

## Minutes: Minnesota Committee on Uniform Traffic Control Devices

Sept 8, 2021 1:00 – 3:00

Microsoft Teams Meeting

### Attendance

- Sara Buermann, Wright County
- Diane Colton, MnDOT
- Joe Gustafson, Washington County
- Tiffany Kautz, MnDOT
- Jon Krieg, Hennepin County
- Mike Martinez, HDR
- Tim Plath, City of Eagan
- Scott Poska, Alliant Engineering
- Howard Preston
- Ron Rauchle, MnDOT
- Mark Sehr, Rock County
- Tom Sohrweide, SEH
- Will Stein, FHWA
- Josey Tayse, MnDOT
- Scott Thompson, MnDOT
- HunWen Westman, City of St. Paul

### Guests

- Terry Haukom, MnDOT
- Jeff Morey, MnDOT
- Adrien Carretero, MnDOT

### I. Membership Update/Introductions – Tiffany Kautz

Our committee will continue to meet online only. MnDOT is continuing to work from home through the end of the year. The current plan is to gradually return to the office in January 2022.

The Committee welcomed Adrien Carretero, Operations Liaison, MnDOT Tribal Affairs.

### II. Corrections/Updates to the Minutes – Tiffany Kautz

Motion to approve minutes made by Howard Preston, seconded by Joe Gustafson.

**VOTE:** Motion passed.

### III. MN MUTCD Revision Update/Timeline, Revision 9 – Diane Colton

#### A. Current list:

1. Appendix C – remove Appendix C and all references to it from the MN MUTCD.
2. Figure 2M-12 – remove (was supposed to have been removed in Rev 8).
3. 2C.12 – review One-Direction Large Arrow language.
4. 2B.13 – move first Support statement from page 2B-16 to page 2B-15 to keep it with Section 2B.13 (before the Reduced Speed Ahead section).
5. 2B-13 (see July 2021 meeting minutes for details)
  - a) Add the modified Federal MUTCD paragraph: *If a jurisdiction has a policy of installing Speed Limit signs in accordance with statutory requirements only on the streets that*

*enter a city, neighborhood, or residential area to indicate the speed limit that is applicable to the entire city unless otherwise posted, a CITYWIDE (R2-5aP) plaque may be mounted above the Speed Limit sign and an UNLESS OTHERWISE POSTED (R2-5P) plaque may be mounted below the Speed Limit sign (see Figure 2B-3).*

- b) Add the UNLESS OTHERWISE POSTED (R2-5P) and CITYWIDE (R2-5aP) plaques.
- 6. Update Sections 1A.10 and 1A.10.1 (old 1A.10.5). See September 2021 meeting minutes for details.

#### **IV. FHWA Updates – Will Stein**

No update on timeline for new manual at this point. The team is going through the many comments to the NPA with help from division staff and consultant support.

#### **V. Review of Action Items from Previous Meeting - Tiffany Kautz**

**Action Item:** Tiffany will find a place to put Request to Experiment documents and will provide links for the committee to access. Done, see below.

**Action Item:** Tiffany will update MN MUTCD Figures 1A-0 and 1A-1 to show that MnDOT is copied on Requests rather than that all Requests need to go through MnDOT. She will present the updated material at a later meeting. Done, see below.

#### **VI. Requests for Experimentation Update/Process - Tiffany Kautz**

- Review access to MnDOT’s Managed File Transfer Site. <https://mft.dot.state.mn.us>
  - MFT has some limitations. Invites expire after 7 days and accounts expire after 60 days of inactivity.

Discussion:

- Can we put these on the MCUTCD public website?
- Need to be ADA accessible.
- Are the file sizes ok to email? MnDOT allows large files.

**Action Item:** Tiffany will check on adding Request for Experimentation files to the MnDOT website.

The City of Hopkins and Hennepin County have submitted new Requests for Experimentation applications.

#### **VII. Housekeeping MN MUTCD updates – Tiffany Kautz**

- Update Office of Traffic Engineering office name (showing up as Office of Traffic Safety).

Motion to approve name change to Office of Traffic Engineering in the MN MUTCD made by Jon Krieg, seconded by Joe Gustafson.

