



U.S. Department  
of Transportation

**Federal Highway  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

July 16, 1998

Refer to: HNG-14

Mr. John Sarkisian  
MDI  
Traffic Control Products  
38271 Twelve Mile Road  
Farmington Hills, Michigan 48331-6776

Dear Mr. Sarkisian:

This is in reply to your facsimile message of July 6 to Mr. Nicholas Artimovich regarding your company's 4814DLK / 4814HDK portable sign stand.

We are currently preparing a memorandum that will accept various work zone traffic control devices tested at the Texas Transportation Institute (TTI) and found to meet the guidelines contained in the National Cooperative Highway Research Program Report 350, "Recommended Procedures for the Safety Performance Evaluation of Highway Features." As you mentioned in your message, one of your company's sign stands, model 50SM shown in an enclosed drawing, was successfully tested at TTI (test number 453580-1). The information you provided shows that the 4814DLK / 481HDK stands, also shown in the enclosures, have lower vertical metal uprights, weigh less, hold the sign lower to the ground, and have a lower spring tension allowing the sign to "give" more upon impact. Therefore, the model 4814DLK / 481HDK sign stands will be considered equally crashworthy to the model 50SM stand previously tested.

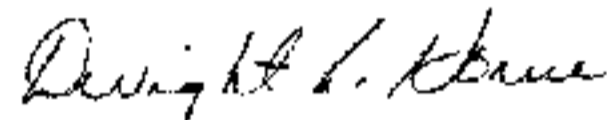
Please note that recent testing of some portable sign stands at 90 degrees shows that horizontal cross braces of tubular metal penetrate the windshield and are not considered crashworthy without additional testing. Your company's sign stands covered under this letter use a flexible fiberglass cross brace which should not cause the damage seen in the tests with the metal tube brace.

Our acceptance is limited to the breakaway characteristics of the system and does not cover its structural features nor its conformity with the Manual on Uniform Traffic Control Devices. Presumably, you will supply potential users with sufficient information on design and installation requirements to ensure proper performance. We anticipate that the States will require certification from MDI that the hardware furnished has essentially the same chemistry, mechanical properties, and geometry as those used in the previous crash testing, and that they will meet the Federal Highway Administration crashworthiness requirements.

Your company's work zone traffic control devices are proprietary products, but their use in Federal-aid projects is generally of a temporary nature. They are selected by the contractor for use as needed and removed upon completion of the project. Under such conditions they can be presumed to meet requirement "a" given below for the use of proprietary products on Federal-aid projects. On the other hand, if proprietary devices are specified for use on Federal-aid projects, except exempt, non-National Highway System projects, they: (a) must be supplied through competitive bidding with equally suitable unpatented items; (b) the highway agency must certify that they are essential for synchronization with existing highway facilities or that no equally suitable alternative exists or; (c) they must be used for research or for a distinctive type of construction on relatively short sections of road for experimental purposes.

Our regulations concerning proprietary products are contained in Title 23, Code of Federal Regulations, Section 635.411, a copy of which is enclosed.

Sincerely yours,



Dwight A. Horne  
Chief, Federal-Aid and Design Division

2 Enclosures