TABLE 4 TO PART 655, SUBPART F.—NIGHTTIME COLOR SPECIFICATION LIMITS FOR FLUORESCENT RETROREFLECTIVE MATERIAL WITH CIE 2° STANDARD OBSERVER AND OBSERVATION ANGLE = 0.33°, ENTRANCE ANGLE =+5° (BETA ANGLE 2 AND EPSILON = 0°) AND CIE STANDARD ILLUMINANT A—Continued

Color	Chromaticity coordinates (corner points)							
	1		2		3		4	
	x	y	x	y	x	y	x	y
Fluorescent Yellow/Green	.480	.520	.550	.449	.523	.440	.473	.490
Fluorescent Green	.007	.570	.200	.500	.322	.590	.193	.782

TABLE 5 TO PART 655, SUBPART F.—DAYTIME COLOR SPECIFICATION LIMITS FOR PAVEMENT MARKINGS MATERIAL WITH CIE 2° STANDARD OBSERVER AND 45/0 (0/45) GEOMETRY AND CIE D65 STANDARD ILLUMINANT

Color	Chromaticity coordinates (corner points)								Y values %			
	x	y	x	y	x	y	x	y	With Glass Beads		Without Glass Beads	
									Min	Max	Min	Max
White	.355	.355	.305	.305	.285	.325	.335	.375	60	.....	70	.....
Yellow	.560	.440	.460	.400	.420	.440	.490	.510	30	.....	35	.....
Red	.480	.300	.690	.315	.620	.380	.480	.360	6	15	.....	.....
Blue	.105	.100	.220	.180	.200	.260	.060	.220	5	14	.....	.....

TABLE 6 TO PART 655, SUBPART F.—NIGHTTIME COLOR SPECIFICATION LIMITS FOR PAVEMENT MARKING RETROREFLECTIVE MATERIAL WITH CIE 2° STANDARD OBSERVER AND OBSERVATION ANGLE = 1.05°, ENTRANCE ANGLE = 88.76° (BETA ANGLE 2 AND EPSILON = 0°) AND CIE STANDARD ILLUMINANT A

Color	Chromaticity coordinates (corner points)							
	1		2		3		4	
	x	y	x	y	x	y	x	y
White	.480	.410	.430	.380	.405	.405	.455	.435
Yellow	.575	.425	.490	.410	.460	.440	.510	.490

[FR Doc. 99–32910 Filed 12–20–99; 8:45 am]
BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Part 655

[FHWA Docket No. FHWA–99–6298]

RIN 2125–AE66

Revision of the Manual On Uniform Traffic Control Devices; Regulatory Signs, Low Volume Rural Roads, and Traffic Control for Highway-Rail Grade Crossings

AGENCY: Federal Highway Administration (FHWA), DOT

ACTION: Notice of proposed amendments to the Manual on Uniform Traffic Control Devices (MUTCD); request for comments.

SUMMARY: The MUTCD is incorporated by reference in 23 CFR part 655, subpart F, approved by the Federal Highway Administrator, and recognized as the national standard for traffic control on all public roads. The FHWA announced its intent to rewrite and reformat the MUTCD on January 10, 1992, at 57 FR 1134.

This document proposes new text for the MUTCD in Chapter 2B—Regulatory Signs, Part 5—Traffic Control Devices for Low-Volume Rural Roads, and Part 8—Traffic Control for Highway-Rail Grade Crossings (update information). The purpose of this rewrite effort is to reformat the text for clarity of intended meanings, to include metric dimensions and values for the design and installation of traffic control devices, and to improve the overall organization and discussion of the contents in the MUTCD. The proposed changes included herein are intended to expedite traffic, promote uniformity, improve safety, and incorporate technology advances in traffic control device application.

DATES: Submit comments on or before June 30, 2000.

ADDRESSES: Signed, written comments should refer to the docket number that appears at the top of this document and must be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL–401, 400 Seventh Street, SW., Washington, DC 20590–0001. All comments received will be available for examination at the above address between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard.

FOR FURTHER INFORMATION CONTACT: For information regarding the notice of proposed amendments contact Ms. Linda Brown, Office of Transportation Operations, Room 3408, (202) 366–2192, or Mr. Raymond Cuprill, Office of Chief Counsel, Room 4217, (202) 366–0834, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

Electronic Access

Internet users may access all comments received by the U.S. DOT Dockets, Room PL 401, by using the universal resource locator (URL): *http/dms.dot.gov*. It is available 24 hours each day, 365 days each year. Please follow the instructions online for more information and help. An electronic copy of this notice of proposed amendment may be downloaded using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512–1661. Internet users may reach the Office of the Federal Register's home page at: *http://www.nara.gov/fedreg* and the Government Printing Office's database at: *http://www.access.gpo.gov/nara*.

The text for the proposed sections of the MUTCD is available from the FHWA Office of Transportation Operations (HOTO–1) or from the FHWA Home Page at the URL: *http://www.fhwa.dot.gov/operations/mutcd*. Please note that the current proposed sections contained in this docket for MUTCD Chapters 2B, Part 5, and Part 8 will take approximately 8 weeks from the date of publication before they will be available at this web site.

Background

The 1988 MUTCD with its revisions are available for inspection and copying as prescribed in 49 CFR Part 7. It may be purchased for $57.00 (Domestic) or $71.25 (Foreign) from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250–7954, Stock No. 650–001–00001–0. This notice is being issued to provide an opportunity for public comment on the desirability of proposed amendments to the MUTCD. Based on the comments received and its own experience, the FHWA may issue a final rule concerning the proposed changes included in this notice.

The National Committee on Uniform Traffic Control Devices (NCUTCD) has taken the lead in this effort to rewrite and reformat the MUTCD. The NCUTCD is a national organization of individuals from the American Association of State Highway and Transportation Officials (AASHTO), the Institute of Transportation Engineers (ITE), the National Association of County Engineers (NACE), the American Public Works Association (APWA), and other organizations that have extensive experience in the installation and maintenance of traffic control devices. The NCUTCD voluntarily assumed the arduous task of rewriting and reformatting the MUTCD. The NCUTCD proposal is available from the U.S. DOT Dockets (see address above). Pursuant to 23 CFR Part 655, the FHWA is responsible for approval of changes to the MUTCD.

