

Oregon Traffic Control Devices Committee

Meeting Minutes

January 19, 2001

Marion County Public Works, Salem, Oregon

Members Present: Stephen Wilson, Chair, ODOT Region 4; Rob Burchfield, City of Portland; Ed Fischer, Secretary, ODOT State Traffic Engineer; Joseph Marek, Clackamas County; Randall Wooley, City of Beaverton; Lt. Gordon Renskers, OSP; Charles Radosta, ITE/Kittelsohn & Associates; Cynthia Schmitt, Marion County.

Members Absent: Gary Judd, Deschutes County; Mike Wilson, City of Bend

Others Present: Tori Kinne, FHWA, Orville Gaylor, Rick Wood, Doug Bish, Jan Gipson and Paul Davis, ODOT Traffic Management Section; Lew Garrison, City of Salem

Approval of November 2000 Meeting Minutes

Robert Burchfield chaired due to the late arrival of Stephen Wilson. The Committee voted approval of the November 17, 2000 meeting minutes as written.

Old Business

MUTCD 2000

Ed Fischer briefed the committee on the new Millennium edition MUTCD, noting that Oregon has some work cut out for it in recommending any Oregon Supplements. He said he'd attended the National Committee on Uniform Traffic Control Devices (Signals Subcommittee) meeting (which group provided most of the recommendations and wording suggestions to FHWA). He said that there are a lot of things that FHWA chose to change since the June version that are reflected in the December version.

The National Committee agreed with many FHWA changes, but felt a lot more changes should be reversed--some of them errata--and somebody will have to decide if these changes are substantial enough to require a repeat of the federal rule making procedure. He said the OTCDC should be aware that even though we've got a thousand pages here, it's still not necessarily the final version. Therefore, as the committee goes through its review of the present draft, attention should also be paid to any subsequent versions that come out. Ed heard that sometime in June or July, FHWA intends to have another announcement for any additional changes. Tori Kinne wasn't aware of that, but if the committee gets comments in over the next few months, it may still have the chance to influence the final wording. The manual won't be printed by FHWA. It's available on FHWA's website and other organizations may put out CD's or hard copies.

Ed said that ODOT was proposing starting five subcommittees and appoint members comprised of ODOT/OTCDC/others to go over the various parts of the Millennium MUTCD. He identified the ODOT representatives for each subcommittee (see table below).

Ed said we'd like to be able to come back to a special meeting of the OTCDC in April with specific recommendations, so there's some work to do in the next couple of months. The hope is to have any final changes approved by the May meeting in order to facilitate the OAR process. Final adoption is targeted for July although any controversial issues could extend the process for some time.

Cindy Schmitt suggested being sure there was a mix of rural and urban membership to be sure perspective is not narrowly focused in any area. Ed agreed and said it might be helpful to identify OTCDC members today, which was done later (see table below).

Orville Gaylor and Rick Wood used handouts to go over some of the examples of problematic changes discovered thus far in the new edition of the MUTCD. Ed asked Torri Kinne to clarify whether state law can supercede the MUTCD, and just if/how a state can take exception to the MUTCD or if we're only allowed to supplement it. Tori said she's been told there are no exceptions to the MUTCD.

The Committee then discussed subcommittee membership and came up with preliminary membership as shown below. Additions/changes may occur.

MUTCD Parts	OTCDC Members	ODOT Coordinator	Other Candidates/Support
2 <i>Signs</i>	Charles Radosta Stephen Wilson Joe Marek,	Orville Gaylor	Ed Chastain, Lane County Randy Wooley, City of Beaverton
3 & 5 <i>Markings & Low volume</i>	Cynthia Schmitt Rob Burchfield Joe Marek	Lyle Misbach	Ron Dent, ODOT Region 4 Gary Judd, Deschutes County
4,8 & 10 <i>Signals, RXR, Light Rail</i>	Stephen Wilson	Allan Troyer	Tom Lancaster, Lancaster Engineering ODOT Rail Section Lew Garrison, City of Salem Charles Radosta, Kittelson & Associates
6 <i>Work Zones</i>	Mike Wilson	Jan Gipson	Scott McCanna, ODOT Representative from ATTSA Representative from Utility Company
7 & 9 <i>Schools & Bicycles</i>	Gary Judd Randy Wooley	Doug Bish Michael Ronkin	Mike Coleman, City of Portland Bill Brownlee, Marion County other ACTS Committee Members

The task for the committees is to review the new text, note the changes in Oregon practices & standards, and come up with a recommendation for adopting including any supplements. Also, to bring back to the OTCDC any comments regarding changes or objections to forward to FHWA.

Cindy suggested that for consistency all subcommittees be provided guidelines for the work the groups are to do. Ed agreed and asked Jan to follow through. The committee discussed possibilities for bulk orders of the new manual to save cost. The ODOT Traffic Section doesn't have budget to cover such a purchase. Jan said an NTTSA grant with ODOT providing time and postage to distribute was used last time. Ed asked Jan to contact Troy Costales to see

about availability of grant money for bulk purchases, and to ask LOC/AOC to determine how many copies they could be counted on to buy if grant money didn't come though.

