

NASCO *Compliance Update*

**DEPARTMENT OF TRANSPORTATION
Federal Highway Administration
23 CFR Part 634**

Final Rule

Effective Date: November 24, 2008

Rule:

All workers within the right-of-way of a Federal-aid highway who are exposed either to traffic (vehicles using the highway for purposes of travel) or to construction equipment within the work area shall wear high-visibility safety apparel.

Who is affected?

People on foot whose duties place them within the right-of way of a Federal-aid highway.
Such as:

- Highway construction and maintenance forces
- Survey crews
- Utility crews
- Responders to incidents within the highway right-of-way
- Law Enforcement personnel when directing traffic, investigating crashes, and handling lane closures, obstructed roadways, and disasters within the right-of-way of a Federal-aid highway.
- Road Crews
- Volunteer groups cleaning highway

How is High Visibility Safety Apparel Defined?

Personal protective safety clothing that is intended to provide conspicuity during both daytime and nighttime usage, and that meets the Performance Class 2 or 3 requirements of the ANSI/ISEA 107–2004 publication entitled “American National Standard for High-Visibility Safety Apparel and Headwear.”