
Section 8

TRAFFIC CONTROL DEVICE PERMIT PROCESS

8.1 PURPOSE

The objective of this section is to describe the Department's product permitting process to all interested parties, namely:

- Applicants: vendors of traffic control devices;
- Sponsors (typically the purchasing entity): maintaining agencies in the State (including the Department);
- Concurring entities: Department District Traffic Operations Engineers (DTOE) including the Department Central Office.

The Department is authorized to permit traffic control devices not in conformity with the uniform system upon showing good cause as defined in section 316.0745(8), F.S. The permit process applies to devices deemed "non-conforming" that have not been formally evaluated, certified, and listed on the APL (Certified Process) or authorized for field evaluations against state developmental specifications and listed on the APL (Developmental Process). The TERL has authority to permit official traffic control signals and devices, and ancillary devices proposed for installation and limited use on streets and highways in the State. It is the TERL's intent to limit the quantity of permits issued to only one for any proposed "non-conforming" device.

8.2 PERMIT PROCESS

The permit process is as follows:

- (1) **Step 1: Obtaining Sponsorship and Concurrence:** To begin the process, the applicant seeking a permit shall coordinate with and obtain preliminary approval for installing/using the proposed product in a City or County and the corresponding Department District. Preliminary approval must be obtained from the maintaining agency where the product will be installed, used, and maintained (sponsorship) and the Department District Traffic Operations Engineer (concurrence). Preliminary approval by the sponsor must be based on the following: (a) good cause (i.e., justified benefit to the State such as improved safety, efficiency, or cost); (b) public safety (i.e., is the product safe to use?) and (c) review and approval of any non-conforming items listed in the product compliance matrices (refer to Step 2 below).
- (2) **Step 2: Request for Traffic Control Device Permit Application Submittal and Review:** Once sponsorship and concurrence are obtained, the applicant shall complete a Request for Traffic Control Device Permit application. A blank

application form can be obtained upon request as it is not available on the Department's web site. All required information, as noted in the application, must be provided with the application form.

If Department specifications exist, the permit request must include applicable product compliance matrices completed by the applicant only indicating conformity/non-conformity to existing requirements (i.e., supporting information is not required). In this case, the TERL will let the applicant know the applicable product compliance matrices to use.

If Department specifications do not exist, the permit request must include: developmental specification (when APL (Developmental Process) listing is not required), modified special provision, technical special provision, or other project requirements to be used for procurement. In this case, the applicant shall contact the sponsor to obtain the required documentation. Information for developing these requirements documents is available at: <http://www.fdot.gov/programmanagement/Specs.shtm>

The completed permit request shall be submitted by the District Traffic Operations Engineer (DTOE) or designee. If the TERL is the sponsor (i.e., the product is to be permitted for evaluation by TERL staff at the TERL test facility), then the TERL is the entity submitting the request. Submittal by the DTOE or designee will signify concurrence. The TERL will review the information to determine whether good cause has been shown (i.e., the product has benefit to the State) and all required information is included in the permit request. If these requirements are met, the applicant will be instructed to proceed to Step 3A or 3B.

- (3) Step 3A: Product Demonstration:** The TERL may request a product sample from the applicant for demonstration. If so, the demonstrated product sample must be a production unit representative of the unit(s) to be permitted for field use, and with all accessory components necessary for full operation. All costs of freight and shipping must be at the applicant's expense. Following satisfactory product demonstration, the applicant will be instructed to proceed to Step 3B.
- (4) Step 3B: Field Evaluation Plan Submittal/Review and Permit Issuance:** The TERL will typically request the applicant submit a field evaluation plan. Such plan typically includes:

 - (a)** Project location and description;
 - (b)** Design requirements and criteria;
 - (c)** Operational and maintenance requirements;
 - (d)** Evaluation criteria, methods, and responsibilities;
 - (e)** Names of staff in the field evaluation monitoring team; and
 - (f)** A schedule with milestone events.

