



U.S. Department
of Transportation
**Federal Highway
Administration**

JAN - 3 2012

1200 New Jersey Avenue, SE
Washington, D.C. 20590

In Reply Refer to:
HOTO-1

William A. Vainisi
Senior Vice President and Deputy General Counsel
Allstate Insurance Company
c/o Justin Nicolette
Taylor Strategy, Inc.
Via email: jnicolette@taylorstrategy.com

Dear Mr. Vainisi:

Thank you for your November 18, 2011, letter requesting an official interpretation concerning the Allstate Insurance Company's proposed motorcycle LOOK warning sign. The proposed sign combines the Motorcycle Warning (W8-15P) plaque with the LOOK legend of the LOOK (R15-8) regulatory sign into a yellow, diamond-shaped warning sign format.

It is our official interpretation that Allstate's proposed sign does not comply with the *Manual on Uniform Traffic Control Devices* (MUTCD) as either a warning sign or a "safety message sign" and as such it shall not be used on roads open to public travel. Our reasoning for this interpretation is as follows.

The purpose of the standard LOOK regulatory sign (R15-8) is to provide additional emphasis at railroad or light rail transit grade crossings and its use is limited by Section 8B.17 of the MUTCD to use within the railroad or light rail transit right of way. The LOOK sign (R15-8) was developed to improve the safety of at-grade rail crossings by requiring drivers to look before entering the crossing. We are concerned that use of the LOOK legend at locations other than at grade crossings could negatively affect its intended use and effectiveness at the grade crossings.

The MUTCD allows highway agencies to develop and use special word message signs when there is no standard MUTCD sign that fits the condition. However, your proposed sign is not solely a word message sign. It combines a regulatory message with a warning symbol into a warning sign format. As such, this sign is not in compliance with the MUTCD.

Diamond-shaped yellow signs are reserved for warnings of roadway conditions at a specific location or along a short segment of highway. The yellow diamond shape is not appropriate for general safety messages, which are not location-specific. The shapes of signs have very specific meanings and the motorist's expectancy for a diamond-shaped warning sign is that there is an imminent hazard or condition to which the driver must be prepared to react in proximity to the sign.

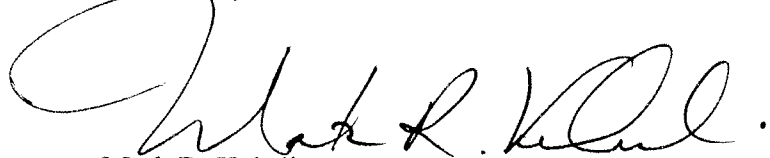
A general reminder to look for motorcycles is properly classified in the MUTCD as a “safety message.” Signs for general safety messages are addressed in the MUTCD in Section 2L.02, which applies specifically to electronic-display Changeable Message signs. It is expected that safety messages will be displayed only on a short-term basis, accompanied by other outreach efforts of an overall safety campaign. Accordingly, static signs are not generally created for this purpose.

The Seat Belt signs that you reference differ significantly in concept and application from the proposed motorcycle signs. Firstly, the Seat Belt signs are tied to a regulation. Accordingly, the sign serves to advise road users of the regulation, even though the sign might be used in a safety campaign. Secondly, this sign can only be used at locations not in the vicinity of other critical traffic control devices, so as to avoid drawing attention away from those critical devices. By the nature of your proposal—at and near intersections, where critical traffic control devices tend to be heavily concentrated—the proposed signs would inherently violate the principle that safety message signs be installed away from critical traffic control devices. In addition, particularly in developed areas, intersections have high attentional demands due to the presence and mix of road user types: motor vehicles, bicycles, and pedestrians. The specific message of the proposed sign would actually divert attention from the most vulnerable road user groups by implying that there is a concentration of one type of road user over others.

In summary, the proposed Allstate sign does not comply with the general principles or the specific provisions of the MUTCD. We are committed to improving highway safety for all road users, including motorcyclists, and we support the concept of general safety messages aimed at road users to remind them to look for motorcycles, as a complement to a safety campaign that primarily uses other media to communicate this message to and educate the road user. We would urge Allstate to redesign the proposed sign to conform to MUTCD principles for shape, color, and legend of a general safety message sign rather than a warning sign, and to work with State and local highway agencies to assure that such signs are not installed near intersections. We would be happy to work with you to provide guidance in such an effort.

We regret we cannot provide the endorsement of your sign in its present form, but we hope this information is useful to you. We have numbered and titled this official interpretation as “2(09)-27 (I) – Motorcycle Look Warning Sign.” Please reference this number in any further communications on this matter. If you have further questions, please contact Mr. Eric Ferron at 720-963-3206 or eric.ferron@dot.gov.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark R. Kehrli". The signature is fluid and cursive, with a large initial "M" and "K".

Mark R. Kehrli
Director, Office of Transportation
Operations