

MOSCOW ARTS COMMISSION



Lauren McCleary
Chair

~Agenda~

Megan Cherry
Staff Liaison

<https://www.ci.moscow.id.us/452/Moscow-Arts-Commission>

Tuesday, January 10, 2023

5:00 PM

**Council Chambers
206 E. 3rd St.**

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. Reading of the Mission Statement

The mission of the Moscow Arts Commission is to enrich the community by celebrating and cultivating the expression of all forms of art and culture.

Fulfillment of this purpose shall be based upon the following values:

- Recognition and promotion of artists' value by creating opportunities for work to be experienced.
- Facilitation and promotion of the social, educational, and economic value of all forms of art and culture in the community.
- Performance of leadership, collaboration, and outreach in the conversation between all forms of art and culture with partner agencies, city leaders, and the community.

2. Approval of Moscow Arts Commission November 8, 2022 Minutes (ACTION ITEM)

PROPOSED ACTION: Approve minutes, amend minutes, or take such other action deemed appropriate.

3. Public Comment and Response to Previous Comments (limited to 10 minutes)

Members of the public may speak to the Commission regarding matters NOT on the agenda or currently pending before the Commission. Please state your name and address for the record and limit your remarks to three (3) minutes.

4. Election of MAC Chair and Vice Chair (ACTION ITEM)

PROPOSED ACTION: Discuss and elect a Chair and Vice Chair for 2023.

5. 2023 Vinyl Wrap RFP (ACTION ITEM)

The annual call for vinyl wrap designs is scheduled to be published on January 17. The program invites artists to submit print-ready designs for installation in vinyl on traffic control boxes throughout the community. Installations slated for this year include the replacement of vinyl on five boxes already incorporated into the collection. Changes to the program in 2023 include an increased artist honorarium; selected artists will receive \$700 for the 5-year use of their image, compared with \$600 in 2022. Following extraordinarily high response to this program in recent years, the program is set to accept one submission from each artist rather than three, as has been done in the past.

PROPOSED ACTION: Approve the 2023 Vinyl Wrap RFP as presented, or take such other action deemed appropriate.

6. Storm Drain Mural RFP (ACTION ITEM)

The 2023 Storm Drain Mural RFP is scheduled to be published on January 30. The program invites artists to submit designs for miniature murals installed on sign stands located near storm drains. Shifts to this program in 2023 include the option for artists to either hand paint their design or provide a print-ready file for a vinyl installation. Per the MAC's recommendation in 2022, the opportunity is also being published during the school year to maximize student and classroom engagement with the project.

PROPOSED ACTION: Approve the 2023 Storm Drain Mural RFP as presented, or take such other action deemed appropriate.

REPORTS

1. Volunteer Hour Tally for November & December 2022 (Petit)

2. MAC Volunteer Shifts (Cherry)

Artwalk @ TSG	Thurs., Jan. 19	4 p.m. – 5:30 p.m.	_____
		5:30 p.m. – 7 p.m.	_____
Tiny Poem Workshop	Sat., Feb. 11	9:30 a.m. – 12:30 p.m.	_____

3. Staff Report (Cherry)

Deutchman Donation
Frank Werner Duck
Artwalk January
Obsession
Tiny Poem Workshop
Rainbow Crosswalk Proposal
City Staff Update

ADJOURN

NOTICE: It is the policy of the City of Moscow that all City-sponsored public meetings and events are accessible to all people. If you need assistance in participating in this meeting or event due to a disability under the ADA, please contact the City's ADA Coordinator by phone at (208) 883-7600, TDD (208) 883-7019, or by email at adacoordinator@ci.moscow.id.us at least 48 hours prior to the scheduled meeting or event to request an accommodation. The City of Moscow is committed to ensuring that all reasonable accommodation requests are fulfilled.

MOSCOW ARTS COMMISSION



Lauren McCleary
Chair

~Minutes~

Megan Cherry
Staff Liaison

<https://www.ci.moscow.id.us/452/Moscow-Arts-Commission>

**Tuesday, November 8,
2022**

5:00 PM

**Council Chambers
206 E. 3rd St.**

WELCOME AND ATTENDANCE

The meeting was called to order at 5:09 p.m.

IN ATTENDANCE: Kathryn Bonzo, Sue Clark, Sonja Foard, Aaron Johnson, Erica Wagner, David Wilson, Donna Woolston

ABSENT: Cindy Barnhart, Katherine Clancy (Vice Chair), Lauren McCleary (Chair), Sandra Stoops

OTHER: Maureen Laflin (City Council Liaison), Megan Cherry (Arts Manager), Amy Petit (Arts Administrative Specialist)

REGULAR AGENDA

1. Reading of the Mission Statement

The mission of the Moscow Arts Commission is to enrich the community by celebrating and cultivating the expression of all art forms and culture.

Values:

- Recognize and promote artists' value by creating opportunities for work to be experienced.
- Facilitate and promote the social, educational, and economic value of all art forms and culture in the community.
- Provide leadership and act as a resource in the conversation of all art forms and culture with partner agencies, city leaders, and the community.

The Mission Statement was read by Foard.

2. Approval of Moscow Arts Commission October 11, 2022 Minutes (ACTION ITEM)

PROPOSED ACTION: Approve minutes, amend minutes, or take such other action deemed appropriate.

The October minutes were reviewed by the Commission. Bonzo moved, Wagner seconded to approve the minutes as presented. Roll Call Vote: Ayes: Six (6). Nays: None. Abstentions: One (Woolston).

Members of the public may speak to the Commission regarding matters NOT on the agenda or currently pending before the Commission. Please state your name and address for the record and limit your remarks to three (3) minutes.

4. 2022 Mayor's Arts Awards (DISCUSSION)

5. December Arts Education MACTivity (DISCUSSION)

REPORTS

Commission members provided their volunteer hours for October.

Johnson entered the meeting at 5:24pm

Cherry discussed meeting with McCleary and Wagner about the upcoming Poet Laureate activities. The Tiny Poem workshop will be held on Saturday, February 11, 2023 in Council Chambers and participants will make poems on buttons. The Poetry in the Park event will be held August 24, 2023 in lieu of holding an April Poetry Relay event. Stacy Boe Miller may also be invited to emcee the Entertainment in the Park again next year.

Artwalk @ TSG Thurs., Nov. 17 4 p.m. – 7 p.m.

Artwalk/MACtivity @ TSG Thurs., Dec. 15 3 p.m. – 6 p.m.

Lauren McCleary
Donna Woolston
Erica Wagner (Setup)
Sue Clark (4-5 p.m.)

Woolston, Wagner, and Clark volunteered to help with the December Artwalk.

