

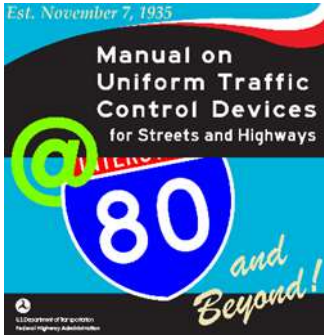
U.S. Department of Transportation
Federal Highway Administration

Attachment No: 4

FHWA Report on MUTCD Program

NCUTCD Meeting – January 10, 2019

**Presented by the FHWA's MUTCD Team
Office of Transportation Operations**



MUTCD Team

Kevin Sylvester
(Team Leader)

Marty Calawa

Eric Ferron

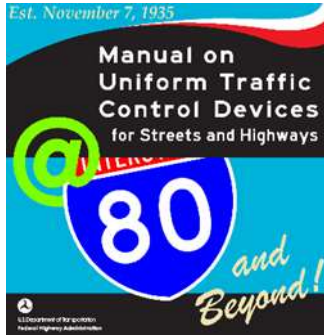
Dave Kirschner

Duane Thomas

(Friedman)



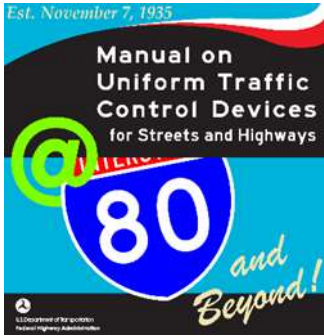
VACANT
(evaluating candidates)



MUTCD Team Technical Leads



| Team Member | Technical Areas |
|---|---|
| Kevin Sylvester Part 1 | MUTCD Rulemaking Activities AASHTO-CTE Support Traffic Control Devices Pooled-Fund Study MUTCD Peer-to-Peer Program MUTCD Outreach |
| Marty Calawa Part 2 | <i>Signs (Guide, General Info, General & Specific Service, Changeable Message, Rec. & Cult. Interest, Emergency Mgt.)</i> Standard Hwy Signs & Markings, Colors, General Sign Design Sponsorship Policy |
| Dave Kirschner Parts 3, 9 | Markings Traffic Control for Bicycle Facilities MUTCD Official Rulings |
| Eric Ferron Parts 2, 5, 6, 7 | <i>Signs (Regulatory, Warning)</i> Low-Volume Roads Temporary Traffic Control Traffic Control for School Areas |
| Duane Thomas Parts 4, 8 | Traffic Signals Traffic Control for RR and LRT Crossings |

