

January 2018: Sent on behalf of CTDOT Traffic Engineering Division Chief Mark F. Carlino, P.E.:

Dear Colleagues:

As many of you have heard, the Federal Highway Administration (FHWA) announced as of December 21, 2017, that it terminated Interim Approval for Optional Use of Rectangular Rapid Flashing Beacons (RRFB) (IA-11). Effective with this termination, RRFBs that are installed and in operation may remain until the end of their useful life. No NEW installations are permitted, including those that have been approved in design, but not yet constructed.

Linked below is the FHWA IA-11 termination memo:

https://mutcd.fhwa.dot.gov/resources/interim_approval/ia11/terminationmemo/index.htm

For municipalities who were investigating the use of an RRFB or were in the design process for an RRFB at a particular location, the *Pedestrian Activated Warning Beacons*, described in Section 4L.03 of the MUTCD may provide many similar design features and are MUTCD compliant.

In addition, as an alternative to RRFBs, FHWA has provided guidance on MUTCD approved treatments to further enhance uncontrolled crosswalks. Below is the link to the "Information Brief: Treatments for Uncontrolled Crosswalks":

https://mutcd.fhwa.dot.gov/resources/interim_approval/ia11/informationalbrief/index.htm

The Department of Transportation has worked at many levels to promote and improve pedestrian safety. We will continue to be strong advocates and work for improvements that will make our roadways safe for all users. Please do not hesitate to contact our staff here in the Traffic Engineering Division if you have any questions.

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Sincerely,

Mark F. Carlino, P.E.

Division Chief – Traffic Engineering

Connecticut Department of Transportation

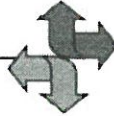
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Manual on Uniform Traffic Control Devices (MUTCD)


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Interim Approval IA-11 Termination Memorandum

PDF Version, 37KB

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Memorandum

Subject: **INFORMATION AND ACTION:** MUTCD – Interim Approval for Optional Use of Rectangular Rapid Flashing Beacons (IA-11)—TERMINATION

Date:

Dec 21 2017

From: Martin C. Knopp /S/
Associate Administrator for Operations

In Reply Refer To:
HOP-1

To: Federal Lands Highway Division Directors
Division Administrators

Purpose: Through this memorandum, the Federal Highway Administration (FHWA) officially rescinds the subject Interim Approval (IA) issued on July 16, 2008.

Background: Federal regulation, through the *Manual on Uniform Traffic Control Devices for Streets and Highways* (MUTCD),¹ the use of patented devices under an interim approval,² or official experimentation³ with patented devices. The MUTCD is incorporated by reference at 23 CFR, Part 655, Subpart F, and is recognized as the national standard for all traffic control devices in accordance with 23 U.S.C. 109(d) and 402(a).⁴

Action: The MUTCD prohibits patented devices from experimentation, IA, or inclusion in the MUTCD.⁵ The FHWA has learned of the existence of four issued U.S. patents, and at least one pending patent application, covering aspects of the Rectangular Rapid Flashing Beacons (RRFB) device originally approved under IA-11 of July 16, 2008.

For the aforementioned reasons, FHWA hereby rescinds IA-11 for all new installations of RRFB devices. Installed RRFBs may remain in service until the end of useful life of those devices and need not be removed.

Nothing in this memorandum should be interpreted as expressing an opinion as to the applicability, scope, or validity of any patent or pending patent application with regard to the installation or use of RRFBs, generally, or for those currently in use. The FHWA, the Department of Transportation, and the United States express no opinion on the merits, and take no position on the outcome, of any litigation relating to the RRFB.

cc:
Associate Administrators
Chief Counsel
Chief Financial Officer
Directors of Field Services
Director of Technical Services

¹ MUTCD 2009 Ed., Intro. ¶ 4 at I-1 [Return to [Note 1](#)]

² *Id.*, § 1A.10. [Return to [Note 2](#)]

³ *Id.* [Return to [Note 3](#)]

⁴ See *id.* at ¶ 02 at I-1. [Return to [Note 4](#)]

⁵ *Id.* at ¶ 04. [Return to [Note 5](#)]

