



Mr. Carlos Braceras
Executive Director
Utah Department of Transportation
PO Box 141250 South 2700 West
Salt Lake City, UT 84114

August 16, 2018

Dear Carlos:

Thank you for your June 21, 2018, letter to Deputy Administrator Brandye L. Hendrickson expressing some concerns with the implementation of the American Association of State Highway and Transportation Officials (AASHTO) Manual for Assessing Safety Hardware (MASH), which is jointly being executed by AASHTO and the Federal Highway Administration (FHWA). I have been asked to reply on her behalf. Safety is FHWA's top priority, and we are committed to continuing to work with AASHTO and State departments of transportation as we transition to the most current roadside safety hardware that meets the testing criteria in AASHTO MASH.

As you know, AASHTO and FHWA have been extensively coordinating and collaborating in developing and executing the December 2015 joint MASH implementation agreement. More recently, our joint technical working group has discussed and clarified issues related to MASH implementation, issuing broad-ranging Q&As in May that are posted on the AASHTO Committee on Design Website. The AASHTO released additional information from this working group in June clarifying that the June 2018 date covers tangent terminals only, and that the sunset date for other applications, including flared terminals, are subject to the later, December 31, 2019, sunset date. The working group has recently announced, by email from AASHTO Headquarters to the Committee on Highway and Streets, another date revision related to the December 31, 2018, deadline for cable barriers and cable terminals. I know we are all proud of the efforts and products of this working group that is balancing multiple competing requirements as we all strive to improve safety.

As FHWA and AASHTO State DOT representatives work with accredited crash test lab experts in the joint technical working group to answer specific technical questions, we are also open to discussing broader topics related to the MASH implementation agreement. For instance, AASHTO and FHWA leadership had previously agreed that, if there were two MASH-compliant devices in a specific roadside safety hardware category, that fact would be sufficient reason for the States to comply with the MASH sunset dates. We would like to have further discussions with you about your suggested change in this approach and how we can appropriately consider how "acceptable to the State DOT" fits into interpreting the availability of devices.

The States are making tremendous progress in describing and documenting their processes for determining the crashworthiness of roadside safety hardware. As of August 15, 2018, 50 States have responded to the request in our April 9, 2018, memo to our Division Offices and 42 have indicated they currently have a documented process or will have one in the coming months.

Given this positive response, we plan to summarize the information we have received to assist other States, if needed, in developing or revising their own process. We believe enough progress has been made that an extension in the reporting date is not needed.

As you know, FHWA has issued roadside safety hardware eligibility letters since the 1980s. The FHWA eligibility letter process does not and cannot take the place of a State DOT's product acceptance tied to AASHTO MASH. The FHWA is a very different organization than we were 25 years ago, and we have moved along with the States toward a risk-based stewardship and oversight approach.

Along with AASHTO, FHWA is committing resources to determining a new model for third-party review of crash test results that will free up limited FHWA staff resources to focus on training of proper roadside safety hardware installation and maintenance practices and sharing of noteworthy practices with State DOTs. We are pleased that AASHTO is supportive of this approach. As we progress toward our proposed date of December 2019 as the sunset for FHWA issuing eligibility letters, we look forward to working with AASHTO and others to identify and execute a new and more effective approach that will facilitate quicker deployment of innovative products. We expect that by fostering comprehensive collaboration between States and manufacturers, State-specific needs can be accommodated safely and rapidly without relying on an eligibility letter from FHWA.

We appreciate the efforts of the State DOTs in implementing the AASHTO/FHWA joint implementation plan for MASH and continue to welcome opportunities to discuss any concerns. If you have any questions, please feel free to contact Michael Griffith, Director, Office of Safety Technologies, (202) 366-9469. A similar response has been sent to the cosigner of your letter.

Sincerely yours,

A handwritten signature in blue ink, consisting of two stylized, cursive letters 'a' and 'a'.

Elizabeth Alicandri
Associate Administrator for Safety