4. Staff Report (Cherry)

Artwalk

Cherry explained that there would be 9 host locations for the November Artwalk including all six season hosts plus some new monthly hosts.

Doyle/Becker Installation

Cherry reported that the installation of J. Casey Doyle's sculpture, *Access*, and the Becker Memorial dedication ceremony were successful with 106 attendees at the Intermodal Transit Center on November 4. There will be additional follow-up work with the sculpture to get permanent signage and lighting installed.

Deutchman Donation

Cherry expected the arrival of the artwork from the Deutchman Donation (the 12" x 12" untitled neon piece and the 70" x 48" painting, *Origins*) on Monday, November 14. The works would then be photographed and installed.

December MAC meeting cancellation

Cherry reported that the regular MAC meeting, scheduled for December 13, would be cancelled due to lack of agenda items.

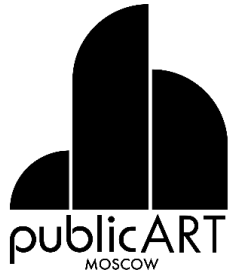
Current Arts Opportunities: Sum of Our Parts

Cherry encouraged Commission members to reach out to artists interested in submitting to the open call for *Sum of our Parts*, an exhibition opening at the Third Street Gallery in January.

Commission members asked Cherry to clarify how items brought up for comment move through the City approval process. Cherry explained that any MAC member can propose a discussion item for a regular meeting, and that some items merit administrative review prior to coming to the MAC as an action item. Items recommended by the MAC move through the Council approval process. Any project-based funding would need to be proposed as part of the regular budget process.

ADJOURN

The meeting adjourned at 5:52 pm.



2023 Call for Public Art Vinyl-Wrapped Traffic Signal Boxes

Project Description

The City of Moscow invites artists to submit designs for vinyl-wrap installations on traffic signal boxes. Artworks featured on vinyl-wrapped boxes have been a part of the City of Moscow's temporary public art collection since 2012. This project provides public space for artists to share their two-dimensional work with the public, and beautifies street fixtures throughout the community. Each year, a selection panel chooses several artworks to be displayed at locations throughout Moscow for a period of up to 5 years. These works are enjoyed by Moscow's visitors and residents alike, and have become a cherished element of the visual landscape.

Eligibility

This call is open to artists 18 years-of-age or older who live in Latah County, Nez Perce County, Asotin County, Whitman County, Nez Perce or Coeur d'Alene tribal members. Artists are eligible regardless of race, color, religion, national origin, gender, marital or familial status, physical or mental disability, sexual orientation, and gender expression or identity. Artist teams are eligible to apply, including teams of artists from multiple disciplines. Selection panelists and their immediate family members are not eligible for participation. No artist sitting on a Selection Panel may submit a proposal for the project for which the Selection Panel was formed.

Project Timeline (subject to change)

January 17 – February 24, 2023	Submission Period
March 2023	Artwork Selection
April - June 2023	Artwork Installation

Honorarium and Image Use Agreement

1. Selected artists will complete an Image Use Agreement releasing artwork for display at the specified location for up to five years.
2. Each selected artist will receive an honorarium of \$700 upon completion of the Image Use Agreement.
3. The City of Moscow will incur all costs related to installation.

Submission Requirements

1. Artists may submit one full-size design for consideration.
Design must be scaled to fit the dimensions of a specific box. (See the site details).
2. **For Selection Panel review:** Submit a JPEG file of the design at 72 DPI
3. **For printing of final artwork:** Submit an EPS file of the design at a minimum of 100 DPI in CMYK.
All fonts must be converted to outlines/curves or all text layers must be rasterized.
4. Artists who need help with file preparation can consider hiring a local graphic design firm.
5. Artist submissions will only be accepted online via Submittable. Emailed or hand delivered submissions will not be considered by the selection panel.

File set-up instructions for imagery created in Adobe Photoshop or Illustrator:

Create the initial design at the height and total length of a specific box size stated in the site details.

To create the JPEG file for selection panel viewing:

1. Export the JPEG file at 72 DPI in either Photoshop or Illustrator.
 - a. Photoshop: On the menu bar, choose "File" → "Export" → "Export As" → "JPG"
 - b. Illustrator: On the menu bar, choose "File" → "Export" → "Export As" → "Save as type JPEG" → "Color Model: RGB" → "Quality: Medium" → "Resolution: Screen (72 ppi)"

To create the file for final printing if design is selected for installation:

2. Submit individual EPS files for each design. These files must be set at 100 DPI or larger at full printing size.
3. Build the file in CMYK color mode. To check or convert images/objects, use the following:
 - a. Photoshop: On the menu bar, choose "Image" → "Mode" → "CMYK Color"
 - b. Illustrator: On the menu bar, choose "File" → "Document Color Mode" → "CMYK Color"
4. To convert text to outlines, use the following:
 - a. Photoshop: Select the text with the Selection Tool and on the menu bar, choose "Type" → "Convert to Shape"
 - b. Illustrator: Select the text with the Selection Tool and on the menu bar, choose "Type" → "Create Outlines"

