



**SHORELINE  
CITY COUNCIL**

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May 14, 2021

Stephanie Pollack, Acting Administrator  
Federal Highway Administration  
US Department of Transportation  
1200 New Jersey Ave S.E.  
Washington, DC 20590

Re: City of Shoreline comments on proposed MUTCD revisions

Dear Acting Administrator Pollack:

The City of Shoreline is writing to offer the following comments and recommendations about the draft 11th edition of the Manual on Uniform Traffic Control Devices (MUTCD). We thank you and your staff for their thoughtful work thus far and urge consideration of the comments summarized below as you begin the important work of updating the MUTCD.

The City of Shoreline is located just north of Seattle, WA. We're experiencing a surge in development with light rail and two stations coming in 2024. Our City is working to serve the rapidly changing access and mobility needs of our residents, while continuing to promote safety, sustainability, and equity. We rely on the MUTCD to guide how we manage our City streets.

Shoreline encourages FHWA to reframe the MUTCD as a document that goes beyond merely allowing practitioners to build safer roads and instead have the manual that encourages and empowers them to do so while also addressing the inequitable and unsustainable elements of our land use and transportation systems. Without significant revisions and reframing, the MUTCD will continue to shape roadways that perpetuate an unacceptable number of traffic deaths and serious injuries each year. As such, Shoreline generally supports the comments submitted by the National Association of City Transportation Officials (NACTO). The City of Shoreline would also specifically like to highlight the following concerns:

- **Elevate the goal of eliminating serious injuries and deaths as a guiding principle of the Manual, ensuring a “safe systems” approach throughout the document:**

- **Description:** The Manual unrealistically identifies target road users as pedestrians and bicyclists who always act “alertly and attentively”, “reasonably and prudently”, and “in a lawful manner” (Section 1A.03). This definition fails to recognize the inevitability of human error, as well as the enormous range of urban street users. Most children, for example, would not meet this standard. By including it, the Manual implies that engineers are only responsible for protecting road users who meet this specific impractical definition.
  - **Recommended Actions:**
    - Define the Manual’s goal as enabling safe roadways for all users. (Section 1A.01)
    - Remove Section 1A.03.
    - Replace Section 1D.03 with contextually sensitive text that recognizes the limits of uniformity as an approach to the inherently diverse environment of city streets.
- **Remove guidance recommending the use of free-flow speeds, including the 85th percentile speed, in setting speed limits.**
    - **Description:** A substantial body of published research, most recently from [The National Transportation Safety Board \(NTSB\) in 2017](#), shows that using the 85th percentile approach to establish speed limits leads to increases in vehicular speed over time. As a result, a wide consortium of American safety and engineering organizations, including the [National Committee on Uniform Traffic Control Devices \(NCUTCD\)](#), the [National Safety Council](#), [NACTO](#), and the [Vision Zero Network](#) no longer endorse the MUTCD’s recommended speed-limit-setting approach. While FHWA has downgraded the use of the 85th percentile approach from a requirement to a recommendation, even the persisting recommendation sends the message that local engineers may continue using this highway-based tool on most or all urban streets.
    - **Recommended Actions:**
      - Remove all guidance recommending the use of free-flow / 85th percentile speed in setting speed limits. (Section 2B.21)
      - Require that states and cities adopt an injury-minimization approach to setting speed limits.
- **Remove the Manual’s new proposed chapter on autonomous vehicles.**
    - **Description:** The Manual’s new chapter on autonomous vehicles (Part 5) places these road users at the top of a new modal hierarchy by absolving AV companies of the responsibility to build vehicles that keep all road users safe within the existing transportation network. Upgrading street markings to be compliant with the proposed MUTCD could cost taxpayers billions of dollars; and if the markings are non-compliant and an AV-involved crash occurs, taxpayers will likely foot the bill for that as well.
    - **Recommended Actions:**
      - Remove Part 5 from the Manual altogether.
      - Establish a multidisciplinary group to review the few appropriate elements

that might be incorporated into other sections of the Manual where appropriate.

- **Acknowledge the importance of context in temporary traffic control requirements.**
  - **Description:** The Manual's updated sections on Sidewalk Detours and Crosswalk Closures (Chapter 6P, Typical Applications 28 and 29) add standards regarding accessibility that do not acknowledge topographical constraints and context. While ADA allows for the use of Maximum Extent Feasible (MEF) justifications in the ROW, no such allowances are noted in the proposed standard. Additionally, requiring audible information devices at all Sidewalk Closed Cross Here signs does not allow for engineering judgement on when an untested technology is appropriate.
  - Recommended Actions:
    - Add verbiage regarding MEF, or deference to ADA for proposed Typical Application 28's 2<sup>nd</sup> standard.
    - Maintain proposed Typical Application 28's 5<sup>th</sup> and 6<sup>th</sup> Standards as Guidance.
    - Maintain proposed Typical Application 29's 3<sup>rd</sup> and 4<sup>th</sup> Standards as Guidance.
  
- **Allow agencies to continue the use of new technologies to combat speeding and achieve safety goals.**
  - **Description:** The Manual's new section on Vehicle Speed Feedback Signs (2C.13) notes that the vehicle speed displayed shall not flash or change color even if the speed exceeds the posted speed limit. The flashing and/or color change draws attention to the fact that the driver is speeding.
  - Recommended Actions:
    - Remove the limitations on the changeable portion of the sign regarding color and flashing.
  
- **Finally, Shoreline urges FHWA to expand the transparency and inclusivity of its process for reconciling comments and finalizing the 11th edition of the MUTCD and commit to a more timely process for future updates.** Shoreline represents over 56,000 residents; key stakeholders who have legitimate and fundamental interest in what happens on America's roads but who are largely excluded from FHWA's current drafting process. To create a MUTCD that truly meets the needs of all road users, our voices must be included. To this end, we ask FHWA to:
  - **Ensure that multimodal safety experts play a formal and substantive role in the finalization of the 11th edition.** In refining this edition, and for all subsequent updates, FHWA must bring new, essential stakeholders into the conversation about safety on America's roads, including cities and transit agencies, public health experts, childhood development specialists, experts on aging, disability advocates, transportation safety champions, and racial justice advocates among others.

- **Ensure that subsequent editions of the MUTCD are timely and continue to drive progress toward safer streets and a more equitable and sustainable future, FHWA must ensure an inclusive process for more frequent updates to the MUTCD.** The past 12 years have seen significant advances in safety research yet the process for incorporating new safety findings into the MUTCD remains slow and opaque. FHWA should develop a process for the MUTCD that allows for thoughtful experimentation and ensures that new research and life-saving design practices can be quickly incorporated into the document and more expeditiously deployed at scale.

**The MUTCD represents one of the most important policies shaping our national transportation infrastructure. As such, it is critical that the next iteration address safety, equity, and climate challenges directly and intentionally.** We thank you for your thoughtful consideration of these comments, and NACTO's and hope that these recommendations will inform meaningful revisions to the MUTCD.

Sincerely,

Kendra Dedinsky, PE, PTOE  
City Traffic Engineer  
City of Shoreline