Although the MUTCD will be revised in its entirety, it is being completed in phases due to the enormous volume of text. The FHWA reviewed the NCUTCD's proposal for MUTCD Part 3—Markings, Part 4—Signals, and Part 8—Traffic Control for Highway-Rail Intersections. The summary of proposed changes for Parts 3, 4, and 8 was published as Phase 1 of the MUTCD rewrite effort in a previous notice of proposed amendment dated January 6, 1997, at 62 FR 691. The FHWA reviewed the NCUTCD's proposal for Part 1—General Provisions and Part 7—Traffic Control for School Areas. The summary of proposed changes for Parts 1 and 7 was published as phase 2 of the MUTCD rewrite effort in a previous notice of proposed amendment dated December 5, 1997, at 62 FR 64324. The FHWA reviewed the NCUTCD's proposal for Chapter 2A—General Provisions and Standards for Signs, Chapter 2D—Guide Signs for Conventional Roads, Chapter 2E—Guide Signs—Freeways and Expressways, Chapter 2F—Specific Service Signs, and Chapter 2I—Signing for Civil Defense. The summary of proposed changes for Chapters 2A, 2D, 2E, 2F, and 2I was published as Phase 3 of the MUTCD rewrite effort in a previous notice of proposed amendment dated June 11, 1998, at 63 FR 31950. The summary of proposed changes for Chapters 2G—Tourist Oriented Directional Signs, Chapter 2H—Recreational and Cultural Interest Signs, and Part 9—Traffic Control for Bicycles was published as Phase 4 of the MUTCD rewrite effort in a previous notice of proposed amendment dated June 24, 1999, at 64 FR 33802. The summary of proposed changes for Chapter 2C—Warning Signs and Part 10—Traffic Control for Highway-Light Rail Transit Grade Crossings was published as Phase 5 of the MUTCD rewrite effort in a previous notice of proposed amendment dated June 24, 1999, at 64 FR 33806.

This notice of proposed amendments is Phase 6 of the MUTCD rewrite effort and includes the summary of proposed changes for MUTCD Chapter 2B, Part 5, and update information for previously published proposed changes to Part 8. The public will have an opportunity to review and comment on the remaining parts of the MUTCD in a future notice of proposed amendment. The remaining parts include Part 6—Traffic Control for Construction, Maintenance, Utility, and Incident Management and updates to the following previously published parts of the MUTCD: Part 1—Definitions; Part 3— Markings; and Part 4—Signals.

The proposed new style of the MUTCD would be a 3-ring binder with 8–½ x 11 inch pages. Each part of the MUTCD would be printed separately in a bound format and then included in the 3-ring binder. If someone needed to reference information on a specific part of the MUTCD, it would be easy to remove that individual part from the binder. The proposed new text would be in column format and contain four categories as follows: (1) Standards—representing ''shall'' conditions; (2) Guidance—representing ''should'' conditions; (3) Options—representing ''may'' conditions; and (4) Support—representing descriptive and/or general information. This new format would make it easier to distinguish standards, guidance, and optional conditions for the design, placement, and application of traffic control devices. The adopted final version of the new MUTCD will be in metric and English units. Dual units will be shown in the MUTCD particularly for speed limits, guide sign distances, and other measurements which the public must read.

The FHWA invites comments on the proposed text for MUTCD chapter 2B, part 5, and part 8 update. A summary of the proposed significant changes contained in these sections are included in the following discussion:

Discussion of Proposed Amendments to Chapter 2B—Regulatory Signs

The following items are the most significant proposed revisions to Chapter 2B:

1. In Section 2B.1, the FHWA proposes to delete the sentence indicating that all regulatory signs shall be retroreflective or illuminated since this information is covered in Section 2A.8 which provide general requirements for all signs, including regulatory signs.

2. In Section 2B.3, the FHWA proposes to include an explanation of when various sign sizes should be used based on the roadway classification. This information is currently shown in the ''Standard Highway Signs'' book.[1] However, we believe it is worth mentioning in the MUTCD text as well.

3. In Section 2B.3, the FHWA proposes to add Table 2B.1 which

[1] ''Standard Highway Signs,'' FHWA, 1979 (Metric) is included by reference in the 1988 MUTCD. It is available for inspection and copying at the FHWA Washington Headquarters and all FHWA Division Offices as prescribed at 49 CFR part 7.

shows the sign codes, the standard sign sizes, and applicable MUTCD sections for more detailed information. The FHWA believes that having this information in a table format will provide an easy and quick reference for the readers. In an effort to improve sign visibility, the FHWA also proposes to increase the standard letter size for the following signs:

TABLE SHOWING SIGNS WITH PROPOSED INCREASED STANDARD LETTER SIZES

Sign	Code	Proposed standard size
Two-Way Left Turn Only	R3–9b	750mm x 1050mm (30″ x 42″).
Center Lane Buses and HOV 2+ Only	R3–11	1050mm x 1500mm (42″ x 60″).
Do Not Enter	R5–1	900mm x 900mm (36″ x 36″).
Pedestrians and Bicycles Prohibited	R5–10b	900mm x 600mm (36″ x 24″).
Pedestrians Prohibited	R5–10c	750mm x 450mm (30″ x 18″).
One Way	R6–1	900mm x 900mm (36″ x 36″).
One Way	R6–2	900mm x 900mm (36″ x 36″).
Divided Highway	R6–3 and 3a	900mm x 900mm (36″ x 36″).
No Parking/Restricted Times	R7–200	500mm x 450mm (20″ x 18″).
Hitch Hiking Prohibited (symbol)	R9–4a	600mm x 600mm (24″ x 24″).
Left on Green Arrow Only	R10–5	900mm x 1200mm (36″ x 48″).
Use Lane with Green Arrow	R10–8	750mm x 900mm (30″ x 36″).
Left (Right) Turn Signal	R10–10	750mm x 900mm (30″ x 36″).
Left Turn Yield on Green Ball	R10–12	750mm x 900mm (30″ x 36″).
No Trucks Over 7000 lbs Empty Weight	R12–3	750mm x 900mm (30″ x 36″).

4. In Section 2B.4, paragraph 2, the FHWA proposes to require the use of the 4–WAY supplemental plaque (R1–3) at intersections where all approaches are controlled by STOP signs. In the 1988 MUTCD this was a recommended practice. However, the FHWA believes that due to the increased aggressive driving behavior, disregard of STOP signs, and the hazardous nature of these type intersections, the required use of the 4–WAY supplemental plaque will provide additional emphasis and motorist information at these locations.

5. In Section 2B.5, the FHWA proposes to change the title from ''Warrants for Stop Signs'' to ''Stop Sign Application.'' This proposed change attempts to eliminate the misunderstanding created by the term ''warrants'' which has a ''legal sanctions'' connotation. The GUIDANCE provided in Section 2B.5 for installing STOP signs is not intended to be a legal sanction or authorization, but instead is intended to list possible situations where these signs could be appropriate based on an engineering study.

