NHTSA

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Bipartisan Infrastructure Law

Uniform Procedures for State Highway Safety Grant Programs

Presented by

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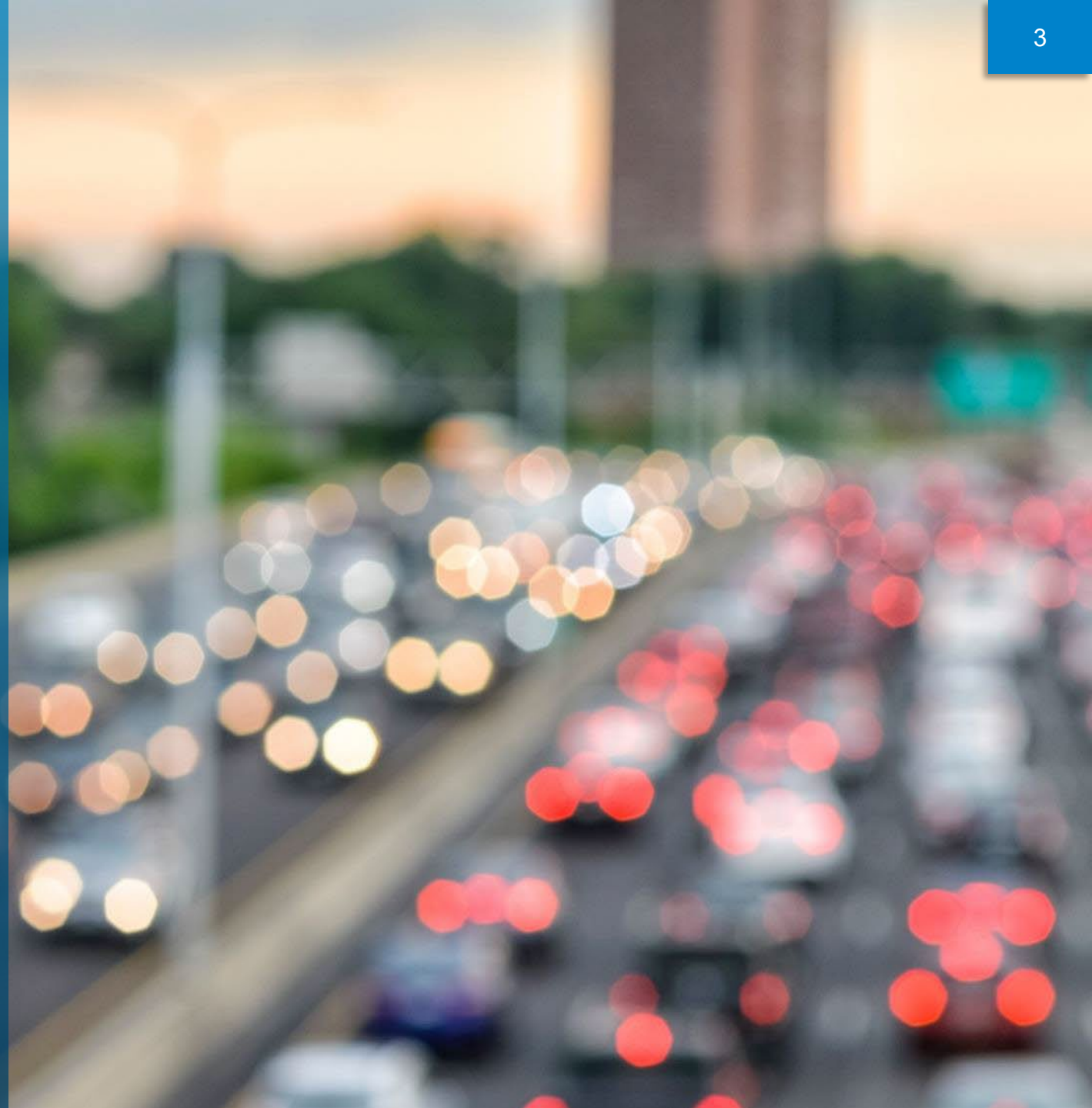
Objectives

- Identify key components of Uniform Procedures for State Highways Safety Grant Programs
- Explain changes to Triennial Highway Safety Plans, Annual Grant Applications, and Annual Reports
- Describe changes to Incentive Grants (Sections 405 and 1906)

