

Approved by NCUTCD Council June 24, 2004

Note: This was submitted to the docket electronically on June 26, 2002 and sent via regular mail the same date.

U.S. Department of Transportation
Dockets Management Facility
Room PL-401
400 Seventh Street, SW
Washington, DC 20590
June 24, 2004

Ref: FHWA Docket No. FHWA-2004-17321

Dear Sir or Madame:

The National Committee on Uniform Traffic Control Devices (NCUTCD), at our meeting June 24, 2004 approved the following resolution and comments relative to the referenced Docket:

“Understanding that provisions of the Consolidated Appropriations Act of 2004 requires the Federal Highway Administration to amend the Manual on Uniform Traffic Control Devices (MUTCD) to include a provision permitting the use of a 24-hour pharmacy logo sign on the federal aid highway system, the National Committee on Uniform Traffic Control Devices (NCUTCD) objects to this legislative method of amending the MUTCD and recommends that the federal rulemaking process not be circumvented in determining additions to or changes in the Manual on Uniform Traffic Control Devices.”

However, since the law requires that this sign be included in the MUTCD, the NCUTCD presents the following recommendations relating to the proposed changes to Part 2 of the MUTCD contained in this docket.

1. That the “24 HR” advisory plaque not be used with the Rx logo sign proposed because the specific standard would already require that the pharmacy be open 24 hours per day, 7 days per week and none of the other logo signs require an advisory plate indicating hours of availability. Specifically, the following changes to the proposed wording are recommended:
 - a. Page 2D-23, Figure 2D-11: Remove the “24 HR” plate and the words “D9-20a 24 Hour.”
 - b. Page 2D-23, second standard paragraph: Delete the last sentence which says “The D9-20 sign shall have a 24HR (D9-20a) plaque mounted below it.”
 - c. Page 2F-2, Section 2F.02, Standard, second paragraph: Delete the words “24-HOUR.”
2. Clarify that the pharmacy must have a licensed pharmacist on the premises 24 hours per day. The following specific changes are recommended:

- a. Page 2D-23, second standard paragraph: Insert the words “present and” after the word “pharmacist” so the sentence will read “The Pharmacy (D9-20) sign shall only be used to indicate the availability of a pharmacy that is open, with a State-licensed pharmacist present and on duty, 24 hours per day, 7-days per week, and that is...”
 - b. Page 2E-56, paragraph F: Insert the words “present and” after the word “pharmacist” so the sentence will read “Pharmacy if a pharmacy is open, with a State-licensed pharmacist present and on duty, 24 hours per day, 7days per week and is located...”
 - c. Page 2F-2, Standard, paragraph A: Insert the words “present and” after the word “pharmacist” so the sentence will read “The pharmacy shall be continuously operated 24 hours per day, 7 days per week, and shall have a State-licensed pharmacist present and on duty at all time;
3. Change the order of services listed on sign D9-18a to reverse “HOSPITAL” and “PHARMACY” so that the last word is “HOSPITAL” to avoid the possible confusion with a hospital that has a pharmacy.
 4. Delete pharmacy sign from the list of Recreational and Cultural Interest Area Symbol Signs. This sign would not be used as a recreational sign and should not be included. Specific changes recommended include:
 - a. Page 2H-2, Table 2H-1: Delete 24-Hour Pharmacy sign from the list of Motorist Services signs allowed for use
 - b. Page 2H-9, Figure 2H-5: Delete RM-230 sign and plaque.
 5. Delete the proposed wording allowing the use of specific service signs on all classes of highways as well as delete the current wording on this subject because this is already covered in section 2F.01, Guidance, second sentence which says “Where an engineering study determines a need, Specific Service signs may be used on any class of highways.” Specifically, the following recommendations:
 - a. Page 2F-2, Guidance, second sentence: Delete proposed sentence which says “Specific Service signs may be used on any class of highway.”
 - b. Page 2F-2, Section 2F.02, Guidance: Delete existing sentence which reads “GAS, FOOD, LODGING, and CAMPING signs may be used on any class of highway.”

Sincerely,

Robert M. Garrett
Executive Secretary