Selection Process

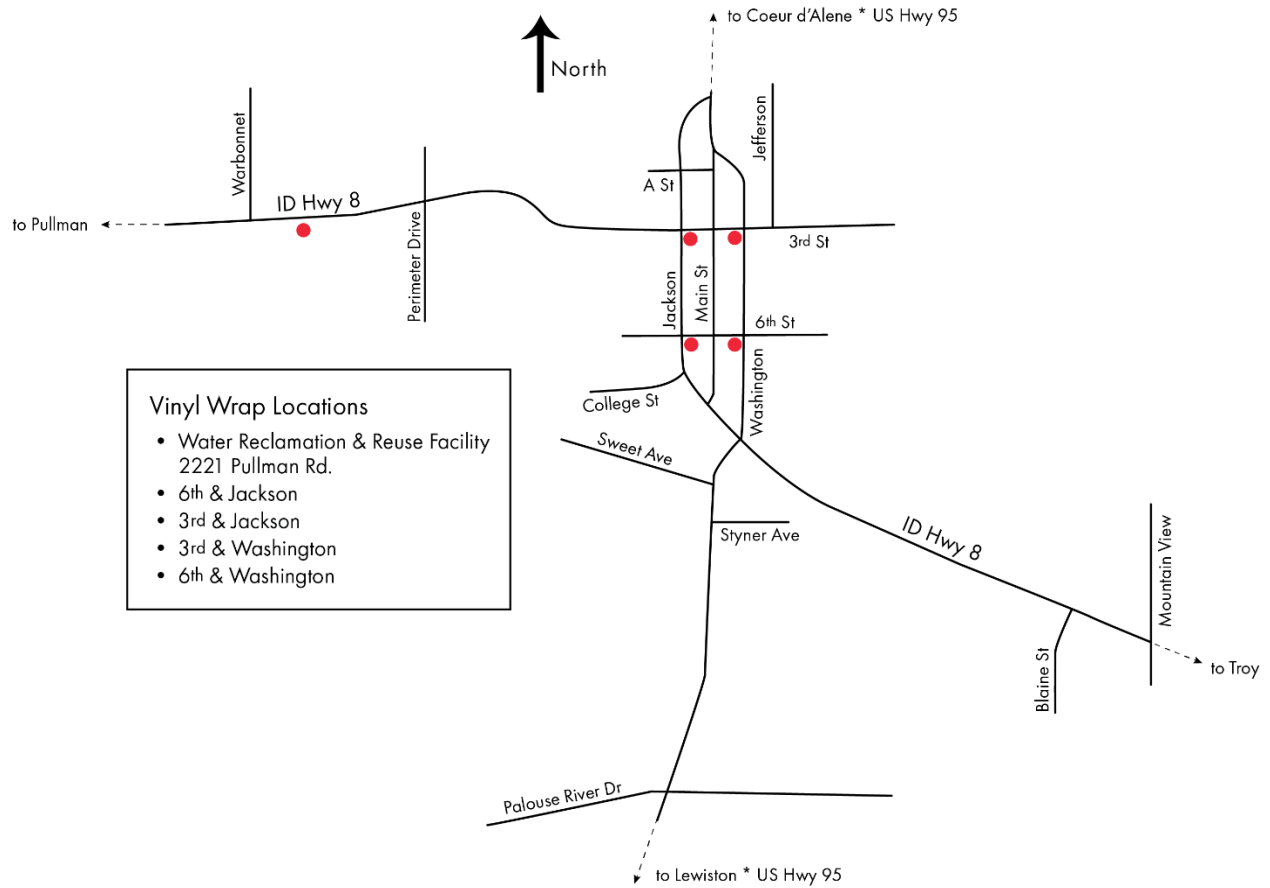
The Selection Panel will select designs based on the works' alignment with the criteria below, and will be comprised of the following voting members:

- | | |
|------------------------------------|--------------------------|
| 1 – Moscow Arts Commission Member | 1 – Technical Consultant |
| 2 – Local Business Representatives | 1 – City Staff Member |

Selection Criteria

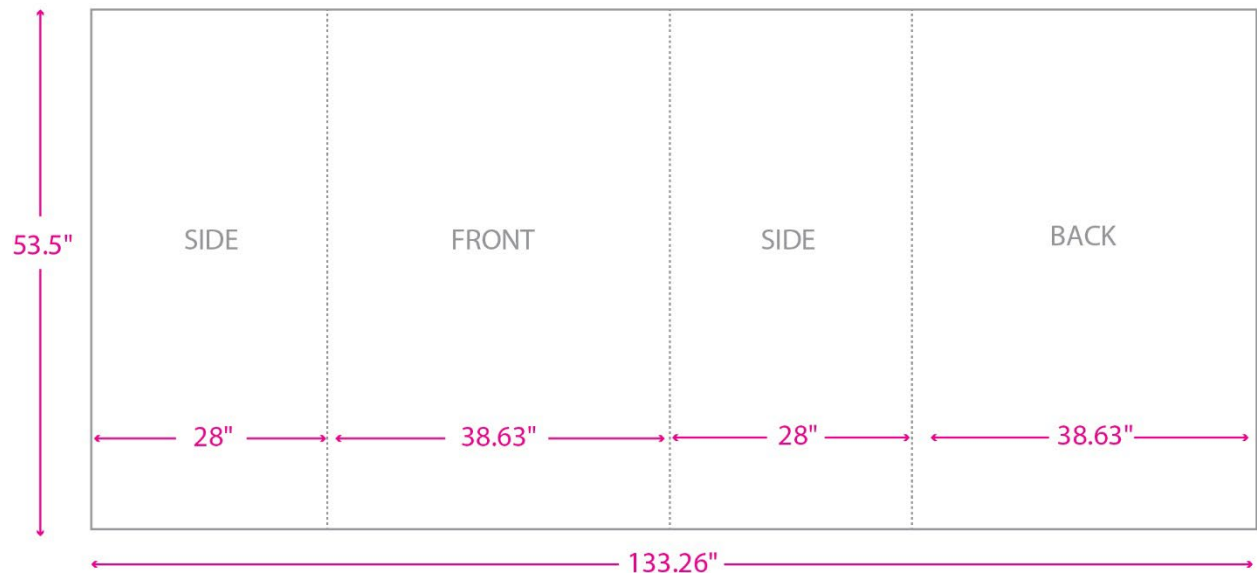
1. Conceptual Quality and Originality
 - a. The artist presents a compelling concept.
 - b. The proposed design is original to the presenting artist.
2. Form
 - a. The proposed design reveals mastery of formal craftsmanship.
 - b. The colors used, if any, are chosen with an awareness of local educational institutions as well as their athletic rivals.
 - c. The design files are prepared according to stated parameters and are scaled to fit the specific locations stated in the RFP.
3. Content and Context
 - a. The artwork's subject matter and content is appropriate for public exhibition and does not contain advertising, religious references, sexual content, negative imagery, or convey political partisanship.
 - b. The content of the proposed design is relevant to the City of Moscow's values, culture, and people.
 - c. The proposed design reflects the architectural, historical, geographical, geological, and socio-cultural context of the site.
 - d. The proposed design serves to visually activate or enhance the location.