The field evaluation monitoring team typically consists of:

- (a) A representative from the applicant;
- (b) The Department DTOE or their designee;
- (c) A representative from each maintaining agency involved; and
- (d) A TERL representative.

The field evaluation plan will be reviewed by the field evaluation monitoring team and the TERL will communicate any issues to be resolved by the applicant. The applicant shall resolve these issues before permit issuance.

After Steps 1 through 3 above have been successfully completed, a recommendation will be made to the TERL Manager to permit the product. If the recommendation is accepted by the TERL Manager (in coordination with the Director, Office of Traffic Engineering and Operations), a traffic control device permit letter with specified permit conditions (refer to **Section 8.4**) will be provided to the applicant.

8.3 FIELD EVALUATION EXTENSION

A permit may be extended if the field evaluation and associated report are not complete by the field evaluation due date specified in the permit letter. Under these conditions, at least 30 calendar days prior to the due date, the applicant shall provide a written justification (e.g., inconclusive results obtained so far) for the extension. If the extension is granted, a permit letter with a revised field evaluation due date will be issued to the applicant.

8.4 PERMIT CONDITIONS

Permits will include specified permit conditions, such as: location(s) for installation and use, quantity of units, and field evaluation reporting requirements. The applicant shall be responsible for compliance with all permit conditions. Failure to meet conditions will render the permit null and void.

If a field evaluation is required, a field evaluation report developed by the field evaluation monitoring team must be submitted to the TERL by the field evaluation due date specified in the permit conditions. The field evaluation report will be developed by an individual appointed by the Department DTOE with input and review by the field evaluation monitoring team. The report typically includes:

- (a) A summary of the operational and field results of the evaluation;
- (b) Input from the maintaining agency as to the maintainability and reliability of the product;
- (c) A conclusion on the effectiveness and safety of the product; and

(d) A recommendation for APL consideration.

8.5 PERMITTED PRODUCT REMOVAL

The TERL will require immediate removal of the permitted product if the product poses a threat to the general public following its field installation and operation. The TERL may require removal of the product from the field in cases where, for example, the product fails in the field, or the applicant fails to comply with permit conditions.

8.6 DOCUMENT HISTORY

Rev	Description	Authored and Checked	Reviewed	Approved	Approval Date
1.0	New Product Certification Handbook section created from transferring and revising temporary permit information from section 7.1 of the Traffic Engineering Manual.	A. Burleson	D. Vollmer R. Meyer J. Morgan T. Tillander	M. Wilson	05/24/2012
2.0	Revisions of section/sub-section numbers, removal of definitions (since definitions now have their own section), and removal of unnecessary hyperlinks.	A. Burleson	J. Morgan	M. Wilson	06/13/2012
3.0	Revisions to 'permit extension' and 'permit conditions' sections to reflect latest definition of permit expiration date.	A. Burleson	J. Morgan	M. Wilson	08/23/2012
4.0	Comments from FDOT Legal Office addressed.	A. Burleson J. Morgan	J. Morgan	M. Wilson	01/30/2013
5.0	Revisions throughout to reflect permit procedural changes and change in permit name.	A. Burleson	J. Morgan	M. Wilson	08/05/2013
6.0	Revisions throughout to reflect permit procedural/requirements changes.	A. Burleson	J. Morgan	M. Wilson	08/19/2014
7.0	Updated position title for Mark Wilson. Added that product sample and demonstration by applicant may be required before issuing a permit.	A. Burleson	J. Morgan	M. Wilson	02/02/2015
8.0	Revised updated link.	K. Moser	J. Morgan	M. Wilson	09/30/2015
9.0	Re-introduced use of field evaluation plan, report, and due date for completion of field evaluation. Cross-referenced IPL process as different from permit process.	A. Burleson	D. Vollmer M. DeWitt W. Geitz	J. Easterling	07/01/2022
10.0	Removed reference to IPL.	A. Burleson	D. Vollmer M. DeWitt W. Geitz	R. Powell	05/09/2024