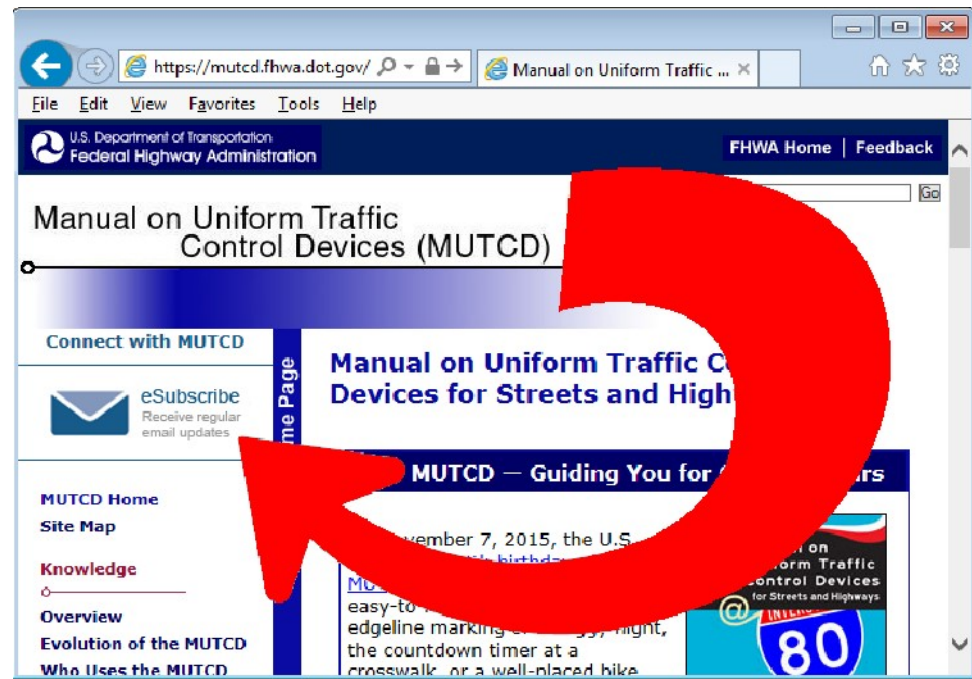


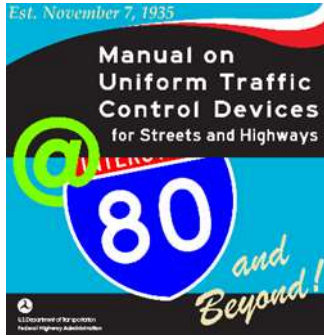
Getting the Word Out

■ e-Subscribe Service (GovDelivery)

- Receive notice when new info on MUTCD Web site

**Over 1,200
subscribed!!**

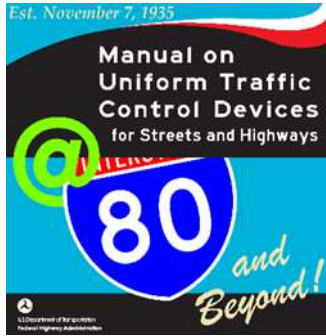




Official Rulings

- Under 2009 MUTCD
 - ✓ **158** active experiments
 - ✓ **88** interpretations





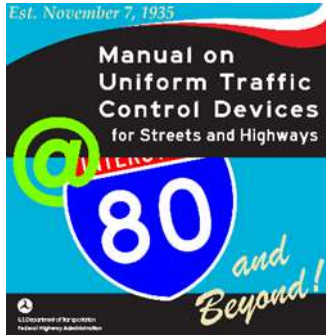
Current Activities

■ Guide Sign Fonts—Report to Congress

- Transmitted October 2018
- Available at MUTCD Web site

NEW!!

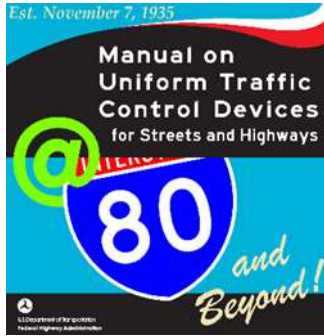




Current Activities

- **Pavement Marking Retroreflectivity Rulemaking**
 - **SNPA docket comment analysis completed**
 - **On path to Final Rule**



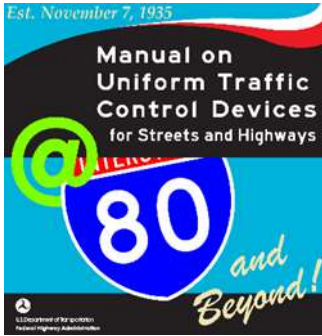


Current Activities

■ MUTCD Update

- FHWA plans to issue new MUTCD edition !!
 - *Update technical provisions to reflect advances in technologies and operational practices*
 - *Incorporate recent trends and innovations*
 - *Set the stage for automated driving systems as those continue to take shape*