Site Locations



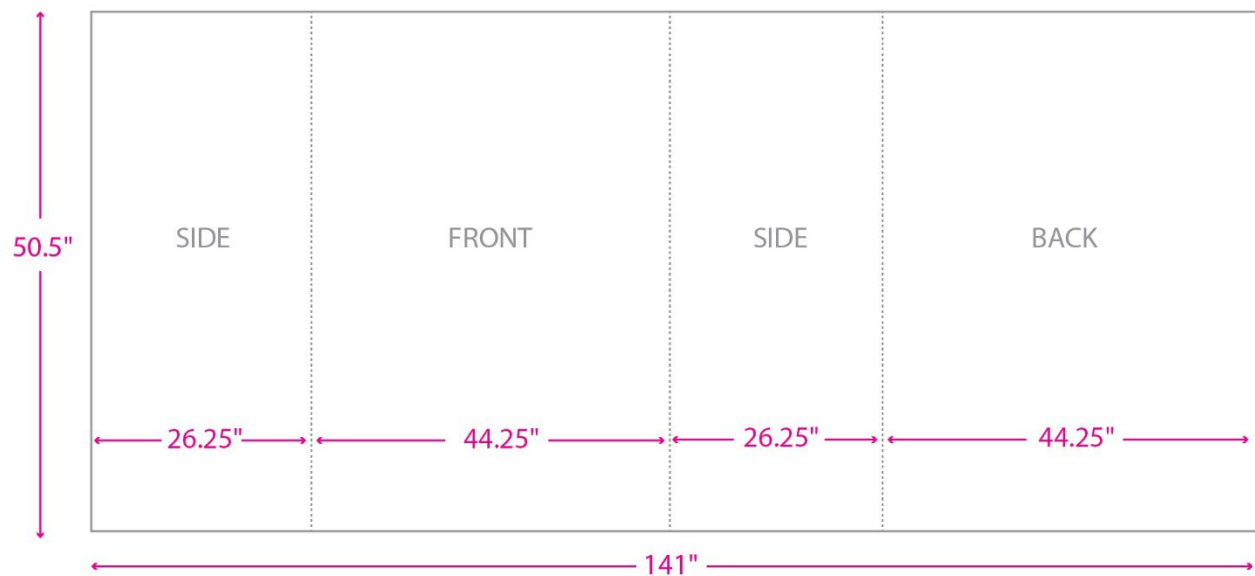
Site details for the Water Reclamation & Reuse Facility 2221 Pullman Rd.

Approximate size of total printed wrap: 53.5" high x 133.26" wide



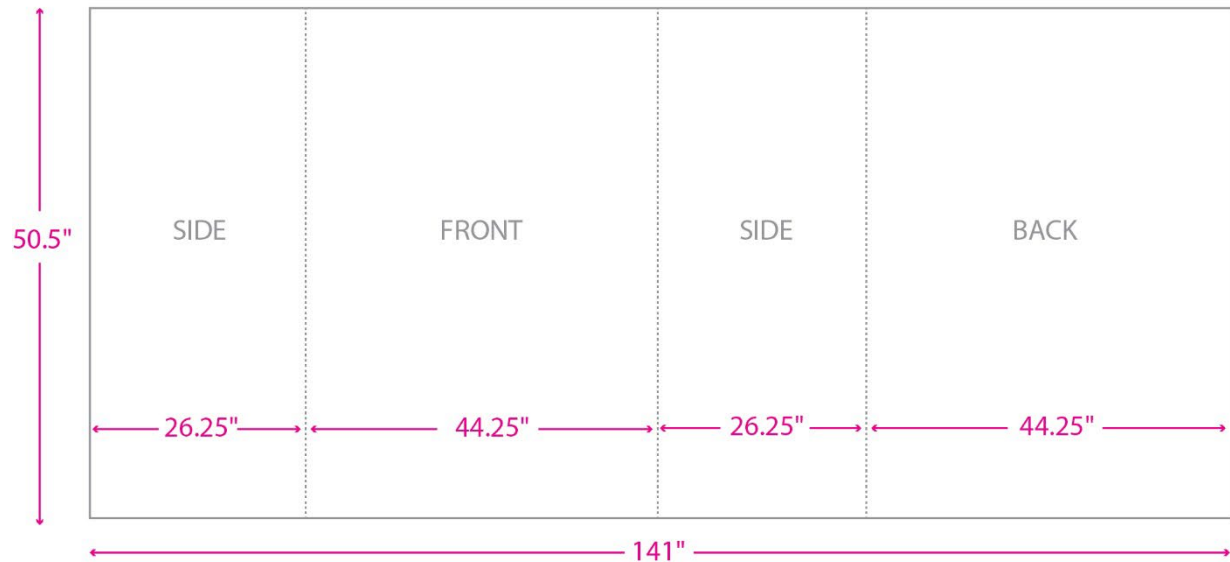
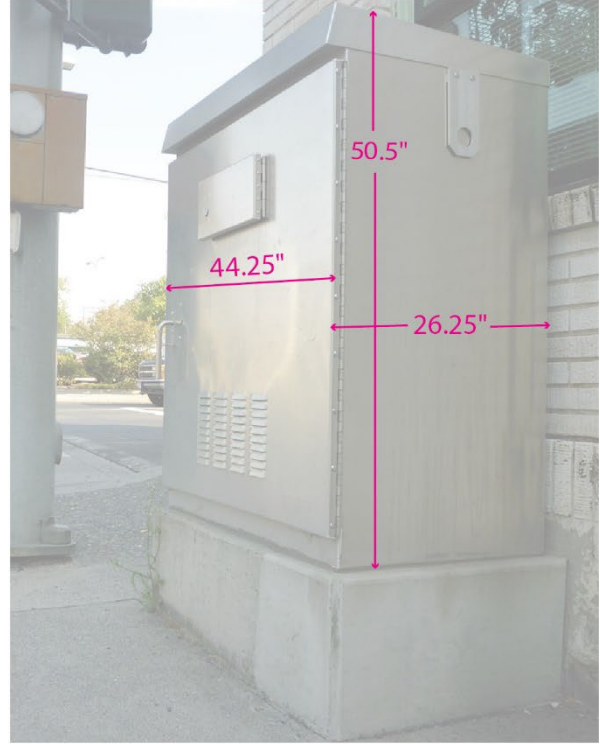
Site details for 6th & Jackson