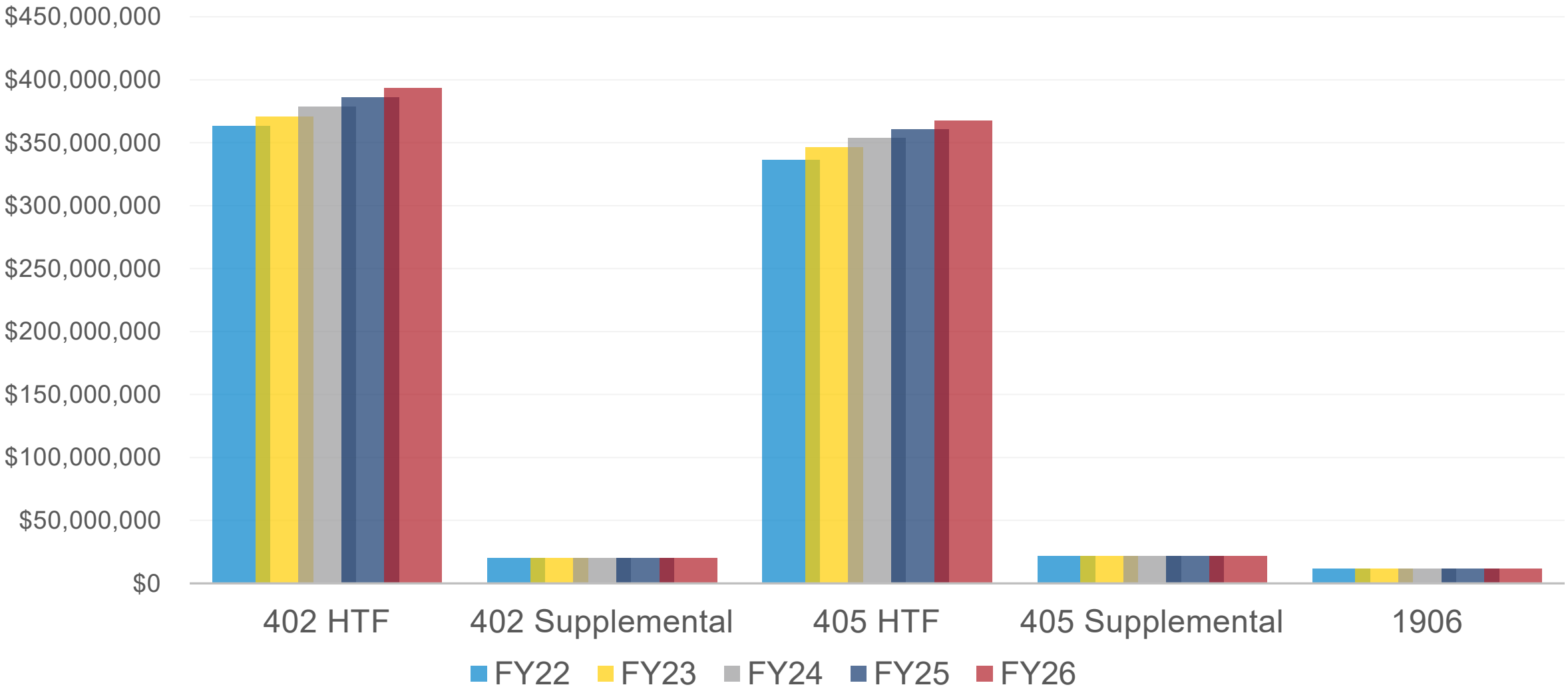


Ongoing Highway Safety Challenges

An estimated 31,785 people died in motor vehicle traffic crashes in the first 9 months of 2022.

BIL affords us additional resources and mandates to deliver *effective* and *impactful* programming

Grant Funding, by Fiscal Year



Impactful Programs and BIL

An Impactful Program:

- Connects performance targets, countermeasures and objectives
- Evaluates the impact of programming
- Embraces the Safe System Approach
- Introduces innovative countermeasures
- Refines existing countermeasures
- Continually assesses progress
- Actively collaborates with diverse stakeholders

Safe System Approach (SSA)

Key Components

- State Highway Safety Office (SHSO) Authority and Functions
- Triennial Highway Safety Plan (3HSP)
- Annual Grant Application (AGA)
- Section 402, 405 & 1906 Grants
- Annual Report & Reconciliation

Upcoming Due Dates 2023-2024

FFY24-26 Triennial HSP: **July 1, 2023**

NHTSA has 60 days from date of receipt to approve/disapprove

FY24 Annual Grant Application: **August 1, 2023**

FY23 Annual Reconciliation and Annual Report: **January 28, 2024**

This webinar is not intended to replace reading the regulation in its entirety

§ 1300.4 – State Highway Safety Office (SHSO) Authority & Functions

- Manage the highway safety program and Federal funds
- Foster meaningful public participation and engagement
- Coordinate and assist other State/local agencies
- Access highway safety data
- Inform the Governor on program effectiveness
- Maintain adequate staffing

§ 1300.4 – State Highway Safety Office (SHSO) Authority & Functions

To effectively carry out responsibilities and to avoid any conflict of interest, the Governor's Representative (GR) must have access to the Governor and be the head of the SHSO *or* be in the chain of command between the SHSO and the Governor

§ 1300.11 – Triennial Highway Safety Plan

§ 1300.11 – Triennial Highway Safety Plan (3HSP)

- First 3HSP due by July 1, 2023, and cover Federal Fiscal Years 2024, 2025, 2026
- 5 components
- Must fully address all requirements to be approved

§ 1300.11 – 3HSP

Performance Report

Progress report on meeting targets based on current data.

Explain *progress* in achieving targets and how this aligns with the triennial HSP

Describe how the countermeasure strategies contributed to meeting performance targets

§ 1300.11 – 3HSP

Highway safety planning process & problem ID

Describe planning process and how the program was informed

Describe and analyze highway safety problems (problem identification)

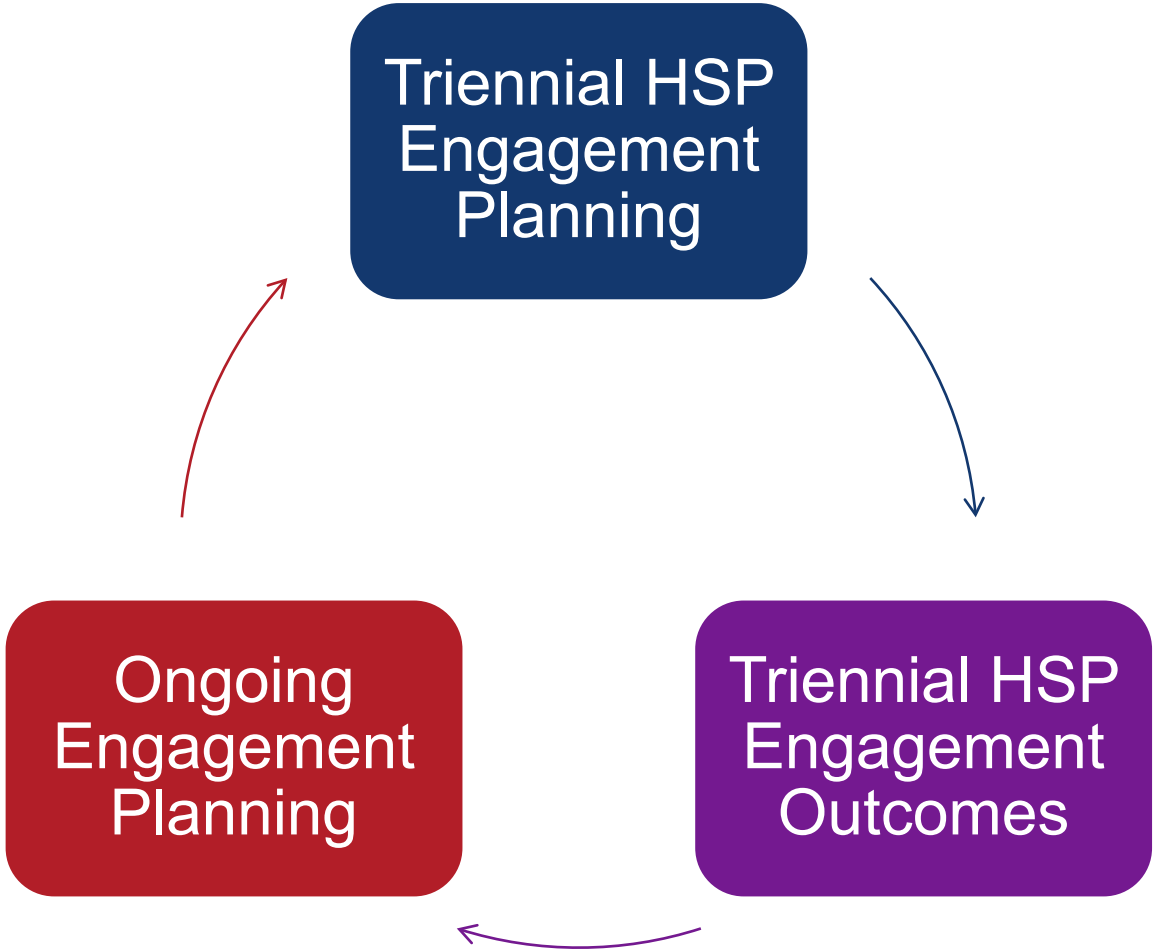
Added emphasis on geospatial and sociodemographic data