6. In Section 2B.5, paragraph 6, the FHWA proposes to add GUIDANCE to describe the appropriate street to stop traffic in a two-way STOP control situation.

7. In Section 2B.5, paragraph 7, the FHWA proposes to include considerations that may help engineers and other transportation officials decide the appropriate street to install STOP signs at 2–WAY STOP intersections.

8. In Section 2B.5, paragraph 9, the FHWA proposes to include SUPPORT information to clarify to the reader that restrictions on the use of STOP signs as discussed in section 2B.5 also apply to Multiway STOP signs (section 2B.7).

9. In Section 2B.6, paragraph 4, the FHWA proposes to change the following sentence from an OPTION condition to a GUIDANCE condition: ''Stop lines, when used to supplement a STOP sign, should be located at the point where the road user should stop.'' The use of pavement markings helps to reinforce sign and other traffic control device messages. We believe that recommending the use of the STOP line provides the road user with additional information on which to make safe traffic operation decisions.

10. In Section 2B.6, paragraph 5, the FHWA proposes to add a sentence which states that STOP signs should not be placed on the far-side of the intersection. Although this is not new guidance and is shown in many of the typical figures in the 1988 MUTCD, we believe that it is appropriate to include this proposed text to eliminate any ambiguity.

11. In Section 2B.7, the FHWA proposes to add the word ''application'' to the title since this term is more descriptive of the information contained in this section on multi-way stop signs. In Section 2B.7, paragraph 2, the FHWA proposes to add GUIDANCE to recommend that the decision to install Multiway Stop signs should be based on an engineering study.

12. In Section 2B.7, paragraph 2, the FHWA proposes to specifically state that the decision to install multi-way stop signs should be based on an engineering study. Although this recommended GUIDANCE is usually followed, the FHWA believes it is appropriate to include this general practice in the MUTCD text.

13. In Section 2B.7, paragraph 3, the FHWA also proposes to recommend criteria that should be considered in the engineering study. This proposed change also eliminates the misunderstood term ''warrants'' and uses instead the term ''engineering study.'' The recommended criteria are generally consistent with the text in the 1988 MUTCD except for the following proposed changes:

(a) In item 3a which discusses minimum vehicle volumes at intersections where multiway stop signs are considered, the FHWA proposes to change ''500 vehicles per hour'' to ''300 vehicles per hour.'' This proposed change allows more consideration flexibility and allows more intersections to qualify for multiway stop sign installlations.

(b) In item 3b, the FHWA proposes to add bicycle volumes to the combination volume studies of vehicles and pedestrians. Bicycle travel is one of the FHWA's program emphasis areas identified in our strategic plan. The FHWA believes that bicycle travel should be an integral part of traffic control considerations.

(c) In item 4, the FHWA proposes to provide a means for combining data on the accident experience and volume counts when considering the installation of multiway stop signs.

14. The discussion in Section 2B.7, paragraph 3, provides primary criteria for consideration when installing Multiway Stop signs. In Section 2B.7, paragraph 4, the FHWA proposes to include additional supporting criteria for consideration. Also in paragraph 4,

the FHWA proposes to add a crosss-reference to a proposed new section 2C.31 which discusses the optional use of a new ''CROSS TRAFFIC DOES NOT STOP sign'' at multiway stop intersections. This proposed sign may be used where engineering study indicates drivers frequently mistake 2-way and multiway stop controlled intersections.

15. The FHWA proposes to separate the discussion on Yield signs to cover general design and purpose for Yield signs (Section 2B.8); ''Yield Sign Application'' (Section 2B.9); and ''Yield Sign Placement'' (Section 2B.10). This proposed change also avoids the use of the misunderstood term ''warrants.''

16. In Section 2B.10, paragraph 2, the FHWA proposes to change the following sentence from a GUIDANCE condition to a STANDARD condition: ''The YIELD sign shall be located as close as practical to the intersection it regulates, while optimizing its visibility to the road user.'' The FHWA believes that enhancing sign visibility will help improve intersection safety and reduce intersection crashes. This same change is proposed for STOP signs in Section 2B.6, paragraph 2.

17. In Section 2B–8 of the 1988 MUTCD, the following sentence was included: ''YIELD signs should not be used on the through roadway of expressways.'' The FHWA proposes not to include this sentence in the new Section 2B.10, ''Yield Sign Application.'' The reason for not including this sentence is to avoid potential conflict with YIELD signs installed at signalized intersections on expressways for the purpose of controlling right-turn movements.

18. In Section 2B.11, paragraph 2, the FHWA proposes the following revisions to help clarify the design and application of the Truck Speed Sign. The ''TRUCKS 40'' sign currently shown in the 1988 MUTCD is intended to be the supplemental plaque message that is required for use below the Speed Limit Sign (R2–1). The FHWA proposes to assign the ''TRUCKS 40'' supplemental plaque the sign code (R2–2P). The R2–2P supplemental plaque is not to be used independently. The FHWA also proposes to clarify that the legend ''TRUCKS 40'' may also be included within the same panel as the Speed Limit Sign (R2–1).

In addition to the above clarification, the FHWA proposes to modify the 1988 MUTCD to explain that a Truck Speed Sign (R2–2) contains the legend ''TRUCKS 40 MPH'' or ''TRUCK SPEED 40'' and is used independently. The FHWA proposes to develop a design drawing for the R2–2 independent Truck Speed Sign and to include the design in the ''Standard Highway Signs'' book.

19. In Section 2B.11, paragraph 3, the FHWA proposes to designate 3 as the maximum number of speed limits displayed on any one speed limit sign or assembly sign. In the 1988 MUTCD this was recommended GUIDANCE. The FHWA proposes to change this to STANDARD practice because 3 speed limits is the maximum amount of information that the road user can safely read and comprehend.

20. In Section 2B.12, Paragraph 2, the FHWA proposes to add another option for day and night speed limits using changeable message signs that change for traffic and ambient conditions provided that the appropriate speeds are shown at the proper times. This proposed change will allow Intelligent Transportation Systems (ITS) technology for changeable message signs.

21. In Section 2B.14, paragraph 6, the FHWA proposes to include an optional method for installing Reduced Speed Ahead (R2–5 series) signs which are intended to advise road users of the appropriate speed limit change ahead. The proposed optional method discussed in item 2 was submitted by the Minnesota Department of Transportation. The proposed optional method would use an assembly consisting of the Speed Limit Sign (R2–1) with the supplemental legend plaque ''BEGIN'' mounted above the R2–1 sign and the supplemental distance plaque (¼ mile, etc.) mounted below the R2–1 sign. The recommended color for the supplemental plaques is yellow.

