

NATIONAL COMMITTEE ON UNIFORM TRAFFIC CONTROL DEVICES

BYLAWS

As amended 01/19/2006

Article 1. NAME, LOCATION AND PURPOSE

- 1.1 **Name.** The name of this organization shall be the National Committee on Uniform Traffic Control Devices (National Committee).
- 1.2 **Location.** The National Committee office shall be at such place as may be designated by the Executive Board.
- 1.3 **Purpose.** The objectives and purpose of this corporation are those exclusively charitable, educational and scientific and which are or have a public purpose. The purpose of the National Committee is to assist in the development of standards, guides, and warrants for traffic control devices and practices used to regulate, warn, and guide traffic on streets and highways; and to educate the public, further public safety, and stimulate research concerning traffic control. To fulfill its purpose, the National Committee recommends to the Federal Highway Administration (FHWA) and to other appropriate agencies proposed revisions and interpretations to the Manual on Uniform Traffic Control Devices (MUTCD/The Manual) and other accepted national standards; develops public and professional awareness of the principles of safe traffic control devices and practices; provides a forum for qualified individuals with diverse backgrounds and viewpoints to exchange professional information; conducts studies and investigations; analyzes and interprets findings from studies and other sources; and stimulates research for the continuing development and improvement of traffic control devices and practices.

Article 2. GENERAL PROVISIONS

- 2.1 **General Provisions.** For the purpose of these Bylaws and any rules of the National Committee, it is declared that:
 - (1) The National Committee does not promulgate, regulate, or enforce standards, policies, or laws.
 - (2) The National Committee takes

cognizance of those statutes, regulations, orders, and agency directives that affect the National Committee's functions with federal, state, county and municipal governments.

Article 3. SPONSORING ORGANIZATIONS

- 3.1 **Sponsoring Organizations.** The following Sponsoring Organizations shall be the principal supporters of the activities of the National Committee:
 - Advocates for Highway and Auto Safety (AHAS)
 - American Association of Motor Vehicle Administrators (AAMVA)
 - American Association of State Highway and Transportation Officials (AASHTO)
 - American Automobile Association (AAA)
 - American Highway Users Alliance (AHUA)
 - American Public Transportation Association (APTA)
 - American Public Works Association (APWA)
 - American Railway Engineering and Maintenance of Way Association (AREMA)
 - American Road and Transportation Builders Association (ARTBA)
 - American Traffic Safety Services Association (ATSSA)
 - Association of American Railroads (AAR)
 - Governors Highway Safety Association (GHSA)
 - Human Factors Resources (HFR)
 - Institute of Transportation Engineers (ITE)
 - International Association of Chiefs of Police (IACP)
 - International Bridge, Tunnel and Turnpike Association (IBTTA)
 - International Municipal Signal Association (IMSA)
 - League of American Bicyclists (LAB)
 - National Association of County Engineers (NACE)
 - National Committee on Uniform Traffic Laws and Ordinances (NCUTLO)
 - National Safety Council (NSC)

3.2 Composition Each Sponsoring Organization shall be assigned to one of the following Groups:

Group I. Group I Sponsoring Organizations shall generally represent state, county, and municipal highway officials having the legal responsibility of administering public highway programs.

Group II. Group II Sponsoring Organizations shall represent national organizations with a membership that includes officials directly associated with traffic operations and regulations.

Group III. Group III Sponsoring Organizations shall represent the general public and /or private highway user groups.

Group IV. Group IV Sponsoring Organizations shall represent industry oriented organizations that include, but are not limited to, manufacturers, distributors, and installers of traffic control devices and related equipment, and industry highway users groups.

Sponsoring Organizations shall appoint Members and Associate Members in accordance with Sections 6.2 and 6.3.

3.3 Admission of New Sponsoring Organizations

Any organization that demonstrates that it has a substantial and continuing interest in traffic control and meets the eligibility requirements established by the Executive Board may become a Sponsoring Organization, if approved by the Council.

3.4 Application for Sponsorship

The Executive Board shall establish admission procedures. Any eligible organization may file, with the National Committee Secretary, an application to become a sponsoring organization of the National Committee in the form prescribed by the Executive Board. The Board may require the applicant to furnish additional information and may otherwise inquire into the organization's qualifications.

3.5 Election of Sponsoring Organizations.

The Executive Board shall consider the application of a prospective Sponsoring Organization and shall forward its recommendation and all application materials to the Council for consideration. The Council shall provide for and supervise the election of Sponsoring Organizations according to the Operating Procedures.

3.6 Termination or Suspension of Sponsorship

(1) A Sponsoring Organization may withdraw from the National Committee

at any time by submitting a letter to the Executive Board.

(2) Failure by the Sponsoring Organization to appoint Members to the Council demonstrates lack of interest in the National Committee and may constitute grounds for the termination of the organization's sponsorship by the Executive Board.

(3) Failure by a Sponsoring Organization to be represented by a full voting delegation at three consecutive Council meetings may constitute grounds for termination.

Article 4.