Illustrative Ways to Utilize Available Data

Traditional	State identified novice drivers ages 15-18 as overrepresented in alcohol/drug related fatalities based on FARS and driver license data.
Geospatial	There is a high rate of crashes of drivers in this age range in a particular neighborhood.
Sociodemographic	The location crosses 2 census tracts with prominent racial and ethnic demographics within these tracts

§ 1300.11 – 3HSP

Public Participation and Engagement



§ 1300.11 – 3HSP

Performance Plan

Targets must demonstrate constant or improved performance over 3-year period, based on most recent data available

Provide for each performance measure: current safety levels; targets showing constant or improved performance; how each target is data-driven; identical SHSO/State DOT fatality, fatality rate, & serious injuries targets; targets for all program areas

What Might Constant or Improved Look Like?

Use the most recent data available to determine your current safety level

Total fatalities:

Actual					5-year Avg	In progress	Projections		
2018	**2019**	**2020**	**2021**	**2022***	**2018-2022**	**2023**	**2024**	**2025**	**2026**
110	108	106	99	100	104.6	95	93	91	89

Establish target using current safety data

New Target – Constant Example (rolling avg. ending in 2026)	**New Target – Improved Example** (rolling avg. ending in 2026)
104.6	93.6

- Constant = maintaining current numbers of fatalities
- Improved = bringing fatalities down
- Use data to justify, don’t assume that constant is a default option

§ 1300.11 – 3HSP

Countermeasure strategy for programming funds

- Describe link between problem identification and countermeasure strategy
- List and justify *all* countermeasures
- Identify target(s) the countermeasure strategy will address
- Describe link between countermeasure strategy effectiveness and performance target(s)
- Estimate a planned 3-year allocation of Federal funds
- Describe considerations for what projects to fund
- Describe how the countermeasure strategy was informed by the Uniform Guidelines and programmatic assessments

Elements of a countermeasure strategy for programming funds

Strategy	Underage Drinking and Driving Prevention and Enforcement
Problem (link to strategy)	Drivers ages 15-20 overrepresented in alcohol/drug related fatalities
Countermeasures (and justification)	• Zero-tolerance law enforcement – CTW 3 stars citation • Youth programs – Research data citation
Target (link to strategy)	Reduce drivers ages 20 and younger involved in fatal crashes by 8% from 109 to 100 by 2026
Estimated 3-year funding allocation	$100,000; BIL 405(d)
Strategy to project considerations	• Sociodemographic data • Location(s) • Affected communities, potentially affected communities • Partnerships • Uniform Guidelines or program assessment