22. In Section 2B.15, the FHWA proposes to combine the discussion for the Turn Prohibition and the U-Turn Prohibition signs into one section since they are both related.

23. In Section 2B.15, paragraph 1, the FHWA proposes to reword this sentence and classify it as a STANDARD since the Turn Prohibition Signs (R3–1 to R3–4) are the appropriate and standard signs for use where turns are prohibited.

24. In Section 2B.15, paragraph 5, the FHWA proposes to change the condition for installing turn prohibition signs (R3–1 to R3–4) adjacent to a signal face from an OPTION to GUIDANCE. In situations where signals are present, placing the turn prohibition sign adjacent to the signal face is recommended because it enhances the sign's visibility and improves the road user's ability to see the sign placed in this overhead position.

25. In Section 2B.15, paragraph 6, in addition to recommending the installation of an overhead-mounted turn prohibition sign at signalized intersections, the FHWA proposes to include a sentence stating that installing a post-mounted turn prohibition sign to supplement the overhead sign is an OPTION.

26. In Section 2B.16, paragraph 2, the FHWA proposes to add a new Intersection Lane Control Sign (R3–5a) which may be used to explain to road users that they must stay in the same lane and proceed straight through an intersection.

27. In Section 2B.16, paragraph 3, the FHWA proposes to add a new requirement that whenever lane use control signs are installed, lane-use pavement markings shall also be installed. This requirement would apply whether the lane-use control message was for mandatory or optional traffic movements. In the 1988 MUTCD the use of pavement markings was recommended, but not required, for mandatory movement situations only. This proposed change to require lane-use pavement markings and signs in both mandatory and optional traffic movement situations will benefit the road users by providing additional information to assist them in the decisionmaking tasks involved with perceiving and executing safe and appropriate traffic maneuvers. This proposed change is also consistent with the proposed text for mandatory-turn pavement markings discussed in Chapter 3B.12. Requiring pavement markings along with lane-use control signs means that road users who may not see the sign (particularly ground-mounted signs) may have an opportunity to see the pavement marking and react accordingly. This is a practice that is successfully used in Europe and it is called ''horizontal signing.'' European traffic engineers have found that the redundancy provided by horizontal signing is a very important element of attaining and improving both traffic efficiency and safety for road users. The FHWA proposes a 10 year compliance period based on the effective date of the MUTCD final rule. This would allow States time to implement this proposed change.

28. In Section 2B.16, paragraphs 6 and 7, the FHWA proposes to add language to distinguish between when overhead and ground mounted intersection lane-use control signs are used. The following language is proposed: ''When the number of through lanes for an approach is two or less, the intersection lane-use control signs (R3–5, R3–6, or R3–8) may be either overhead or ground mounted. When the number of approach lanes is three or more, these intersection

lane-use control signs should be mounted overhead.'' This proposed change considers the visibility needs of the road user based on the number of lanes at the intersection approach, particularly in situations where the road user's view may be obstructed by other vehicles in the adjacent lanes.

29. The FHWA proposes to add a new Section 2B.17 that specifically addresses the standard application and placement location for mandatory movement lane-use control signs (R3–5 and R3–7). The FHWA proposes to clarify the placement location for these signs. In paragraph 1, the FHWA proposes to clarify that the word message ''LEFT LANE MUST TURN LEFT'' (R3–7) sign shall be for ground mounting only.

In paragraph 3, the FHWA proposes to change the 1988 MUTCD text to indicate that the ''LEFT OR RIGHT TURN ONLY'' (R3–5) symbol sign can be either ground mounted or overhead mounted. This is also consistent with the proposed language in Section 2B.15, paragraph 5. In paragraph 3, the FHWA also proposes to add a new design standard for the R3–5 symbol sign. A proposed word message plaque LEFT LANE, CENTER LANE, etc. would be required below the R3–5 symbol sign so that the road user will know which lane applies to the sign.

30. In Section 2B–18, the FHWA proposes to expand the discussion on the Optional Movement Lane-Use Control (R3–6) sign and include the discussion in a new separate section. In paragraph 1, the FHWA proposes to specifically state that the Optional Movement Lane-Use Control (R3–6) sign shall be installed at the intersection location.

In paragraph 2, the FHWA proposes to specifically state that the Optional Movement Lane-Use Control (R3–6) sign shall indicate all permissible lane movements at the intersection.

31. In Section 2B.19, the FHWA proposes to classify the Double Turn Lane-Use Control (R3–8) sign as an Advance Intersection Lane-Use Control sign. The FHWA also proposes to provide placement guidance that indicates the R3–8 sign would be installed in advance of the tapers or at the beginning of the turn lane so that road users can determine in advance their appropriate vehicle placement for lane changes.

32. The FHWA proposes to add a new Section 2B.21, ''Reversible Lane Control Signs.'' The use of reversible lane traffic control is a practice which is commonly used throughout the United States and it is appropriate for the MUTCD to provide design, application, and placement information.

In paragraph 1, the FHWA proposes to add a discussion on the purpose and use of the Reversible Lane Control signs (R3–9c to R3–9i). A diagram of these new signs are shown in the proposed text for section 2B.20. The FHWA also proposes to include a statement that the reversible lane control signs may be either static or changeable message signs. The FHWA supports the use of changeable message signs especially in situations where real time motorist information is needed for changing traffic conditions.

33. In Section 2B.21, paragraph 2, although the Reversible Lane Control signs may be either ground or overhead mounted, the FHWA proposes to require that when ground mounted Reversible Lane Control signs are used, they shall be used as a supplement to overhead signs or signals. The ground mounted sign will provide the road user with additional information and an added opportunity to view the sign message and react accordingly.

34. In Section 2B.21, paragraph 3, the FHWA proposes to require the use of Reversible Lane Control signs at locations where it is determined by a traffic engineering study that lane use control signals or barriers are not necessary to operate a reversible lane.

35. There are times when jurisdictions responsible for traffic control may want to exercise the option of installing only pavement markings and reversible lane control signs rather than lane control signals to reverse traffic flow. In Section 2B.21, paragraph 4, the FHWA proposes 3 conditions that must be considered before a decision is made to reverse traffic flow with the use of only pavement markings and reversible lane control signs.