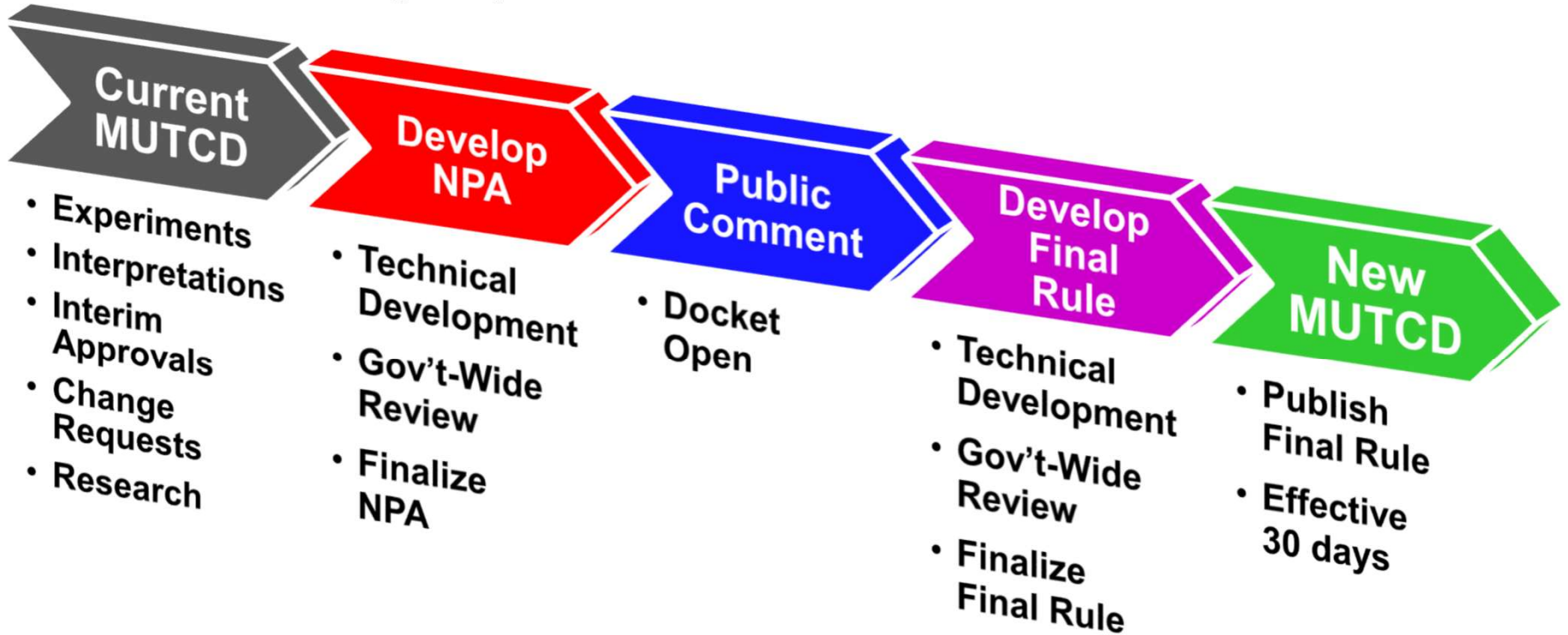


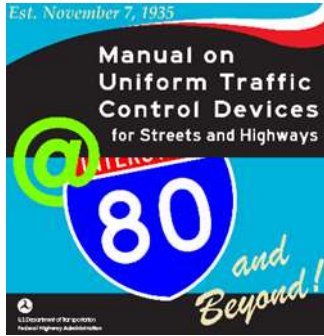


Current Activities

■ MUTCD Update

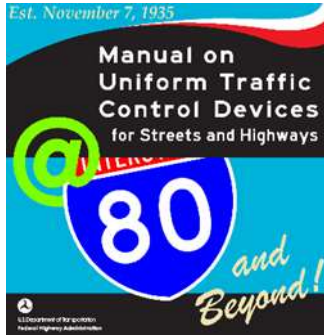
□ Rulemaking sequence





Current Activities

- **NPRM—Procurement of Patented and Proprietary Products (Office of Infrastructure lead)**
 - What's this all about?
 - **23 CFR 635 – Process for procurement of patented or proprietary products with Federal-Aid funds**
 - NPRM published Nov. 14
 - Docket closes **Jan. 14**

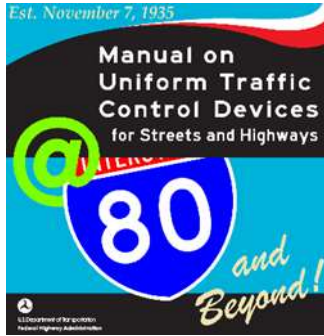


Patently...

- **So how does this apply to the MUTCD?**

“Neither proposal would alter any requirements in the Manual on Uniform Traffic Control Devices found in 23 CFR part 655, subpart F.”



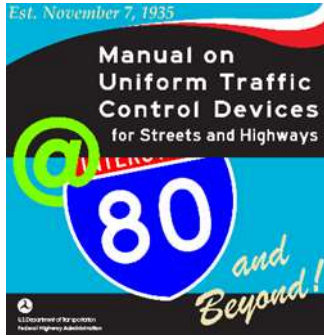


Patently...

- **But doesn't the MUTCD prohibit patents?**

“Any traffic control device design or application provision contained in this Manual shall be considered to be in the public domain. Traffic control devices contained in this Manual shall not be protected by a patent, trademark, or copyright, except for the Interstate Shield and any items owned by FHWA.”