**VOTE:** Motion passed.

- National MUTCD vs Federal MUTCD – how should the MN MUTCD refer to the National/Federal MUTCD.  
Motion to approve using National MUTCD made by Terry Haukom, seconded by Joe Gustafson.  
**VOTE:** Motion passed.

## VIII. Part 1, Section 1A.10 – Tiffany Kautz

### Overview and Background:

- Current MN MUTCD has MnDOT acting as a pass through for Requests for Experimentation. Currently, the requesting jurisdiction submits the request to MnDOT; then, MnDOT submits the request to FHWA.
- MnDOT does not need to be a pass through for these requests, nor in the middle of process. MnDOT would prefer the requesting jurisdictions submit requests directly to FHWA and copy MnDOT on the requests.
- Tiffany compared the current MN MUTCD text to the National text. For the most part, the text was the same in both documents, but the order of the text was different.
- The proposed update took the national text and added Minnesota language. Notable MN language added:
  - MnDOT shall be copied on requests.
  - A jurisdiction using a Statewide Interim Approval shall report the location to MnDOT and agree to follow FHWA’s Interim Approval Memo.
- Tiffany stepped through the updated figures and text.

### Section 1A.10

#### Discussion:

- For requests on MnDOT right-of-way, MnDOT would need to be involved.
- Multiple jurisdictions can experiment on the same thing (i.e., Bike Boxes). Each jurisdiction submits their own request.
- MnDOT would like to be copied on both applications, final reports/evaluations, and any responses from FHWA. Proposed language appropriately modified.

**Action Item:** Tiffany will research how other states (that have their own manual) handle the Request for Experimentation process.

### Section 1A.10.1 (Old 1A.10.5) Minnesota Conditional Use

- Current section 1A.10.5 Minnesota Conditional Use was (in Tiffany’s opinion) unclear.
- The section was revamped to better clarify the process.
- Tiffany stepped through the updated flow charts and text.

#### Discussion:

- The conditional use process is not often used. Typically, it has been used to bridge the gap between when the National MUTCD (which may include new devices) is published and when the MN MUTCD is published.
- State Aid support MnDOT just being copied.

Motion to approve both sections made by Jon Krieg, seconded by HunWen Westman.

**VOTE:** Motion passed.

Updated document attached.

**Action Item:** Diane will include new sections in the next revision of the MN MUTCD.

## IX. Update on Public Water Access Signs- Tiffany Kautz

### Section 2I.5.1

Josie and Tiffany continue to meet with the DNR regarding the use of the DNR sign. The thought is to replace the DNR Public Water Access sign with the boat launch with arrow plaque or canoeing with arrow plaque.



DNR Sign



RS-054  
Boat Ramp



RS-079  
Canoeing

## X. Round Robin

Howard Preston

For agencies that have lowered speed limits on their local roads – have there been any evaluations of those efforts?

**Action Item:** Tiffany will reach out to Derek Leuer MnDOT Traffic Safety for more information.

## XI. Next Meeting

Next meeting is October 13, 2021.

## XII. Future agenda items:

### Modification to 2D.29 – Tiffany Kautz, Josie Tayse

Add an exception (to 1<sup>st</sup> Standard, 1<sup>st</sup> paragraph) for signed township route and (maybe) National Forrest routes.

### 2I.5.1 Public Water Access Signs – Tiffany Kautz, Josie Tayse

Working with DNR to establish guidelines regarding sign placement. Tiffany and Josie talking with DNR about this section.

## 1A.10 Interpretations, Experimentation, Changes, Interim Approvals, and Minnesota Conditional Use

### Standard

Design, application, and placement of traffic control devices other than those adopted in this Manual shall be prohibited unless the provisions of this Section are followed.

### Support

Continuing advances in technology will produce changes in the highway, vehicle, and road user proficiency; therefore, portions of the system of traffic control devices in this Manual will require updating. In addition, unique situations often arise for device applications that might require interpretation or clarification of this Manual. It is important to have a procedure for recognizing these developments and for introducing new ideas and modifications into the system.

A diagram indicating the process for using a device not included in the MN MUTCD is shown in Figure 1A-0.

### Standard

MnDOT's Office of Traffic Engineering (see page ii) shall be copied on any interpretation, permission to experiment, interim approval, or change submitted to the Federal Highway Administration (FHWA). The requesting agency shall forward FHWA's response to MnDOT.