36. In Section 2B.21, paragraph 5, the FHWA proposes to refer the reader to a new Table 2B.2 which describes the meanings of symbols and legends used on reversible lane control signs. In paragraph 5 through 8, the FHWA proposes to provide a discussion for the appropriate design principles of reversible lane control signs.

37. In Section 2B.21, paragraphs 9 through 12, the FHWA proposes to provide a discussion for the appropriate placement principles for reversible lane control signs. The new signs R3–9g, R3–9h are proposed for advance reversible lane control application and the R3–9i sign is proposed for use at the termination of the reversible lane control.

38. In Section 2B.21, paragraph 13, the FHWA proposes to require that the Turn Prohibition signs be mounted overhead and separate from the Reversible Lane Control signs. In paragraph 14, the FHWA proposes to recommend that when the Turn Prohibition signs are used, a message stating the distance of the prohibition (example, NEXT 1 MILE) should be included on the sign.

39. In Section 2B.21, paragraph 17, the FHWA proposes to recommend that where left turning vehicles may impact the traffic safety and operational efficiency of reversible lanes, consideration should be given to prohibiting left and U-turns for a specified time period.

40. In Section 2B.26, the FHWA proposes to change the title from ''Signs for Uphill Traffic Lanes'' to ''Slow Moving Traffic Lane Signs.'' Since slow moving traffic is not only attributed to ''uphill'' roadway conditions, the FHWA proposes to delete the reference to uphill traffic and use the term ''slow moving traffic'' instead.

41. In Section 2B.26, paragraph 2, the FHWA proposes to recommend that the TRUCK LANE XX FEET sign (R4–6) should be installed in advance of the TRUCKS USE RIGHT LANE (R4–5) sign. In the 1988 edition of the MUTCD this is an optional condition which means that the sign may or may not be installed. The FHWA believes that changing this to a recommended condition will provide the road user with important advanced information that will aid in the driver's decisionmaking task.

42. In Section 2B.26, paragraph 3, the FHWA proposes to add a sentence to explain that the SLOWER TRAFFIC KEEP RIGHT sign (R4–3) may be used as a supplement or alternative to the TRUCKS USE RIGHT LANE sign (R4–5). This is particularly useful in situations where the slower traffic may not be just truck traffic.

43. In Section 2B.29, paragraph 1, the FHWA proposes to include a reference to direct readers to Figure 2–5a which shows the signing and pavement marking treatments for divided highway intersections with medians 9 m (30 ft.) or wider. The FHWA proposes to revise the figure shown in the 1988 MUTCD. The figure currently shown in the 1988 MUTCD shows two diagrams: one for divided highways with medians less than 9 m (30 ft.) and one for divided highways with medians 9 m (30 ft.) or wider. The proposed new figure for medians 9 m (30 ft.) or wider is expanded to show stop lines, wrong-way pavement markings, and pavement markings which show the vehicle turning path. This figure was one of the recommendations included in the ''Older Driver Highway Design

Handbook.'' [2] It is intended to reduce the potential for wrong-way movements for drivers turning left from the minor roadway. This proposed figure is shown in the proposed text for Chapter 2B for docket comment purposes. If adopted, it will replace the figure currently shown in Chapter 2A.

44. In Section 2B.30, paragraph 6, the FHWA proposes to clarify that the PEDESTRIAN PROHIBITED signs (R9–3a or R5–10c) should be installed so as to be clearly visible to pedestrians at a location where an alternative route or path is available. Pedestrian safety is a program emphasis area for the FHWA and we believe that this proposed change will help reduce the potential for pedestrians to walk in unsafe areas.

45. In Section 2B.31, paragraph 2, the FHWA proposes to change the recommendation regarding placement of the One Way signs (R6–1 and R6–2) to a requirement. The FHWA believes that requiring the placement of the One Way sign parallel to the one-way street at all alleys or roadway intersections to one way streets will: (1) Give motorists clearer directions, and (2) make traffic operations safer by reducing the chance of road users inadvertently making wrong-way movements.

46. In Section 2B.32, paragraph 3, the FHWA proposes to modify the text to allow the option of placing the Divided Highway Crossing signs (R6–3 and R6–3a) beneath the STOP or YIELD signs. In the 1988 MUTCD this option only applied to the STOP sign.

47. In Sections 2B.33, 2B.34, and 2B.35, the FHWA proposes to eliminate the distinction between urban and rural parking, stopping, and standing signs since the design and placement principles for both urban and rural conditions are substantially the same. The FHWA also proposes to separate the discussion on design and placement of these signs into individual sections (2B.34 and 2B.35).

48. In Section 2B.34, ''Design of Parking, Stopping, and Standing Signs,'' the FHWA proposes to require all street parking signs to be illuminated or retroreflective. This proposed change is consistent with Section 2A.8 which discusses the general provisions and standards for signs.

49. In Section 2B.35, paragraph 2, the FHWA proposes to include a sentence indicating that the spacing of parking signs should be based on legibility and sign orientation. The FHWA believes this is helpful placement guidance to follow when making sure that the parking signs are visible, particularly with regards to the surrounding traffic setting. This guidance would include such considerations as the roadway geometry and surrounding conditions—such as curves or shrubbery that may hinder sign visibility.

50. In the title for section 2B.36, the FHWA proposes to change the title from ''Emergency Parking Signs'' to ''Emergency Restriction Signs.'' This proposed change will allow the section to cover not just the EMERGENCY PARKING ONLY (R8–4) sign but other emergency restriction signs such as the EMERGENCY STOPPING (R8–7) and DO NOT STOP ON TRACKS (R8–8) signs.

51. In section 2B.36, paragraph 3, the FHWA proposes to allow the choice of using either the color red or black for the legend on emergency restriction signs R8–4, R8-7, and R8–8. Red is the color designated in section 1A of the Manual for restrictions and prohibition signs and black is the color designated for regulatory signs. The FHWA believes that either of these colors is appropriate. The background for these signs will remain white.

52. The 1988 MUTCD contains a sentence that the WALK ON LEFT (R9–1) and NO HITCH HIKING (R9–4) signs do not need to be retroreflective. The FHWA proposes to change the 1988 MUTCD by requiring that all signs, including pedestrian signs, shall be either retroreflective or illuminated to increase their visibility to road users. This proposed new requirement applies to all pedestrian signs and includes Section 2B.37, ''Walk on Left and No Hitch Hiking Signs,'' Section 2B.38, ''Pedestrian Crossing Signs,'' and Section 2B.39, ''Traffic Signal Signs, Auxiliary.''