Patently...

- But doesn't the MUTCD prohibit patents?

“Any **traffic control device design or application provision** contained in this Manual shall be considered to be **in the public domain**. **Traffic control devices** contained in this Manual shall not be protected by a patent, trademark, or copyright, except for the Interstate Shield and any items owned by FHWA.”



Patently...

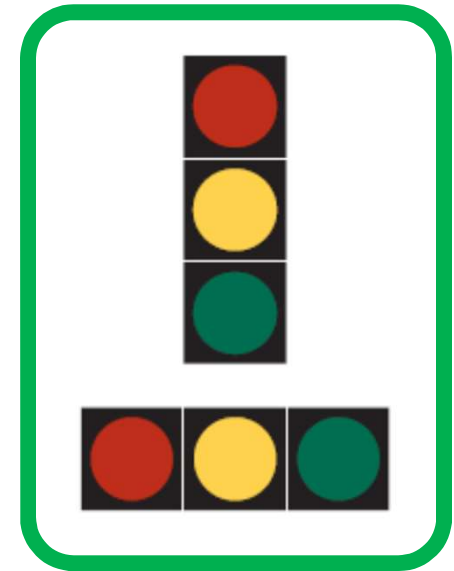
■ Example*: The Traffic Signal

- Red, Yellow, Green indications*
- Shape*
- Size*
- Position*
- Sequence of operation*
- Application*

- Signal housing*
- Wiring*
- Manufacture of light source*
- Controller*

Traffic
Control
Device

Components



* Simplified for illustrative purposes.

Patently...



- Does the MUTCD really prohibit patents?

Traffic control device design or application contained in this Manual

public domain

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

Standard:

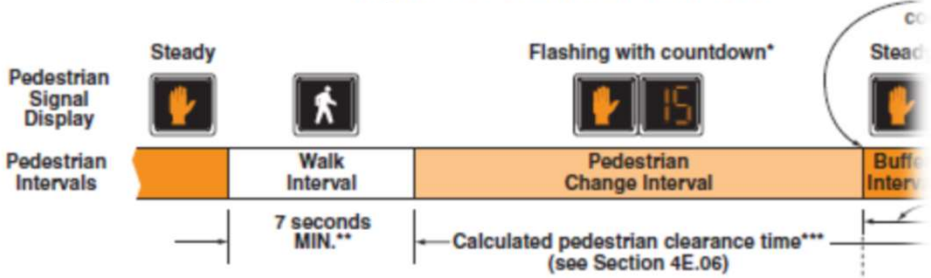
01 Design, application, and placement of traffic control devices other than those adopted in this Manual shall be prohibited unless the provisions of this Section are followed.

Standard:

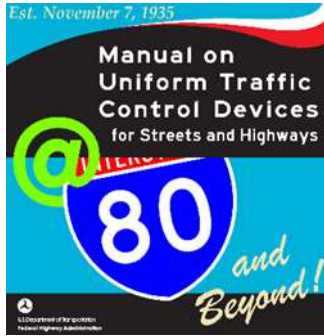
- 01 When a traffic control signal is being operated in a steady (stop-and-go) mode, at least one indication in E. A legally binding statement certifying that the concept of the traffic control device is not protected by a patent or copyright. (An example of a traffic control device concept would be 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
- 03 steady signal indications shall be applied as follows:
 - A. A steady CIRCULAR RED signal indication:
 - 1. Shall be displayed when it is intended to prohibit traffic, except pedestrians directed by a

R1-1 R1-3P R1-2 R1-2aP R1-10P

Figure 4D-2. Typical Arrangements of Signal Sections in Signal Faces
 Figure 4E-2. Pedestrian Intervals



Relationship to associated vehicular phase intervals:

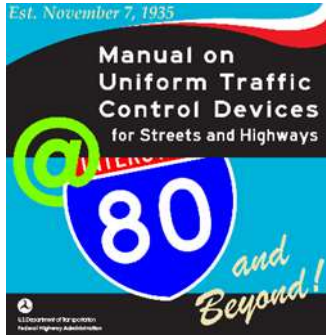


Deep Thoughts

- Application in practice



- FHWA can help...
 - Official Interpretation, for example



Thank You!

For your *professionalism*,
For your *cooperation*,
For your *expertise*,
For your *time*.