Approximate size of total printed wrap: 50.5" high x 141" wide



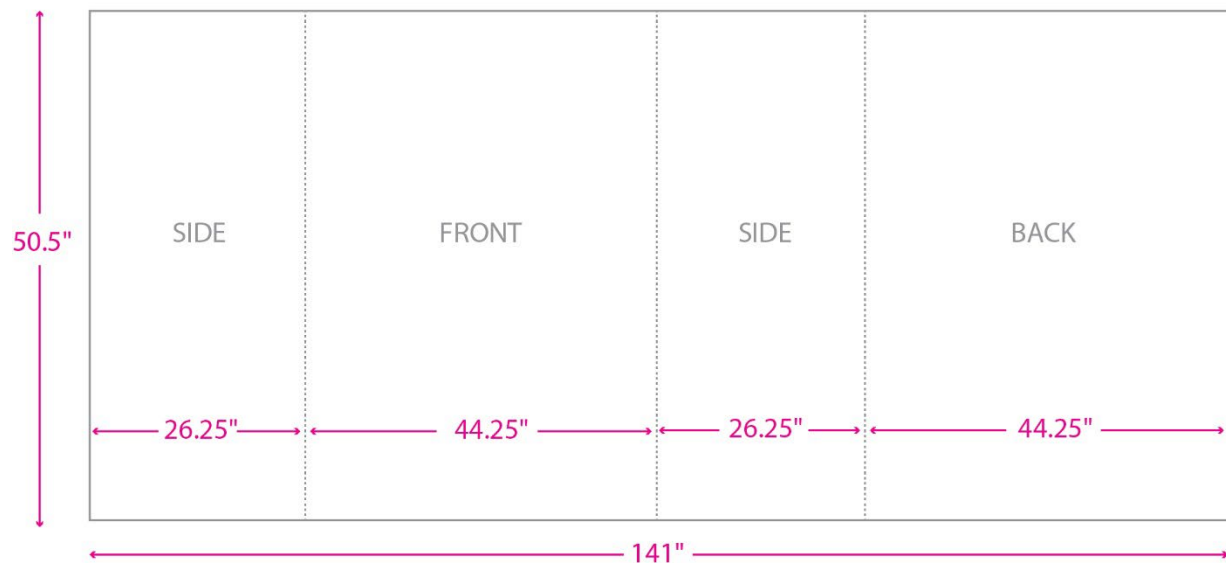
Site details for 3rd & Jackson

Approximate size of total printed wrap: 50.5" high x 141" wide



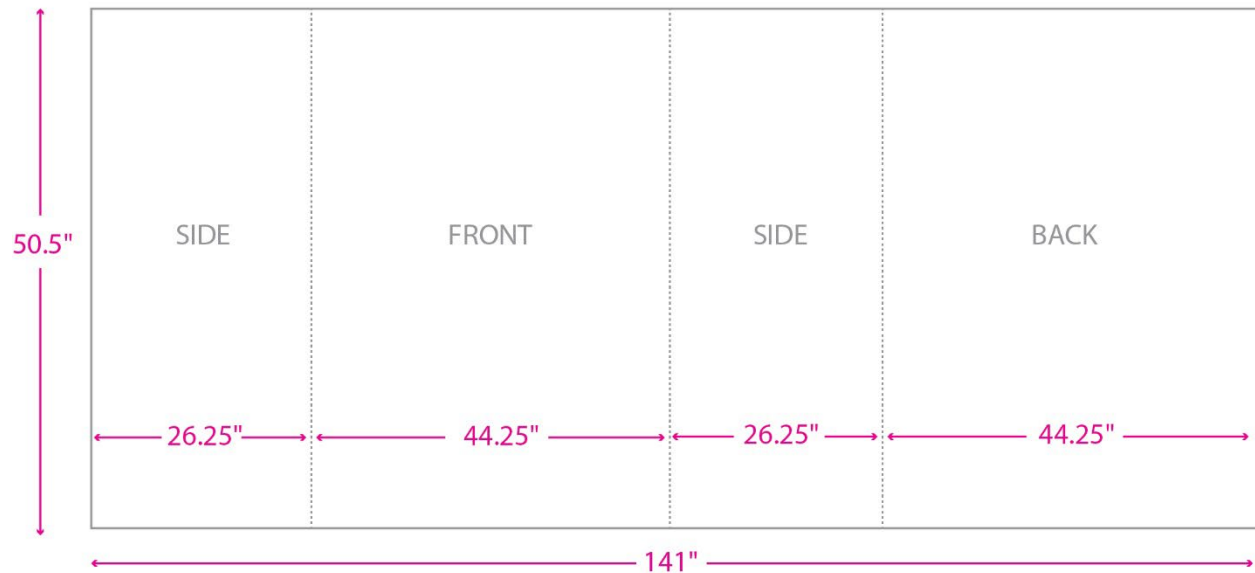
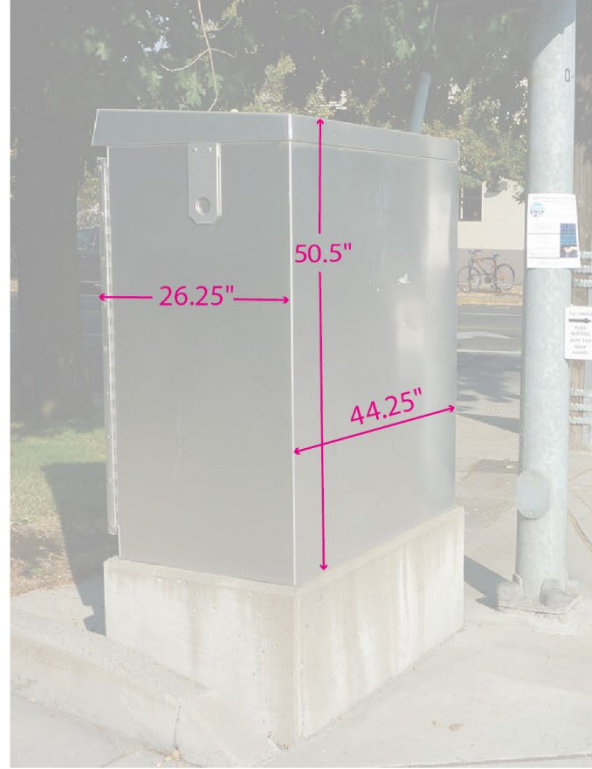
Site details for 3rd & Washington

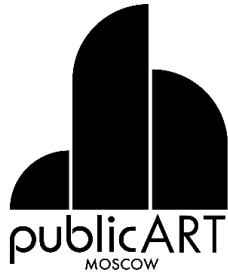
Approximate size of total printed wrap: 50.5" high x 141" wide



Site details for 6th & Washington

Approximate size of total printed wrap: 50.5" high x 141" wide





2023 Call for Public Art Storm Drain Murals

Project Description

The City of Moscow invites artists to submit designs for mobile mini-murals on sign stands, to be placed near highly-visible storm drain inlets. This project provides public space for artists to share their two-dimensional artwork with the public, and beautifies street fixtures throughout the community. Up to two selected artists will install hand-painted murals or provide designs for vinyl installation on City-provided sign blanks to communicate the function of our City's storm sewer system and its connection to local streams. The murals will be on display for two to four years.

Like many cities, the City of Moscow's Municipal Separate Storm Sewer System (MS4) flows directly into local waterways, including Paradise Creek. Paradise Creek and the South Fork of the Palouse River are listed as impaired waterbodies by the Idaho Department of Environmental Quality. In October 2019, the City was issued a Phase II National Pollutant Discharge Elimination System MS4 permit by the United States Environmental Protection Agency. This permit gives the City legal authority to discharge surface water into our local receiving waters. It also lays out specific requirements that the City of Moscow must meet to maintain compliance with its provisions. As part of one of these requirements, Moscow is required to conduct Public Education and Outreach activities. Stormwater murals are a way to meet portions of this provision in a way that engages the community, aligns with the City's commitment to the Arts, and supports local artists.