MnDOT's Office of Traffic Engineering shall be copied on any semiannual reports and final report.

Except as provided in the Option below, requests for any interpretation, permission to experiment, interim approval, or change shall be submitted electronically to the Federal Highway Administration (FHWA), Office of Transportation Operations, MUTCD team, at the following e-mail address: MUTCDofficialrequest@dot.gov.

### Option

If electronic submittal is not possible, requests for interpretations, permission to experiment, interim approvals, or changes may instead be mailed to the Office of Transportation Operations, HOTO-1, Federal Highway Administration, 1200 New Jersey Avenue, S, Washington, DC 20590.

### Support

An interpretation includes a consideration of the application and operation of standard traffic control devices, official meanings of standard traffic control devices, or the variations from standard device designs.

### Guidance

Requests for an interpretation of this Manual should

contain the following information:

- A. A concise statement of the interpretation being sought;
- B. A description of the condition that provoked the need for an interpretation;
- C. Any illustration that would be helpful to understand the request; and
- D. Any supporting research data that is pertinent to the item to be interpreted.

### Support

Requests to experiment include consideration of field deployment for the purpose of testing or evaluating a new traffic control device, its application or manner of use, or a provision not specifically described in this Manual.

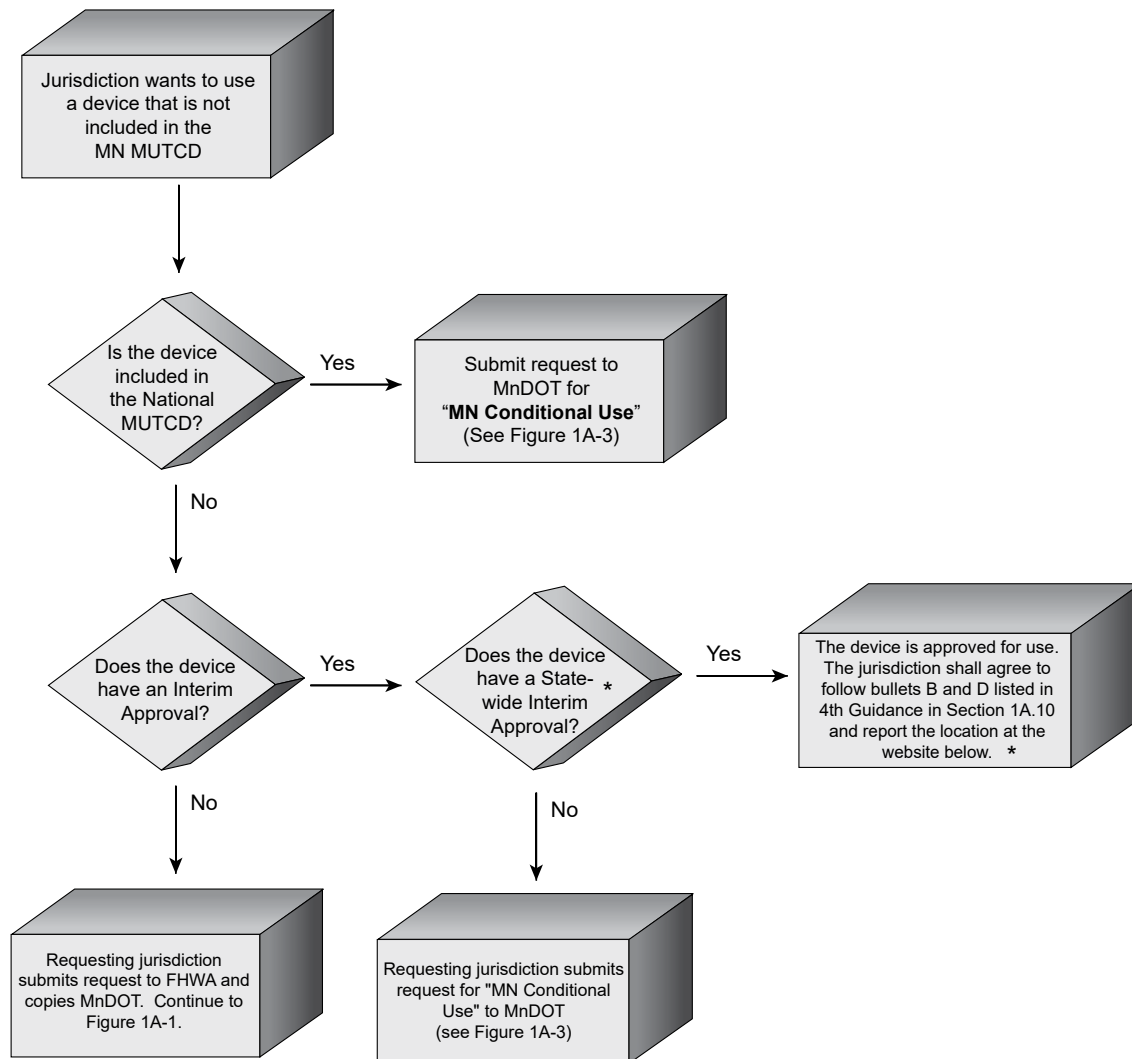
A request for permission to experiment will be considered only when submitted by the public agency or toll facility operator responsible for the operation of the road or street on which the experiment is to take place. For a private road open to public travel, the request will be considered only if it is submitted by the private owner or private official having jurisdiction.