53. In Section 2B.39, paragraphs 7 and 10, the FHWA proposes to add 2 new symbol signs for NO RIGHT TURN ON RED (R10–11c) and NO LEFT TURN ON RED (R10–11d). These new symbol signs would combine the standard NO RIGHT TURN (R3–1) and NO LEFT TURN (R3–2) symbols with the legend ''ON RED.''

54. In Section 2B.39, paragraph 12, the FHWA proposes to add 2 new signs for use with emergency beacon installations. These 2 proposed word message signs are: EMERGENCY SIGNAL (R10–13) and EMERGENCY SIGNAL/STOP WHEN FLASHING RED (R10–14).

55. The FHWA proposes to add a new section 2B.48 that will include provisions for the design and operation of high occupancy vehicle (HOV) lanes and a new section 2B.49 that will address the application and placement for HOV signs. Significant deployment has occurred with HOV lanes used on roadway facilities throughout the United States and the FHWA believes it is appropriate to address design, application and placement of signs and pavement markings for these special facilities. The language proposed for section 2B.48 would provide agencies that own and operate HOV lanes with an overall discussion on HOV signing principles. In addition to this proposed new section, the FHWA proposes the following MUTCD changes related to HOV lanes:

(a) The FHWA proposes to revise the R3–10 through R3–15 preferential lane signs (see proposed section 2B.22). These signs would be specifically designated for high occupancy vehicle (HOV) lanes which by definition include carpools, vanpools, and buses carrying at least two or more persons. The word message ''restricted lane'' shown on the R3–10, R3–12, R3–13, and R3–15 would be revised to identify the type of preferential vehicle traffic allowed in the lane (example: HOV lane, bus lane, or taxi lane.) When the preferential lane is for high occupancy vehicles, the word message ''HOV'' would be required along with the minimum allowable vehicle occupancy level (example: HOV 2+). The minimum allowable vehicle occupancy level would vary based on the level established for a particular facility by the State or local highway agency.

The diamond symbol is proposed for exclusive HOV use lanes. In situations where a preferential lane is not an HOV lane but is reserved for bus and/or taxi use, then the word message ''BUS (or TAXI)'' would replace the message on the R3–10 through R3–15 signs. The sign number for these proposed new signs would be R3–10a, R3–11a, etc. NOTE: In the proposed changes for MUTCD Part 9—Bicycles, the FHWA has proposed to delete the diamond symbol from the R3–16 and R3–17 ''Bicycle Lane'' signs since the diamond symbol has become synonymous with high occupancy vehicle lanes. The FHWA also proposes to add a new HOV supplemental plaque (R3–5c) to the text in proposed section 2B.17, ''Mandatory Movement Lane Control Signs.'' This plaque would be used with the R3–5 ground mounted sign on HOV facilities to indicate the appropriate mandatory lane movement.

(b) The FHWA proposes to add the following definitions in Part 1:

High Occupancy Vehicle (HOV)—a motor vehicle carrying at least two or more persons, including carpools, vanpools, and buses. The agencies that

[2] ''Older Driver Highway Design Handbook,'' Report No. FHWA–RD–99–045, available from the FHWA Research and Technology Report Center, 9701 Philadelphia Court,Unit Q, Lanham, Maryland 20706.

own and operate HOV lanes have the authority and responsibility to determine the occupancy requirements for vehicles operating in HOV lanes, except that no fewer than 2 occupants per vehicle may be required.

HOV lane—any preferential lane designated for exclusive use by HOVs for all or part of a day—including a designated lane on a freeway, other highway, street, or independent roadway on a separate right-of-way.

Occupancy requirement—any restriction that regulates the use of a facility for any period of the day based on a specified number of persons in a vehicle.

Occupants—the number of people in a car, truck, bus, or other vehicle.

Concurrent flow HOV lane—an HOV lane that is operated in the same direction as the adjacent mixed flow lanes, separated from the adjacent general purpose freeway lanes by a standard lane stripe, painted buffer, or barrier.

Contraflow lane—a lane operating in a direction opposite to the normal flow of traffic designated for peak direction of travel during at least a portion of the day. Contraflow lanes are usually separated from the off-peak direction lanes by plastic pylons, moveable or permanent barrier.

(c) The FHWA proposes to also include provisions for HOV signs and markings to MUTCD Chapter 2E—Guide Signs—Freeways and Expressways and MUTCD Part 3—Markings.

Discussion of Proposed New Part 5—Traffic Control Devices for Low Volume Rural Roads

1. The FHWA proposes adding a new Part 5, ''Traffic Control Devices For Low Volume Rural Roads.'' The current Part 5 (Islands) is proposed to be incorporated into Part 3 as discussed in the notice of proposed amendment dated January 6, 1997, at 62 FR 691. The intent is to have a part of the MUTCD dedicated to those low volume facilities that constitute a high percentage of the total road miles in the United States. The goal of Part 5 is to provide standards and guidance for traffic control devices that are unique to or most applicable to low volume roadways. Part 5 is currently designed to reference other applicable sections of the MUTCD relative to standards and guidance for traffic control devices that are appropriate for low volume roads but are also applicable to higher class facilities. An alternative format could be to eliminate a separate Part 5 and place the small amount of information that is applicable only to low volume rural roads in other appropriate sections of the MUTCD.

2. In Section 5A.1, the FHWA proposes to define low volume roads as those facilities that lie outside the corporate limits of communities and have a traffic volume of less than 200 AADT (average annual daily traffic).

3. In Section 5A.1, the FHWA proposes to provide three categories of low volume rural roads for use throughout Part 5:

Category 1—Unimproved roadways
Category 2—Graded drained earth or gravel roadways
Category 3—Paved roadways

4. The FHWA is proposing to add to Part 5 typical figures for those signs that may have metric message. These include SPEED LIMIT sign (R2–1), NIGHT Speed sign (R2–3), LOCAL TRAFFIC ONLY (R11–3), WEIGHT LIMIT sign (R12–1), Advisory Speed Plaque (W13–1), NEXT XX M (FT) sign (W7–3a), ROAD WORK XX M (FT) sign (W20–1), and Supplemental Plate (W16–1).

5. In Section 5.A.2, the FHWA proposes options for the deployment of traffic control devices on low volume rural roads that vary from what is, typically, appropriate for higher class facilities.