Stormwater runoff from streets, parking lots, and other impervious surface areas, does not go to the Water Reuse & Reclamation Facility for treatment like sanitary sewage does. The water, and whatever it carries, can affect the water quality of our local streams and rivers, as well as those downstream. Things like trash, cigarette butts, sediment, nutrients from fertilizer and dog waste, oil, paint, etc. can degrade water quality and habitat for aquatic life. Successful submissions will be those that address the impact that stormwater has on the ecosystem as well as communicating the shared responsibility to protect precious resources.

Eligibility

This call is open to youth and adult artists who live in Latah County, Nez Perce County, Asotin County, Whitman County, Nez Perce or Coeur d'Alene tribal members. Artists are eligible regardless of race, color, religion, national origin, gender, age, marital or familial status, physical or mental disability, sexual orientation, and gender expression or identity. Artist teams are eligible to apply, including teams of artists from multiple disciplines. Selection panelists and their immediate family members are not eligible for participation. No artist sitting on a Selection Panel may submit a proposal for the project for which the Selection Panel was formed.

Project Timeline (subject to change)

January 30 – March 9, 2023	Submission Period
March 2023	Artwork Selection, Notification, and Agreements
May 1, 2023	Finished Artworks Delivered

Honorarium and Art Purchase Agreement

1. Selected artists will complete an Art Purchase Agreement.
2. Each selected artist will receive an honorarium of \$300 upon completion of the artwork.
3. The City of Moscow will incur all costs related to sign stands, 36" x 18" aluminum sign substrates, surface preparation, and protective clear coat. The City will also provide exterior-grade acrylic paints for the artists' use, though the artist will be responsible for providing all other tools and supplies.
4. A variety of promotions such as press releases, social media posts, and educational events will follow the completion of the murals. Artists may be called upon for media events such as interviews or photo opportunities.

Submission Requirements

1. Artwork submissions will be accepted via Submittable, the City's online submission management system. No emailed or hand-delivered submissions will be accepted.
2. Artists may submit up to three separate designs for consideration.
3. Each design submission must be presented approximately to the scale of the 36" x 18" sign.
4. Submit JPEG file(s) of each design at 72 DPI.
5. At the time of submission, artists will select either hand-painted or vinyl installation of their design. In the instance that a selected design is hand-painted, the artist must use paint materials provided by the City. Designs intended for installation in vinyl will require a full-size EPS file at time of submission.

Selection Process

The Selection Panel will select designs based on the works' alignment with the criteria below. Selection processes will be facilitated by Arts staff, and the Moscow Arts Commission will identify a selection panel to be comprised of the following voting members:

- | | |
|-----------------------------------|---|
| 1 – Moscow Arts Commission Member | 1 – City of Moscow Public Works & Services staff member |
| 1 – Local Business Representative | 1 – Arts Community Member |

Selection Criteria

1. Formal & Conceptual Quality
 - a. The artist presents a compelling concept.
 - b. The proposed design is original to the presenting artist.
2. Content & Context
 - a. The artwork's subject matter and content is appropriate for public exhibition and does not contain advertising, religious references, sexual content, negative imagery, or convey political partisanship.
 - b. The content of the proposed design is relevant to the City of Moscow's values, culture, and people.
 - c. The proposed design communicates the function of the City's storm sewer system.

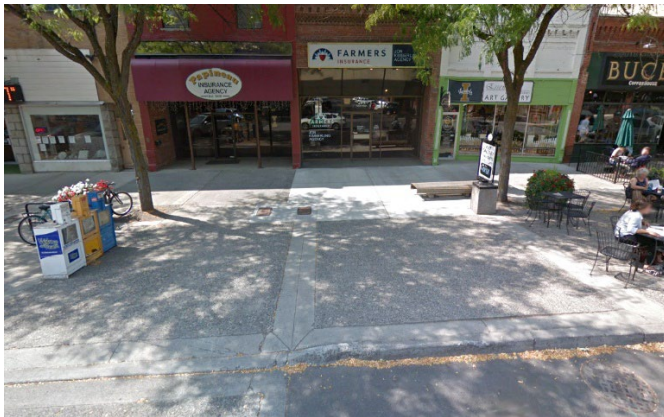
Site Details

The City of Moscow will install the 36" x 18" mobile mini-murals on sign stands and place them initially at the following intersections:

- 2nd & Main in front of Farmers Insurance
- 4th & Main in Friendship Square

The mobile nature of these pieces will allow them to be moved to different locations to create a sense of variety and renewed interest in the mobile mini-mural collection as it grows.

2nd & Main Street



4th & Main Street



Paint Colors Provided

All paint materials provided are exterior, water-based products in a low-luster sheen.



Scott Bontrager

Subject: FW: Idaho Transportation Department comment - General Information - General Inquiry

From: Mona Hunt <Mona.Hunt@itd.idaho.gov>

Sent: Friday, December 16, 2022 3:25 PM

To: Britany Luft <bluft@ci.moscow.id.us>

Subject: RE: Idaho Transportation Department comment - General Information - General Inquiry

Hello Britany,

Section 3G.01 p06 of the Manual on Uniform Traffic Control Devices (MUTCD) provides the following guidance for colored pavement in crosswalk.

Colored pavement located between crosswalk lines should not use colors or patterns that degrade the contrast of white crosswalk lines, or that might be mistaken by road users as a traffic control application.

Additionally, FHWA have also provided an official interpretation of this particular guidance through the link below.

https://mutcd.fhwa.dot.gov/resources/interpretations/3_09_8.htm

In short, rainbow color crosswalk would not meet the above guidance since it will feature bright colors with distinctive patterns that would degrade the contrast between the white crosswalk lines and the roadway pavement.

Hope that will help,

Mona Hunt

Idaho Transportation Department

HQ Traffic Ops

From: Public Comments <PublicComments@itd.idaho.gov>

Sent: Friday, December 16, 2022 10:53 AM

To: Maggie Ransom <Maggie.Ransom@itd.idaho.gov>

Subject: Idaho Transportation Department comment - General Information - General Inquiry

A citizen has submitted a web comment on **12/16/2022 10:52:35 AM** that needs your attention.

I am doing some research on colored pavement (example: rainbow crosswalks). Do you have a link or any information that you could direct me to that talks about the ruling on this for public roads in Idaho? Any help is much appreciated, thank you!

