



U.S. Department
of Transportation

**Federal Highway
Administration**

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

October 14, 2009

In Reply Refer To: HOTO-1

Mr. Dave Skripsky
SpinAlert
11487 Knightsbridge Lane
Fishers, IN 46037

Dear Mr. Skripsky:

Thank you for your letter of August 10 requesting an official interpretation regarding whether your SpinAlert product may be used on streets and highways in the United States.

We have reviewed the information you have supplied concerning the SpinAlert product and its various applications.

Because the only purpose of your SpinAlert product is to attract the road user's attention to a sign or channelizing device, we do not consider it to be a traffic control device based on the provisions of Section 1A.01 of the 2003 Manual on Uniform Traffic Control Devices (MUTCD), which states that "traffic control devices notify road users of regulations and provide warning and guidance needed for the reasonably safe, uniform, and efficient operation of all elements of the traffic stream." The SpinAlert product itself does not notify road users of any regulations nor does it provide any warning or guidance to the road user, as its only purpose is to draw the attention of a road user to the official traffic control device with which it is associated.

Because your SpinAlert product is not considered to be a traffic control device, it does not fall under the jurisdiction of the MUTCD. We, therefore, believe that the provisions of the 2003 MUTCD do not prohibit the use of your SpinAlert product on the streets and highways of the United States.

We have assigned your request for interpretation the following official ruling number and title: "6-227(I) – Use of the Spin Alert Product." Please refer to this official ruling number in any future correspondence.



If you have any further questions, please contact Mr. Ken Wood of my staff at 708-283-4340 or at ken.wood@fhwa.dot.gov.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Hari Kalla". The signature is fluid and cursive, with the first name "Hari" and last name "Kalla" clearly distinguishable.

Hari Kalla
Acting Director, Office of Transportation
Operations