6. In Section 5A.4, paragraph 2, the FHWA proposes, for low volume roads, an option to allow a 0.6 m (2 ft) offset from the edge of a shoulder, or roadway without shoulders, to the near edge of a sign. This varies from the recommended offset of 1.8 m (6 ft) from the edge of the shoulder or 3.6 m (12 ft) from the edge of the traveled way, where no shoulder exists, as published in Section 2A.24 of the 1988 MUTCD; or 1.8 m (6 ft) from the shoulder or traveled way as proposed in Section 2A.19 published in the notice of proposed amendment dated June 11, 1998, at 63 FR 31950. The proposed option would be allowed on low volume roads if roadside features such as terrain, shrubbery, and/or trees prevent lateral placement in accordance with Section 2A.19.

7. In Section 5B.2, the FHWA proposes adding supplemental criteria for use with the warrant criteria in Sections 2B.4 through 2B.8 of the 1988 MUTCD to guide the installation of Stop and Yield signs on low volume rural roads.

8. In Section 5C.11, the FHWA proposes adding a new NO TRAFFIC SIGNS warning sign for optional use on Category 1 roads (unimproved roadways with less than 200 AADT) as proposed by the National Committee on Uniform Traffic Control Devices. The FHWA is aware that some low volume rural roads have no signs and that NO TRAFFIC SIGNS warning signs could alert road users for safety purposes.

9. In Section 5E.2, the FHWA proposes adding additional criteria for considering centerline installation on Category 3 roads (paved roads with less than 200 AADT) that supplement the criteria proposed in Chapter 3B published in the notice of proposed amendment dated January 6, 1997.

Discussion of Proposed Amendments to Part 8—Traffic Control for Highway-Rail Grade Crossings (Update)

The summary of proposed changes for Part 8 was published as Phase 1 of the MUTCD rewrite effort in a previous notice of proposed amendment dated January 6, 1997, at 62 FR 691. Since that time, a number of tragic highway-rail grade crossing crashes have occurred. Following the Fox River Grove, Illinois school bus crash, the United States Department of Transportation (USDOT) decided to build upon its 1994 Highway-Rail Crossing Safety Action Plan by forming an internal USDOT Task Force to review the decisionmaking process for designing, constructing, and operating rail crossings and provide recommendations. The following proposed changes are based on the Highway-Rail Crossing Safety Action Plan, the USDOT Task Force Implementation Report dated June 1, 1997, and the National Transportation Safety Board recommendations. These proposed changes are intended as updates to the previously published notice of proposed amendment (NPA) dated January 6, 1997:

1. Based on the notice of proposed amendments published December 5, 1997 at 62 FR 64324, the title of Part 8 would be changed from ''Traffic Control for Roadway-Rail Intersections'' to ''Traffic Control for Highway-Rail Grade Crossings.'' This new terminology is incorporated in the language in this notice of proposed amendments.

2. The FHWA proposes to update Section 8A.1, paragraph 5, to include 16 terms specific to highway-rail grade crossing traffic control devices. The definitions for these following terms are included in the proposed text: (1) Minimum Track Clearance Distance; (2) Clear Storage Distance; (3) Preemption; (4) Interconnection; (5) Monitored Interconnected Operation; (6) Minimum Warning Time—Through Train Movements; (7) Right-of-Way Transfer Time; (8) Queue Clearance Time; (9) Separation Time; (10) Maximum Preemption Time; (11) Advance Preemption and Advance Preemption

Time; (12) Simultaneous Preemption; (13) Pre-Signal; (14) Cantilevered Signal Structure; (15) Design Vehicle; and (16) Dynamic Envelope.

3. The FHWA proposes to update Section 8A.2, paragraph 6 to clarify the fact that all highway-rail grade crossings shall comply with the MUTCD as stated in 23 CFR 655.603(b). The FHWA also proposes to also add a new discussion in paragraphs 2 and 3 to allow the option of using the national highway-rail intersection (HRI) architecture as a method for conducting an engineering study to determine the method for linking the highway, vehicles, and traffic management systems with rail operations and wayside equipment.[3]

4. The FHWA proposes to update Section 8A.4, paragraph 5, by changing the following sentence from a recommendation (GUIDANCE) to a mandatory (STANDARD) condition: ''If the existing traffic control devices at a multiple-track crossing become improperly placed or inaccurate because of the removal of the tracks, the existing devices shall be relocated and/or modified.''

5. The FHWA proposes to update the last paragraph of Section 8A.5 by changing the following sentence from a recommendation (GUIDANCE) to a mandatory (STANDARD) condition: ''If a highway-rail grade crossing exists either within or in the vicinity or roadway work activities, then lane restrictions, flagging, or other operations shall not be performed in a manner that would cause vehicles to stop on the railroad tracks with no means to escape.''

6. The FHWA proposes to add a new Section 8A.6 to describe the dynamic envelope clearance concept and provide standards and guidance for delineating this clearance required for the train and its cargo overhang.

7. The FHWA proposes to add a new Section 8A.7 to discuss the application of Storage Space Signs (W10–11 and 11a) which are intended to warn road users of locations where vehicle storage space is limited between the railroad tracks and the adjacent highway intersection.

8. The FHWA proposes to add a new Section 8A.8 to define private highway-rail grade crossings and to discuss issues related to these private crossings.

9. The FHWA proposes to update Section 8B.2, paragraph 3. If crossbuck signs are installed back-to-back, any retroreflective material used on the back of one crossbuck blade would be blocked by the second mounted crossbuck sign. Therefore, the FHWA proposes to modify the language in this section accordingly.

10. The FHWA proposes to update Section 8B.2, paragraph 4, to require retroreflective material to be used on supports at all highway-rail grade crossings, not just passive highway-rail grade crossings. This proposed change would improve visibility of the grade crossing supports.

11. The FHWA proposes to update Section 8B.3 by adding a new paragraph 6 under GUIDANCE to read, ''Where the distance between the railroad and the parallel highway from edge of track to edge of highway is less than 30 m (100 feet), it is not necessary to install a W10–1 sign if the W10–2, W10–3, or W10–4 signs are used on the parallel highway.'' The purpose of this proposed change is to reduce the sign clutter on highways where there is less than 30 m (100 feet) between the highway-rail grade crossing and a highway intersection.

12. The FHWA proposes to update Section 8B.7, paragraph 1, by adding a new phrase to the end of this paragraph that would read, ''* * * in accordance with Chapter 2C.'' The FHWA believes that this addition would help ensure that STOP AHEAD (W3–1a) or YIELD AHEAD (W3–2a) advance warning signs are used.

13. The FHWA proposes to add a new Section 8B.9 to discuss the application and placement of highway-rail crossing identification signs and 1–800 numbers to provide a means for emergency notification. The former Section 8B.9 published in the January 6, 1997, notice would become Section 8B.14, ''Pavement Markings.''

