

Design Flexibility and NACTO Endorsement Frequently Asked Questions

How is design flexibility being implemented in Caltrans projects?

The Division of Design is encouraging all of Caltrans and our local partners to work proactively with their communities to provide safe, integrated, efficient and accessible facilities that promote increased use by bicyclists and pedestrians of all ages and abilities, utilizing design guidelines established by a national association of transportation professionals, as appropriate. This approach has resulted in successful flexible design solutions in the past and the Department endorses its use as a fundamental principle of planning and designing all projects, particularly those in urban environments and town centers. In the last decade, the emergence of community interest in complete streets has introduced a new realm of street treatments that are expanding the state of the practice. Designers should continue to exercise sound engineering judgment when determining the best solution for a local need.

Does the endorsement of NACTO guides mean I can use NACTO designs on my project?

Yes. Caltrans' endorsement of NACTO puts additional tools in the tool box for both Caltrans staff and local agencies to reference when making project decisions on facilities for which they are responsible. A local agency may adopt the NACTO guides (Urban Street Design Guide and the Urban Bikeway Design Guide) for use on locally-owned roads.

- The Department has endorsed, but not adopted NACTO or any other reference guidance. Caltrans supports NACTO's use in the decision-making process by Department staff and local agencies in developing local solutions to transportation problems.
- The endorsement of NACTO guidance is not equivalent to its superseding the Caltrans' Highway Design Manual (HDM) and the California Manual of Uniform Traffic Control Devices (CAMUTCD). If NACTO or other design guidance is utilized, Caltrans staff and local agencies (in consultation with legal counsel, as appropriate) should thoroughly document the engineering judgments made in selecting a design solution. (See last question, below.)

What is Caltrans doing to encourage NACTO concepts in its own projects?

The NACTO guides offer Caltrans an opportunity to review how its manuals and publications address State highways that are in urban environments and town centers.

- Caltrans is currently analyzing both the NACTO Urban Street Design Guide and the Urban Bikeway Design Guide to identify areas of improvement in the Highway Design Manual guidance. This review process will be a focus of the Design Division over the next year.
- A similar effort is being undertaken for the California Manual on Uniform Traffic Control Devices (CAMUTCD). In the meantime, the NACTO guides can be referenced, and decisions can be made on a project- by- project basis when urban streets are part of a State project.

How do I address differences between Caltrans standards and NACTO guidance?

- Relative to State highways, Caltrans standards, guidance and procedures have not been superseded by NACTO. Application of principles in the NACTO guides on the state highway system that deviate from Caltrans design standards are still subject to the documentation processes established in the Highway Design Manual and the Project Development Procedures Manual.
- Relative to locally-owned streets and roads, local agencies may use NACTO guides to design local solutions to transportation problems with appropriate documentation supporting engineering judgments made during the process.
- Proposed variations from the CA (MUTCD), on or off system, must still be approved through the California Traffic Control Devices Committee (CTCDC), which is comprised of representatives from local transportation agencies, Caltrans, and the Federal Highway Administration (FHWA). Caltrans chairs this committee and usually approves or denies proposed variations based on the committee's recommendation. In addition, any proposed variation approved by the CTCDC that differs from the federal MUTCD must also be approved by the FHWA.

As a local agency, am I mandated to follow Caltrans standards?

For projects on a local facility that cities and/or counties own and operate, local agencies have the delegated authority to exercise their engineering judgment when utilizing applicable design standards, including those for bicycle facilities established by Caltrans pursuant to Streets and Highways Code section 890.6 and 890.8. This delegation and delegation process is outlined in the Caltrans Local Assistance Procedures Manual, Chapter 11.

As a local agency, how can I be sure that my project gets design immunity?

Design immunity is a powerful defense available to local agencies to defend against tort lawsuits that allege dangerous condition of public property, i.e., streets and highways. It involves specific statutory requirements set out in section 830.6 of the Government Code. While there is no guarantee in all cases that a judge will determine that a local agency is protected against liability by design immunity, local agencies will be well-positioned if their engineers properly document engineering judgments made in approving the design of projects prior to construction.