STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

SHAILEN P. BHATT
SECRETARY

October 31, 2014

To: all Contractors, Suppliers, and Manufacturers

Effectively immediately, the **ET Plus** guardrail end treatment system as manufactured by Trinity Industries of Dallas, Texas is no longer considered an equal product meeting DelDOT's specification 720585 - GUARDRAIL END TREATMENT ATTENUATOR, TYPE 1.

This specific end treatment shall not be installed on any DelDOT guardrail until further notice. This decision applies to all current and future construction contract and maintenance activities statewide. This ban will remain in effect until comprehensive, independent safety testing, which will be conducted at the national level, is complete, the results evaluated, and a determination made that the product meets appropriate standards of performance.

We take this action based on the decision of Trinity Industries themselves to take their product off the market. The ET Plus has been the subject of several recent safety complaints and Trinity was found by a court in Texas to have made false or fraudulent statements to federal transportation officials in obtaining its 2005 letter of federal funding eligibility. In response, Trinity has agreed to perform new crash testing requested by the Federal Highway Administration and in the meantime has stopped shipment of its ET Plus product.

In addition to the ban on all new installations of Trinity's ET Plus system, DelDOT has initiated a review of all 2,101 GUARDRAIL END TREATMENT ATTENUATOR, TYPE 1 devices in its inventory. Because multiple manufacturer's devices meet the specification, the actual number that are Trinity's ET Plus device and their locations are not known. DelDOT is reviewing its inventory to make that determination.

DelDOT is also reviewing all crash data reported since 2005 to look for indications and instances of poor performance in Delaware with these types of systems. And while it is understood that in-service performance problems can result for many reasons such as

manufacturing defects, improper installation, damage and deterioration over the life of the installation, as well as vehicular impacts occurring outside the specific criteria of vehicle size, speed, and angle of impact used by standard crash tests, DelDOT believes this analysis will help it better understand whether replacement of current installations with different systems is needed and justified.

DelDOT continues to closely monitor the national-level discussions over the Trinity ET-Plus system and has been in discussions with the Federal Highway Administration and the American Association of State Highway and Transportation Officials for regular updates. DelDOT will re-evaluate its position as more definitive information becomes available.

Should you have any questions or concerns regarding DelDOT's position, please feel free to contact me at 302-760-2305 or at robert.mccleary@state.de.us.

Sincerely,



Robert B. McCleary, P.E.
Chief Engineer

Rm:rm

Cc: Shailen Bhatt, Secretary
Mary Ridgeway, FHWA, Delaware Division Administrator
Nicole Majeski, Deputy Secretary
Geoff Sundstrom, Public Relations Director
Mark Alexander, Director Maintenance & Operations
Mark Luszcz, Chief Traffic Engineer