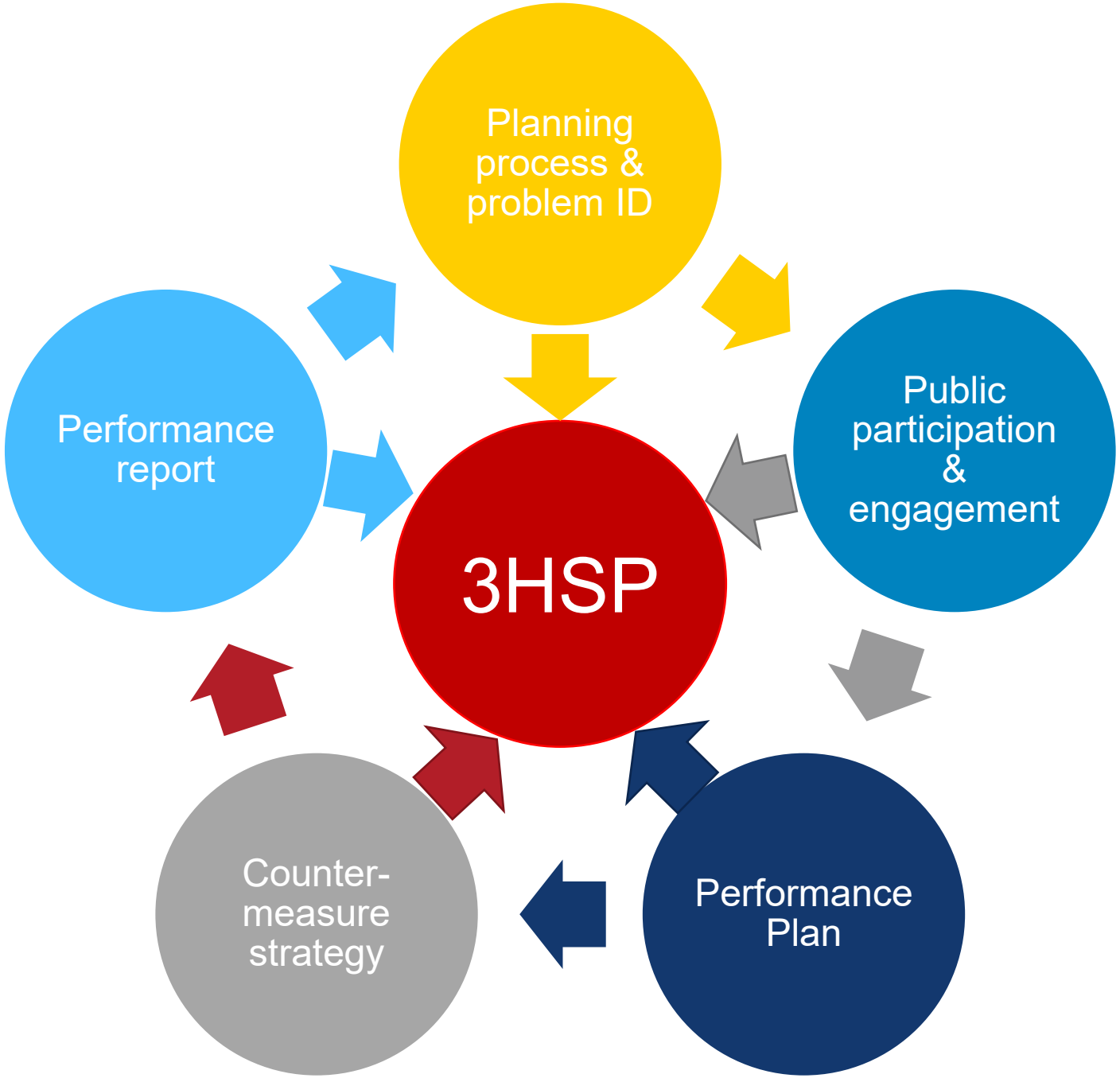
3HSP Approval/Disapproval Process

NHTSA Review to be Complete within 60 Days from Submission

Regions may request additional information during review

NHTSA may extend review period, where appropriate

If disapproved, resubmission within 30 days


Planning process & problem ID
Public participation & engagement
Performance Plan
Counter-measure strategy
Performance report
3HSP

§ 1300.12 – Annual Grant Application

§ 1300.12 – Annual Grant Application (AGA)

- First AGA due August 1, 2023; addresses Federal Fiscal Year 2024
- 4 components
- Streamlined amendment process = only certain project changes require approval (1300.32)
- Any conditions or limitations placed on the use of funds will be closely monitored to ensure required follow-up action is taken

§ 1300.12 – Annual Grant Application (AGA)

- Updates to 3HSP
- Project and subrecipient information
- Section 405 grant and Section 1906 racial profiling data collection grant applications
- Certifications and assurances

§ 1300.12 – Annual Grant Application (AGA)

Updates to 3HSP	
Required: Adjustments to countermeasure strategy for programming funds.	Optional: Changes to problem ID, public participation and engagement strategy, performance measures
Must follow the framework for providing information in the 3HSP	
The State may not amend existing performance targets (except common targets)	

§ 1300.12 – Annual Grant Application (AGA)

Project and subrecipient information

- Project name and description, including, at a minimum, a description of activities conducted, location where the project is performed, and affected communities
- Federal funding source(s)
- Project agreement number
- Subrecipient(s)
- Amount of Federal funds
- Eligible use of funds
- Planning and Administration costs (if applicable)
- Whether the project is a promised project
- The countermeasure strategy or strategies for programming funds identified in the most recently submitted (or updated) triennial HSP

§ 1300.12 – Annual Grant Application (AGA)

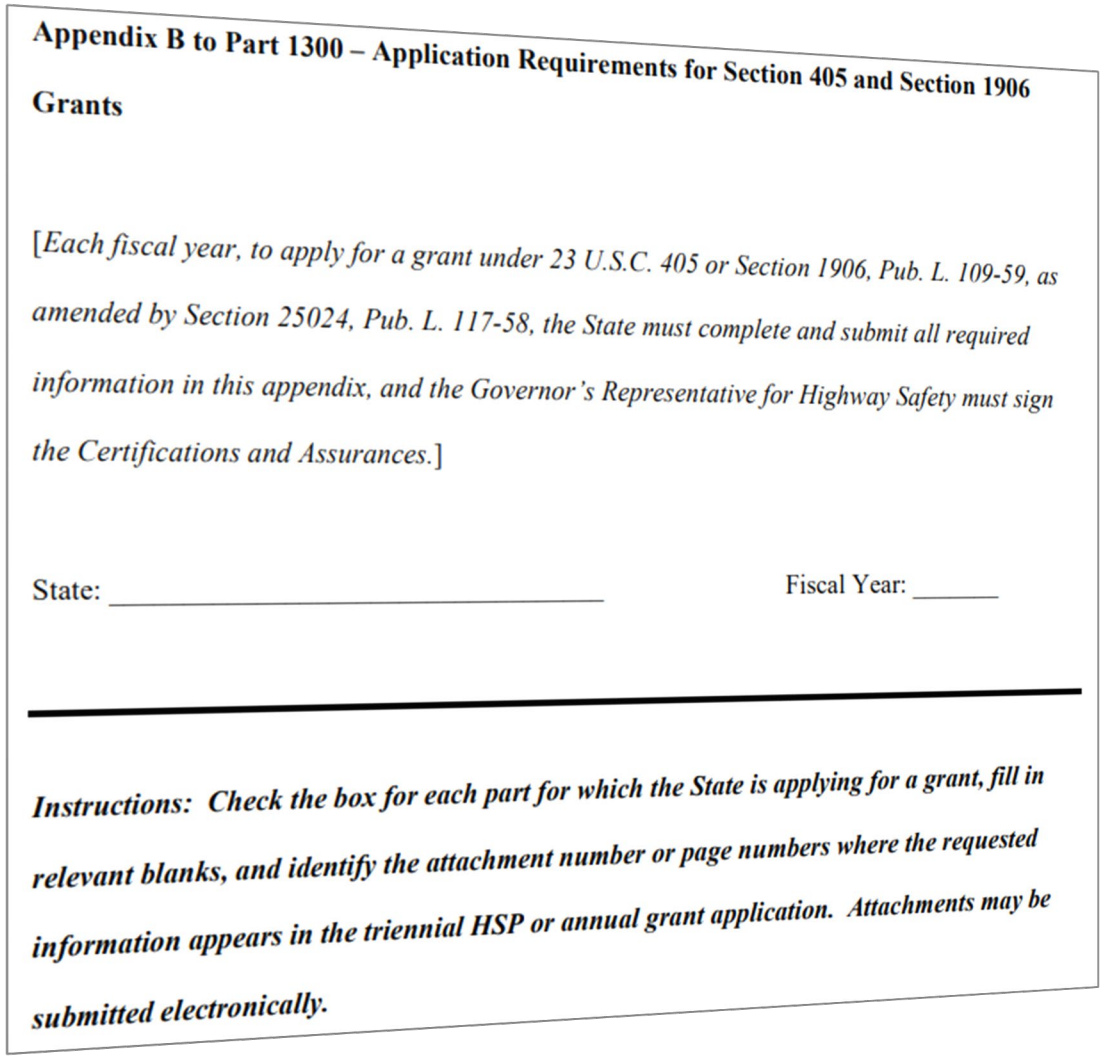
Project and subrecipient information

Project name and description	"Supporting Child Passenger Safety for Economically Disadvantaged Communities" Providing education and loaner child safety seats (CSS) to low-income families in Berwyn Heights, Adelphi, White Oak and Hillandale. The project will purchase CSS, recert 5 technicians, salary and educational materials. Health Department will cover cost to promote the program.
Federal funding source(s)	BIL 405b
Project agreement number	M2-2024-01-00-31
Subrecipient(s)	Prince George's County Health Department
Organization type	County Health Department

