

Approved by NCUTCD Council January 09, 2004

National Committee on Uniform Traffic Control Devices
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EMAIL MEMO

TO: NCUTCD Sponsors

FROM: Lee Billingsley, NCUTCD Chair

DATE: January 20, 2004

SUBJECT: Important Legislative Issue Regarding Signing

As Chair of the National Committee, I am writing to you about Congressional legislation dealing with traffic control devices.

The Omnibus Appropriations Bill to be considered by the Senate on January 20 includes a provision for “logo” signing for pharmacies. The National Committee is concerned that this provision could lead to unsafe conditions on our nation’s freeway system. For that reason, the National Committee, at its January 9 meeting, passed a resolution regarding this provision. That motion encourages sponsors of the National Committee to contact selected offices in Congress.

Attached are copies of the language in the Omnibus Appropriations Bill and the resolution passed by the National Committee.

We encourage your organization to contact the authorizing committees for the highway program in both the House and the Senate to express your organization’s viewpoint on signing for pharmacies. Contact information for the Chair and Ranking Minority Member of each committee are attached. While this provision originated in appropriations committees in Congress, we are hopeful that the authorizing committees, which have jurisdiction over policy issues such as this one, will take action to revise and improve the action taken in the Omnibus.

The following points can be effective in your messages to the authorizing committees.

Section 124 of the Omnibus Appropriations Bill, Motorist Information Concerning Pharmacy Services, was initiated by appropriations committees.

A policy decision such as this one is appropriately within the jurisdiction of authorizing committees.

There are highway safety issues that must be considered before a decision is made that pharmacy signing be allowed on the nation's freeway system. These safety issues include: driver information overload; the concept of "sign spreading" to reduce information overload; the availability of space to provide "sign spreading"; and the relative priority of signing for warning, regulatory, and guidance information directed to the motorist.

The relative priority of motorist needs for services must be considered before a decision is made that pharmacy signing be allowed on the nation's freeway system.

A process for amending the Manual on Uniform Traffic Control Devices through rulemaking has been used for over 25 years. That process has served motorists well. The process ensures that all viewpoints and perspectives are considered when decisions are made to change existing standards. Those viewpoints include those of highway users (motorists), highway safety groups, public agencies that operate our roadways, manufacturers and installers of traffic control devices, human factors scientists interested in highway safety, police agencies, state highway safety agencies, and the public at-large. In short, any individual or entity can contribute to the decision-making process. The strength of the rulemaking process is that all perspectives can be heard.

It is unlikely that this wide variety of viewpoints was considered in development of the Omnibus provision.

Legislation should be introduced to utilize the federal rulemaking process of amending the Manual on Uniform Traffic Control Devices, rather than the directive included in the Omnibus Appropriations Bill, to determine the appropriate standards and guidance for pharmacy signing.

The National Committee believes that the congressional action on pharmacy signing is an unfortunate precedent. Presenting your organization's viewpoint to Congress will help Congress to understand the merits of the rulemaking process.

Thank you for your effort. Please send a copy of your messages to the authorizing committees to our Executive Secretary, Bob Garrett (ncutcd@aol.com or [mailing address]).

Lee Billingsley
Chair
National Committee on Uniform Traffic Control
Devices

LANGUAGE IN OMNIBUS APPROPRIATIONS BILL

SEC. 124. MOTORIST INFORMATION CONCERNING PHARMACY SERVICES.

(a) IN GENERAL- Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall amend the Manual on Uniform Traffic Control Devices to include a provision permitting information to be provided to motorists to assist motorists in locating licensed 24-hour pharmacy services open to the public.

(b) LOGO PANEL- The provision under subsection (a) may allow placement of a logo panel that displays information disclosing the names or logos of pharmacies described in subsection (a) that are located within 3 miles of an interchange on the Federal-aid system (as defined in section 101 of title 23, United States Code).

RESOLUTION ADOPTED BY NATIONAL COMMITTEE ON UNIFORM TRAFFIC CONTROL DEVICES ON JANUARY 9, 2004

"Encourage sponsors of the NCUTCD to provide information to House and Senate authorizing committees on Motorist Information concerning pharmacy services, including, but not limited to, the issues of :

1. Driver information overload
2. Sign spreading
3. Priority of motorist needs for services

and recommend that legislation be introduced to consider motorist information signing for pharmacies through the federal rulemaking process of amending the MUTCD."

CHAIR AND RANKING MINORITY MEMBERS OF AUTHORIZING COMMITTEES FOR THE HIGHWAY PROGRAM:

The Honorable Don Young
Chair, House Transportation and Infrastructure Committee
House of Representatives
Washington, DC 20515

The Honorable James L. Oberstar
Ranking Member, House Transportation and Infrastructure Committee
House of Representatives

Washington, DC 20515

The Honorable James M. Inhoff
Chair, Senate Environment and Public Works Committee
U.S. Senate
Washington, DC 20510

The Honorable James M. Jeffords
Ranking Member, Senate Environment and Public Works Committee
U.S. Senate
Washington, DC 20510