Britany Luft

Moscow, ID

(208) 883-7034

bluft@ci.moscow.id.us

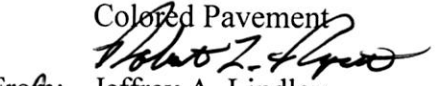


U.S. Department
of Transportation
Federal Highway
Administration

Memorandum

Subject: **INFORMATION:** MUTCD – Official
Ruling 3(09)-24(I) – Application of
Colored Pavement

Date: **AUG 15 2013**

From: 
Jeffrey A. Lindley
Associate Administrator for Operations

In Reply Refer To:
HOTO-1

To: Federal Lands Highway Division Engineers
Division Administrators

Purpose: Through this memorandum, the Federal Highway Administration's (FHWA) Office of Transportation Operations (HOTO) is issuing an Official Interpretation of Chapter 3G of the *Manual on Uniform Traffic Control Devices for Streets and Highways* (MUTCD) on the approved uses of colored pavement. For recordkeeping purposes, this Official Ruling has been assigned the following number and title: "3(09)-24(I) – Application of Colored Pavement."

Background: The FHWA is concerned that considerable ambiguity continues regarding how colored pavement can be used, especially between the white transverse lines of a legally marked crosswalk.

Colored pavements consist of differently colored road paving materials, such as colored asphalt or concrete, or paint or other marking materials applied to the surface of a road or island to simulate a colored pavement. Colored pavement is a traffic control device when it attempts to communicate with any roadway user or when it incorporates retroreflective properties. Colored pavement can also be a purely aesthetic treatment. When used in this manner, colored pavement is not a traffic control device provided that it does not attempt to communicate with the motorist or incorporate elements of retroreflectorization.

Colored Pavement in Crosswalks: In the late 1990s, the marketplace introduced and promoted aesthetic treatments for urban streetscape environments that included the opportunity to install a range of colors and a multitude of patterns. The most popular opportunity to implement these treatments was between the legally marked transverse lines of crosswalks. This was typically done as part of larger efforts by cities to enhance the aesthetics of an area that could include decorative luminaires, street furniture, sidewalk art, etc. These crosswalk treatments were publicized and marketed as a method to increase conspicuity of the crosswalk that would translate into increased safety and a reduction of pedestrian deaths. In December 2001, the FHWA issued its first Official Ruling¹

¹ MUTCD Official Ruling 3-152 (I) as Memorandum of Action, December 7, 2001

regarding the use of these aesthetic treatments, which concluded that crosswalk enhancements of this type had no such discernible effect on safety or crash reduction.

The marketplace looked to capitalize on advancements in pavement retroreflectivity in the mid-2000s, and further advocated for these aesthetic treatments on public streets as a way to increase crosswalk visibility. This included the benefits of the increased recognition of crosswalks both during the day and at night since the materials were designing retroreflective properties into the aesthetic treatments. In 2004 and in 2005, the FHWA issued two separate but related Official Rulings^{2,3} concluding that incorporating retroreflectivity into an aesthetic crosswalk treatment renders it an official traffic control device. Further, these Official Rulings continued to discourage implementation of such treatments and also concluded that these enhancements still had no increased effect on safety or contributed to a reduction in pedestrian deaths.

The evolution of crosswalk treatments continued into the form of “crosswalk art” because it was becoming a common misconception that as long as the white transverse lines were present—thereby legally marking the crosswalk—then the agency was free to treat the interior portion of the crosswalk as it desired. In 2011, the FHWA issued an additional Official Ruling⁴ that crosswalk art—defined as any freeform design to draw attention to the crosswalk—would degrade the contrast of the white transverse lines against the composition of the pavement beneath it. In deviating from previous Official Rulings on the matter that concluded an increased factor of safety and decreased number of pedestrian deaths were not evident after installation, this 2011 Official Ruling stated that the use of crosswalk art is actually contrary to the goal of increased safety and most likely could be a contributing factor to a false sense of security for both motorists and pedestrians.

The FHWA’s position has always been, and continues to be that subdued-colored aesthetic treatments between the legally marked transverse crosswalk lines are permissible provided that they are devoid of retroreflective properties and that they do not diminish the effectiveness of the legally required white transverse pavement markings used to establish the crosswalk. Examples of acceptable treatments include brick lattice patterns, paving bricks, paving stones, setts, cobbles, or other resources designed to simulate such paving. Acceptable colors for these materials would be red, rust, brown, burgundy, clay, tan or similar earth tone equivalents. All elements of pattern and color for these treatments are to be uniform, consistent, repetitive, and expected so as not to be a source of distraction. No element of the aesthetic interior treatment is to be random or unsystematic. No element of the aesthetic interior treatment can implement pictographs, symbols, multiple color arrangements, etc., or can otherwise attempt to communicate with any roadway user.

Patterns or colors that degrade the contrast of the white transverse pavement markings establishing the crosswalk are to be avoided. Attempts to intensify this contrast by increasing or thickening the width of the transverse pavement markings have been observed in the field. These attempts to increase contrast are perceived to be efforts to circumvent the contrast prerequisite so that an intentional noncompliant alternative of an aesthetic interior pattern or color can be used. Further techniques to install an empty buffer

² MUTCD Official Ruling 3-169 (I) – Section 3B.19 Retroreflective Colored Pavement, September 1, 2004

³ MUTCD Official Ruling 3-178 (I) – Retroreflective Colored Pavement – Additional Clarification, April 27, 2005

⁴ MUTCD Official Ruling 3(09)–8 (I) – Colored Pavement Treatments in Crosswalks, May 3, 2011.

space between an aesthetic treatment and the interior edge of the white transverse crosswalk markings have also been observed in the field. This strategy is also perceived to be an attempt to circumvent FHWA's prior position on contrast. However, an empty buffer space between a subdued-colored, uniform-patterned aesthetic treatment can be implemented to enhance contrast between the aesthetic treatment and the white transverse pavement markings. When used properly, buffer spaces can be an effective tool to disseminate a necessary contrast in order to visually enhance an otherwise difficult to discern white transverse crosswalk marking, provided that the aesthetic treatment conforms to the conditions in the preceding paragraph.

Colored Pavement in Medians: Several agencies nationwide have used aesthetic colored pavement in medians that separate opposite directions of travel. These treatments are typically simulated red brick patterns or pavers. This is allowable if the median is closed to traffic. Where the center portion of the roadway functions to facilitate turns or operates as a two-way left turn lane, aesthetic treatments cannot be used in that center area in accordance with Paragraph 3 of Section 3G.01 in the MUTCD. Further, provisions elsewhere in Part 3 of the MUTCD require or recommend the turning functions of turn lanes or two-way left turn lanes to be marked with pavement word markings or arrows where applicable. The use of aesthetic colored patterns or pavers in these lanes simulates a supplemental background to standard turn markings and is an attempt to enhance conspicuity of the median thereby serving as communication with the motorist. This practice to use aesthetic treatments is disallowed since the median is open to traffic.

