



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

1200 New Jersey Ave., S.E.
Washington, DC 20590

July 17, 2007

In Reply Refer To:
HSSD/WZ-167A

Mr. Bill Fisher
Ply-Glo Safety Devices
RR #2
Crossfield AB T0M 0S0 CANADA

Dear Mr. Fisher:

Thank you for your correspondence, received on May 8, 2007, requesting Federal Highway Administration (FHWA) acceptance of your company's new flasher design for illuminated road tubes as crashworthy traffic control devices for use in work zones on the National Highway System (NHS). Accompanying your letter were dimensioned drawings of the new flasher and a sample flasher unit. You requested that we update your acceptance letter to incorporate the new design of your flasher unit device for delineators (or road tubes) and find this combination of devices acceptable for use on the NHS under the provisions of National Cooperative Highway Research Program (NCHRP) Report 350 "Recommended Procedures for the Safety Performance Evaluation of Highway Features."

The previous design submitted by Ply-Glo was accepted by FHWA in our letter WZ-167 in 2003. The Ply-Glo device is a low-density polyethylene road tube delineator mounted on a detachable rubber base. A light source is mounted in the tube such that the light shining up through the tube illuminates it from within and increases nighttime visibility. This previous design was such that the flasher device was secured inside the bottom of the delineator (road tube). The new design, as shown in the enclosed drawings, securely holds the light source into the top of the delineator. The light source weighs 1/2 of a pound. The new design is equivalent to the previous design and is acceptable for use on the NHS when proposed by a State.

Please note the following standard provisions that apply to the FHWA letters of acceptance:

- This acceptance is limited to the crashworthiness characteristics of the devices and does not cover their structural features, nor conformity with the Manual on Uniform Traffic Control Devices.
- Any changes that may adversely influence the crashworthiness of the device will require a new acceptance letter.



- Should the FHWA discover that the qualification testing was flawed, that in-service performance reveals unacceptable safety problems, or that the device being marketed is significantly different from the version that was crash tested, it reserves the right to modify or revoke its acceptance.
- You will be expected to supply potential users with sufficient information on design and installation requirements to ensure proper performance.
- You will be expected to certify to potential users that the hardware furnished has essentially the same chemistry, mechanical properties, and geometry as that submitted for acceptance, and that they will meet the crashworthiness requirements of the FHWA and the NCHRP Report 350.
- To prevent misunderstanding by others, this letter of acceptance designated as number WZ-167A shall not be reproduced except in full. This letter, and the test documentation upon which this letter is based, is public information. All such letters and documentation may be reviewed at our office upon request.
- The Ply-Glo device is a patented product and considered proprietary. If proprietary devices are specified by a highway agency for use on Federal-aid projects, except exempt, non-NHS projects, they: (a) must be supplied through competitive bidding with equally suitable unpatented items; (b) the highway agency must certify that they are essential for synchronization with the existing highway facilities or that no equally suitable alternative exists; or (c) they must be used for research or for a distinctive type of construction on relatively short sections of road for experimental purposes. Our regulations concerning proprietary products are contained in Title 23, Code of Federal Regulations, Section 635.411.
- This acceptance letter shall not be construed as authorization or consent by the FHWA to use, manufacture, or sell any patented device for which the applicant is not the patent holder. The acceptance letter is limited to the crashworthiness characteristics of the candidate device, and the FHWA is neither prepared nor required to become involved in issues concerning patent law. Patent issues, if any, are to be resolved by the applicant.

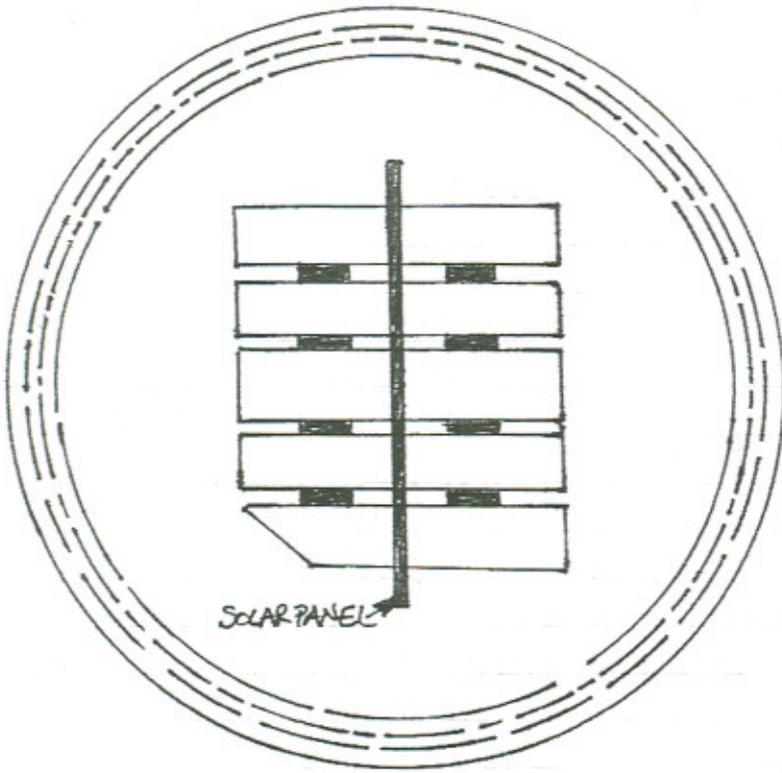
Sincerely yours,

A handwritten signature in blue ink that reads "George E. Rice, Jr." with a stylized flourish at the end.

