

Federal Highway Administration
400 Seventh Street, SW
Washington, DC 20590

Refer to: HOTO-1

Mr. James C. Slifer
Director of Highways
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, IL 62764

Dear Slifer:

Thank you for your August 2 letter recommending that J4 Flagger's Workstation or similar devices be approved for use as an option to the standard STOP/SLOW paddle. We have reviewed your letter and offer the following comments:

- In our April 13 letter to you, we stated that the experimentation was approved contingent that the J4 Flagger's Workstation must be crash tested and evaluated in accordance with Federal Highway Administration policy on roadside devices and the crashworthy requirements of the National Cooperative Highway Research Program Report 350, Roadside Hardware. Today, we have not received from you any crash-testing results of the J4 Flagger's Workstation. Please provide those results. If more information on Report 350 requirements is needed, please visit our web site: <http://safety.fhwa.dot.gov/roadside>.
- Next, we need to know whether the concept and design of your J4 Flagger's Workstation is patented. If it is patented, you should be aware that the concept could not be identified in the Manual on Uniform Traffic Control Devices. To do so would give an unfair advantage to the patentee. The Manual states, "Traffic control devices contained in this manual shall not be protected by a patent or copyright except for the Interstate Shield." Also, if the device or concept is patented, we will need a legally binding statement certifying that the J4 Flagger's Workstation traffic control is available to anyone wishing to produce it.
- Finally, if your device were to be included in the Manual, in what Part, Chapter, and Section do you believe your device should be placed? Please provide us a generic text of your concept for each Section of the Manual that would need to be modified and a short paragraph justifying its inclusion in the MUTCD.

Only when we receive this material will we be able to consider your J4 Flagger's Workstation traffic control concept for inclusion in a future Notice of Proposed Amendment to the Manual.

The Notice of Proposed Amendment is the required Federal process that we must follow leading to a possible new traffic control device in the Manual. This allows all interested parties to comment on the applicability and safety of the proposed traffic control device.

For reference purposes, we have now assigned your request the following official change number and title: "6-186(C)--J4 Flagger's Workstation." If you have any questions, please contact Mr. Charlie Sears at 202-366-1555.

Sincerely yours,

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