MEMBERSHIP

4.1

Membership. The membership of the National Committee shall consist of Members, Associate Members, and Technical Members. Criteria developed in accordance with the Bylaws and the Operating Procedures should be employed by the Sponsoring Organizations and the National Committee to not discriminate in membership representation on the National Committee and its subgroups in terms of race, sex, geographical distribution, and different points of view.

4.2

Members and Associate Members. Members and Associate Members shall be appointed by the Sponsoring Organizations and shall be equally entitled to all privileges of the National Committee with the exception that only Members shall be eligible to hold the following positions: Chair, Vice-Chair for Programs, Vice-Chair for Research, Treasurer, and member of the Executive Board. While personal attendance by Members is expected at all Council meetings, an Associate Member may serve as a Member's alternate and shall have all of the rights of the Member in that Member's absence. All Members and Associate Members shall have the privilege of taking part in discussions, serving on committees and voting on all matters except as otherwise provided herein. Each Sponsoring Organization will file with the National Committee office a list of all Members and Associate Members representing its organization whenever there is any change in its appointed Members and Associate Members.

4.3

Technical Members. The Executive Board shall establish Operating Procedures to be followed in the nomination and admission of Technical Members. Individuals desiring to become

Technical Members must file an application for membership with the National Committee Secretary in the form prescribed by the Executive Board. A Technical Committee Chair may nominate an individual for the Executive Board's consideration for appointment as a Technical Member. The Executive Board may require any candidate for membership to furnish additional information and may otherwise inquire into his or her qualifications. The Executive Board has the authority to approve individuals for membership on each Technical Committee.

Technical Members shall enjoy all privileges of membership except the right to vote in the Council and to hold the following positions: Chair, Vice-Chair for Programs, Vice-Chair for Research, Treasurer, Member of the Executive Board, Technical Committee Chair and Technical Committee Vice-Chair. A Technical Member shall be eligible to vote in Technical Committee proceedings, to serve as the Secretary to a Technical Committee, and to be appointed as the Chair of a Working Group or task force.

4.4 Affiliates. Persons or groups who do not wish to become, cannot become, or are ineligible to be Sponsoring Organizations or members of the National Committee, may qualify for election by the Council as Affiliates in accordance with criteria established by the Executive Board. The privileges of Affiliates shall be prescribed by the Executive Board. However, they may not vote.

4.5 Honorary Members. Individuals who have contributed to the National Committee in an outstanding manner may be designated as "Honorary Members" by the Executive Board. Generally, this membership designation is given to individuals who have served in a leadership role as Members, Associate Members or Technical Members over a period of at least fifteen (15) years. The Executive Board may set qualifications for the benefits accorded to, and the process for designation of Honorary Members. Honorary Members serve as nonvoting members of the Council.

4.6 Verification of Membership. Each member shall receive verification of membership in the National Committee upon appointment or reappointment.

4.7 Termination of Membership.

(1) A Member or Associate Member may resign at any time from the National Committee upon receipt by the Sponsoring Organization and/or the National Committee office of his or

her written resignation. A Technical Member may resign at any time by submitting a written resignation to the National Committee Secretary and/or to his or her Technical Committee Chair.

(2) A Sponsoring Organization may terminate the membership of a Member or Associate Member at any time.

(3) The Executive Board may terminate the membership of a Technical Member at any time.

(4) A consistent failure to attend meetings and to participate in National Committee assignments shall be considered a demonstration of lack of interest. When a Member, Associate Member, or Technical Member is absent for three consecutive meetings, or consistently fails to participate in National Committee business, the Executive Board may, in the case of Members and Associate Members, recommend to the Sponsoring Organization the termination of the individual's membership. In the case of a Technical Member, the Executive Board may terminate the membership.

Article 5.

MEETINGS

5.1 Annual Meeting. The Annual Meeting of the National Committee shall be held at a time and place determined by the National Committee. It shall include meetings of the Council and Technical Committees. Notice of the time and place of the meeting shall be given to the membership of the National Committee at least thirty (30) days in advance.

5.2 Other Meetings. In addition to the Annual Meetings, the National Committee normally will hold a Midyear Meeting and may schedule such other meetings as the Executive Board may prescribe. Special Meetings of the Council shall be called by the Chair of the National Committee at the written request of a simple majority of the Members. Notice of the time and place of such specially called meetings shall be given to the Members, Associate Members, and other interested parties at least thirty (30) days prior to such meetings. In the case of an emergency, two-thirds (2/3) of the members of the Executive

Board can authorize a Special Meeting of the Council to be held solely for a limited purpose specified in the notice; a ten day notice is sufficient.

- 5.3 **Mail and Electronic Ballots.** A mail or electronic ballot can be taken only when the National Committee Chair determines that an action must be taken by the Council and time constraints are such that it is impractical to obtain a quorum at a meeting of the Council.
- 5.4 **Quorum.** At Council meetings, a quorum is two-thirds (2/3) of the membership authorized to vote. At Executive Board meetings a quorum is two-thirds (2/3) of the membership of the Executive Board authorized to vote. At Technical Committee meetings, a quorum is the majority of the members of a Technical Committee.
- 5.5 **Voting.** A roll call vote may be called by a simple majority of the Council on any action.
- 5.6 **Participation.** Any person shall be permitted to attend meetings; appear before the Council; and to submit statements to the Council, the Executive Board, Technical Committees, or other Working Groups in accordance with the procedures established by the Bylaws, and Operating Procedures.

