



National Committee on Uniform Traffic Control Devices

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Attachment No. 3

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

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DEVELOPMENT HISTORY

- Approved by Executive Board: 06/20/2019
- Approved by NCUTCD Council: 01/09/2020

This change in the NCUTCD Bylaws has been approved by the NCUTCD Council.

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SUMMARY

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).

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DISCUSSION

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.

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

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 the automobile, NACTO is committed to helping the NCUTCD maintain the relevance of the guidance and standards of the MUTCD. NACTO has both staff and working

34 groups of city practitioners who are equipped to serve the Council and technical
35 committees by developing new recommendations, providing updates on research and
36 practice, analyzing and responding to proposals, and in general by supporting the core
37 work of the NCUTCD.

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

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

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

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

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

60 61 **RECOMMENDED BYLAWS CHANGES**

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63 The following present the proposed changes to the current Bylaws. Proposed additions are
64 shown in blue underline and proposed deletions CD are shown in ~~red strikethrough~~. Only those
65 articles of the Bylaws that included changes are distributed for review. The Bylaws can be
66 reviewed in their entirety at

67 <http://ncutcd.org/wp-content/uploads/About%20Us/Bylaws/NCUTCDBylaws.2018-01.pdf>.

70 NATIONAL COMMITTEE ON UNIFORM TRAFFIC CONTROL DEVICES
71 BYLAWS
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74 **ARTICLE 3. ORGANIZATIONS**

75 **3.1 Sponsoring Organizations.** The following Sponsoring Organizations shall be the
76 principal supporters of the activities of the National Committee:

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

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99 **3.2 Composition.** Each Sponsoring Organization shall be assigned to one of the following
100 Groups:

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

113 Sponsoring Organizations shall appoint Members and Associate Members in
114 accordance with Sections 6.2 and 6.3.

115 **3.3 Admission of New Sponsoring Organizations.** Any organization that demonstrates that
116 it has a substantial and continuing interest in traffic control and meets the eligibility
117 requirements established by the Executive Board may become a Sponsoring
118 Organization, if approved by the Council.

119 **3.4 Application for Sponsorship.** The Executive Board shall establish admission procedures.
120 Any eligible organization may file, with the National Committee Secretary, an
121 application to become a sponsoring organization of the National Committee in the form
122 prescribed by the Executive Board. The Board may require the applicant to furnish
123 additional information and may otherwise inquire into the organization's qualifications.

124 **3.5 Election of Sponsoring Organizations.** The Executive Board shall consider the
125 application of a prospective Sponsoring Organization and shall forward its
126 recommendation and all application materials to the Council for consideration. The
127 Council shall provide for and supervise the election of Sponsoring Organizations
128 according to the Operating Procedures.

129 **3.6 Termination or Suspension of Sponsorship.**

- 130 (1) A Sponsoring Organization may withdraw from the National Committee at any
131 time by submitting a letter to the Executive Board.
- 132 (2) Failure by the Sponsoring Organization to appoint Members to the Council
133 demonstrates lack of interest in the National Committee and may constitute
134 grounds for the termination of the organization's sponsorship by the Executive
135 Board.
- 136 (3) Failure by a Sponsoring Organization to be represented by a full voting delegation
137 at three consecutive Council meetings may constitute grounds for termination.
- 138 (4) Notwithstanding Article 22, when a Sponsoring Organization withdraws or is
139 terminated from the National Committee, all references to that Sponsoring
140 Organization shall be deleted from the Bylaws. All Remaining Sponsoring
141 Organizations shall be notified of the change.

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144 **ARTICLE 6. THE COUNCIL**

145 **6.1 Powers and Functions.** The governing body of the National Committee shall be the
146 Council. As the governing body, the Council shall act upon all proposals and
147 recommendations received from the Technical Committees and the Executive Board.
148 Approval by the Council in accordance with Section 6.6 of the Bylaws is required before
149 any such policies, recommendations, or other matters become the official statements of
150 the National Committee. The Council shall supervise and direct the Executive Board, the
151 Technical Committees, and the agents of the National Committee. The Council may
152 delegate to the Executive Board the Authority to establish a Secretariat and may delegate
153 to the Executive Board such duties, powers, and responsibilities as it may prescribe.