A diagram indicating the process for experimenting with traffic control devices is shown in Figure 1A-1.

### Guidance

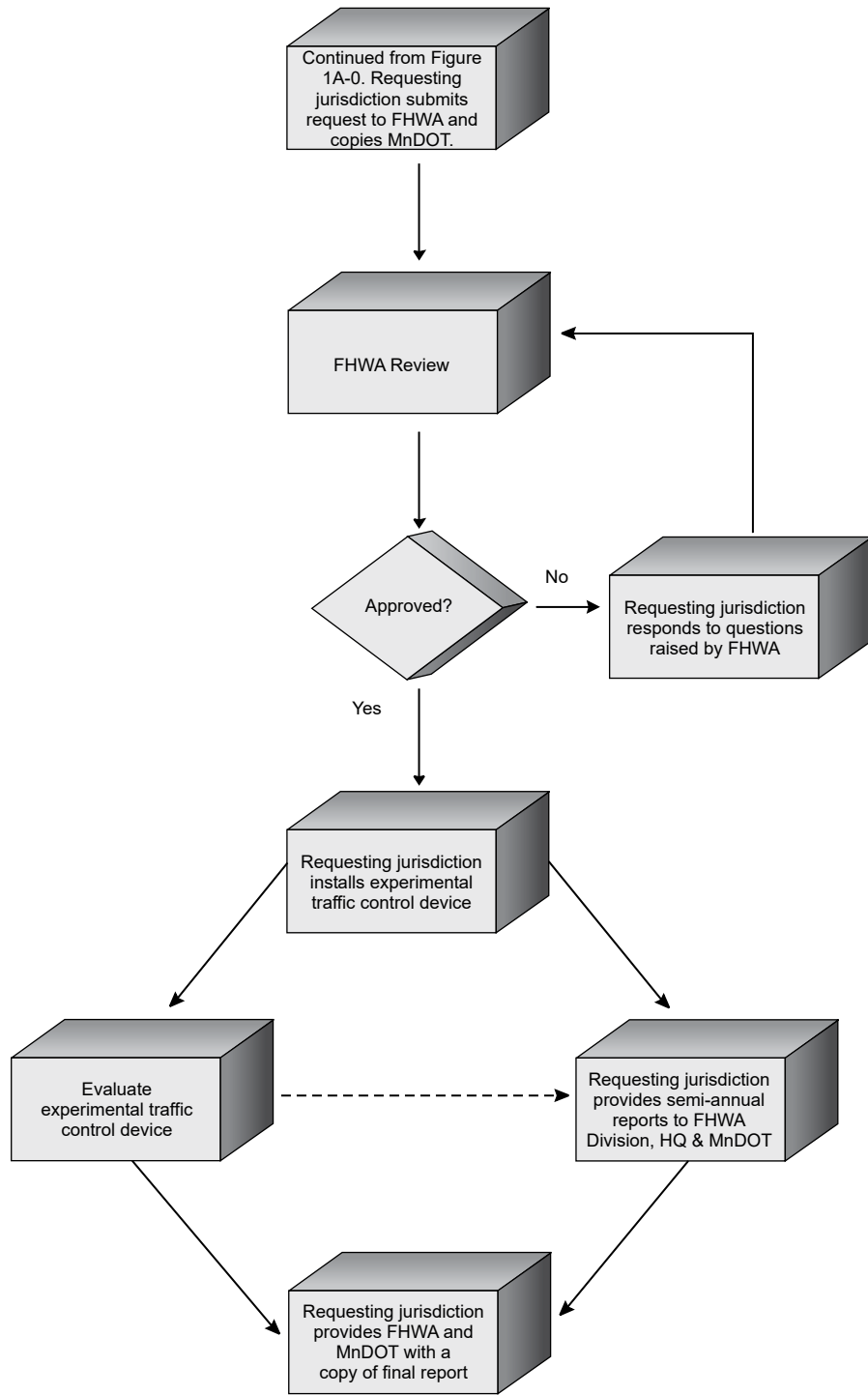
The request for permission to experiment should contain the following:

- A. A statement indicating the nature of the problem.
- B. A description of the proposed change to the traffic control device or application of the traffic control device, how it was developed, the manner in which it deviates from the standard, and how it is expected to be an improvement over existing standards.
- C. Any illustration that would be helpful to understand the traffic control device or use of the traffic control device.
- D. Any supporting data explaining how the traffic control device was developed, if it has been tried, in what ways it was found to be adequate or inadequate, and how this choice of device or application was derived.
- E. A legally binding statement certifying that the concept of the traffic control device is not protected by a patent or copyright. (An example of a traffic control device concept would be countdown pedestrian signals in general. Ordinarily an entire general concept would not be patented or copyrighted, but if it were it would not be acceptable for experimentation unless the patent or copyright owner signs a waiver of rights acceptable to the FHWA. An example of a patented or copyrighted specific device within the general concept of countdown pedestrian signals would be a manufacturer's design for its specific brand of countdown signal, including the design details of the housing or electronics that are unique



\* <http://www.dot.state.mn.us/trafficeng/publ/mutcd/statewide-interim-approvals.html>

**Figure 1A-0 Process to Request use of Traffic Control Device Not Included in the MN MUTCD**



**Figure 1A-1 Example of a Process for Requesting and Conducting Experimentation for New Traffic Control Devices**

to that manufacturer's product. As long as the general concept is not patented or copyrighted, it is acceptable for experimentation to incorporate the use of one or more patented devices of one or several manufacturers.)

- F. The time period and location(s) of the experiment.
- G. A detailed research or evaluation plan that must provide for close monitoring of the experimentation, especially in the early stages of its field implementation. The evaluation plan should include before and after studies as well as quantitative data describing the performance of the experimental device.
- H. An agreement to restore the site of the experiment to a condition that complies with the provisions of this 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 concerns are directly or indirectly attributable to the experimentation. The FHWA's Office of Transportation Operations has the right to terminate approval of the experimentation at any time if there is an indication of safety concerns. If, as a result of the experimentation, a request is made that this Manual be changed to include the device or application being experimented with, the device or application will be permitted to remain in place until an official rulemaking action has occurred.
- I. An agreement to provide semi-annual progress reports for the duration of the experimentation, and an agreement to provide a copy of the final results of the experimentation to the FHWA's Office of Transportation Operations within 3 months following completion of the experimentation. The FHWA's Office of Transportation Operations has the right to terminate approval of the experimentation if reports are not provided in accordance with this schedule.

#### **Support**

A change includes consideration of a new device to replace a present standard device, an additional device to be added to the list of standard devices, or a revision to a traffic control device application or placement criteria.

#### **Guidance**

Requests for a change to this Manual should contain the following information:

- A. A statement indicating what change is proposed;
- B. Any illustration that would be helpful to understand the request; and
- C. Any supporting research data that is pertinent to the item to be reviewed.

#### **Support**

Interim approval allows interim use, pending official rulemaking, of a new traffic control device, a revision to the

application or manner of use of an existing traffic control device, or a provision not specifically described in this Manual. The FHWA issues an Interim Approval by official memorandum signed by the Associate Administrator for Operations and posts this memorandum on the MUTCD website. The issuance by FHWA of an interim approval will typically result in the traffic control device or application being placed into the next scheduled rulemaking process for revisions to this Manual.