Policy Statement for Cooperative Traffic Control Procedures

Ed Fischer briefed the committee on progress on the draft. He said there hadn't been much in the way of change up until page 4, "Traffic Signals at Private Approaches", where the local agencies have had a concern about holding them responsible for gaining agreement and compliance with private developers for reimbursement of signal maintenance costs. ODOT still is against getting into long-term agreements with private developers but recognizes the local jurisdictions concerns problems with lack of an effective enforcement "hammer". Two sentences have been added to Paragraph E seeking to address this concern as follows: "ODOT agrees to work with the local agency to negotiate a separate agreement with the developer for reimbursement of costs. If ODOT must bill for cost sharing, it must be to a public agency."

Ed wants to go to the Access Management Leadership team on this. He wants to see if they'll agree to a prerequisite for permits that involve a traffic signal on a state highway with a private developer. It would state that in order for ODOT to issue a permit, we have to have from the developer and county an acknowledgement that they have worked out an agreement for long-term maintenance and operation costs. This agreement would correlate with the agreements ODOT generally has with local agencies. Cindy brought out that the local agencies still have a problem with this, particularly in cases where the private approach only connects to the highway and no county roads are involved. Their lawyers, just like ODOT's, won't let them enter such an agreement where they see no advantage to the local jurisdiction and feel they have no compliance "hammer". She suggested getting AOC and AG lawyers together to work out these differences.

Ed agreed that when the private approach directly connects to the state highway without passing through local roads it is not possible to hold the local jurisdiction accountable for enforcing ODOT's conditions. He said that ODOT was working to try to get most private accesses to local roads and not the state highway, in which case the local jurisdiction can't exempt itself from involvement, which is the majority of cases. It's not certain whether the new wording will work since it's still got to jump through some hoops with the state. Still, that would be the hammer in cases where there are city and county roads connected with the state highway that we could use to make sure that all parties are involved in recognizing responsibilities for the cost of power and maintenance. That was the point of the addition of the clause.

Ed then addressed the change in Page 5, in which ODOT assumes responsibility for all costs at intersection of two state highways except for any development costs that can be assigned to the developer.

He also pointed out the update on the bottom of page 5 under illumination, the updating of the reference to ODOT's 1997 illumination policy.

On page 7 under Section VII's General Provisions, an addition of bracketed language defines "Current" as meaning the most recent edition at the time an agreement is signed. Further down, is the addition of a clause allowing ODOT to have an outside entity perform necessary maintenance for which the local agency will be billed it's share of the costs.

Further down under Section VIII at the end of the first sentence the phrase, "where applicable and if agreed to by both parties" has been added.

On page 8 the language defining "Current" has been added as well.

Ed said beyond getting the lawyers together as Cindy suggested on private approaches, he wasn't seeing a need to make any more changes at this point prior to taking the document to the LOAC.

Proposed Roundabout Legislation

Ed Fischer briefed the committee on the progress in drafting legislation to facilitate roundabout intersection operations as described in a handout. Proposed are definitions of the terms, "Roundabout" and "Circulatory roadway". A description of what constitutes "Failure to yield right of way within a roundabout had some discussion. The difficulty in defining "ahead" in the definition that a vehicle in the outer lane must recognize of a vehicle in the inner lane is the major difficulty. Lt. Renskers brought this up and Ed encouraged him to bring back any ideas he or his OSP colleagues might come up with. Also included was an exception to the Failure to use appropriate signal statute, exempting vehicles entering an roundabout from the requirement to exhibit a signal, and defining an exit from a roundabout as a right turn/signal. Anybody with any ideas for improvement should talk to Rick Wood.

New Business

Short Term Traffic Control Handbook

Jan Gipson briefed the committee on progress in updating the handbook, combining the two versions, and coordinating with the new MUTCD Part VI. The pictures are largely complete and awaiting the text. A draft will be put out for review when available.

"Pedestrian Laws Strictly Enforced" Signs

Orville Gaylor briefed on the issue of the ambiguity of the proposed signs that have been manufactured and installed in some areas. He expressed his opposition to these signs. Ed Fischer spoke afterwards, saying that while he respected Orville's opinion on the issue, he had more of an open mind regarding this and other signs of debatable utility. He said signs such as "Unmuffled engine brakes prohibited", "speed enforced by radar" are of little value in and of themselves, but he wasn't ready to go out and start pulling them up unless they really start to proliferate. Under the circumstances he sees these signs as a better alternative than others if a community is working with our safety team to do more than just put up some signs. Cynthia suggested working with jurisdictions to set up pedestrian safety corridors might be a better alternative. Lt. Renskers said he saw the signs as a scare tactic for law enforcement not doing their job. He suggested specific signing that something was illegal instead. Concerns about unnecessary signing breeding contempt and actually becoming invisible to regular travelers on a route were expressed. Ed Fischer said he liked the idea about implementing pedestrian safety corridors where communities are hollering for action. Cindy again suggested trying to guide local jurisdictions into more effective alternatives where possible. There was general agreement with this tactic. Ed said he'd talk to Larry Christensen and Troy Costales about it and see if they can come up with something.

