

Policy Resolution PR-2-16

Title: Role of FHWA in MASH Implementation and Crash Test Reviews

WHEREAS, The sunset dates for NCHRP 350 hardware were jointly developed between AASHTO and FHWA, and with significant outreach to additional stakeholders, including private industry and academia; and

WHEREAS, These dates were established with the assumption, as stated in the implementation agreement, that FHWA “will continue its role in issuing letters of eligibility of highway safety hardware for federal-aid reimbursement”; and

WHEREAS, Historically, as part of its role in determining whether to issue a letter of approval/acceptance/eligibility, FHWA has also provided technical expertise to the roadside safety community; and

WHEREAS, In addition to reviewing crash tests to confirm a lab’s assessment of the test results, FHWA staff have provided guidance to states, manufacturers, and laboratories regarding technical details of performing tests; and

WHEREAS, FHWA’s continued technical support is critical to the success of the roadside safety community in meeting the sunset dates delineated in the joint agreement; and

WHEREAS, Without technical support being provided to those developing roadside hardware, including an approved test matrix that, if passed by a device, will lead to a positive eligibility determination, manufacturers and laboratories have slowed or stopped their development and testing to MASH standards; and

WHEREAS, At least most states do not have the technical expertise needed to conduct reviews of crash tests to determine appropriate use of roadside hardware, and the AASHTO Technical Committee on Roadside Safety does not have the time, expertise, nor jurisdiction to determine eligibility for use on the NHS; and

WHEREAS, No other organization besides FHWA has the expertise, capacity, or objectivity needed to serve in this role; and

WHEREAS, Due to the lack of assistance and technical expertise that has traditionally been provided by FHWA to manufacturers, laboratories, and state practitioners, AASHTO is not confident that appropriate MASH-approved hardware will be available by the sunset dates agreed to in the joint agreement.

NOW, THEREFORE, BE IT RESOLVED, AASHTO requests that FHWA reaffirm its role, as agreed to in the joint implementation agreement, of providing objective technical expertise and resources to the roadside safety community and issuing eligibility determinations for safety hardware on the NHS.