§ 1300.12 – Annual Grant Application (AGA)

Project and subrecipient information

Amount of Federal funds	$35,000
Eligible use of funds	Train Child Passenger Safety (CPS) technicians, CPS education, and distribution of child safety seats to low income and underserved communities
Planning and Administration costs (if applicable)	No
Whether the project is a promised project	No
The countermeasure strategy or strategies for programming funds	Child passenger safety education for low-income populations



Appendix B to Part 1300 – Application Requirements for Section 405 and Section 1906 Grants

[*Each fiscal year, to apply for a grant under 23 U.S.C. 405 or Section 1906, Pub. L. 109-59, as amended by Section 25024, Pub. L. 117-58, the State must complete and submit all required information in this appendix, and the Governor's Representative for Highway Safety must sign the Certifications and Assurances.*]

State: _____ Fiscal Year: _____

Instructions: Check the box for each part for which the State is applying for a grant, fill in relevant blanks, and identify the attachment number or page numbers where the requested information appears in the triennial HSP or annual grant application. Attachments may be submitted electronically.

§ 1300.12 – Annual Grant Application (AGA)

Includes Sections 405 grants and 1906 racial profiling data collection grant applications

§ 1300.12 – Annual Grant Application (AGA)

Amendments (1300.32)

- States may amend the annual grant application throughout the fiscal year of the grant to add additional projects or to update project information for previously submitted projects.
- States may also submit amendment for triennial HSP elements
- Must be consistent with triennial HSP and constitute an appropriate use of highway safety funds.

§ 1300.12 – Annual Grant Application (AGA)

Amendments (1300.32)

Timing and Format

- All required project and subrecipient information must be complete before beginning project performance and must be completely updated at the time the State submits the annual report
- Must provide complete and updated information.

Regional approval

Requires approval:

- Any change not specifically excluded, including:
  - New projects/removal of projects
  - Project information subject to pre-approval (per Super Circular)
  - Project name and description
  - Link to countermeasure strategy
  - Funding source

§ 1300.13 – Planning and Administration, Local Expenditure & Other Items

§ 1300.13 – Planning and Administration (P&A)

- Increased to 18%

- All other rules/restrictions on use of funds for P&A remain unchanged

§ 1300.13 – Local Expenditure

- At least 40% of a State's 402 apportionment must be expended by political subdivisions (95% for Bureau of Indian Affairs)

- There are two ways to comply with this requirement:
  - Direct expenditures – OR ---
  - Expenditure on behalf of a political subdivision

§ 1300.13 – Local Expenditure

Expenditure by state *on behalf of* political subdivision:

1. Specific political subdivision is involved in the planning process, the State enters into agreements based on the need identified by the political subdivision, and the political subdivision provides written confirmation of acceptance of the project

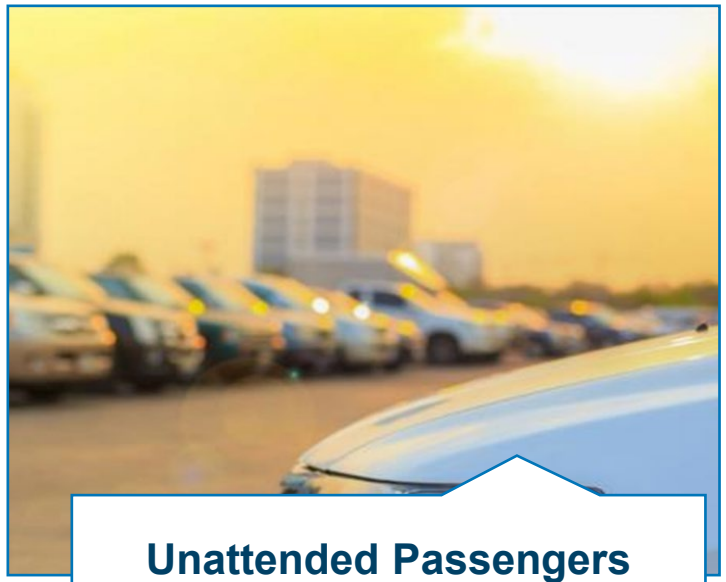
2. Request from the political subdivision to execute a project on their behalf (identifying need and activity requested).

§ 1300.13 – Local Expenditure Example

Marijuana-Impaired Driving

States that have legalized medicinal or recreational marijuana shall consider programs to:

- Educate on the risks associated with marijuana-impaired driving;
- Reduce injuries and deaths related to marijuana-impaired driving.



Unattended Passengers Program

States must use a portion of grant fund to educate the public regarding the risks of vehicular hyperthermia.

Teen Traffic Safety Program

States may use a portion of grant funds to implement statewide efforts to improve traffic safety for teen drivers.

Prohibition on Check for Helmet Usage

Maintains the restriction on using grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

Automated Traffic Enforcement Systems

Allows for automated enforcement systems in school zones and work zones

States must follow state and/or local requirements for use.

Any ATES system installed using grant funds must comply with guidelines established by the Secretary.

§ 1300.35 – Annual Report

§ 1300.35 – Annual Report (AR)

- Submission deadline extended to January 28 (120 days following end of federal fiscal year)
- Must include a performance report and an activity report
- NHTSA expects analysis of how the state's efforts impacted their performance goals and project implementation

§ 1300.35 – AR Performance

- Assess progress in achieving performance targets
- Describe how progress aligns with the triennial HSP objectives
- Describe how the funded projects contributed to meeting targets
- If not on track, explain strategy adjustments for programming funds or explain why adjustments aren’t needed to achieve the performance targets

§ 1300.35 – AR Activity

- Explain reasons why projects weren't implemented
- Describe public participation and engagement efforts carried out and how those efforts informed projects implemented
- Describe the evidence-based enforcement program
- Submit mobilization participation information

Subpart E – Annual Reconciliation

Request for an extension for final voucher submission limited to “extraordinary circumstances” (1300.40)

- Unexpected and rare situations such as a natural disaster

Process for promised projects unchanged

- States are reminded to limit carry-over amounts to protect against lapse and de-obligation

§ 1300.21-29 – National Priority Safety Program and Racial Profiling Data Collection Grants

Maintenance of Effort

BIL eliminated the maintenance of effort requirement for the:

- Occupant Protection
- State Traffic Safety Information System Improvements; and
- Impaired Driving Countermeasures grants

