



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

1200 New Jersey Ave., SE
Washington, D.C. 20590

April 21, 2020

In Reply Refer To:
HSST-1/B-330

Mr. Adrian Bullock
Highway Care Ltd.
The Highlands, Detling, Maidstone, Kent
ME14 3HT
United Kingdom

Dear Mr. Bullock:

This letter is in response to your September 3, 2019 request for the Federal Highway Administration (FHWA) to review a roadside safety device, hardware, or system for eligibility for reimbursement under the Federal-aid highway program. This FHWA letter of eligibility is assigned FHWA control number B-330 and is valid until a subsequent letter is issued by FHWA that expressly references this device.

Decision

The following device is eligible within the length-of-need, with details provided in the form which is attached as an integral part of this letter:

- HighwayGuard TL-4

Scope of this Letter

To be found eligible for Federal-aid funding, new roadside safety devices should meet the crash test and evaluation criteria contained in the American Association of State Highway and Transportation Officials' (AASHTO) Manual for Assessing Safety Hardware (MASH). However, the FHWA, the Department of Transportation, and the United States Government do not regulate the manufacture of roadside safety devices. Eligibility for reimbursement under the Federal-aid highway program does not establish approval, certification or endorsement of the device for any particular purpose or use.

This letter is not a determination by the FHWA, the Department of Transportation, or the United States Government that a vehicle crash involving the device will result in any particular outcome, nor is it a guarantee of the in-service performance of this device. Proper manufacturing, installation, and maintenance are required in order for this device to function as tested.

This finding of eligibility is limited to the crashworthiness of the system and does not cover other structural features, nor conformity with the Manual on Uniform Traffic Control Devices.

Eligibility for Reimbursement

Based solely on a review of crash test results and certifications submitted by the manufacturer, and the crash test laboratory, FHWA agrees that the device described herein meets the crash test and evaluation criteria of the AASHTO's MASH. Therefore, the device is eligible for reimbursement under the Federal-aid highway program if installed under the range of tested conditions.

Name of system: HighwayGuard TL-4
Type of system: Longitudinal Barrier
Test Level: MASH Test Level 4 (TL4)
Testing conducted by: Holmes Solutions LP
Date of request: September 3, 2019

FHWA concurs with the recommendation of the accredited crash testing laboratory on the attached form

Full Description of the Eligible Device

The device and supporting documentation, including reports of the crash tests or other testing done, videos of any crash testing, and/or drawings of the device, are described in the attached form.

Notice

This eligibility letter is issued for the subject device as tested. Modifications made to the device are not covered by this letter. Any modifications to this device should be submitted to the user (i.e., state DOT) as per their requirements.

You are expected to supply potential users with sufficient information on design, installation and maintenance requirements to ensure proper performance.

You are expected to certify to potential users that the hardware furnished has the same chemistry, mechanical properties, and geometry as that submitted for review, and that it will meet the test and evaluation criteria of AASHTO's MASH.

Issuance of this letter does not convey property rights of any sort or any exclusive privilege. This letter is based on the premise that information and reports submitted by you are accurate and correct. We reserve the right to modify or revoke this letter if: (1) there are any inaccuracies in the information submitted in support of your request for this letter, (2) the qualification testing was flawed, (3) in-service performance or other information reveals safety problems, (4) the system is significantly different from the version that was crash tested, or (5) any other information indicates that the letter was issued in error or otherwise does not reflect full and complete information about the crashworthiness of the system.

Standard Provisions

- To prevent misunderstanding by others, this letter of eligibility designated as FHWA control number B-330 shall not be reproduced except in full. This letter and the test documentation upon which it is based are public information. All such letters and documentation may be reviewed upon request.
- This letter shall not be construed as authorization or consent by the FHWA to use, manufacture, or sell any patented system for which the applicant is not the patent holder.
- This FHWA eligibility letter is not an expression of any Agency view, position, or determination of validity, scope, or ownership of any intellectual property rights to a specific device or design. Further, this letter does not impute any distribution or licensing rights to the requester. This FHWA eligibility letter determination is made based solely on the crash-testing information submitted by the requester. The FHWA reserves the right to review and revoke an earlier eligibility determination after receipt of subsequent information related to crash testing.

Sincerely,



Michael S. Griffith
Director, Office of Safety Technologies
Office of Safety

Enclosures