

June 1, 2007

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

In Reply Refer To: HSSD/WZ-252

Mr. Felipe Almanza Mr. Jan Miller TrafFix Devices 220 Calle Pintoresco San Clemente, CA 92672

Dear Messrs. Almanza and Miller:

Thank you for your letter of July 21, 2006, requesting the Federal Highway Administration's (FHWA) acceptance of your company's Premier Panel vertical panel as a crashworthy traffic control device for use in work zones on the National Highway System (NHS). Accompanying your letter was background information regarding similar products developed by TrafFix that have received FHWA acceptance. You requested that we find this device acceptable for use on the NHS under the provisions of the National Cooperative Highway Research Program (NCHRP) Report 350 "Recommended Procedures for the Safety Performance Evaluation of Highway Features."

The Premier Panel is a vertical panel that would be used with a 20 or 30 pound low profile rubber base and a standard heavy duty or light weight barricade light (not to exceed 4.5 pounds) that is securely attached using standard cup-washer hardware. The panel is made from high density polyethylene or may be molded using low density polyethylene, weighs between 3 and 4 pounds depending on the polyethylene plastic utilized, and measures 44 1/4 inches tall. Three drawings of the proposed Premier Panel are enclosed.

In support of your request, you referenced devices that TrafFix has successfully crash tested and received FHWA letters of acceptance WZ-24, WZ 73, and WZ-189. These previously tested and accepted devices are similar in form and function as the Premier Panel, and have been crash tested with a light securely attached.

Based on the information submitted and successful crash testing conducted by your company on equivalent devices, the Premier Panel with or without a light weight barricade light is acceptable for use on the NHS under the provisions of the NCHRP Report 350, when proposed by the contracting authority. When used without a light attached, the Premier Panel vertical panel is considered an acceptable FHWA Self-Certified Category I device. When the Premier Panel is used with a standard heavy duty or light weight light (not to exceed 4.5 pounds), it is considered an acceptable FHWA Category II device that meets crashworthy criteria under the provisions of the NCHRP Report 350.



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-252, 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 Premier Panel 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,

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

FHWA:HSSD:MLupes:tb:x66994:5/29/07

s://directory folder/mlupes/WZ252-TrafFixPremPanell.doc HSSD (Reader, HSA; Chron File, HSSD; M.Lupes, HSSD File:

cc: M.McDonough, HSSD)



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Enclosure





