

Federal Highway Administration
400 Seventh Street SW
Washington, DC 20950

Refer to: HOTO-1

Mr. Daniel Paddick
Regional Traffic Engineer
State of New York
Department of Transportation
44 Hawley Street
Binghamton, NY 13901-3200

Dear Mr. Paddick:

Thank you for your November 15 letter to the Federal Highway Administration (FHWA), Office of Transportation Operations. In your letter, you submitted a Request for Experimentation of the Advantec Development, Inc. "Traffic Safety Alert" STOP SLOW PADDLE with flashing red LED lights on the STOP face and flashing yellow LED lights on the SLOW face of the paddle.

Please be advised that in our October 11 letter to Mr. James R. Petrozello, President of Advantec Development Inc., we indicated that their device is not in conformance with the Manual on Uniform Traffic Control Devices (MUTCD). This letter was assigned as Request for Interpretation "VI-111 (I)-Lighted Slow/Stop Paddle." We also pointed out that patented devices are not acceptable for inclusion in the Manual without a waiver of the patent. In addition, we stated that we are unaware of documentation from ophthalmologists that he cited in his September 27 letter to us indicating that the MUTCD white light STOP/SLOW paddle is not very effective in getting the attention of older drivers with diminished visual capabilities, and asked that this documentation be included in a Request for Experimentation.

In accordance with Section 1A-6 of the MUTCD, requests for permission to experiment should contain the following:

- A. Documentation from ophthalmologists indicating that the MUTCD white light STOP/SLOW paddle is not very effective in getting the attention of older drivers with diminished visual capabilities
- B. A signed waiver of the patent.
- C. A more detailed experimental plan including the specific start and finish dates, the time period of the experiment, locations where the paddles will be evaluated, how much data are to be collected, and a more specific description of the measures of effectiveness. What additional sign use test data will be collected and how? The plan must also provide for close monitoring of the experimentation, especially in the early stages of its field implementation.

- D. An agreement to restore the experimental site to a state complying with the provisions of the Manual within 3 months following the end of the time period of the experiment. This agreement must also provide that the agency sponsoring the experimentation will terminate the experimentation at any time that it determines significant safety hazards are directly or indirectly attributable to the experimentation. The FHWA Office of Transportation Operations may also terminate approval of the experimentation at any time if there is an indication of hazards.
- E. An agreement to provide semiannual progress reports for the duration of the experimentation and to provide a copy of the final results of the experimentation to the FHWA Office of Transportation Operations, within 3 months following completion of the experimentation. The Office of Transportation Operations may terminate approval of the experimentation if reports are not provided in accordance with the schedule.

You may fax your response to Mr. Harold Lunenfeld at 202-366-3225.

For reference purposes, we have assigned your request the following official experimentation number and title: "VI-117 (E) Stop Slow Paddle." Please refer to this number in future correspondence.

If you have any questions, please call Mr. Harold Lunenfeld at 202-366-6598.

Sincerely yours,

Shelley J. Row, P.E.
Director, Office of Transportation
Operations