



U.S. Department
of Transportation

**Federal Highway
Administration**

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

May 20, 2010

In Reply Refer To: HOTO-1

Mr. Daniel K. Shipp
President
International Safety Equipment Association
1901 North Moore Street
Arlington, VA 22209-1762

Dear Mr. Shipp:

Thank you for your letter of April 27, 2010, requesting an interpretation of Sections 6D.03, 6E.02, and 7D.04 of the 2009 Manual on Uniform Traffic Control Devices (MUTCD). Specifically, your question concerned whether the new ANSI/ISEA 107-2010 standard meets the requirements contained in these sections.

The following language was incorporated into Paragraph 4 of Section 6D.03 so that high-visibility safety apparel that meets the requirements of ANSI/ISEA publications that are issued subsequent to the 2009 MUTCD would be acceptable:

All workers ... shall wear high-visibility safety apparel that meets the Performance Class 2 or 3 requirements of the ANSI/ISEA 107-2004 publication entitled "American National Standard for High-Visibility Safety Apparel and Headwear" (see Section 1A.11), or equivalent revisions, and labeled as meeting the ANSI 107-2004 standard performance for Class 2 or 3 risk exposure, ...

For purposes of consistency, the phrase "or equivalent revisions" should also have been added to Paragraphs 1 and 2 of Section 6E.02 regarding flaggers. By adding this phrase in Section 6E.02, the reference in Section 7D.04 to Section 6E.02 would provide the same "or equivalent revisions" option to adult crossing guards.

A further point of confusion is that the labeling of the apparel as meeting the ANSI 107-2004 standards was made a part of the text in all three sections, even though the intent of the "or equivalent revisions" phrase was to allow for subsequent revisions of the standards.

The intent of the 2009 MUTCD is to permit workers, flaggers, and adult crossing guards to wear apparel meeting the requirements of subsequent versions of the ANSI/ISEA standards for high-visibility garments, as well as garments meeting the ANSI 107-2004 standard, provided that the



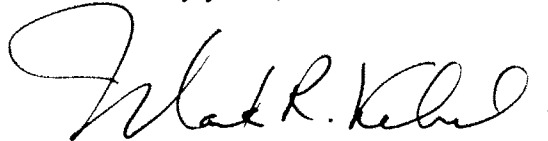
requirements of subsequent revisions were at least equivalent to the requirements of the ANSI 107-2004 standard. It was also not the intent of the 2009 MUTCD that apparel that meets subsequent equivalent revisions would have to be labeled as meeting the ANSI 107-2004 standard.

Workers, flaggers, and adult crossing guards wearing high-visibility safety apparel meeting the ANSI 107-2010 standards (which are equivalent to the ANSI 107-2004 standards) and labeled as meeting the ANSI 107-2010 standards would be in compliance with the provisions of Sections 6D.03, 6E.02, and 7D.04 of the 2009 MUTCD.

Thank you for bringing this matter to our attention. I trust this will clarify the intent and eliminate any confusion that has developed as a result of the recent publishing of the ANSI/ISEA 107-2010 standard. Please contact Mr. Ken Wood at ken.wood@dot.gov if you have any further questions concerning this matter.

For recordkeeping purposes, we have assigned the following official interpretation number and title: "6(09)-004 (I) – Use of ANSI/ISEA 107-2010 High-Visibility Safety Apparel." Please refer to this number in any future correspondence regarding this topic.

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 a distinct "R" and "K".

Mark R. Kehrli
Director, Office of Transportation
Operations