§ 1300.21 – Occupant Protection (OP) grants

Qualifications

All States:

- Occupant protection plan
- National Click-it-or-Ticket mobilization participation
- Active network of Child Passenger Safety (CPS) inspection stations/events
- Sufficient number of CPS technicians

Lower Seat Belt Use Rate States (add 3 of the below):

- Primary enforcement seat belt use law
- Occupant protection law
- Conduct sustained seat belt enforcement
- High risk population countermeasure programs
- Comprehensive OP program
- OP assessment conducted within 5-years

Eligible Use of Funds

- High Visibility Enforcement (HVE) mobilizations
- Train safety professionals and parents on OP/child restraints
- Educate the public on child restraints
- Provide community CPS services
- Support low-income and underserved populations by:
  - Recruiting/training CPS technicians
  - Educating caregivers
  - Implementing programs to purchase/distribute child restraints
- Support OP data and information systems

- At least 10% percent of funds must be used to implement CPS programs for low-income and underserved populations

1300.22 – Traffic Safety Information System grants

Qualifications	Eligible Use of Funds
State has: • Functioning Traffic Records Coordinating Committee (TRCC) that meets at least three times a year* • Designated a TRCC coordinator;* • State traffic records strategic plan, updated annually, approved by the TRCC* • Demonstrated quantitative improvement in a data attribute with supporting documentation *Certification only	• Software or applications to identify, collect, and report data, and to enter data into State core highway safety databases; • Equipment to improve the process for data identification, collation and reporting; • Improve compatibility and interoperability of core highway safety databases; • Enhance ability to observe and analyze trends; • Support traffic records improvement training; • Hiring traffic records professionals to improve traffic information systems (FARS liaison); • Adoption of Model Minimum Uniform Crash Criteria (MMUCC) • Supporting reporting related to emerging topics • Traffic records systems research

§ 1300.23 Impaired Driving grants

Impaired Driving

All States:

- Assurances

Mid-Range

- Impaired Driving Task Force
- Impaired Driving Strategic Plan

High-Range

- Impaired Driving Task Force
- Impaired Driving Strategic Plan, expanded
- NHTSA-facilitated assessment

Submit your Statewide impaired driving plan as a single document

Offers flexibility for mid- and high- range states for FY24 applications

§ 1300.23 Impaired Driving grants (Ignition Interlock)

Alcohol Ignition Interlock

- Apply based on state law(s)

- Three ways to comply (two new):
  - Mandatory interlock for all individuals convicted of DUI;
  - Restrict driving privileges of all individuals convicted of DUI until they install an interlock on each vehicle registered, owned, or leased; or
  - Mandatory interlock for all individuals who refused a drug/alcohol test plus compliance-based removal program.

- Only 3 exceptions

§ 1300.23 Impaired Driving grants (24-7 Sobriety Program)

24-7 Sobriety Program

- Apply based on law(s) or programs
- Two ways to comply:
  - Mandatory restriction on driving privileges for 30 days; or
  - Statewide 24-7 sobriety program.

§ 1300.23 Impaired Driving Grants: Eligible Use of Funds

Eligible Use of Funds

- High-visibility enforcement (HVE) efforts
- Impaired driving coordinator
- Court support
- Ignition interlock programs
- Improving screening and testing, and reporting
- Paid and earned media in support of HVE, training (SFST, ARIDE and DRE), and equipment for enforcement
- Training on screening and brief intervention, on impaired driving assessment programs or other tools related to recidivism and treatment
- Development of impaired driving information systems
- 24-7 sobriety program
- Testing and implementing programs and purchasing technologies to identify, monitor or treat impaired drivers.

§ 1300.24 – Distracted Driving Grants

Qualifications	Eligible Use of Funds
Distracted driving awareness: Submitting sample distracted driving questions from driver's license exam. Distracted driving laws that prohibit (must comply with one of four): • Prohibit texting while driving • Prohibit handheld phone use while driving • Prohibit cell phone use by driver under 18 years of age • Prohibit viewing personal communication device while driving	• Educate public through advertising with information about the dangers of texting or using a cell phone while driving • Traffic signs about distracted driving law of the State • Law enforcement costs related to enforcement of the distracted driving law

§ 1300.25 – Motorcyclist Safety Grant

Qualifications	Eligible Use of Funds
Must meet two: • Motorcycle rider training course • Motorcyclist awareness program • Helmet law for riders under 18 • Reduction of fatalities and crashes involving motorcycles • Impaired motorcyclist driving program • Reduction of fatalities and crashes involving impaired motorcyclists • Use of fees collected from motorcyclists for motorcycle programs	• Improvements to motorcyclist safety training curricula; • Improvements in program delivery of motorcycle training to both urban and rural areas • Measures designed to increase the recruitment or retention of motorcyclist safety training instructors • Public awareness, public service announcements, and other outreach programs to enhance driver awareness of motorcyclists, including “share-the-road” safety messages

§ 1300.26 – Nonmotorized Safety Grants

Qualifications	Eligible Use of Funds

• Combined nonmotorized fatalities exceed 15% of the total annual crash fatalities
• BIL expands the definition of a non-motorized user.
• Submit project and subrecipient information based on eligible uses
	Relating to non-motorized safety:
	• Training of law enforcement officials
	• Enforcement mobilizations and campaigns
	• Public education and awareness programs
	  • Speed management
	  • Value of nonmotorized road user safety equipment (and any laws requiring use)
	  • Responsibility of motorists
	  • Infrastructure designed to improve non-motorized safety
	• Data collection and maintenance of data systems

§ 1300.29 – Racial Profiling Data Collection

Qualifications

States qualify by submitting official documents or project assurances:

- *Official* documents demonstrating that the State maintains and allows public inspection of driver race and ethnicity for all motor vehicle stops; or
- *Assurances* that the State will undertake activities to maintain and allow public inspection of driver race and ethnicity for all motor vehicle stops
- Increased funding (cap) available for states qualifying under official documents.