Interim approval is considered based on the results of successful experimentation, results of analytical or laboratory studies, and/or review of non-U.S. experience with a traffic control device or application. Interim approval considerations include an assessment of relative risks, benefits, costs, impacts, and other factors.

Interim approval allows for optional use of a traffic control device or application and does not create a new mandate or recommendation for use. Interim approval includes conditions that jurisdictions agree to comply with in order to use the traffic control device or application until an official rulemaking action has occurred.

#### **Standard**

A jurisdiction, toll facility operator, or owner of a private road open to public travel that desires to use a traffic control device for which FHWA has issued an interim approval shall request permission from FHWA.

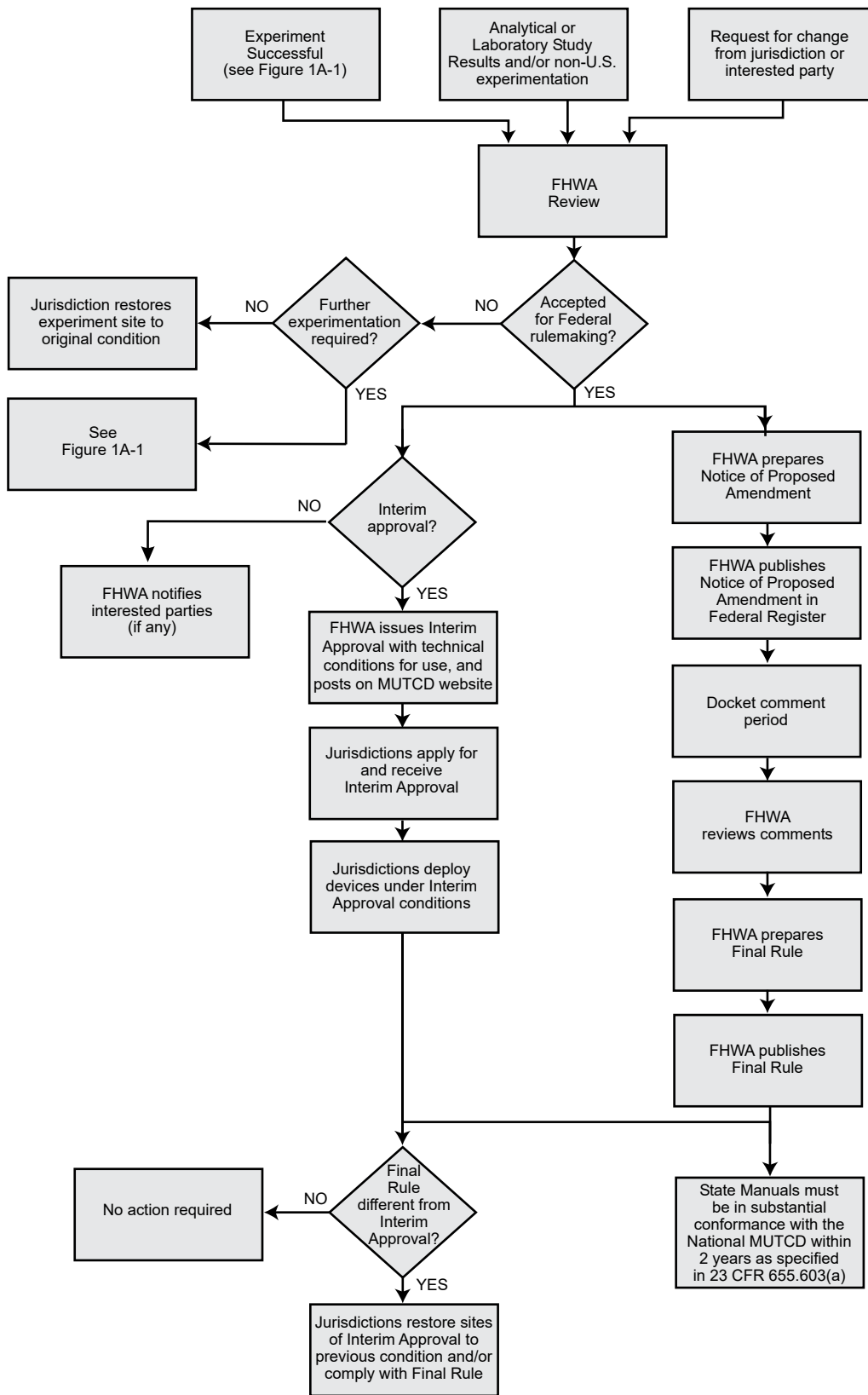
If installing an interim approved device covered by a Statewide Interim Approval, the jurisdiction, toll facility operator, or owner shall report the location to MnDOT at <http://www.dot.state.mn.us/trafficeng/pub/mutcd/statewide-interim-approvals.html>. By reporting the device, the jurisdiction, toll facility operator, or owner shall agree to follow bullets B and D listed in the Guidance below.