Article 6. THE COUNCIL

- 6.1 **Powers and Functions.** The governing body of the National Committee shall be the Council. As the governing body, the Council shall act upon all proposals and recommendations received from the Technical Committees and the Executive Board. Approval by the Council in accordance with Section 6.6 of the Bylaws is required before any such policies, recommendations, or other matters become the official statements of the National Committee. The Council shall supervise and direct the Executive Board, the Technical Committees, and the agents of the National Committee. The Council may delegate to the Executive Board the Authority to establish a Secretariat and may delegate to the Executive Board such duties, powers, and responsibilities as it may prescribe.
- 6.2 **Composition.** The Council shall consist of Members and Associate Members appointed by the Sponsoring Organizations. One Member from each Sponsoring Organization shall be appointed, by the Sponsoring Organization, as Chair of that organization's delegation. Each Member of the Council shall have one vote. In

the event that a Member is absent, an Associate Member appointed by the Member's organization and designated as an alternate may vote in the Member's place. In no instance shall the Member and his/her alternate vote on the same issue at the same time. If neither the Member(s) nor Associate Member(s) are present for the Council meeting, the Sponsoring Organization may appoint a Technical Member (s) to represent them as a voting member of the Council for that one meeting. Honorary Members serve as nonvoting members of the Council.

- 6.3 **Member Appointments.** The Members and Associate Members shall be appointed as follows:

Group I. A minimum of fifty percent (50%) of the Members and fifty percent (50%) of the Associate Members shall be appointed by Group I Sponsoring Organizations. Members of this Group generally represent those state, county, and municipal highway officials having the legal responsibility of administering public highway programs. Of this Group, no more than forty-five percent (45%) of the Members and forty-five percent (45%) of the Associate Members may represent any one level of government (state, county, or municipal government each being a level of government). Of this group at least seventy percent (70%) of the total number of Members and Associate Members from each Sponsoring Organization shall, at the time of appointment, be government members as defined by the Executive Board.

The number of Members and Associate Members appointed by each of the Group I Sponsoring Organizations shall be as follows:

AASHTO: 8 Members & 8 Associate Members
ITE: 8 Members & 8 Associate Members
APWA: 3 Members & 3 Associate Members
NACE: 3 Members & 3 Associate Members

Each of the Group I Sponsoring Organizations shall designate a Member to serve as its Delegation Chair and that Member shall serve as a member of the Executive Board

Group II. Members of this Group represent national organizations with a membership that includes officials directly associated with traffic operations and regulations. The number of Members and Associate Members appointed by each of the Group II Sponsoring Organizations shall be as follows:

AAMVA: 1 Member & 1 Associate Member
 APTA 1 Member & 1 Associate Member
 AREMA 1 Member & 1 Associate Member
 AAR: 1 Member & 1 Associate Member
 IACP: 1 Member & 1 Associate Member
 IBTTA: 1 Member & 1 Associate Member
 IMSA: 1 Member & 1 Associate Member
 GHSA: 1 Member & 1 Associate Member
 NCUTLO: 1 Member & 1 Associate Member

There shall be two voting Members on the Executive Board from Group II. These persons shall be elected by the Members of the Sponsoring Organizations representing Group II.

Group III. Members of this Group represent organizations that represent the general public or private highway users. The Members and Associate Members appointed by Group III Sponsoring Organizations shall be the following:

AAA: 1 Member & 1 Associate Member
 AHAS: 1 Member & 1 Associate Member
 HFR: 1 Member & 1 Associate Member
 LAB: 1 Member & 1 Associate Member
 NSC: 1 Member & 1 Associate Member

There shall be one voting Member on the Executive Board from Group III. This person shall be designated as the Chair of Group III, and shall be elected by the Members of the Sponsoring Organizations representing Group III.

Group IV. Members of this Group represent industry oriented organizations. The Members and Associate Members appointed by Group IV Sponsoring Organizations shall be the following:

AHUA: 1 Member & 1 Associate Member
 ARTBA: 1 Member & 1 Associate Member
 ATSSA: 1 Member & 1 Associate Member

There shall be one voting Member on the Executive Board from Group IV. This person shall be designated as the Chair of Group IV and shall be elected by the Members of the Sponsoring Organizations representing Group IV.

6.4 Terms and Vacancies. The term of a Member and Associate Member shall be three National Committee years, beginning with the adjournment of an Annual Meeting. Members and Associate Members may be reappointed. In case of a vacancy, the Sponsoring Organization shall promptly appoint an

individual to fill the unexpired term.

