7) 299 Any recommendation of the National Committee developed under the procedures
300 described in Section 6.6 shall be clearly labeled “Recommendation of the
301 National Committee.”

- (8) Affirmed actions of the National Committee and supporting research materials shall be transmitted to the appropriate federal, state and local agencies. In forwarding proposals, recommendations, and other materials to the Department of Transportation and other federal agencies, the National Committee will normally utilize Section 553(e) of Title 5, United States Code.

ARTICLE 9. THE EXECUTIVE BOARD

9.1 Powers and Function. The Executive Board shall be responsible for the administrative functions of the National Committee and its members shall also serve as directors of the National Committee in its incorporated status. The Executive Board may adopt Operating Procedures consistent with the Bylaws.

9.2 Composition. The Executive Board shall be composed of the following voting members representing those Sponsoring Organizations listed in Section 3.1 or Groups described in Section 6.3 of the Bylaws:

- (1) The Chair of the National Committee
- (2) The Chair of the AASHTO delegation
- (3) The Chair of the NACE delegation
- (4) The Chair of the APWA delegation
- (5) The Chair of the ITE delegation

(6) The Chair of the NACTO delegation

~~(6 7, 7 8)~~ The two elected representatives of the Group II delegation

~~(8 9)~~ The Chair of the Group III delegation

~~(9 10)~~ The Chair of the Group IV delegation

The Executive Board shall also be composed of the following ex-officio, nonvoting members:

- (1) The Vice-Chair for Programs
- (2) The Vice-Chair for Research
- (3) The Treasurer

Each voting member of the Executive Board shall have one vote.

9.3 Term and Vacancies. The term of a member of the Executive Board is two years, beginning with the adjournment of an Annual Meeting in an even numbered calendar year. A vacancy in the position of a Group I Delegation Chair on the Executive Board shall be filled for the unexpired term by a Member selected by the Sponsoring Organization of the position that was vacated. A vacancy in the Executive Board representatives for Groups II, III or IV shall be filled for the unexpired term as described in Section 6.3.

9.4 Alternate Representation. In the event of the absence of a Delegation Chair from an Executive Board meeting, the Sponsoring Organization may designate one of its other Members to serve in the Delegation Chair's absence. In the event of the absence of an Executive Board representative for Groups II, III or IV, an alternate representative shall be designated by the Group in the same manner as described in Section 6.3 to serve in the representative's absence.

9.5 Meetings. The Executive Board shall meet at the Annual Meeting and at Midyear Meetings held by the Council. Other meetings of the Board may be held on call of the Chair or at the request of five or more members of the board. A quorum is two-thirds (2/3) of the membership of the Executive Board authorized to vote.