

Title 7—DEPARTMENT OF TRANSPORTATION
Division 265—Motor Carrier and Railroad Safety
Chapter 9—Rail Fixed Guideway Systems

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SECRETARY OF STATE
ADMINISTRATIVE RULES

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PROPOSED AMENDMENT

7 CSR 265-9.050 Signs. The Missouri Highways and Transportation Commission is adding a Publisher's Note and amending sections (1) through (3).

PURPOSE: This amendment aligns the retroreflectivity standards in the rule to those in the Manual on Uniform Traffic Control Devices.

PUBLISHER'S NOTE: The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the Office of the Secretary of State and the office of the adopting agency, pursuant to section 536.031.4, RSMo. Such material will be provided at the cost established by state law.

(1) All safety, directional, warning and train control signs used on rail fixed guideway systems shall be made of aluminum or other noncorrosive material and covered with a retroreflectORIZED [or other] material to show the same shape and color by day or night. **The retroreflectORIZED material used shall meet or exceed the minimum levels specified in the Manual on Uniform Traffic Control Devices (MUTCD) (2009 Edition), which is incorporated herein by reference and made a part of this rule as published by the Federal Highway Administration (FHWA), United States Department of Transportation (USDOT), 400 7th Street SW, Room 3408, Washington, DC 20590, website: http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm.** This rule does not incorporate any subsequent amendments or additions of this manual.

(2) The signs shall be maintained in a reasonably clean condition and replaced when they have been [moderately] impaired by wear or damage. **Sign retroreflectivity shall be assessed and maintained according to the minimum retroreflectivity standards of the MUTCD (2009 Edition), which is incorporated herein by reference and made a part of this rule as published by the FHWA, USDOT, 400 7th Street SW, Room 3408, Washington, DC 20590, website: http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm.** This rule does not incorporate any subsequent amendments or additions of this manual.

(3) [In those cases where the division determines that the provisions of section (1) above will not perform effectively] **Notwithstanding section (1) of this rule,** the division may require the use of appropriate illumination for the signs.

*AUTHORITY: sections 389.1005 and 622.027, RSMo 2000. * This rule originally filed as 4 CSR 265-9.050. Original rule filed Nov. 4, 1992, effective June 7, 1993. Amended: Filed June 22, 1998, effective Feb. 28, 1999. Moved and amended: Filed Nov. 20, 2006, effective June 30, 2007. *Original authority: 389.10005, RSMo 1996 and 622.027, RSMo 1985, amended 1993, 1995. Amended: Filed October 6, 2017.*

JOINT COMMITTEE ON
OCT 06 2017
ADMINISTRATIVE RULES

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*