6.5 Meeting Agenda. The agenda at all Annual, Midyear and Special Meetings of the Council shall be prepared by the Chair. The National Committee Secretary shall transmit and/or post on the official National Committee website all Council agenda material including proposed revisions and recommendations, and important supporting documents and minority reports to Members and Associate Members and Sponsoring Organizations at least twenty (20) days in advance of each meeting of the Council. If agenda material is posted only on the official National Committee website, all National Committee Members, Associate Members and Sponsoring Organizations shall be notified via email that the material has been posted on the website. At the same time, these materials should be made available for inspection at the National Committee offices. A copy of the agenda shall be available to all registrants at the time of the meeting. Items not included on the announced agenda may be added at the meeting by a vote of two-thirds of the Members of the Council.

6.6 Referendum for a Recommendation. On questions relating to the substance of proposed changes or revisions in the standards relating to the MUTCD or other accepted national standards, the following principles and procedures shall be adhered to in generating a recommendation of the National Committee

(1) Changes in the standards should be recommended only after thorough consideration of the demonstrated need for a change, based on substantial documentation from research, scientific study, or operational experience giving due consideration to all aspects of implementing the proposed change. Technological advances and experimentation from time to time reveal the desirability for changes in the design, location, and operation of traffic control devices, and the knowledge thus derived should be considered for incorporation of the standard.

(2) Technical Committee actions and supporting research materials shall be promptly transmitted to the Sponsoring Organizations. The Sponsoring Organizations shall have forty-five (45) days to review the materials and to submit their recommendations to the

National Committee Secretary and to the Chair of their own delegation. The National Committee Secretary shall then have them transmitted to the appropriate Technical Committee(s) and to the Council and/or post them on the official National Committee website. If the Sponsoring Organization's recommendations are posted only on the official National Committee website, all National Committee Members, Associate Members and Sponsoring Organizations shall be notified via email that the material has been posted on the website.

- (3) The Technical Committee(s) shall carefully consider all comments and recommendations made by the Sponsoring Organizations in formulating their final recommendations to the Council.
- (4) The Council shall carefully consider all comments and recommendations made by the Sponsoring Organizations, the Executive Board and the Technical Committees. Following this review and floor discussion, the Council shall vote on all proposals for changes or revisions in the MUTCD. A vote of two-thirds (2/3) of the Members of the Council determines the policy of the National Committee with respect to a motion made and seconded.
- (5) A Technical Committee Chair who is an Associate Member may, at meetings of the Council, make motions that the Council approve recommendations of the Technical Committee. However, such Technical Committee Chair shall not have the right to vote unless serving as the designated alternate to an absent Member.
- (6) The Federal Highway Administration solicits input on possible changes to the MUTCD via notices published in the Federal Register. On occasion, the date of publication of a Federal Register notice and the comment due date may not allow for the referendum procedure described in paragraphs (1), (2), (3) and (4) to be followed and completed by the comment due date. The publication date and comment due dates may not allow an

opportunity for one or more of the following:

- (a) Consideration by a Technical Committee at a meeting of the Technical Committee.
- (b) Sponsoring Organization review and comment
- (c) Floor discussion and a vote by the Council at a meeting of the Council.
- (d) Other steps in the development of a recommendation.

In these instances, the Referendum procedure described in paragraphs (1), (2), (3) and (4) should be followed to the fullest possible extent. In the event that the publication date and comment due date do not allow time for Sponsoring Organization review and comment, the Council, acting as representatives of the Sponsoring Organizations, shall vote based upon the recommendation of the appropriate Technical Committee(s) and all other pertinent information. The Sponsoring Organizations shall be notified of the Council's action. Mail ballots or electronic ballots may be used by Technical Committees and/or the Council.

(7) Any recommendation of the National Committee developed under the procedures described in Section 6.6 shall be clearly labeled "Recommendation of the National Committee."

(8) Affirmed actions of the National Committee and supporting research materials shall be transmitted to the appropriate federal, state and local agencies. In forwarding proposals, recommendations, and other materials to the Department of Transportation and other federal agencies, the National Committee will normally utilize Section 553(e) of Title 5, United States Code.

Article 7. OFFICERS

7.1 Officers. The officers of the National Committee are the Chair, Vice Chair for Programs, Vice-Chair for Research and Treasurer. Each officer must be a Member of

the Council.

7.2 Nominating Committee. The Executive Board shall select, in odd-numbered years, a Nominating Committee consisting of three to five Members of the Council. The Nominating Committee shall be responsible for solicitation of the Members and Associate Members for nominations for officers of the National Committee and shall be responsible for all elections held by the Council. The form of ballot(s) and election procedures shall be in accordance with the Operating Procedures.

7.3 Election and Terms. The Chair, the two Vice-Chairs, and the Treasurer of the National Committee shall be elected by the Council from among its Members during the Annual Meeting in even-numbered years. A term is two National Committee years, beginning with the adjournment of the Annual Meeting during which the person is elected. During the term of office, an officer of the National Committee may not serve in any other officer position; as Chair, Vice-Chair or Secretary of a Technical Committee or any of the non-officer positions on the Executive Board.

