




U.S. Department
of Transportation
**Federal Highway
Administration**

Memorandum

Subject: **INFORMATION**: Existing Roadside
Safety Hardware Eligibility Letters
Affected by May 26, 2017 Memorandum

Date: **MAY 30 2018**

From: Michael S. Griffith 
Director, Office of Safety Technologies

In Reply Refer To:
HSST-1

To: Division Administrators
Federal Lands Division Engineers
Directors of Field Services

PURPOSE

The purpose of this memorandum is to update the FHWA Division Offices on the FHWA's implementation of process changes as described in the FHWA letter entitled 'An open letter to all in the highway safety hardware and roadside design community,' dated [May 26, 2017](#).

The open letter described changes on how requests for Federal-aid eligibility letters for roadside safety hardware systems would be accepted. In order for manufacturers and States to qualify for a Federal-aid eligibility letter, all roadside hardware devices must complete the full suite of recommended tests as described in AASHTO MASH. These changes applied to both devices in the FHWA review queue and existing letters with requests after January 1, 2016.

Manufacturers and States that had received an eligibility letter under AASHTO MASH but did not run the full suite of tests were required to run the remaining tests in order to retain the Federal-aid eligibility letter. The affected parties were provided one year from the date of the open letter to run the balance of crash tests and re-submit their request for an eligibility letter.

BACKGROUND

The FHWA notified all submitters with existing submissions in the review queue of this immediate change. The existing eligibility letters that were affected by the January 1, 2016 implementation date and that have not resubmitted the full suite of tests as described in AASHTO MASH are as follows:

1. B-268 Manitoba Constrained-Width, Tall Wall Bridge Rail
2. B-269 Manitoba Constrained-Width, Tall Wall Median Barrier
3. WZ-339 ConeLITE Synchro Lamp

Because these submissions have not completed the full suite of tests as described in AASHTO MASH, these submissions are no longer eligible for a Federal-aid eligibility letter as described in the May 26, 2017 open letter. As a result, the three eligibility letters listed above have been withdrawn.

The withdrawal of these eligibility letters does not reflect on the crashworthiness of these devices; the submissions simply do not meet the requirements for how requests for Federal-aid eligibility letters for roadside safety hardware systems are accepted, as detailed in the May 26, 2017 memorandum. As a reminder, the Federal-aid eligibility letters are provided *as a service* to the States and are not a requirement for roadside safety hardware to be eligible for Federal-aid reimbursement. Therefore, a State DOT may still accept that one of the above devices is crashworthy based on their own determination that the hardware meets AASHTO MASH.

Please share this information with your State DOT. If you have any questions, please feel free to contact William P. Longstreet at Will.Longstreet@dot.gov or 202-366-0087.

CC: Safety Field