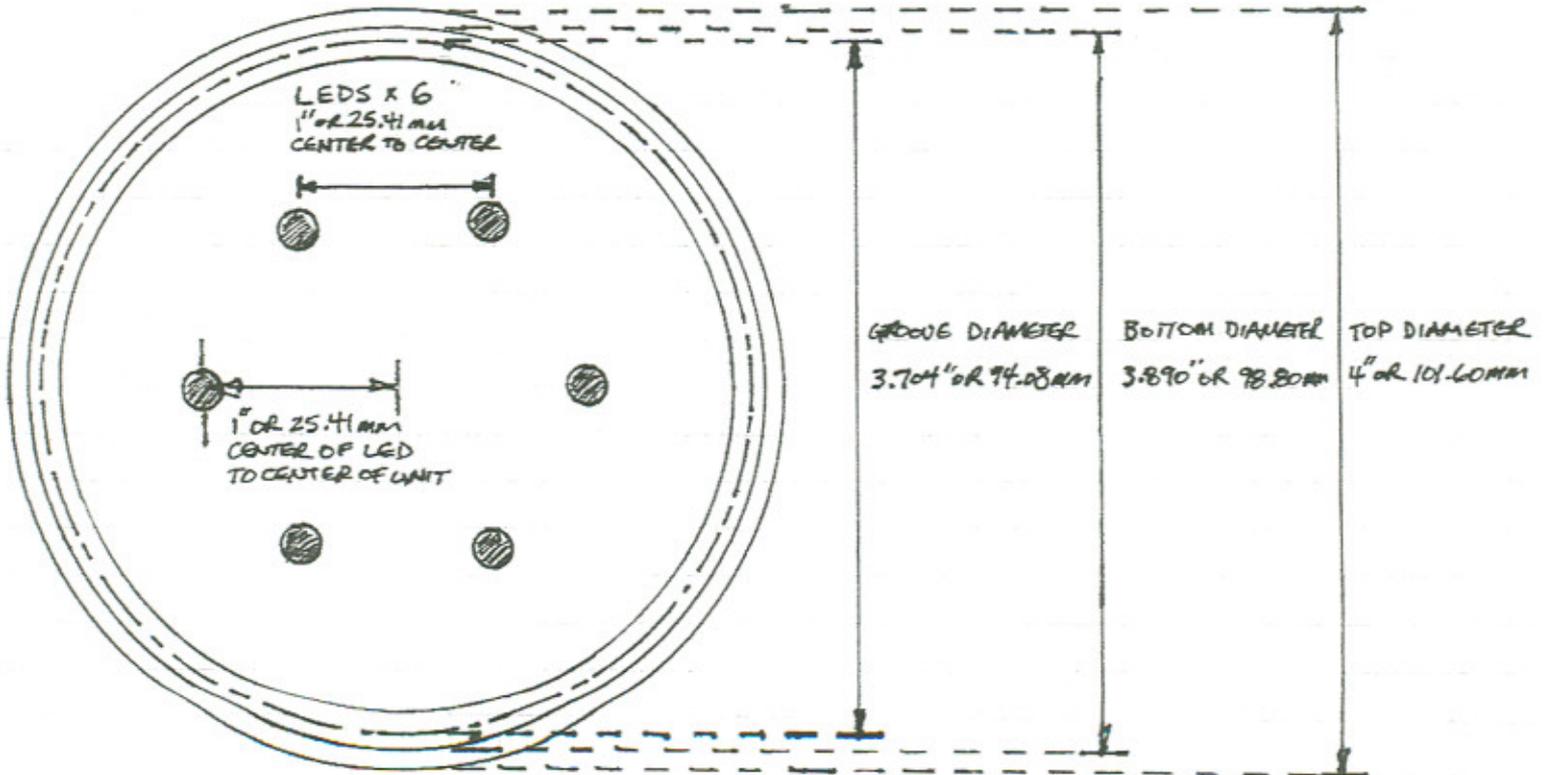
George E. Rice, Jr.
Acting Director, Office of Safety Design
Office of Safety

Enclosure

TOP VIEW



BOTTOM VIEW



SIDE VIEW

