



November 12, 2015

An open letter to all in the highway safety hardware and roadside design community:

The Federal Highway Administration (FHWA) has updated the Federal-aid reimbursement eligibility process for safety hardware devices. The revisions include those items listed in Tony Furst's May 18, 2015 [letter](#) as well as additional improvements. This letter serves to notify you that these changes take effect immediately. These improvements will enhance the quality of the information available to FHWA when we are evaluating a request for eligibility, increase our transparency, and move the Nation closer to the next generation of life-saving roadside hardware.

The description of the [process](#), which can be found on our website, has been streamlined and restructured to better reflect the steps for requesting a federal-aid reimbursement eligibility letter. Some highlights of the changes include:

MASH testing requirements. As noted in our [Federal Register Notice](#), after December 31, 2015, FHWA will not accept requests for Federal-aid eligibility determinations for any modifications based on previous crash testing performed using NCHRP Report 350 criteria. Changes to any existing NCHRP 350 tested device will require testing using MASH criteria to receive a Federal-aid reimbursement eligibility letter.

Notification of modifications. Manufacturers must notify FHWA and request continued eligibility for Federal-aid reimbursement if any change is made to hardware with an existing Federal-aid eligibility letter. The process explains the documentation required for significant and non-significant changes.

Additional submittal information. FHWA is requiring additional information with requests for eligibility, to improve transparency. For all future requests, the submitter must include disclosure of financial interests in the device, or the manufacturer of the device, by the testing facility and testing facility employees. Further, information in a submission that are considered trade secrets or confidential business information must be clearly labeled as such. FHWA is dedicated to an open and transparent process and will post as much information as is feasible for each eligibility letter.

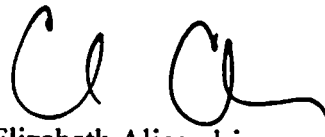
Eligibility letter. The FHWA letter may list issues that arise during testing that the testing criteria identifies as reportable, even if such issues do not represent test failure.

FHWA retains the right to modify or revoke a letter for a variety of issues relating to the testing, the test report, in-service performance evaluations, system modifications or other information.

Thank you in advance for helping FHWA implement these important process improvements. I am sure you will agree that they will increase the transparency of the FHWA service to the States with regard to determining Federal-aid reimbursement eligibility for safety hardware devices. Further, these improvements will enhance the safety of roadside hardware, and help us reach our vision of zero fatalities.

If you have any questions or comments, please contact Brian Fouch at (202) 366-0744.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Elizabeth Alicandri', with a long horizontal flourish extending to the right.

Elizabeth Alicandri
Acting Associate Administrator for Safety