

U.S. Department  
of Transportation

400 Seventh St., S.W.  
Washington, D.C. 20590

Federal Highway  
Administration

August 7, 2003

Refer to: HOTO

Mr. R. Craig Reed

Director, Bureau of Highway Safety & Traffic Engineering  
Department of Transportation  
400 North Street, 6<sup>th</sup> Floor - Commonwealth Keystone Building 2047  
P.O. Box 2047

Harrisburg, PA 17105-2047

Dear Mr. Reed:

Thank you for your May 28 letter requesting permission to experiment with new DUI signs that show the photograph of persons killed in DUI crashes and which warn motorists of the consequences of driving while intoxicated. Your request to experiment has been assigned the following official ruling number: "Request No. 2-536(E)-DUI Signs with Photograph of Victim." Should you have any future correspondence, please refer to this number.

Although this request falls within the overall category of "safety messages" which are an allowable type of traffic control device, the inclusion of a photograph within the design of the sign fails two of the basic principles for any traffic control devices (Section 1A.02 of the MUTCD): to "convey a clear, simple meaning" and to "give adequate time for a proper response." Photographs are complex graphics that require a person viewing them to engage in more than a "simple glance" or visual search behavior associated with standard highway sign designs. The use of a photograph on a DUI sign could potentially cause driver inattention. Unfortunately, photographs on signs might also become a target for senseless vandalism. Frequent maintenance is also a consideration that has to be factored in the decision to install a picture of a person on a sign.

A DUI message sign is classified as a regulatory sign because it gives notice of traffic laws. The colors for regulatory signs are black, white, and red. From the sample illustrations, it is not clear what colors are used in the photographs and whether or not the colors would be effective. It is also not apparent from the various colors and message shown in your proposed sign, whether this is a regulatory or warning sign.

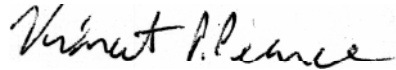
Your request has been reviewed and is denied based on the above discussions. We do not believe including a photograph in the traffic sign design is appropriate. However, if you wish to



resubmit this request without a photograph, the Federal Highway Administration will be glad to review it within the overall category of "safety message" signs.

If you have questions or need additional information, please feel free to call Mr. Fred Ranck, Safety/Design Engineer, Federal Highway Administration's Resource Center at Olympia Fields; Illinois. His telephone number is 708-283-3545.

Sincerely yours,



Vincent P. Pearce

Acting Director, Office of Transportation  
Operations

cc: Mr. Jim Baron, ATSSA

Bureau of Highway Safety & Traffic Engineering 400 North Street,  
6th Floor - Commonwealth Keystone Building P.O. Box 2047  
Harrisburg, PA 17105-2047

May 28, 2003

Ms. Shelley Row, Director Federal  
Highway Administration Office of  
Transportation Operations 400  
Seventh Street SW, HOTO  
Washington, DC 20590

Dear Ms. Row

The Pennsylvania Department of Transportation requests permission to experiment with DUI Victim Signs, signs that show a photo of someone killed in a DUI crash and warn motorists of the consequences of driving while intoxicated. We began to install these signs at approximately twenty locations in Pennsylvania in 2002. We did this without obtaining permission from FHWA. When the FHWA Pennsylvania Division Office recently became aware of it, they requested PENNDOT to remove the two installations of the signs on Interstate 79 and that we formally submit a request for permission to experiment in accordance with MUTCD Section 1A.10. We understand from the Division Office that if you do not approve this request, we will then be required to remove the remaining DUI Victim Signs. Our proposed experiment is as follows:

A. Nature of the Problem

Alcohol Related crashes continue to be a challenge on Pennsylvania highways accounting for nearly one third of all fatalities in the Commonwealth. Reducing fatalities related to Impaired driving requires a combined approach utilizing Engineering, Education and Enforcement.

B. Description of Change

DUI Victim signs are placed in targeted high DUI crash areas as a part of a large-scale effort to inform and deter motorists that may drive intoxicated. The sign was adapted from a similar sign used in Rhode Island. The sign is not a typical highway sign, but rather shows a photograph of a (local) victim in a DUI crash along with a message stating "CAUTION: Killed by a Drunk Driver, Drunk Drivers at Work. The intent is to create awareness about loosing one of the community members as a result of drinking and driving resulting into change of behavior.

C. Illustration

An Illustration and photograph of the experimental sign is attached.

D. Supporting Data

The sign layout was adapted from a similar sign used in Rhode Island. The signs were used for a short period of time to help promote legislation for stronger drunk driving penalties. PENNDOT believes these signs will be effective when combined with other planned education and awareness and enforcement activities.

E. Patent or Copyright

The Department does not currently hold and is not aware of any patent or copyright related to the DUI Victim Sign. The Department does not intend to pursue such protection.

F. Time Period and Location

The proposed signs were deployed in 2002 and will continue in use through 2006. The list of locations for the experiment is attached. Locations were selected using Alcohol-related crash data. All roadways are non-Interstate roadways. Signs are placed behind guide rail, on breakaway posts and beyond clear zone where possible.

G. Research Plan

Research will be conducted in the communities where the signs are placed. Due to the fact that the signs are a part of a large Public Information, Education and Enforcement effort aimed at educating motorists about the effects of driving while intoxicated, the impact of the signs alone will be difficult to extract. Evaluation would include a document review of press reaction and community response to the signs as an indication of emotional effect. The assumption remains that this will result in reduced incidents. In some locations, a record of citations as reported by enforcement, will be included in the analysis. Crash data will be assessed to determine the effect of the overall program on alcohol-related *Crashes*.

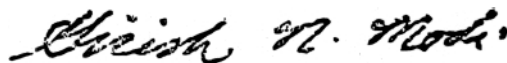
H. Restoration of the experimental site

Following the experimental time period, the site of the experiment will be restored to a condition that complies with the MUTCD unless a request is made to change the MUTCD to permit the device. The experiment will be terminated at any time there are adverse safety concerns.

I. A progress report mid-way through the experiment will be provided to FHWA's Office of Transportation Operations. Final results will be provided within 3 *months following* completion of the experiment.

Thank you for your consideration of this experiment.

Sincerely,



R. Craig Reed, P.E., Director  
Bureau of Highway Safety & Traffic Engineering

Attachments  
4700/WAC/blm

cc: R. Craig Reed, P.E. Director  
Girish Modi, P. E., Chief  
Art Breneman, P. E., Chief  
Michael Castellano FHWA - Pennsylvania Division,  
Michael Baglio, P.E. Manager  
William Crawford