



National Association of
State Energy Officials

Stephanie Pollack, Acting Administrator
Federal Highway Administration
U.S. Department of Transportation
1200 New Jersey Ave SE
Washington, DC 20590

RE: Comments for Docket No. FHWA-2020-0001, Notice of Proposed Amendment (NPA) on the Manual on Uniform Traffic Control Devices (MUTCD)

Dear Acting Administrator Pollack:

The National Association of State Energy Officials (NASEO) thanks you for the opportunity to submit comments to Docket No. FHWA-2020-0001: Notice of Proposed Amendment (NPA) on the Manual on Uniform Traffic Control Devices (MUTCD). NASEO submits these comments on behalf of the State Energy Office and Departments of Transportation participants of the Regional Electric Vehicle Plan for the West (REV West), as well as Clean Cities Coalition partners in the region. The REV West Memorandum of Understanding was signed in 2017 by Governors from Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming. Since then, state governments across the region have worked to coordinate and develop electric fast-charging corridors, with the goal of facilitating interstate travel for electric vehicles (additional information about REV West and Clean Cities Coalitions can be found in the “About Us” section). Rules for highway signage are integral to our efforts.

FHWA’s proposed revisions to the MUTCD would limit the possibilities for signage of electric vehicle charging stations, and would inhibit efforts to expand charging station awareness nationwide. Rules for highway signage are integral to our partnership’s efforts, and the proposed MUTCD revisions would hinder electric vehicle adoption by making it more difficult for electric vehicle drivers to locate stations. Additionally, the revisions would rapidly become antiquated as the automotive fleet transitions to electric vehicles – a transition that is happening quickly, as major automakers increasingly commit to eliminating gasoline-powered vehicles.

Our coalition of State Energy Offices, State Departments of Transportation, and Clean Cities Coalitions has the following concerns:

1. The proposed changes curtail market access to electric vehicle drivers seeking alternative fueling stations by providing gasoline fueling

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stations with more opportunities for advertising and station awareness than will be allowed for alternative fueling stations;

2. The proposed changes may pose safety risks to drivers of electric vehicles as these rules would in effect encourage them to operate cell phones while driving in order to locate appropriate charging stations.
3. The current MUTCD rules only provide for “Electric Vehicle Charging General Service Signs” or “Alternative Fuel Corridor Signs,” neither of which provide sufficient information for electric vehicle drivers to know where or what type of charging is available; and

Below is more detail on our concerns with the proposed changes, as well alternative approaches that aim to open market access, treat fuel types and providers equally, and provide safe and reliable directions to electric vehicle charging stations.

Problems with Proposed Revisions:

As written, MUTCD revisions would prohibit electric vehicle charging stations from advertising on “Specific Service Sign Panels” and limit the option for “supplemental messages” identifying the availability of electric vehicle charging. This would allow two options for electric vehicle related highway signs to “Electric Vehicle Charging General Service Signs” or “Alternative Fuel Corridor Signs.”

These revisions would limit market access for electric charging stations and curtail consumer choice by granting special rights and opportunities for advertisement for gasoline and diesel fuel providers. Such action is out of step with the energy policies of most states and the nation’s automakers, and will contribute to the public misconception that electric vehicle charging is not widely available. Further, the impacts of the proposed action are counter to bipartisan state government and federal government policies and actions to open market access to additional fuel providers. As many governors and U.S. automakers make unprecedented commitments to, and investments in electric vehicle production and utilization, the proposed MUTCD rule change would impair electric vehicle adoption and ease-of-charging for years to come. The proposed action conflicts with mainstream transportation policy and should be modernized.

The rule change also poses safety risks. The proposed signage opportunities for electric vehicle charging do not provide enough information for drivers to determine if stations are appropriate for their vehicle, nor identify the charger’s location, potentially prompting electric vehicle drivers to operate phones on the highway or risk being stranded.

Proposed Alternative Revisions:

- 1) The MUTCD proposed revisions would prohibit electric vehicle charging stations from advertising under the “Gas” category on Specific Service Sign Panels, to avoid driver confusion. We recommend replacing the term “Gas” with “Fuel,” and defining the term “Fuel” within the manual to include the alternative fuels referenced by Congress within the FHWA Alternative Fuel Corridor Program under 23 U.S.C. 151

(natural gas, propane, electricity, and hydrogen). This will avoid driver confusion, but also ensure that ***all*** drivers are supported by road signs, not just drivers of gas-powered vehicles. This solution would also work into the future as more and more vehicles are powered by alternative fuels. This model is successfully underway and in use on California highway signs.

