

MAY - 3 2011



U.S. Department
of Transportation
**Federal Highway
Administration**

1200 New Jersey Ave., SE
Washington, D.C. 20590

In Reply Refer To:
HOTO-1

Mr. David Woodin, P.E.
Director of Traffic Operations
New York State Department of Transportation
50 Wolf Road
Albany, NY 12232

Dear Mr. Woodin:

Thank you for your April 26 email requesting an official interpretation of the Manual on Uniform Traffic Control Devices (MUTCD) regarding a proposed use of a colored pavement treatment within crosswalks in Buffalo, New York. You provided a photo showing the proposed design of the colored pavement treatment and asked whether it is in compliance with the provisions of Section 3G.01 of the MUTCD. The proposed colored pavement treatment in Buffalo consists of yellow, white, beige, green, and gray colored "jigsaw-puzzle" pieces that are fit together within the area bounded by the white transverse lines that establish the crosswalk. The colored treatment is non-retroreflective but the locations are at urban intersections with street lighting.

It is our Official Interpretation that the proposed treatment in Buffalo would degrade the contrast of the white crosswalk lines and should not be used. This interpretation also applies to any colored pavement or colored marking materials within a crosswalk except subdued-colored paving bricks, paving stones, or materials designed to simulate such paving. The basis for this interpretation is as follows.

Paragraph 6 of Section 3G.01 of the 2009 MUTCD states the following Guidance: "Colored pavement located between crosswalk lines should not use colors or patterns that degrade the contrast of white crosswalk lines, or that might be mistaken by road users as a traffic control application." The bright colors and bold pattern of the proposed Buffalo treatment, and any other such treatment that features bright colors and/or distinctive patterns, would clearly degrade the contrast between the white transverse crosswalk lines and the roadway pavement, and therefore should not be used.

Previous interpretations have deemed it acceptable to use brick pavers, granite paving stones, and similar paving treatments within a crosswalk as a part of an urban streetscaping treatment




that features sidewalks using these same pavers. In that environment, the bricks or paving stones in the crosswalks are identical to and consistent with the overall neighborhood pedestrian area paving treatment. As such, they perform a function that is purely or predominantly aesthetic. Such pavers are typically in relatively subdued colors and, from the normal viewing distance, the brick or stone pavers have the appearance of a uniform, non-patterned area that does not materially degrade the contrast of the white crosswalk lines. Treatments that mimic such subdued brick or stone pavers using paint, thermoplastic, or other marking materials have also been deemed to be acceptable in a streetscaped area's crosswalks.

It is our understanding that the Buffalo treatment is designed to be an artistic and aesthetic enhancement to the neighborhood. Even though it is non-retroreflective, its use in areas with street lighting means that it will be prominently visible to road users both day and night and it has a significant potential to distract road users and thereby reduce safety. Also, it should be noted that Section 3B.18 of the MUTCD prescribes that only the uniform use of diagonal or longitudinal white bars in the crosswalk area is allowed to perform the function of adding conspicuity to a crosswalk.

We recognize that this interpretation may be a disappointment to the proponents of the colored crosswalk treatments in Buffalo, but we trust that they will understand that traffic control device uniformity, and the safety benefits such uniformity provides, must take precedence. The city may wish to consider applying the artistic colored pavement treatment to other areas that are not within any roadway open to public travel.

Thank you for writing on this subject. We hope that our interpretation answers your question. Please note that we have assigned your request the following official interpretation number and title: "3(09)-8 (I) - Colored Pavement Treatments in Crosswalks." Please refer to this number in any future correspondence regarding this issue.

Sincerely yours,


for Mark R. Kehrli
Director, Office of Transportation
Operations