7.4 Vacancies. If the office of the Chair becomes vacant, the Vice-Chair for Programs becomes the Chair for the unexpired term. If the office of the Vice-Chair for Programs, the Vice-Chair for Research, or the Treasurer becomes vacant, the Executive Board by majority vote shall elect a successor to fill the unexpired term. The successor must be a Member of the Council.

Article 8

DUTIES OF OFFICERS

8.1 Chair. The National Committee Chair shall preside at meetings of the Council and Executive Board. In the absence of the Chair, the Vice-Chair for Programs shall preside. The presiding officer shall vote only in case of a tie.

8.2 Vice-Chair for Programs. The Vice-Chair for Programs shall continually review the activities of the National Committee, shall cooperate as may be appropriate with such agencies as are publicizing and promoting the use of the Manual on Uniform Traffic Control Devices, and shall provide leadership for special projects and promotional programs. The Vice-Chair for Programs shall assume, except as otherwise provided, the duties of the Chair when the Chair is unable to perform his/her duties or is absent from any meeting of the Council or Executive Board.

8.3 Vice-Chair for Research. The Vice-Chair for Research shall maintain liaison with research agencies and organizations and ascertain if the results of applicable research are being reported and made available to proper Technical Committees and research agencies. He/she shall stimulate appropriate research projects. He/She may recommend to the National Committee Chair the appointment of members to the Technical Committee on Research, which shall be under his/her chairmanship, to assist him/her in carrying out his/her responsibilities.

8.4 Treasurer. The Treasurer shall be responsible for managing the financial affairs of the National Committee including: establishing and maintaining a financial accounting system, preparing and submitting financial reports; and reviewing the checking account and other investment accounts.

Article 9.

THE EXECUTIVE BOARD

9.1 Powers and Function. The Executive Board shall be responsible for the administrative functions of the National Committee and its members shall also serve as directors of the National Committee in its incorporated status. The Executive Board may adopt Operating Procedures consistent with the Bylaws.

9.2 Composition. The Executive Board shall be composed of the following voting members representing those Sponsoring Organizations listed in Section 3.1 or Groups described in Section 6.3 of the Bylaws:

- (1) The Chair of the National Committee
- (2) The Chair of the AASHTO delegation
- (3) The Chair of the NACE delegation
- (4) The Chair of the APWA delegation
- (5) The Chair of the ITE delegation
- (6,7) The two elected representatives of the Group II delegation
- (8) The Chair of the Group III delegation
- (9) The Chair of the Group IV delegation

The Executive Board shall also be composed of the following ex-officio, nonvoting members:

- (1) The Vice-Chair for Programs
- (2) The Vice-Chair for Research
- (3) The Treasurer

Each voting member of the Executive Board shall have one vote.

9.3 Term and Vacancies. The term of a member of

the Executive Board is two years, beginning with the adjournment of an Annual Meeting in an even numbered calendar year. A vacancy in the position of a Group I Delegation Chair on the Executive Board shall be filled for the unexpired term by a Member selected by the Sponsoring Organization of the position that was vacated. A vacancy in the Executive Board representatives for Groups II, III or IV shall be filled for the unexpired term as described in Section 6.3.

9.4 Alternate Representation. In the event of the absence of a Delegation Chair from an Executive Board meeting, the Sponsoring Organization may designate one of its other Members to serve in the Delegation Chair's absence. In the event of the absence of an Executive Board representative for Groups II, III or IV, an alternate representative shall be designated by the Group in the same manner as described in Section 6.3 to serve in the representative's absence.

9.5 Meetings. The Executive Board shall meet at the Annual Meeting and at Midyear Meetings held by the Council. Other meetings of the Board may be held on call of the Chair or at the request of five or more members of the board. A quorum is two-thirds (2/3) of the membership of the Executive Board authorized to vote.

Article 10. TECHNICAL COMMITTEES

10.1 Technical Committees

(1) The following Technical Committees shall be appointed within the National Committee:

- Research
- Signs Regulatory and Warning (R/W)
- Signs Guide and Motorist Information (G/MI)
- Markings
- Signals
- Railroad and Light Rail Transit
- Highway Grade Crossings
- Temporary Traffic Control
- Bicycle

(2) Each Technical Committee shall follow the Operating Procedures as approved by the Executive Board. The jurisdiction of each Technical Committee shall be described in the Bylaws.

(3) The Council may establish other

special committees, Working Groups or Task Forces to carry out the functions of the National Committee.

10.2 Composition. Members and Associate Members shall serve on Technical Committees. The Chair of the National Committee, with the approval of the Executive Board, shall appoint each Member and each Associate Member to a Technical Committee. Each member serving on a Technical Committee shall have one vote in Technical Committee proceedings. The majority of members on a Technical Committee shall be federal, state, county or municipal government officials directly responsible for highway traffic operations. Such "government" Technical Committee members shall be as defined by the Executive Board. At no time shall the number of Members plus Associate Members on any Technical Committee be fewer than five (5). Technical Members shall comprise the remaining membership of Technical Committees.