- 2) Some have posited that electric vehicle drivers can use smart phone apps in lieu of highway signs. This statement is true for any type of fuel, not just alternative fuels. We advocate a fuel neutral approach that does not provide unfair market advantages to specific fuel types. Encouraging the use of cell phones on high-speed interstates is counter to safety goals of every Department of Transportation around the country. No driver should need to sacrifice their safety in order to fuel or charge their vehicle.
- 3) We recommend allowing for supplemental messages for “Electric Vehicle Charging” to appear on signs for gas stations, hotels, restaurants, and tourist attractions, as well as wayfinding signs to electric vehicle charging stations, as allowable for fossil fuels. This information is more important to provide to electric vehicle drivers than traditionally fueled vehicles. While gasoline fueling is mostly done at national chains, recognizable by most consumers, electric vehicle charging is often hosted by restaurants, hotels, tourist destinations, and other types of public establishments. Additionally, there is not a uniform charger type as found at gasoline stations. Thus, information on what type and speed of charging is available is vital information for drivers. We have heard many stories of electric vehicle drivers relying just on the General Service Sign for Electric Vehicle Charging (Figure 1), only to be stranded at a non-compatible Tesla station, or a Level 2 charger that takes hours to provide a sufficient charge.

Finally, in December 2020, Congress directed FHWA “to allow the use of Specific Service Signs for electric vehicle charging stations” in the MUTCD. The proposed changes go in the opposite direction and reduce the opportunities to inform drivers about electric vehicle charging.



Figure 1: EV
Charging General
Service Sign

Conclusions:

Thank you for this opportunity to provide comments on the Proposed Revisions for the MUTCD. The goal of the REV West State Energy Office and State Department of Transportation participants, as well as the region’s Clean Cities Coalitions is to facilitate an easy user experience for electric vehicle drivers, and support state goals to promote vehicle electrification and electric vehicle tourism. Unfortunately, the proposed revisions move in the opposite direction of state goals and the clear trend and future of the auto market. Instead, the proposed approach appears to favor specific fuel types, and creates the strong potential for an unsafe driving experience for

drivers of alternative fuel vehicles. We strongly encourage a fuel-neutral approach that ensures a seamless, predictable, and safe driving experience for drivers and others on the road.

Best regards,

A handwritten signature in blue ink, appearing to read "D. Terry", with a horizontal line drawn through the middle of the signature.

David Terry
Executive Director, NASEO

About Us:

These comments were submitted by NASEO on behalf of State Energy Offices and Departments of Transportation in the REV West region, as well as Clean Cities Coalitions in the intermountain west. These comments reflect the concerns of the Arizona Department of Administration; Valley of the Sun Clean Cities Coalition; Colorado Energy Office; Colorado Department of Transportation; Denver Metro Clean Cities Coalition; Northern Colorado Clean Cities Coalition; Idaho Governor's Office of Energy and Mineral Resources; Idaho Department of Transportation; Treasure Valley Clean Cities Coalition; Montana Department of Environmental Quality Energy Office; Yellowstone-Teton Clean Cities; Nevada Governor's Office of Energy; Nevada Department of Transportation; New Mexico Energy, Minerals, and Natural Resources Division; New Mexico Department of Transportation; Land of Enchantment Clean Cities Coalition; Utah Governor's Office of Energy Development; Utah Department of Transportation; Utah Clean Cities Coalition; Wyoming Department of Transportation; and the Wyoming Energy Authority. These comments were developed in coordination with Georgetown Climate Center and the Northeast States for Coordinated Air Use Management; both of these organizations submitted their own comment letters for this process.

About REV West:

In 2017, Governors from Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming signed a Memorandum of Understanding (MOU) to develop a Regional Electric Vehicle Plan for the West, with the goal of supporting a seamless electric vehicle driving experience along key driving corridors in the intermountain west. The REV West states have achieved several key accomplishments in support of the MOU: there are over 100 new direct-current fast-charge (DCFC) stations along regional corridors; voluntary minimum standards for DCFC stations were released and adopted by numerous intermountain states; and states have streamlined EV policy and program design processes by regularly meeting to exchange model policies and best practices. In 2019, all eight REV West governors (four of whom were newly elected in 2018), signed an updated MOU to signal their recommitment to the agreement and broad support for transportation electrification.

About Clean Cities:

Clean Cities coalitions support the nation's energy and economic security by building partnerships to advance affordable domestic transportation fuels, energy efficient mobility systems, and other fuel-saving technologies and practices. At the local level, nearly 100 coalitions leverage these resources to create networks of local stakeholders that advance transportation projects. Coalitions serve as the foundation of Clean Cities by implementing transportation projects in communities across the country. These public-private partnerships are comprised of businesses, fuel providers, vehicle fleets, state and local government agencies, and community organizations.

About NASEO:

NASEO is the only national non-profit association for the governor-designated energy officials from each of the 56 states and territories. Formed by the states in 1986, NASEO facilitates peer learning among state energy officials, serves as a resource for and about state energy offices, and advocates the interests of the state energy offices to Congress and federal agencies. NASEO provides facilitation and analytical support to the REV West states.