

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

April 24, 2003

Refer to: HOTO-1

Mr. Rodney J. Rom  
Rural Route 1, Box 232  
Butler, MO 64730-9627

Dear Mr. Rom:

Thank you for your letter regarding the use of graphic symbols on signs at or near highway-rail grade crossings. For record keeping purposes, your request for change is numbered and titled, "Request 8-64(C)—Graphic Symbol Highway Rail Grade Crossing Sign." Please refer to this official ruling number in future correspondence.

It might be helpful to begin with a brief explanation of the Federal/State relationship. The Federal Government does not own, maintain, nor operate the streets and highways. All of the roads (even Interstate highways) are owned, maintained, and operated by State and local governments. The responsibility for the planning, design, construction, operation, maintenance, and the laws governing the traffic management belongs to the State or local government that owns the applicable road.

The Manual on Uniform Traffic Control Devices (MUTCD) is adopted by reference in accordance with Title 23, United States Code, Section 109(d) and Title 23, Code of Federal Regulations, Part 655.603, and is approved as the national standard for all traffic control devices installed on any street, highway, or bicycle trail open to public travel. The Federal Highway Administration (FHWA) is responsible for developing the standards contained in the Manual with input from traffic and safety experts, and the general traveling public. Therefore any sign on a public road must be in conformance with the MUTCD or a public agency must be granted permission for experimentation with the traffic control device by FHWA.

The information you submitted does not support a reason to change the MUTCD at this time; however, you may want to pursue the experimentation process.

A procedure for recognizing new developments, introducing new ideas and modifications into the MUTCD is the experimentation process. The experimentation process for evaluating new and innovative traffic control devices is in Section 1A.10 (Interpretations, Experimentations, and Changes). A request for experimentation includes detailed research or evaluation plan; before and after studies; quantitative data describing the performance of the experimental device, illustration of the traffic control device, etc. We have enclosed an excerpt of the MUTCD text and it is available on the Internet at <http://www.mutcd.fhwa.dot.gov>. A request for permission to experiment can only be submitted by a public agency or private toll facility; however, you may assist the public agency.

We encourage you to contact the Missouri Department of Transportation (MODOT) to determine the best means to proceed with the experimentation of your sign designs. The address for MODOT is 105 West Capitol Avenue, Jefferson City, Missouri 65102-0270. If we can be of further assistance, please contact Ms. Chappell at 202-366-0087.

Sincerely yours,

Scott L. Battles (for)

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