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SECRETARY OF STATE
ADMINISTRATIVE RULES

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

PROPOSED AMENDMENT

7 CSR 265-9.050 Signs. The Missouri Highways and Transportation Commission is amending sections (1) and (2).

PURPOSE: This amendment updates references to the *Manual on Uniform Traffic Control Devices*.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(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 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 **including Revisions 1 and 2**), which is incorporated 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] <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>. 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 impaired by wear or damage. Sign retroreflectivity shall be assessed and maintained according to the minimum retroreflectivity standards of the MUTCD (2009 Edition **including Revisions 1 and 2**), which is incorporated 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] <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>. This rule does not incorporate any subsequent amendments or additions of this manual.

AUTHORITY: sections 389.1005 and 622.027, RSMo 2016. * 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. Amended: Filed Oct. 6, 2017, effective May 30, 2018. Amended: Filed December 9, 2022.

*Original authority: 389.1005, RSMo 1996 and 622.027, RSMo 1985, amended 1993, 1995.

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

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By JCAR at 10:48 am, Dec 09, 2022

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, 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.*