Eligible Use of Funds

- Collecting and maintaining data on traffic stops
- Evaluating the results of the data
- Developing and implementing programs, public outreach, and training to reduce the impact of traffic stops

§ 1300.27 – Preventing Roadside Deaths Grants

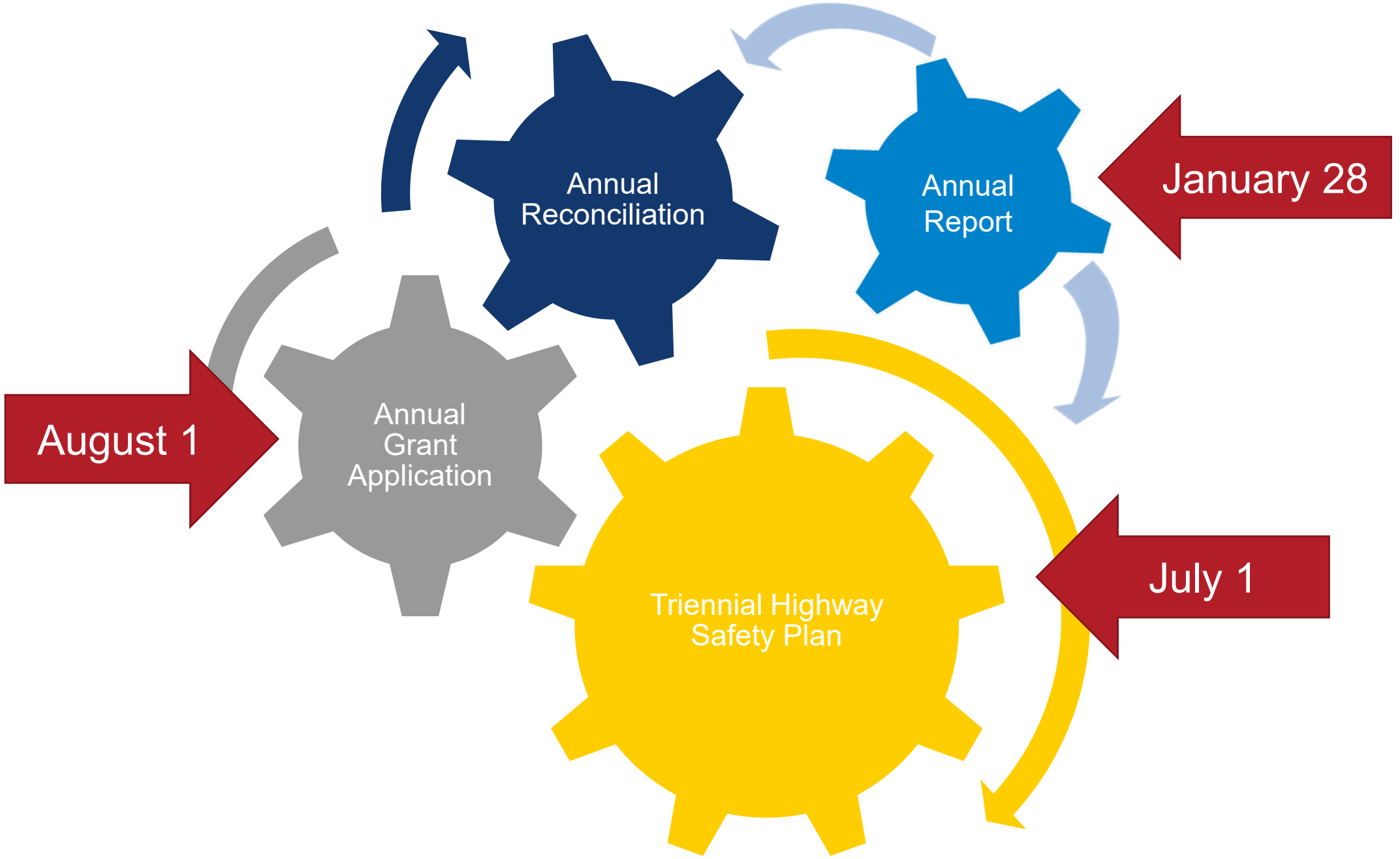
Qualifications	Eligible Use of Funds
Plan that describes the method by which the State will use grant funds, including: • Problem ID, performance measures/targets, countermeasure strategies • List of projects the state plans to implement	• Digital alert technology • Public education • Enforcement of law • Data collection and reporting • Pilot and incentivize measures to increase visibility of stopped vehicles

§ 1300.28 – Driver and Officer Safety Education Grants

New

Qualifications	Eligible Use of Funds
Documentation demonstrating compliance: • Law(s) or program requiring driver education and safety courses that include information relating to law enforcement practices during traffic stops, OR • Law(s) or program requiring training program for peace officers with respect to proper interaction with civilians during traffic stops. • May also apply showing meaningful steps towards full implementation of such a law or program	• Educational materials for driver education or officer training. • Training of staff for driver education and driving safety courses and peace officer training • Implementation of driver and officer safety laws or programs

Review: 3HSP, Annual Grant Application, Annual Reconciliation & Annual Report


Annual Reconciliation
Annual Report
January 28
August 1
Annual Grant Application
Triennial Highway Safety Plan
July 1

Upcoming Training Opportunities

Webinars:

- Public Participation & Engagement: Part 1 (Requirements & Implementation Examples)
  - Wednesday, February 15, 3:00 – 4:00PM EST
  - Wednesday, February 22, 12:30 – 1:30PM EST
- Public Participation & Engagement: Part 2 (Data Analyses & Community Engagement Strategies)
  - Thursday, February 16, 3:00 – 4:30PM EST
  - Tuesday, February 28, 3:00 – 4:30PM EST
- Ongoing topical webinars