Colored Pavement for Islands: Where an island is designated as a traffic-control device, curbs, pavement edges, pavement markings, channelizing devices, or other devices are used. Islands are most commonly used to separate traffic movements or to provide pedestrian refuge. Regardless of whether the island is raised or flush with the roadway surface, islands are a potential for providing aesthetic qualities. Islands that separate movements of traffic and choose to incorporate colored pavement into interior sections or to the top surface of their design are to comply with Item A or B of Paragraph 3 of Section 3G.01. This would be applicable when the island is used to address a need to facilitate traffic that would otherwise have difficulty navigating the roadway if the island was absent.

Islands that are intentionally aesthetic in nature only are to be designed similar to those aesthetic treatments for crosswalks as described above. The most common applications of these purely aesthetic treatments are pedestrian refuge islands and textured raised buffers between a bikeway and a motorized vehicular lane.

Colored Pavement for Bicycle Lanes: Green colored pavement is approved for use in bicycle lanes only to enhance the conspicuity of where bicyclists are required to operate, and areas of the bicycle lane where bicyclists and other roadway traffic might have potentially conflicting weaving or crossing movements. Approval to use green colored pavement shall be in accordance with Paragraph 17 of Section 1A.10 in the 2009 MUTCD.

The FHWA issued an Interim Approval (IA-14) for the use and application of green colored pavement on April 15, 2011. The information provided in the IA-14 memorandum remains in effect.

The use of green colored pavement in a bicycle facility other than a legally marked bicycle lane is either not approved or is experimental. FHWA's Bicycle and Pedestrian Web site (http://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/design_guidance/mutcd_bike.cfm) can be helpful in determining what is or is not approved and what is experimental. Agencies that desire to use bicycle facilities that are experimental are required to submit their request for approval in accordance with paragraphs 3, 4 and 8 through 10 of Section 1A.10 in the MUTCD.

The FHWA is aware that agencies might be using green colored pavement to supplement, fill in or outline parking stalls for electric vehicle charging stations in order to express the agency's commitment to environmentally friendly initiatives. Use of green colored pavement for this purpose is not allowed. Although the applicability of the MUTCD may be limited in certain settings involving parking stalls, agencies are encouraged to adhere to the MUTCD with respect to disallowing green colored pavement in parking facilities for the purpose of maintaining uniformity among similar facilities.

Colored Pavement on Freeways and Expressways: The FHWA is aware of agencies nationwide using colored pavement on higher speed facilities as a method to visually differentiate the shoulder or special-use lanes from the general-purpose lanes, to demarcate the exit gore area, or to differentiate a ramp terminal from the mainline facility. The FHWA maintains the position that contrasting techniques on high-speed facilities have no other intention than to communicate with the motorist, regardless of whether elements of retroreflectivity are implemented for the colored pavement.

Additionally, the 2011 edition of the American Association of State Highway and Transportation Officials' *A Policy on the Geometric Design of Highways and Streets* discusses various methods of contrasting the shoulder with the adjacent pavement traveled way. The policy states that with regard to bituminous pavements, "the use of edge lines as described in the Manual on Uniform Traffic Control Devices... reduces the need for shoulder contrast." Edge lines separating shoulders from the traveled way on Interstate routes have been required by the MUTCD since 1971, supplanting the practice of using contrasting material for shoulders when an edge line was optional. Therefore, there should be little need for such a contrast that cannot be accommodated by the allowable pavement colors prescribed by the MUTCD.

If a need to provide contrast on a high-speed facility has been determined, then that contrast can be accomplished by a number of alternatives. Asphalt mixtures can be tinted to provide a shade of grey. White colored pavement can also be implemented. Paragraph 3 of Section 3G.01 in the MUTCD allows the use of white colored pavement for exit gore areas and right-hand shoulders. In the event that the main traveled way is concrete, an asphalt top layer could be applied to the shoulder to provide contrast.

Colored Pavement for Public Transit Systems: The use of red colored pavement for public transit systems such as streetcar and/or bus-only lanes is currently experimental. The use of colored pavement in these settings requires approval from the FHWA's Office of Transportation Operations. Agencies that desire to experiment with colored pavement should only do so where an engineering study can determine that increased travel speeds will be expected by the public transit vehicle, reduced overall service time through the corridor will be expected by the public transit vehicle, and the implementation of the

colored pavement to a converted general purpose lane in the traveled way will not adversely affect the traffic flow in the remaining general purpose lanes.

Blue Colored Pavement: Blue is not a colored pavement and is not to be used as such in accordance with Paragraph 3 of Section 3G.01. Blue as it applies to a pavement marking is exclusively reserved for the background color in the international symbol of accessibility parking symbol (see Figure 3B-22) and for the supplemental pavement marking lines that define legal parking spaces reserved for use only by persons with disabilities as provided in Paragraph 5 of Section 3A.05.

Applying blue colored pavement to entire stalls or entire areas of parking reserved for persons with disabilities is to be avoided. Although the applicability of the MUTCD may be limited in certain settings involving parking stalls, agencies are encouraged to adhere to the MUTCD with respect to blue colored pavement in parking facilities for the purpose of maintaining uniformity among similar facilities.

Purple Colored Pavement: Purple is not approved for use as a colored pavement in any application, including toll facility environments. Purple as a pavement marking color is permitted in accordance with Paragraphs 5 and 6 of Section 3E.01 of the MUTCD.

Chromaticity Coordinates: The acceptable ranges of chromaticity coordinates that define the standard colors for pavement markings are found in the Appendix to Subpart F of 23 CFR 655—Alternate Method of Determining the Color of Retroreflective Sign Materials and Pavement Marking Materials.

Acceptable ranges for the chromaticity coordinates defining the color green for use as a pavement marking are provided in the IA-14 memo dated April 15, 2011.

Conclusion: Chapter 3G of the 2009 MUTCD contains provisions regarding the use of colored pavements. If colored pavement is used to regulate, warn, or guide traffic or otherwise attempts to communicate with the roadway user, the colored pavement constitutes a traffic control device. Agencies cannot intentionally exclude elements of retroreflectivity as part of a systematic process to classify the color pavement as a purely aesthetic treatment in order to circumvent the provisions of Chapter 3G.

Paragraph 3 of Section 3G.01 in the MUTCD limits the use of colored pavement used as a traffic control device to the colors yellow and white. Interim Approval IA-14 permits the use of green colored pavement for marked bicycle lanes. All other colors for use on highway pavement in the right-of-way are either disallowed or are experimental as described above, unless the colored pavement is a purely aesthetic treatment and makes no discernible attempt to communicate with a roadway user.

cc:

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