



U.S. Department  
Of Transportation  
**Federal Highway  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

October 27, 2000

Refer to: HSA-1/SS-72A

Mr. Richard J. Bergholz  
Traffic & Parking Control Co, Inc.  
800 Wall Street  
Elm Grove, WI 53122

Dear Mr. Bergholz,

This is in response to your September 26, 2000 letter to Mr. Nick Artimovich of my office requesting that the Federal Highway Administration (FHWA) accept the V-Loc hardware, now distributed by TAPCO, a “sister company” to the manufacture, for use as a breakaway mailbox support system for use on the National Highway System. You referenced our January 13, 1997 Acceptance Letter SS-72 to Foresight Products which found the V-Loc hardware acceptable for breakaway sign supports, and our March 26, 1987 Acceptance Letter B-13 to Foresight Products which found the V-Loc acceptable for mailbox supports. Your current request is that FHWA reiterate that the V-Loc remains acceptable under NCHRP Report 350 for use with mailboxes.

In the attachment to our July 25, 1997, memorandum, “Action: Identifying Acceptable Highway Safety Features,” we stated:

Because Report 350 acceptance criteria are slightly less demanding than were the criteria in the 1985 or 1994 Support Specifications or the Report 230 guidelines, breakaway hardware meeting these earlier criteria do not have to be re-qualified to be accepted under Report 350 criteria.

Therefore, the V-Loc breakaway system is acceptable for use as a support for mailboxes on the NHS, when requested by a State.

Please note the following standard provisions that apply to FHWA letters of acceptance:

- Our acceptance is limited to the crashworthiness characteristics of the devices and does not cover their structural features, or 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 reserved 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 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 FHWA and NCHRP Report 350. A quality assurance program, developed to suit your needs, is necessary to do this.
- To prevent misunderstanding by others, this letter of acceptance, designated as number SS-72A, shall not be reproduced except in full.
- V-Loc breakaway support systems are patented products and considered “proprietary.” The use of proprietary work zone traffic control devices in Federal-Aid projects is generally of a temporary nature. They are selected by the contractor for use as needed and removed upon completion of the project. Under such conditions they can be presumed to meet requirement “a” given below for the use of proprietary products 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 existing highway facilities for 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, a copy of which is enclosed.

Sincerely Yours,

Frederick G. Wright, Jr.  
Program Manager, Safety

FHWA: HSA-1: Artimovich: tm: 61331:10/23/00  
Cc: Reader:HSA-1:na: Chron File