



Florida Department of Transportation

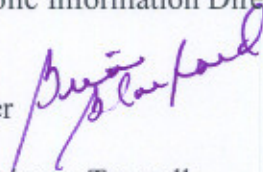
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November 19, 2008

To: District Secretaries, District Public Information Directors and
District Safety Engineers

From: Brian Blanchard, Chief Engineer 

Copies: Kevin Thibault, Dick Kane, Marianne Trussell

Subject: **High-Visibility Safety Apparel for Workers**

High worker visibility is critical for people who must perform their jobs near moving vehicles or equipment. The need to be seen by drivers and vehicle or equipment operators is a vital issue for worker safety.

The Federal Highway Administration (FHWA) established a new part in Title 23, Code of Federal Regulations (CFR) that requires the use of high-visibility safety apparel and provides guidance on its use. The Worker Visibility rule (23 CFR Part 634) goes in effect on November 24, 2008. This rule requires all people working within the public right-of-way of Federal-aid highways to wear high-visibility garments. The final Worker Visibility rule, including comments and responses, can be found online at:

http://www.workzonesafety.org/files/documents/laws_regulations/federal/nov_24_06.pdf

As the effective date is fast approaching, I want to make you aware of certain issues related to the rule:

- *Workers* are people on foot whose duties place them within the right-of way of a Federal-aid highway, such as highway construction and maintenance workers, survey and utility crews, media, first responders and law enforcement personnel when directing traffic, investigating crashes, handling lane closures, obstructed roadways and disasters.
- To comply with the rule, workers must follow the Florida Department of Transportation's (FDOT) policy for high-visibility safety apparel as shown in the *2008 Design Standards, Index 600, Sheet 4 of 12*, which can be found online at:
<http://www.dot.state.fl.us/rddesign/rd/rtds/08/600.pdf>

- The entire text from the Design Standards is included at the end of this letter. The following is a summary of its content:
 - All workers within the right-of-way shall wear high-visibility safety apparel labeled as ANSI/ISEA 107-2004 Class 2
 - Background color may be either fluorescent orange-red or fluorescent yellow-green
 - Retroreflective material shall be either orange, yellow, white, silver, yellow-green or a fluorescent version of these colors
 - Class 3 apparel may be substituted for Class 2 apparel

The department notified cities, counties and vendors of the rule in August 2005. Most cities and counties are in compliance. The notification letter can be found on line at:

<http://www.dot.state.fl.us/rddesign/updates/files/MM050810.pdf>

The rule expanded the requirement to include “workers working within the public right-of-way of Federal-aid highways,” not just state highways. *Federal-aid highway systems* include the National Highway System and the Dwight D. Eisenhower National System of Interstate and Defense Highways (the “Interstate System”). *Federal-aid highways* are the highways on the Federal-aid highway systems and all other public roads not classified as local roads or rural minor collectors. A map of Federal-aid highways for each county in Florida can be found on line at:

<http://www.dot.state.fl.us/planning/statistics/fedaid/>

For future planning, FHWA is also considering including the above high-visibility safety apparel requirements in the next edition of the Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD applies to **ALL** streets and highways open to the public, which is a much broader requirement than only Federal-aid highways. The proposed implementation for this section of the MUTCD is two years from the effective date of the Final Rule for the 2009 MUTCD. The proposed changes to the MUTCD can be found on line at:

http://mutcd.fhwa.dot.gov/resources/proposed_amend/index.htm

For additional information, please contact Cheryl Adams at (850) 414-4327.

