



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

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

April 7, 2010

In Reply Refer To: HOTO-1

Mr. Michael Hare
Vice President
QWICK KURB®, INC.
1916 US 41 South
Ruskin, FL 33570

Dear Mr. Hare:

Thank you for your January 12 letter requesting an official interpretation regarding whether a non-cylindrical device that is predominantly cylindrical would be in compliance with the provisions of Section 6F.65 of the 2009 Manual on Uniform Traffic Control Devices (MUTCD). The reason for your concern is that Paragraph 8 of Section 6F.60 of the 2003 MUTCD was not retained in the 2009 MUTCD. This paragraph stated the following: "When a non-cylindrical tubular marker is used, it shall be attached to the pavement in a manner such that the width facing road users meets the minimum requirements."

You are correct that Paragraph 8 of Section 6F.60 of the 2003 MUTCD was not included in the 2009 MUTCD. This paragraph did not add any requirements that were not stated elsewhere in Section 6F.65 of the 2009 MUTCD. The remaining provisions in Section 6F.65 describe the devices sufficiently to establish the performance criteria necessary to provide road users with the channelization needed in a temporary traffic control zone. The provisions of Section 6F.65 do not restrict the design of tubular markers to a cylindrical shape only.

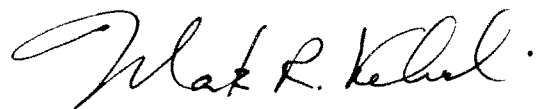
If the dimensions of the device you describe in your letter are accurate, the overall size of the device and of the retroreflective bands would appear to meet the provisions contained in Section 6F.65.

For recordkeeping purposes, we have assigned the following official interpretation number and title: "6(09)-003 (I) – Non-cylindrical tubular markers." Please refer to this number in any future correspondence regarding this topic.



Thank you for your interest in improving the clarity of the provisions contained in the MUTCD. I trust this clarifies the intent of Section 6F.65 of the 2009 MUTCD. Please contact Mr. Ken Wood at ken.wood@dot.gov if you have any further questions concerning this matter.

Sincerely yours,

A handwritten signature in black ink that reads "Mark R. Kehrli". The signature is written in a cursive style with a large initial "M" and a period at the end.

Mark R. Kehrli
Director, Office of Transportation
Operations