154 **6.2 Composition.** The Council shall consist of Members and Associate Members appointed
155 by the Sponsoring Organizations. One Member from each Sponsoring Organization shall
156 be appointed, by the Sponsoring Organization, as Chair of that organization's delegation.
157 Each Member of the Council shall have one vote. In the event that a Member is absent,
158 an Associate Member appointed by the Member's organization and designated as an
159 alternate may vote in the Member's place. In no instance shall the Member and his/her
160 alternate vote on the same issue at the same time. If neither the Member(s) nor Associate

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

164 **6.3 Member Appointments.** The Members and Associate Members shall be appointed as
165 follows:

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

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

221 **6.4 Terms and Vacancies.** The term of a Member and Associate Member shall be three

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

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

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

225 **6.5 Meeting Agenda.** The agenda at all Annual, Midyear and Special Meetings of the

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

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

228 including proposed revisions and recommendations, and important supporting documents

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

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

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

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

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

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

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

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

237 Members of the Council.

238 **6.6 Referendum for a Recommendation.** On questions relating to the substance of

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

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

241 generating a recommendation of the National Committee

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

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

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

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

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

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

282 (a) Consideration by a Technical Committee at a meeting of the Technical
283 Committee.

284 (b) Sponsoring Organization review and comment

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

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

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

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

298 (8) Affirmed actions of the National Committee and supporting research materials
299 shall be transmitted to the appropriate federal, state and local agencies. In
300 forwarding proposals, recommendations, and other materials to the Department of
301 Transportation and other federal agencies, the National Committee will normally
302 utilize Section 553(e) of Title 5, United States Code.
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304 **ARTICLE 9. THE EXECUTIVE BOARD**

305 **9.1 Powers and Function.** The Executive Board shall be responsible for the administrative
306 functions of the National Committee and its members shall also serve as directors of the
307 National Committee in its incorporated status. The Executive Board may adopt
308 Operating Procedures consistent with the Bylaws.

309 **9.2 Composition.** The Executive Board shall be composed of the following voting members
310 representing those Sponsoring Organizations listed in Section 3.1 or Groups described in
311 Section 6.3 of the Bylaws:

- 312 (1) The Chair of the National Committee
- 313 (2) The Chair of the AASHTO delegation
- 314 (3) The Chair of the NACE delegation
- 315 (4) The Chair of the APWA delegation
- 316 (5) The Chair of the ITE delegation

317 (6) The Chair of the NACTO delegation

318 ~~(6 7, 7 8)~~ The two elected representatives of the Group II delegation

319 ~~(8 9)~~ The Chair of the Group III delegation

320 ~~(9 10)~~ The Chair of the Group IV delegation

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

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

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

327 **9.3 Term and Vacancies.** The term of a member of the Executive Board is two years,
328 beginning with the adjournment of an Annual Meeting in an even numbered calendar
329 year. A vacancy in the position of a Group I Delegation Chair on the Executive Board
330 shall be filled for the unexpired term by a Member selected by the Sponsoring
331 Organization of the position that was vacated. A vacancy in the Executive Board
332 representatives for Groups II, III or IV shall be filled for the unexpired term as described
333 in Section 6.3.

334 **9.4 Alternate Representation.** In the event of the absence of a Delegation Chair from an
335 Executive Board meeting, the Sponsoring Organization may designate one of its other
336 Members to serve in the Delegation Chair's absence. In the event of the absence of an
337 Executive Board representative for Groups II, III or IV, an alternate representative shall
338 be designated by the Group in the same manner as described in Section 6.3 to serve in the
339 representative's absence.

340 **9.5 Meetings.** The Executive Board shall meet at the Annual Meeting and at Midyear
341 Meetings held by the Council. Other meetings of the Board may be held on call of the
342 Chair or at the request of five or more members of the board. A quorum is two-thirds
343 (2/3) of the membership of the Executive Board authorized to vote.