



May 14, 2021

The Honorable Pete Buttigieg  
Secretary  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Stephanie Pollack, Acting Administrator  
Federal Highway Administration  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

**Re: Comments on Notice of Proposed Amendments to the Manual on Uniform Traffic Control Devices for Streets and Highways (Docket No. FHWA-2020-0001; RIN: 2125-AF85)**

Dear Secretary Buttigieg and Acting Administrator Pollack:

We, the undersigned landscape architects, are concerned about some of the proposed revisions to the Manual on Uniform Traffic Control Devices (MUTCD). In particular, we are opposed to proposed language that would provide unprecedented authority to engineers, thereby encroaching on landscape architects' right to practice as defined by our state licensing laws. We are also disappointed that the proposed revisions do not provide the much-needed flexibility to plan and design transportation projects that meet the current needs of the communities they serve.

We respectfully urge you to strike or modify the proposed MUTCD language in Section 1D.05 (existing Section 1A.09), which states that the "provisions of [the MUTCD] are intended to be interpreted and applied by engineers or those under the supervision of an engineer." The proposed language implies that only engineers are capable of interpreting and applying the MUTCD. That is not the case. Landscape architects are also competent to use, interpret, and apply the MUTCD, and frequently must do so to prepare and implement project designs while protecting the health, safety, and welfare of the public. In fact, as part of our licensing process, all landscape architects are tested on the MUTCD as part of the Landscape Architecture Registration Exam required in all 50 states. Further, it is the role of each state to determine the scope of practice for licensed professionals within their boundaries. Limiting the interpretation and application of the MUTCD, a federal guidance document, to only engineers would excessively obstruct our right to practice, which has been granted us by state licenses.

The MUTCD has not been updated since 2009, providing us with a unique opportunity to enhance it so that it may assist communities in making the transformative changes they desperately need. A revised MUTCD should more closely align with the safety, sustainability, and equity goals of communities nationwide.

Qualified transportation professionals, such as landscape architects, need flexibility to plan and design urban, suburban, and rural streets that put the safe mobility of people first, rather than the movement of vehicles. Also, incorporating best practice bicycle facility guidance into the MUTCD, such as the Federal Highway Administration's (FHWA) Separated Bike Lane Planning and Design Guide and National Association of City Transportation Officials' (NACTO) Urban Bikeway Design Guide, would provide flexibility for transportation planners and designers to create and implement appropriate sustainable active transportation

projects that are in demand by all types of communities. Further, an updated MUTCD should also be able to accommodate and promote Context-Sensitive Solutions (CSS) in all of our communities. CSS is essential to protecting and preserving a community's environmental, scenic, aesthetic, historic, and natural resource values, which are all critical in promoting equity and social and environmental justice in transportation projects. Reframing and rewriting the MUTCD to meet community needs and demands should be critical to supporting the future of transportation in the United States. Our communities deserve nothing less.

Thank you for the opportunity to comment on this important document. Once again, we implore you to remove unprecedented and unnecessary language preventing landscape architects from interpreting and applying the MUTCD, which would circumvent states' authority to define scopes of professional practice. We also hope that you will update and revise the MUTCD in a manner that provides transportation planners and designers with more flexibility to meet the safety, sustainability, and equity needs of communities nationwide.

Sincerely,

The American Society of Landscape Architects and the undersigned.