#### **Guidance**

The request for permission to place a traffic control device under an interim approval should contain the following:

- A. A description of where the device will be used, such as a list of specific locations or highway segments or types of situations, or a statement of the intent to use the device jurisdiction-wide;
- B. An agreement to abide by the specific conditions for use of the device as contained in the FHWA's interim approval document;
- C. An agreement to maintain and continually update a list of locations where the device has been installed; and
- D. An agreement to:
  - 1. Restore the site(s) of the interim approval to a condition that complies with the provisions





**Figure 1A-2 Example of a Process for Incorporating New Traffic Control Devices into the National MUTCD**

in this Manual within 3 months following the issuance of a Final Rule on this traffic control device; and

2. Terminate use of the device or application installed under the interim approval at any time that it determines significant safety concerns are directly or indirectly attributable to the device or application. The FHWA's Office of Transportation Operations has the right to terminate the interim approval at any time if there is an indication of safety concerns.

#### **Option**

A State may submit a request for the use of a device under interim approval for all jurisdictions in that State, as long as the request contains the information listed in the guidance above.

#### **Guidance**

A local jurisdiction, toll facility operator, or owner of a private road open to public travel using a traffic control device or application under an interim approval that was granted by FHWA either directly or on a statewide basis based on the State's request should inform the State of the locations of such use.

A local jurisdiction, toll facility operator, or owner of a private road open to public travel that is requesting permission to experiment or permission to use a device or application under an interim approval should first check for any State laws and/or directives covering the application of the MUTCD provisions that might exist in their State.

#### **Option**

A device or application installed under an interim approval may remain in place, under the conditions established in the interim approval, until an official rulemaking action has occurred.

#### **Support**

A diagram indicating the process for incorporating new traffic control devices into this Manual is shown in Figure 1A-2.

For additional information concerning interpretations, experimentation, changes, or interim approvals, visit the MUTCD website at <http://mutcd.fhwa.dot.gov>.

### **1A.10.1 Minnesota Conditional Use**

#### **Support**

Traffic control devices found in the National MUTCD and/or approved for interim use by FHWA are not automatically approved for use in Minnesota. The Minnesota Conditional Use process provides an opportunity to request Conditional Use of a traffic control device not included in the MN MUTCD or a Statewide

Interim Approval; but, is in the National MUTCD or has interim approval from FHWA.

A diagram indicating the Minnesota Conditional Use process is shown in Figure 1A-3.

#### **Standard**

The request for a Minnesota Conditional Use shall contain the following:

- A. A statement indicating the nature of the problem.
- B. A statement identifying all sections of the National MUTCD and any Interim Approvals related to the device or its application.
- C. Any additional illustration (besides those found in the National MUTCD and an FHWA Interim Approval Memo) that would be helpful in understanding the traffic control device or its application.
- D. The location(s) where the device will be used.
- E. Any pertinent completed research or evaluation on this traffic control device or its application.
- F. An agreement to use the device in accordance with the National MUTCD and/or an FHWA Interim Approval Memo.