Speed Limit Signs for Construction Zones

Orville Gaylor then displayed a non-standard speed limit sign for use in construction zones that is used in several other states. It combines the work zone, speed and double fine signs combined. The sign was taken to the Traffic Manager's Meeting, where it was decided to try an experimental project with the sign. It would require FHWA approval and Orville asked if anybody was interested in participating. Jan Gipson brought out that it wouldn't work in some cases, such as the work zone ahead signing where the lowered speed isn't yet in effect.

Stephen Wilson said the maintenance folks that brought the idea to him had more in mind than just the sign. They wanted a procedure for quick turnaround on maintenance project speed limit reduction requests. Jan said ODOT is working on this subject but it is difficult meeting all the legal considerations. A draft for chip seal operations is in the works but it still must have attorney general approval as a blanket-type order.

Lew Garrison said he liked the sign both because it is regulatory and because it is clear at the end of construction work that it's not the normal speed and the sign must come down. Robert Burchfield said he wouldn't object to it's use but he doesn't see it as necessary. He thinks Portland would just do a sign assembly with the "Traffic Fines Double in Work Zones" sign below the speed sign. He would thereby avoid adding to sign shop inventory.

Cindy Schmitt had a concern that county operations people might confuse the issue between regulatory vs. non-regulatory signing, and just install them without road authority approval. Jan said it wasn't clear whether the double fine was just for speed violations or all violations. Trying to add wording would be difficult.

Orville said his problem with the sign was in condensing the three normal signing, it reduced the warning impact to drivers and would be a detriment to drivers on the open roadway. It was generally agreed the sign shouldn't generally be used in place of the other normal signing.

Ed Fischer agreed this sign would only be a supplemental sign. He said he wouldn't try to add wording to the double fines language, thus keeping it as simple as possible as a supplemental sign. Others suggested leaving the fines rider off entirely since the warning isn't a requirement in work zones.

Ed asked who was going to apply for the experimental signing and do the experiment. Stephen said he'd check with the region operations staff on how they wanted to use the signing and get back to Ed on it.

Update to Sign Policy and Guidelines

Orville Gaylor presented change in wording of the "No Center Stripe" sign to reflect current language on ADT in the Short Term Traffic Control Handbook. He said he would hold off putting it out until the next substantial change in the Sign Policy and Guidelines to save money, but wanted approval for it now so it could be used for contract projects. Cindy asked to add clarification that the limitations on use only apply on state highways.

Decision - Stephen Wilson moved to approve the change with the additional wording Cindy requested. Joe Marek seconded and the Committee approved without objection.

Non-Agenda Items

Upcoming Joint ITE/OTCDC Meeting – 3rd Friday in May, May 18th at the Best Western-New Kings Inn on Market Street. Craig Black wanted to meet in Wilsonville if that location doesn't work out. The committee would prefer to keep it in Salem if possible.

Joint OTCDC-ACTS Traffic Safety Meeting - Ed asked for consensus to having a OTCDC meeting in conjunction with the upcoming Joint ACTS-Traffic Safety Conference that starts on October 24th at the Inn at the 7TH Mountain in Bend. It was also agreed to look into the committee sponsoring an engineering presentation at the conference. The consensus was to have the committee meet then instead of the scheduled November OTCDC meeting.

Keeping Kids Alive pamphlet - Lew Garrison brought up this subject, showing a pamphlet he'd gotten at a neighborhood meeting that's produced by somebody in Nebraska. The program includes bumper stickers and lawn signs that mimic traffic control devices. He was willing to bring it back to the next meeting for decision. The committee advised signs that mimic traffic control devices are illegal on ROW since it doesn't comply with the MUTCD, or private property because it is a traffic control device and in fact the City is responsible for removing any such illegally placed sign.

Legislative Update - Requested for the next meeting. Jerry Morrison is the ODOT contact for legislation regarding traffic issues. Rick Wood said he's heard an ambulance company is trying to get some legislation sponsored to allow them to use Opticom/traffic control devices, possibly even having the state pay for installation. He said they're trying to find out more about this. Ed said ODOT is not pursuing anything regarding the requirement for certified electrical inspectors do all inspections for traffic signals and other electrical devices. Negotiations are ongoing with the Chief Electrical Inspector to be able to do inspections without going through a permitting process. One of the local jurisdictions may sponsor something.

Meeting Adjourn

The meeting adjourned at 12:20 p.m. The next meeting date has been changed from the originally scheduled March 16th to March 6th, 2001 at 9:00 a.m. at Marion County Public Works, 5155 Silverton Road, Salem Oregon.