10.3 Terms. The term of a member of a Technical Committee may be for up to two years based on the date of appointment. The term of a member of a Technical Committee ends with the adjournment of an Annual Meeting in even numbered years. Members of Technical Committees may be reappointed to additional terms.

10.4 Meetings. Technical Committees shall meet at the Annual and Midyear meetings of the National Committee. Special Meetings of a Technical Committee may be held on call of the Chair of the Technical Committee or at the request of 50% of the members of the Technical Committee. A quorum is the majority of the members of a Technical Committee. A vote by two-thirds (2/3) of the members present at a meeting of the Technical Committee determines the position of the Technical Committee with respect to motions that are made and seconded.

10.5 Meeting Agendas. The agendas of Technical Committee meetings of the National Committee shall be prepared by each Technical Committee Chair for distribution to the membership.

A Technical Committee Agenda shall be transmitted to members of each Technical Committee at least twenty (20) days in advance of a Technical Committee meeting. A copy of the agenda shall be filed with the National Committee office.

10.6 Working Groups or Task Forces. The Chair of

the Technical Committee may establish such Working Groups or Task Forces as considered desirable to carry out its functions. The Technical Committee Chair shall promptly notify the Chair of the National Committee and the National Committee office of the formation of any such groups and the purpose for which they were formed.

10.7 Creation or Combination. Prior to the creation or combination of a Technical Committee, the proponents must file at the National Committee office a statement setting forth:

- (1) The need for the proposed Technical Committee;
- (2) The contemplated jurisdiction of the Committee, which must be within the purposes of the National Committee and must not substantially conflict with the jurisdiction of any Technical Committee whose continuance, is contemplated;
- (3) A statement of the proposed Technical Committee's jurisdiction.

After a review of the statements filed on the proposed creation or combination of a Technical Committee, the Council and the Executive Board shall act on the proposal.

10.8 Officers. Each Technical Committee shall have a Chair and Vice-Chair appointed by the Chair of the National Committee and approved by the Executive Board. The Technical Committee Chair shall be a Member or an Associate Member of the National Committee. The Technical Committee Vice-Chair shall be a Member or an Associate Member of the National Committee. The Technical Committee Chair may appoint from the membership of the Technical Committee a Secretary to perform such duties as prescribed. The term of the Chair and Vice-Chair of each Technical Committee ends with the adjournment of the Annual Meeting in even numbered years, at which time the National Committee Chair shall appoint new or reappoint existing Technical Committee Chairs and Vice-Chairs.

10.9 Designation and Jurisdiction of Technical Committees. The designation and jurisdiction of the Committees are as follows:

- (1) Research
The jurisdiction of the Research Technical Committee is to stimulate traffic control device research on subjects identified by

the other Technical Committees.

(2) Signs Regulatory and Warning (R/W)

The jurisdiction of the Signs Regulatory and Warning (R/W) Technical Committee shall include the design and usage of regulatory and warning highway traffic signs except the usage of signs for construction and maintenance operations, railroad-highway grade crossings and bicycles now assigned to other Technical Committees.

(3) Signs Guide and Motorist Information (G/MI)

The jurisdiction of the Signs Guide and Motorist Information (G/M) Technical Committee shall include the design and usage of guide and motorist information highway traffic signs except the usage of signs for construction and maintenance operations, railroad-highway grade crossings and bicycles now assigned to other Technical Committees.

(4) Markings

The jurisdiction of the Markings Technical Committee is to provide professional advice on street and highway markings including pavement and curb markings, object markers, islands, delineators, colored pavements, roadway closure barricades and channelizing devices.

(5) Signals

The jurisdiction of the Signals Technical Committee covers all aspects of the types of devices described in Part 4 of the MUTCD, the use of other devices that are critical to the operational effectiveness of the Part 4 devices, and the making of recommendations to other Technical Committees on devices that are under the jurisdiction of those committees and which may be used in conjunction with or in proximity to the devices covered by Part 4.

(6) Railroad and Light Rail Transit Highway Grade Crossings.

The jurisdiction of the Railroad and Light Rail Transit Highway Grade Crossing Technical Committee shall be limited to traffic controls applicable to road users at or on the highways or pedestrian ways at grade crossings with railroads or light rail transit lines. The committee shall share its activities and coordinate with other

appropriate Technical Committees of the National Committee as appropriate.

(7) Temporary Traffic Control

The jurisdiction of the Temporary Traffic Control Technical Committee is to consider and recommend standards and guidelines, or research leading to their development, for the design, application, installation, and maintenance of all types of traffic control devices and related worker protection equipment required for highway or street construction, maintenance, emergency, and utility operations.

(8) Bicycle

The jurisdiction of the Bicycle Technical Committee shall be to recommend the design and usage of all types of traffic signs for bicyclists except the usage of signs for construction and maintenance operations and railroad/light rail-highway grade crossings now assigned to other Technical Committees.