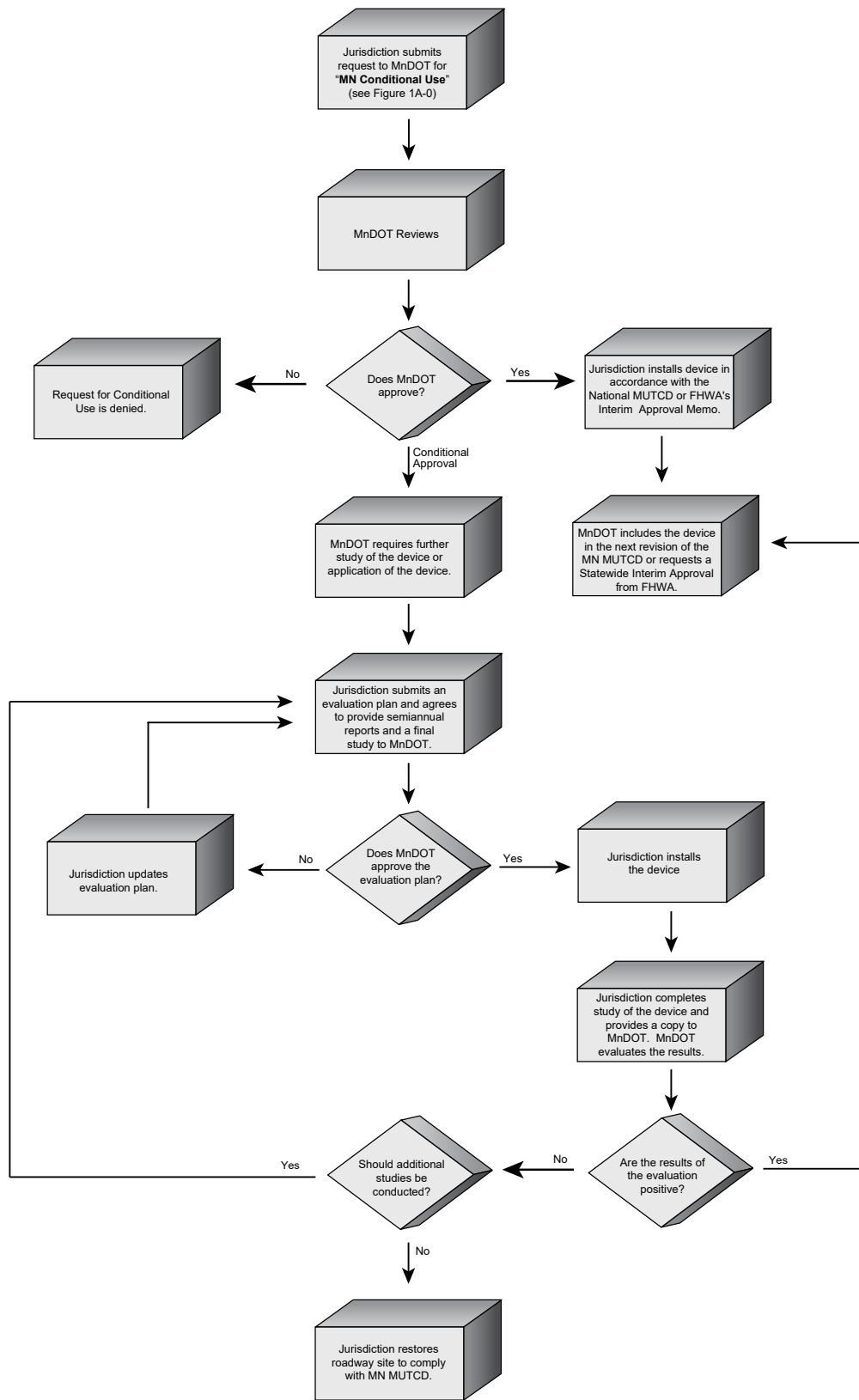
If required, the evaluation plan and study shall include:

- A. A plan to monitor and evaluate the device. This should include before and after studies as well as quantitative data describing the performance of the device.
- B. An agreement to:
  1. Submit semiannual progress reports and the final study to MnDOT.
  2. Restore the site to comply with the MN MUTCD within 3 months following the end of the time period of the evaluation. If, as a result of the evaluation, the MN MUTCD is updated to include the device or MnDOT requests a Statewide Interim Approval from FHWA, the device or application will be permitted to remain in place.
  3. Terminate the experiment at any time that it determines significant safety concerns are directly or indirectly attributable to the experimentation. MnDOT has the right to terminate the Conditional Use at any time if there is an indication of safety concerns.

### **1A.11 Relation to Other Publications**

#### **Standard**

To the extent that they are incorporated by specific reference, the latest editions of the following documents, or those editions specifically noted, shall be a part of this Manual: "Standard Highway Signs and Markings," book (FHWA); "Color Specifications for Retroreflective Sign and



**Figure 1A-3 Minnesota Conditional Use Process**