

- 5.) **SAFETEA-LU Section 1402 High-Visible Apparel
Final Rule November 24, 2006
Rule stated that it was for federal aid highway, and that changes
to MUTCD for all roadway would be needed.**

Section 1A.13 – Definitions.....

96. Worker - people whose duties expose them to the risk of moving traffic or construction equipment, such as highway construction and maintenance personnel, survey crews, utility crews, emergency and incident responders including media personnel, and law enforcement personnel when directing traffic, investigating crashes, and handling lane closures, obstructed roadways, and disasters.

97. Wrong-Way Arrow –

(Revise the Guidance statement in Section 6D.03, Page 6D-4 as follows)

Guidance:

The following are the key elements of worker safety and TTC management that should be considered to improve worker safety:

- A. Training—all workers should be trained on how to work next to motor vehicle traffic in a way that minimizes their vulnerability. Workers having specific TTC responsibilities should be trained in TTC techniques, device usage, and placement.
- B. Temporary Traffic Barriers—temporary traffic barriers should be placed along the work space depending on factors such as lateral clearance of workers from adjacent traffic, speed of traffic, duration and type of operations, time of day, and volume of traffic.
- C. Speed Reduction—reducing the speed of vehicular traffic, mainly through regulatory speed zoning, funneling, lane reduction, or the use of uniformed law enforcement officers or flaggers, should be considered.
- D. Activity Area—planning the internal work activity area to minimize backing-up maneuvers of construction vehicles should be considered to minimize the exposure to risk.
- E. Worker Safety Planning—a competent person designated by the employer should conduct a basic hazard assessment for the work site and job classifications required in the activity area. This safety professional should determine whether engineering, administrative, or personal protection measures should be implemented. This plan should be in accordance with the Occupational

Safety and Health Act of 1970, as amended, “General Duty Clause” Section 5(a)(1) - Public Law 91-596, 84 Stat. 1590, December 29, 1970, as amended, and with the requirement to assess worker risk exposures for each job site and job classification, as per 29 CFR 1926.20 (b)(2) of “Occupational Safety and Health Administration Regulations, General Safety and Health Provisions ” (see Section 1A.11).

Add a new Standard at the following to Section 6D.03 on Page 6D-5 following the above guidance statement as follows:

Standard:

B. All workers exposed either to traffic or construction equipment within the temporary traffic control zone 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” (see Section 1A.11), or equivalent revisions, and labeled as ANSI 107-2004 standard performance for Class 2 or 3 risk exposure. A person designated by the employer to be responsible for the worker safety plan shall make the selection of the appropriate class of garment. When uniformed law enforcement personnel are used to direct traffic, investigate crashes, or handle lane closures, obstructed roadways, and disasters, safety apparel as described in this Section shall be worn by the law enforcement personnel.

Option

Emergency and incident responders and police personnel within the temporary traffic control zone may wear high-visibility safety apparel that meets the performance requirements of the ANSI/ISEA 207-2006 publication entitled “American National Standard for High-Visibility Public Safety Vests” (see Section 1A.11), or equivalent revisions, and labeled as ANSI 207-2006 in lieu of ANSI/ISEA 107-2004.

(Revise the existing standard in Section 6E.02, Page 6E-1 as follows)

Standard:

For daytime and nighttime activity, flaggers shall wear safety apparel meeting the requirements of ISEA “American National Standard for High-Visibility Apparel” (see Section 1A.11) and labeled as meeting 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” or equivalent revisions. The apparel background (outer) material color shall be either fluorescent orange-red or fluorescent yellow-green as defined in the standard. The retroreflective material shall be either orange, yellow, white, silver, yellow-green, or a fluorescent version of these colors, and shall be visible at a minimum distance of 300 m (1,000 ft). The retroreflective safety apparel shall be designed to clearly identify the wearer as a person.

(Revise the existing Guidance in Section 6E.02, Page 6E-1 as follows)

Guidance:

For nighttime activity, safety apparel meeting the requirements of ISEA “American National Standard for High-Visibility Apparel” (see Section 1A.11) and labeled as meeting the performance requirements of the ANSI/ISEA 107–2004 publication entitled “American National Standard for High-Visibility Safety Apparel and Headwear” for Class 3 risk exposure should be considered for flagger wear (instead of the Class 2 safety apparel in the Standard above).

(Delete the following sentence from the guidance sentence)

~~When uniformed law enforcement officers are used, high-visibility safety apparel as described in this Section should be worn by the law enforcement officer.~~

(Add a new Standard at the end of Section 6E.03 Page 6E-1 as follows:)

Standard:

Uniformed law enforcement personnel used to direct traffic within the temporary traffic control zone shall wear high-visibility safety apparel as described in this Section.

(Add a new option statement after the Standard)

Option

Police personnel used to direct traffic within the temporary traffic control zone may wear high-visibility safety apparel that meets the performance requirements of the ANSI/ISEA 207-2006 publication entitled “American National Standard for High-Visibility Public Safety Vests (see Section 1A.11), or equivalent revisions, and labeled as ANSI 207-2006 in lieu of ANSI/ISEA 107-2004.

Section 1A.11

(Support statement on Page 1A-7 should be changed to reflect the current version of the ANSI standard as follows)

13. **ANSI/ISEA 107–2004 publication entitled “American National Standard for High-Visibility Safety Apparel and Headwear” or equivalent revisions.**

Add the following publication and revise the numerical order of the remaining list:

14. **ANSI/ISEA 207-2006 publication entitled “American National Standard for High-Visibility Public Safety Vests” or equivalent revisions.**