Article 11 Other Committees

11.1 **Edit Committee.** An Edit Committee shall be appointed by the National Committee Chair for the purposes of reviewing the MUTCD to assure that the wording is consistent in formatting and style, and carrying out other tasks as may be assigned to it by the National Committee Chair or the Executive Board. The Edit Committee will work closely with the Technical Committees and will review Technical Committee recommendations for all Parts of the MUTCD with regard to formatting and style. The Edit Committee shall also have primary jurisdiction for reviewing and making recommendations regarding Part 1 of the MUTCD. The Edit Committee shall include a representative designated by the Chair of each Technical Committee. The Edit Committee may call upon outside experts, who are not National Committee members, as deemed necessary. The Vice-Chair for Programs shall serve as Chair of the Edit Committee and he or she may appoint a Vice-Chair and Secretary to perform such duties as prescribed. The Edit Committee may meet at the Annual and Midyear Meetings of the National Committee and/or at other times as deemed necessary.

Article 12. AUTONOMY

12.1 **Autonomy of Sponsoring Organizations.** The participation of an organization in the

National Committee is voluntary. The Bylaws and the actions of the National Committee do not bind a Sponsoring Organization or their representatives or subject it or them to a financial or other obligation that it or they does/do not voluntarily assume. However, it must comply with the provision of the Bylaws governing its representation in the Council, the Executive Board, and the requirements of Article 3.

12.2 **Autonomy of Technical Members.** The participation of a Technical Member in the National Committee is voluntary. The Bylaws and the action of the National Committee do not bind a Technical Member or subject him or her to a financial or other obligation that he or she does not voluntarily assume. However, the Technical Member must comply with the provisions of the Bylaws governing representation on Technical Committees.

Article 13. PARLIAMENTARY PROCEDURE.

13.1 **Parliamentary Procedure.** On questions of parliamentary procedure not covered in the Bylaws or the Operating Procedures, Robert's Rules of Order (latest edition) shall prevail.

Article 14. PROPOSALS AND RECOMMENDATIONS

14.1 **General.** As appropriate, copies of requests and recommendations initiated within or submitted to the National Committee concerning the revision or interpretation of a MUTCD standard, guide, directive, or other policy may be transmitted from the National Committee office to the Federal Highway Administration and to any other appropriate agency for informational purposes.

14.2 **Introduction of Proposals.** Requests and recommendations referred to the National Committee shall be processed as follows:

- (1) The proposal or recommendation that is offered to the National Committee must be submitted in writing and filed with the National Committee office. If it supports or opposes existing or proposed rulemaking, MUTCD standards, guides, directives, or other agency policy, it must be accompanied by a copy of the measure concerned.
- (2) The National Committee office shall promptly record the resolution/recommendation, and forward

the resolution to the Chair(s) of the appropriate Technical Committee(s) and the Chair of the National Committee. In addition, the National Committee office shall refer all Federal Register publication(s) and materials by the Federal Highway Administration regarding traffic control devices to the appropriate Technical Committees and the Chair of the National Committee.

Article 15. REPORTS, MINUTES AND PUBLICATIONS

- 15.1 National Committee Action.** A report or recommendation of a Technical Committee or the Executive Board becomes the action of the National Committee only so far as it is approved by the Council in accordance with the Bylaws.
- 15.2 Distribution of Reports, Minutes and Recommendations.** Reports, minutes and recommendations of the Council and the Executive Board shall be available for review at the National Committee office and/or on the official National Committee website. Material that has not received the approval of the National Committee should be clearly marked as "draft" and/or "pending."
- 15.3 Restrictive Statement.** Prior to approval by the Council, any material containing a report, recommendation or proposal must state prominently at the outset that the recommendation or opinion is that of the authors rather than the position of the National Committee.
- 15.4 Transmittal.** The National Committee Chair shall transmit to federal officials, Sponsoring Organizations, Technical Committee Chair(s), and others the final actions adopted by the Council.
- 15.5 Minutes.** Minutes shall be recorded of each meeting of the Council, Executive Board and Technical Committees. At a minimum the minutes shall include: time and place of the meeting; a list of members and guests present; summary of matters discussed and actions taken; and copies of reports received, issued or approved.
- 15.6 Annual Report.** The Executive Board shall issue an annual report for the National Committee to the Sponsoring Organizations.
- 15.7 Minority Reports.** A minority report is a written report stating the views of less than half the Members of the Council or the views of less than half the members of a particular subgroup

on a recommendation approved by the Council or subgroup. Copies of the report(s) must be made at the request of its authors and appended to the report, recommendation, or proposal to which it relates.

Article 16. REPRESENTATION OF THE NATIONAL COMMITTEE

- 16.1 Representation.** Only the Chair or his/her designee shall represent or speak for the National Committee. No other member of the National Committee may represent the National Committee, the Council, or a Technical Committee before a legislative body or government agency unless specifically authorized by the Executive Board.
- 16.2 Personal Views of Members.** Any member who, when making a public utterance, permits himself/herself to be identified as having an official connection with the National Committee, Council, or of its Technical Committees, shall, if the policy of the National Committee on the subject matter of the utterance has been determined by the Council, accurately state that policy and, if he/she expresses views at variance with it, clearly identify the variance as his/her personal views. If there has not been, or if he/she has no knowledge of, any such policy determination he/she shall nevertheless identify his/her utterance as his/her personal views.

