



## **SIGN RETROREFLECTIVITY UPDATE AND FUNDING ASSISTANCE**

The Fiscal Year 1993 Department of Transportation Appropriations Act directed the Secretary of Transportation to revise the Manual on Uniform Traffic Control Devices (MUTCD) to set a minimum standard for levels of retroreflectivity. In compliance, the Federal Highway Administration (FHWA) set a minimum level of retroreflectivity for all traffic signs, and also developed assessment and management methods, and evaluation technologies.

The proposed minimum retroreflectivity levels were updated to account for changes in vehicle headlight attributes (e.g., brighter lights with different illumination pattern), vehicle fleet mix (e.g., large number of SUVs that increased the average headlight and driver eye heights), the capabilities of an increasingly older driver population, changes to sign legibility requirements in the 2000 MUTCD, need for overhead guide and street name signs, and the emergence of new sign materials. These research efforts were completed in 2003, and have become the basis for the recent traffic sign retroreflectivity rulemaking.

In December 2007, the final rule was published in the Federal Register making the sign retroreflectivity requirements a federal regulation effective in January 2008. The rule imposes a minimum level of retroreflectivity for certain traffic signs.

According to the rule, public agencies will have until:

- **January 2012** to implement and maintain traffic sign retroreflectivity at or above the minimum levels;
- **January 2015** to replace any regulatory, warning, or ground-mounted guide (except street name) signs; and
- **January 2018** to replace any street name signs and overhead guide signs that are identified as failing to meet the minimum retroreflectivity levels.

The intent of the extended phase-in period is to minimize the financial impact to public agencies and allow jurisdictions to plan for sign upgrades within their existing maintenance cycles. About 75 percent of the public roads in the United States are maintained by local agencies, 21 percent are maintained by state agencies, and the remainder is maintained by Federal agencies. The cost and impact depends on who maintains the road – towns that maintain town roads are responsible for funding any sign improvement to meet the new standards; counties that maintain county roads are responsible for their signs; and states that maintain state roads are responsible for their signs. The cost and impact will vary from jurisdiction to jurisdiction depending upon the current sign management practices in individual jurisdictions.

Although the aim of the extended phase-in period is to allow time for localities to prepare for increased costs, localities may need to seek funding assistance. Listed below are federal aid

programs that can be used to help defray some of the state and local costs related to sign retroreflectivity.

### **Interstate Maintenance Program**

The Interstate Maintenance program provides funding for resurfacing, restoring, rehabilitating, and reconstructing most routes on the Interstate System. These funds are distributed to State DOTs via formula and also can be secured through the annual appropriations process. In accordance with 23 U.S.C. 120, the Federal share of the costs for any project eligible under this program is 90 percent. However, the Federal share is 80 percent on projects, or the portion of projects, for work involving added single-occupancy vehicle lanes to increase capacity. The sliding scale provisions under 23 U.S.C. 120 also apply to the Federal share for these IMD projects.

### **Surface Transportation Program (STP)**

The STP provides flexible funding that may be used by states and localities for projects on any federal highway, including the National Highway System, bridge projects on any public road, transit capital projects, and intercity bus terminals and facilities.

A portion of funds reserved for rural areas may be spent on rural minor collectors. The rural collector routes generally serve travel of primarily intra-county rather than statewide importance and constitute those routes on which predominant travel distances are shorter than on arterial routes. Consequently, more moderate speeds may be typical, on the average. Specifically, a rural minor collector road should:

- be spaced at intervals, consistent with population density, to collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road;
- provide service to the remaining smaller communities; and
- link the locally important traffic generators with their rural hinterland.

STP monies can be used to fund 80 percent of the total project cost, while 20 percent of the funds must come from state or local sources. Like Interstate Maintenance dollars, STP funds are allocated to State DOT's on a formula basis and also can be secured through the annual appropriations process.

### **Highway Safety Improvement Program and High Risk Rural Roads**

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) established FHWA's Highway Safety Improvement Program (HSIP) and provided a significant increase in the funding available for infrastructure-related highway safety improvement projects. Improvements to highway signage and pavement markings are included on the list of eligible HSIP projects. Funds are apportioned on a formula basis for each state based on the state's share of lane miles and vehicle miles traveled on Federal-aid highways and fatalities on the Federal-aid system in each state.

The HSIP program includes a \$90 million per year set-aside for the High Risk Rural Roads (HRRR) Program. This program aims to reduce traffic fatalities and incapacitating injuries

occurring on rural roadways, which account for approximately 60 percent of the nation's traffic fatalities.

The HRRR funds construction and operational improvements on roadways that have accident rates for fatalities and incapacitating injuries that exceed the statewide average on rural major or minor collectors, or rural local roads, or that will likely have increases in traffic volume that are likely to create an accident rate above the statewide average for the respective roadway functional classes. Implementation requires comprehensive crash data for all public roads. This program requires a 90 percent federal/10 percent non-federal cost share.

### **State and Community Highway Safety Grant Program**

The State and Community Highway Safety Grant Program, commonly referred to as Section 402, is jointly administered by National Highway Traffic Safety Administration (NHTSA) and FHWA at the federal level, and by the designated State Highway Safety Offices (SHSO) at the state level. The program is intended to assist states and communities in the development and implementation of highway safety programs designed to reduce traffic crashes, deaths, injuries, and property damage.

To receive a Section 402 grant, states must submit assurances that they will implement activities in support of national goals that also reflect the primary data-related factors within a state, as identified by the state highway safety planning process including: national law enforcement mobilizations, sustained enforcement of impaired driving, occupant protection and speeding-related laws, an annual safety belt use survey conducted in accordance with U.S. Department of Transportation criteria, and development of statewide data systems.

A minimum of 40 percent of a state's 402 funds must be expended by local governments or be used for the benefit of local governments.

### **State Planning and Research Program**

The State Planning and Research (SP&R) Program is authorized under SAFETEA-LU. The program is intended to solve problems identified by the states. State DOTs are encouraged to develop, establish, and implement Research, Development, and Technology (RD&T ) programs that anticipate and address transportation concerns before they become critical problems. Each state must develop, establish, and implement a program that ensures effective use of available SP&R funds for RD&T activities on a statewide basis, and each state is permitted to tailor its RD&T program to meet local needs. High priority is given to applied research on state or regional problems, transfer of technology from researcher to user, and research for setting standards and specifications. Major RD&T areas include infrastructure renewal (including pavement, structures, and asset management); activities relating to safety, operations, and management; environmental and real estate planning; and policy analysis and systems monitoring.

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When determining specific eligibility for all the programs listed above, communities must work with the applicable agencies in your locality and state, including metropolitan planning organizations, the State DOT and/or SHSO, specifically for Section 402 funds, and the FHWA

Division Office. There also may be additional funding sources available depending on state and local specific programs.