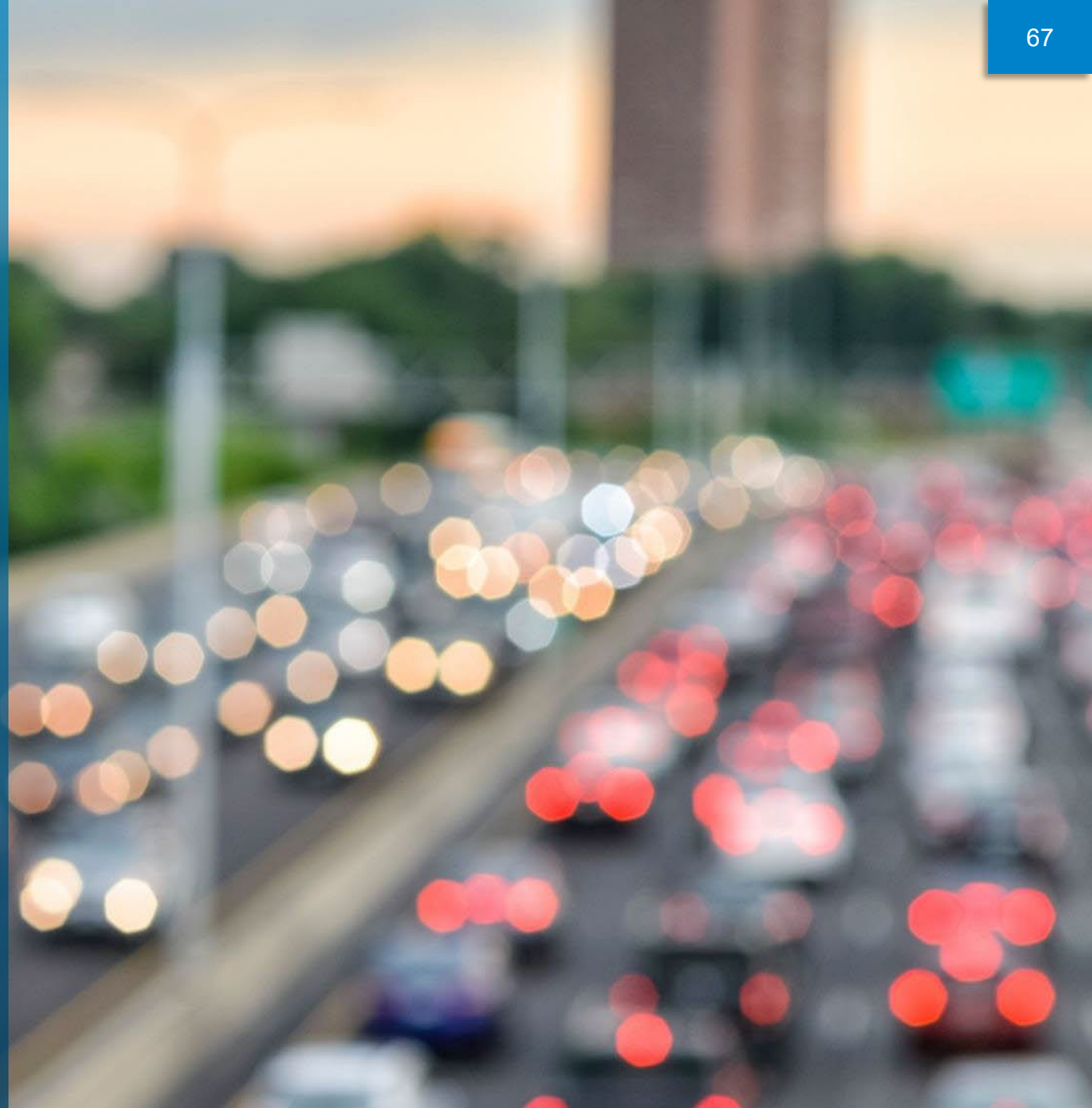
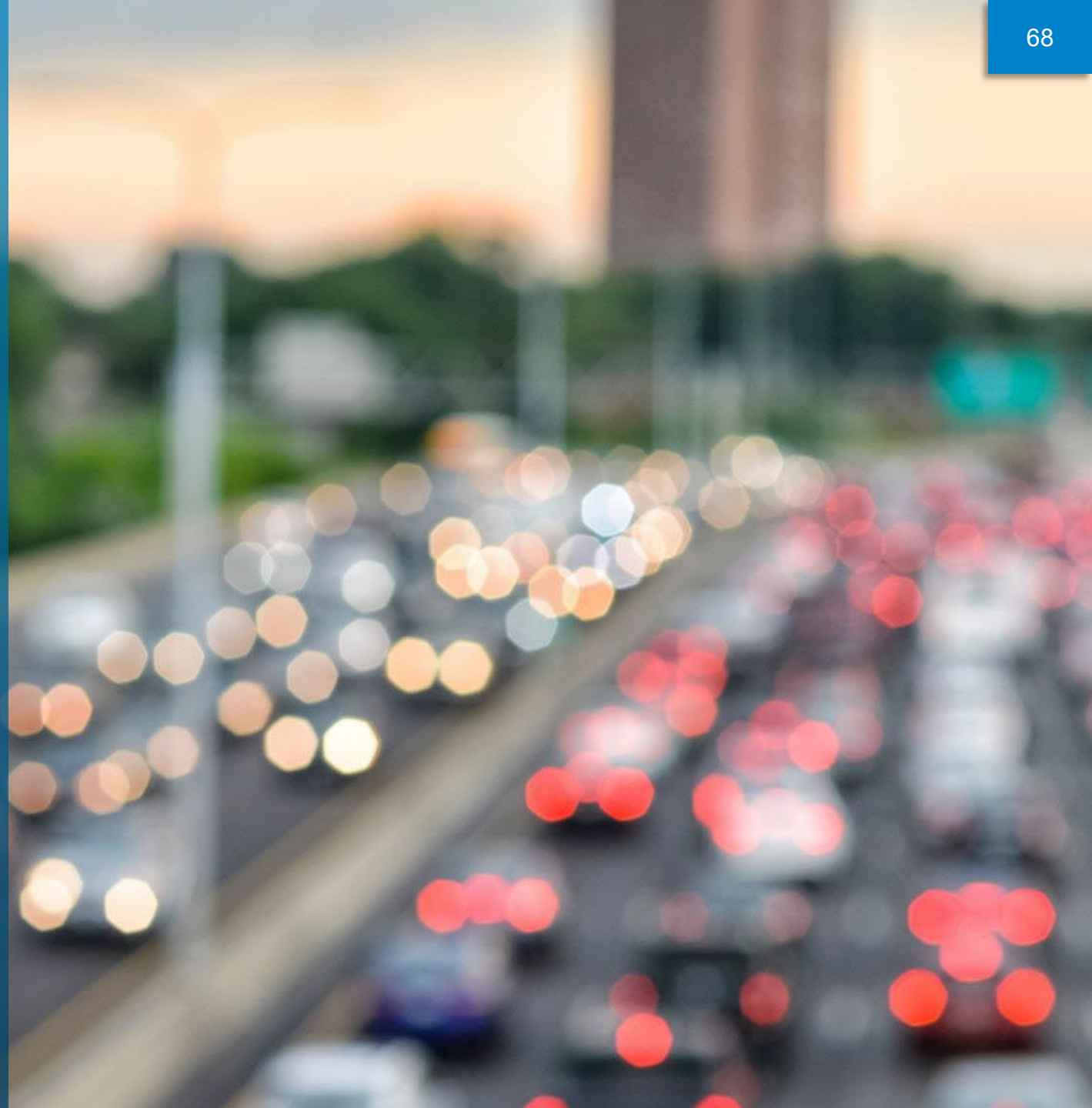
Transportation Safety Institute Courses:

- Impactful Traffic Safety Programs
- Updated Grants Management

Training Opportunities

What additional training will you need?

Q&A



Thank you