Article 17. SECRETARIAT

- 17.1 National Committee Office.** The National Committee office shall be at such place as may be designated by the Executive Board.
- 17.2 National Committee Secretary.** The National Committee Secretary shall be appointed by the Executive Board. The Secretary shall carry out secretariat services at the direction of the Executive Board and under the supervision of the National Committee Chair. The duties and responsibilities of the Secretary shall be determined by the Executive Board and include:
 - (1) Keeping the respective minutes and records of the Council and the Executive Board;
 - (2) Keeping the roster of the membership of the National Committee including a listing of its Members, Associate Members, Technical Members, and Affiliates; and keeping a listing of all committees, Working Groups, and Task Forces formed by the Council and its subgroups;

- (3) Giving notice, as required, for National Committee business.
- (4) Establishing and maintaining a checking account and other investment accounts as needed and preparing and submitting reports required by the Internal Revenue Service and state tax and regulatory agencies.
- (5) Preparing annual budgets for the National Committee and budgets for the Annual and Midyear Meetings. Such budgets shall be approved by the Executive Board.
- (6) Setting up and administering the arrangement for the meetings of the National Committee, including negotiating contracts with hotel(s) and other meeting facilities (such contracts to be approved by the Executive Board), sending meeting notices, administering the registration of delegates and other responsibilities related to these meetings.
- (7) Administering and coordinating with Technical Committee chairs and the Executive Board the applications from and the assignment of persons to the various Technical Committees.
- (8) Administering submission of Technical Committee recommendations to Sponsoring Organizations for comment.
- (9) Submitting National Committee recommendations to the Federal Register Docket, the Federal Highway Administration or other government agencies as appropriate.
- (10) Other administrative duties as directed by the Executive Board.

17.3 Working Title The Executive Board may, from time to time, designate a different working title for the Secretary.

Article 18. RECORDS

18.1 Records. The National Committee shall maintain at its office adequate records of the National Committee business. Except for personnel and membership records, such records shall be open to public inspection during regular business hours and shall be available upon request.

Article 19. FINANCES

- 19.1 Secretariat and Office Costs.** The National Committee will be responsible for the costs of secretariat services and the National Committee office services.
- 19.2 Financial Support.** Financial support of the National Committee will be borne by Sponsoring Organizations on a voluntary basis. Any Sponsoring Organization may offer financial assistance.
- 19.3 Meeting Expenses.** Meeting expenses will be borne by the participants in the meeting through a registration fee.
- 19.4 Travel Expenses.** With the exception of an action approved by the Executive Board, costs of travel expenses and per diems to members or participants will not be paid by the National Committee.

Article 20. CONTRACTS AND BANKING

- 20.1 Contracts.** The Executive Board may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.
- 20.2 Loans.** No loans shall be contracted on behalf of the corporation and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Executive Board. Such authority may be general or confined to specific instances.
- 20.3 Checks and Other Instruments.** All checks, drafts or other orders for the payment of money, notes or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the corporation shall be signed by such officer or officers, agent or agents of the corporation and in such a manner as shall from time to time be determined by resolution of the Executive Board.
- 20.4 Deposits.** All funds of the corporation not otherwise employed shall be deposited to the credit of the corporation in such banks, trust companies or other depositories as the Executive Board may select.

Article 21. ACCOUNTING YEAR

21.1 Accounting Year. The accounting year of the corporation shall begin on the first day of October and end on the last day of September of the subsequent year.

Lee Billingsley, Chair

Article 22. AMENDMENTS TO THE BYLAWS

22.1 Amendments to the Bylaws

(1) At least thirty (30) days notice of the substance of the proposed amendments shall be given to all Members, Associate Members and Sponsoring Organizations of the National Committee.

(2) At any Annual or Midyear meeting of the National Committee, the Bylaws may be amended upon votes of at least two-thirds of the Members of the Council and two-thirds of the members of the Executive Board. Unless otherwise provided an amendment becomes effective at the adjournment of the meeting at which it was first adopted by the Council and the Executive Board.

Article 23. STATUTORY AGENT

The statutory agent of the corporation effective February 22, 2000, shall be:

Robert M. Garrett
17200 West Bell Rd. No. 1135
Surprise, AZ 85374

who is and has been a resident of Arizona for at least three years. The statutory agent of the National Committee may be changed from time to time by the Executive Board.

As amended 6/21/96, 6/25/98, 1/04/01, 6/21/01, 1/10/02, 1/09/03, 6/12/03, 1/8/04, 6/24/04 and 1/19/06

CERTIFICATE

I, Lee Billingsley, the duly appointed and qualified Chair of the NATIONAL COMMITTEE ON UNIFORM TRAFFIC CONTROL DEVICES, an Arizona Corporation, do hereby certify that the above and foregoing are the Bylaws of this corporation duly and regularly adopted by the Executive Board and the Council thereof at meetings duly and regularly called.

IN WITNESS HEREOF, I have hereunto set my hand on the 19th Day of January 2006

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