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National Association of  
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**Corinne Kisner**  
Executive Director

December 23, 2020

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**Ms. Elizabeth Hilton**  
Office of Preconstruction, Construction and Pavements  
U.S. Department of Transportation  
1200 New Jersey Avenue SE  
Washington, DC 20590

**Re: Docket No. FHWA-2019-0030 – Proposed Rulemaking on Design Standards for Highways**

Dear Ms. Hilton,

Transportation infrastructure across the U.S. benefits from a shared foundation of practices with flexibility to meet the realities on the ground. The transportation professionals of America’s cities, towns, counties, and villages work tirelessly to improve and modernize the majority of our nation’s roads in cooperation with federal and state transportation entities. As the collective voice of local governments, we submit these comments to **FHWA-2019-0030 – Proposed Rulemaking on Design Standards for Highways** in support of the spirit of the proposed rule to allow local jurisdictions to apply the design guidance of their choice on FHWA-funded roadway projects, but strongly advise the FHWA to strengthen the coordination between states and local governments in section 625.3 to more efficiently and consistently address transportation improvements in urban and suburban contexts across the U.S.

To strengthen this coordination, the following proposed changes are requested. They are in keeping with Public Law 114 - 94 - Fixing America's Surface Transportation Act" (FAST Act) as well as the FHWA’s description of its goals for the proposed rule:

**In § 625.3 (a)(4), replace “may” with “shall”** to strengthen the directive to states to defer to recognized, adopted city design guidance on non-Interstate, locally-owned, directly-Federally-funded projects, and add language applying this directive to Federal funds that pass through a state.

The revised language is as follows:

- (4) A State ~~may~~ shall allow a local jurisdiction to design a project using a roadway design publication that is different from the roadway design publication used by the State in which the local jurisdiction resides if—
- § (i) The local jurisdiction is a direct recipient of Federal funds for the project, or the local jurisdiction receives Federal funds through a subaward from the State;

As a coalition of U.S. cities, counties, towns, and villages who manage local roads and transit agencies, including the creators of leading urban transportation guides such as the NACTO *Urban Street Design Guide*, we know this proposed rule, with key changes proposed above, will provide local governments with the much-needed flexibility to use design standards suited for local conditions and in accordance with today's best practices.

These comments are filed on behalf of the:

**National League of Cities (NLC)**  
**National Association of Counties (NACo)**  
**National Association of City Transportation Officials (NACTO)**  
**Association of Metropolitan Planning Organizations (AMPO)**  
**American Public Works Association (APWA)**  
**National Association of Regional Councils (NARC)**

Sincerely,



Corinne Kisner  
Executive Director, NACTO



Matthew Roe  
Technical Lead, NACTO