

DEPARTMENT OF TRANSPORTATION

DIVISION OF TRANSPORTATION SOLUTIONS

Statutory Authority: 17 Delaware Code, Sections 134 and 141; 21 Delaware Code, Chapter 41
(17 Del.C. §§134, 141 and 21 Del.C. Ch. 41)
2 DE Admin. Code 2402

FINAL

ORDER

Revisions to

2402 Delaware Manual on Uniform Traffic Control Devices, Parts 2, 3, and 6

Under Title 17 of the **Delaware Code**, Sections 134 and 141, as well as 21 **Delaware Code** Chapter 41, the Delaware Department of Transportation (DelDOT) adopted a Delaware version of the Federal Manual on Uniform Traffic Control Devices (MUTCD). The Department then drafted changes to Parts 2, 3, and 6 of the Federal MUTCD, and published a Notice seeking public comment on these changes in the March 1, 2009 edition of the Delaware Register. Other portions of the MUTCD have already been drafted and adopted.

Summary of the Evidence and Information Submitted

No comments were received regarding these proposed changes to the MUTCD. Since the initial publication for comment, however, the Department made a small change in its draft of the amendments to Part 3. This is related to Figure 3B-16A. The change will be to note 2 in the figure. The revised note 2 should read "Double Yellow Pavement Markings should be placed in the median if W ≥ 30m (50 ft)." This change makes the recommendation for double yellow centerline markings less restrictive. The Department considers this change to be non-substantive in nature, and thus no new comment period is required.

Findings of Fact

Based on the record in this docket, I make the following findings of fact:

1. The proposed amendments to Parts 2, 3, and 6 of the Delaware version of the MUTCD are useful and proper, as amended pursuant to the comment period process required under the Administrative Procedures Act.
2. The adoption of these proposed changes to the MUTCD for Delaware is in the best interests of the State of Delaware.

Decision and Effective Date

Based on the provisions of Delaware law and the record in this docket, I hereby adopt the amended Parts 2, 3, and 6 of the MUTCD, as set forth in the version attached hereto, to be effective on May 21, 2010.

IT IS SO ORDERED this 22d day of April, 2009.

Carolann Wicks, Secretary
Delaware Department of Transportation

A summary of the final changes is described below:

DelDOT MUTCD Parts 2, 3, and 6	
Final Revisions	
May 1, 2010	

Final Revision	Chapter Number/ Section Number/ Figure Number
Part 2	
Insert Chapter 2G - Tourist-Oriented Directional Signs and referenced Delaware's "Standards for Agricultural Tourism Attraction Guide Signs."	Chapter 2G
Revise Chapter 2H to reference Delaware's Standards for Brown Guide Signs for Attractions and guidance regarding other recreational and cultural interest areas including gaming facilities.	Chapter 2H
Part 3	
Delete Figures 3A-1A and 3A-1B and all references to the DelDOT-specific guidance for black contrast pavement markings.	Section 3A.05 and Figures 3A-1A and 3A-1B
Revise the length of no passing zones on the approaches to and departures from intersections.	Section 3B.02 and Figure 3B-1
Revise the last standard in this section to indicated that a single yellow line shall be installed adjacent to medians with colored or patterned pavement.	Section 3B.03
Delete references to DelDOT's Recessed Pavement Marker Guidelines.	Section 3B.11
Revise this statement from an "Option" to a "Standard": When patterned pavement or other similar treatments are used to depict crosswalks, 300 mm (12 in) solid white lines shall be used to define the crosswalk.	Section 3B.17
Part 6	
Revise the NCHRP Report 350 Compliance Requirements to include AASHTO's Manual for Assessing Safety Hardware (MASH) requirements.	Section 6A.01
Revise the standard to state that either Type B lights or reflectorized panels meeting the sheeting requirements shall be required when the lead end of barrier is protected by an attenuating device.	Section 6F.81
Revise Case 15 to reflect DelDOT's current "best practices" for detour plans.	Case 15
Add note to Case 20-B: "Use of Truck-Mounted Attenuators (TMAs) shall be required if the posted speed is greater than or equal to 45 MPH. Use of TMAs is optional if the posted speed is less than 45 MPH, unless otherwise directed by the Chief Traffic Engineer or designee." Revise the legend in the figure for Case 20-B to require the use of TMAs for posted speeds greater than or equal to 45 MPH. Remove the reference to multi-lane highways in the title of the notes and figure for Case 20-B.	Case 20-B

***Please Note:** Due to the size of the proposed regulation, the DelDOT Manual on Uniform Traffic Control Devices, Parts 2, 3, and 6 is not being published here. A PDF version is available at the following location:

<http://regulations.delaware.gov/register/may2010/final/Part2.pdf> **MUTCD Part 2**

<http://regulations.delaware.gov/register/may2010/final/Part3.pdf> **MUTCD Part 3**

<http://regulations.delaware.gov/register/may2010/final/Part6.pdf> **MUTCD Part 6**