14. The FHWA proposes to add a new Section 8B.10 to provide a sign for use on class 5 or higher railroad tracks where trains may exceed 130 km (80 mph). The former Section 8B.10 published in the January 6, 1997, notice would become Section 8B.15, ''Stop Lines.''

15. The FHWA proposes to add a new Section 8B.11 to provide a sign for use at highway-rail grade crossings which have the Federal Railroad Administration's authorization for trains not to sound horns. The former Section 8B.11 published in the January 6, 1997, notice would become Section 8B.16, ''Low Ground Clearance Crossings.''

16. The FHWA proposes to add a new Section 8B.12 to provide a sign to warn road users that a particular highway-rail grade crossing is not equipped with automated signals.

17. The FHWA proposes to add a new Section 8B.13 to provide a sign for use at highway-rail grade crossings without active warning devices. This regulatory sign would direct road users to look for approaching trains.

18. The FHWA proposes to update Section 8C.1, paragraph 2 to indicate that luminares shall be located so that they do not impose unnecessary glare on approaching road users.

19. The FHWA proposes to update Section 8D.2 to move paragraph 10 from a recommendation (GUIDANCE) to a mandatory (STANDARD) condition. The paragraph will read: ''Flashing-light signals shall be placed to the right of approaching highway traffic on all highway approaches to a crossing. They shall be located laterally with respect to the highway in conformance with Figure 8–5. This shall not apply where such location would adversely affect signal visibility.'' The FHWA proposes this change because we believe flashing-light signals shall always be placed on the right side of the road where people expect to receive roadway information.

20. The FHWA proposes to revise Section 8D.2 to delete the last sentence of paragraph 6. The reason for this proposed change is to avoid limiting the type of technology used to charge the batteries for highway-rail grade crossing warning systems.

21. In Section 8D.4, the FHWA proposes to include a discussion to require that the approach lane gate arms be designed to fail safe in the down position. This is consistent with the discussion already covered in Section 8D.5 for exit lane gate arms.

22. The FHWA proposes to add a new Section 8D.5 to provide standards and guidance for Four Quadrant Gate Systems. Four Quadrant Gate Systems consists of a series of automatic gates used as an adjunct to flashing lights to control traffic on all lanes at the highway-rail grade crossing.

23. The FHWA proposes to update Section 8D. 6 of the previously published January 6, 1997, notice (see section 8D.7 in this proposed update for Part 8.) The FHWA proposes to change paragraph 2 to indicate that traffic control signals shall not be used on roadways at highway-rail grade crossings in lieu of gates and/or flashing lights where train speeds are greater than 32 km/h (20 mph). The FHWA also proposes to add the following 2 new paragraphs: (1) At the end of the GUIDANCE for this section the FHWA proposes to recommend that a NO TURN ON RED sign should be used where a pre-signal is installed at an interconnected highway-rail grade crossing near a signalized intersection with a storage problem; and (2) The FHWA proposes a new OPTION which would allow the highway traffic signals

[3] Available from Federal Railroad Administration, 4007th Street, SW., Washington, DC 20590.

to be mounted on the same cantilevered device as the railroad flashing lights in situations where the highway-rail grade crossing and the highway intersection are in close proximity and when determined feasible by an engineering study.

Rulemaking Analysis and Notices

All comments received before the close of business on the comment closing date indicated above will be considered and will be available for examination in the docket at the above address. Comments received after the comment closing date will be filed in the docket and will be considered to the extent practicable, but the FHWA may issue a final rule at any time after the close of the comment period. In addition to late comments, the FHWA will also continue to file in the docket relevant information that becomes available after the comment closing date, and interested persons should continue to examine the docket for new material.

Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures

The FHWA has determined preliminarily that this action will not be a significant regulatory action within the meaning of Executive Order 12866 or significant within the meaning of Department of Transportation regulatory policies and procedures. It is anticipated that the economic impact of this rulemaking would be minimal. The new standards and other changes proposed in this notice are intended to improve traffic operations and safety, and provide additional guidance, clarification, and optional applications for traffic control devices. The FHWA expects that these proposed changes will create uniformity and enhance safety and mobility at little additional expense to public agencies or the motoring public. Therefore, a full regulatory evaluation is not required.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601–612), the FHWA has evaluated the effects of this proposed action on small entities. This notice of proposed rulemaking adds some new and alternative traffic control devices and traffic control device applications. The proposed new standards and other changes are intended to improve traffic operations and safety, expand guidance, and clarify application of traffic control devices. The FHWA hereby certifies that these proposed revisions would not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

This proposed rule would not impose a Federal mandate resulting in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year (2 U.S.C. 1532).

Executive Order 13132 (Federalism)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 13132, dated August 4, 1999, and it has been determined that this action does not have a substantial direct effect or sufficient federalism implications on States that would limit the policymaking discretion of the States. Nothing in this document directly preempts any State law or regulation. The MUTCD is incorporated by reference in 23 CFR part 655, subpart F, which requires that changes to the national standards issued by the FHWA shall be adopted by the States or other Federal agencies within two years of issuance. The proposed amendment is in keeping with the Secretary of Transportation's authority under 23 U.S.C. 109(d), 315, and 402(a) to promulgate uniform guidelines to promote the safe and efficient use of the highway. To the extent that this amendment would override any existing State requirements regarding traffic control devices, it does so in the interests of national uniformity.

Executive Order 12372 (Intergovernmental Review)

Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.

Paperwork Reduction Act

This action does not contain a collection of information requirement for purposes of the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

Executive Order 12988 (Civil Justice Reform)

This action meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Executive Order 13045 (Protection of Children)

We have analyzed this action under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or safety that may disproportionately affect children.

Executive Order 12630 (Taking of Private Property)

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

National Environmental Policy Act

The agency has analyzed this action for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that this action would not have any effect on the quality of the environment.

Regulation Identification Number

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

List of Subjects in 23 CFR Part 655

Design standards, Grant programs—transportation, Highways and roads, Incorporation by reference, Signs, Traffic regulations.

Authority: 23 U.S.C. 109(d), 114(a), 315, and 402(a); 23 CFR 1.32; 49 CFR 1.48.

Issued on: December 13, 1999.

Kenneth R. Wykle,

Federal Highway Administrator.

[FR Doc. 99–32907 Filed 12–20–99; 8:45 am]

BILLING CODE 4910–22–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 2

[FRL–6513–1]

Elimination of Special Treatment for Category of Confidential Business Information: Extension of the Comment Period

AGENCY: Environmental Protection Agency.