



# Highway Safety Plan

## FY 2021

### Indian Nations

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## **Highway Safety Plan**

### **NATIONAL PRIORITY SAFETY PROGRAM INCENTIVE GRANTS – The State applied for the following incentive grants:**

- S. 405(b) Occupant Protection: **No**
- S. 405(e) Distracted Driving: **No**
- S. 405(c) State Traffic Safety Information System Improvements: **No**
- S. 405(f) Motorcyclist Safety Grants: **No**
- S. 405(d) Impaired Driving Countermeasures: **No**
- S. 405(g) State Graduated Driver Licensing Incentive: **No**
- S. 405(d) Alcohol-Ignition Interlock Law: **No**
- S. 405(h) Non-motorized Safety: **No**
- S. 405(d) 24-7 Sobriety Programs: **No**
- S. 1906 Racial Profiling Data Collection: **No**

# Highway Safety Planning Process

## Data Sources Processes

### Data Sources

Traffic safety crash and injury data for NA/AN is often difficult to obtain and incomplete. To develop the Highway Safety Plan (HSP), the Indian Highway Safety Program (IHSP) utilizes crash/fatality data and information contained in the NHTSA Fatal Analysis Reporting System (FARS), state data bases, tribal crash records, U.S. Census Data, list of federally recognized tribes, Federal Highway Administration (FHWA) and Bureau of Indian Affairs (BIA) road data and the Annual Indian Country seatbelt observational survey.

Tribes are sovereign nations and are not required to report motor vehicle crash information to other entities. Tribes either do not report or the information provided is not complete, obtaining accurate crash and injury data to identify traffic safety trends is difficult. The IHSP uses multiple sources which include:

1. NHTSA Fatal Analysis Reporting System(FARS)
2. Center for Disease Control (WISQARS) population based fatalities
3. United States Census Bureau – demographic data
4. Traffic analysis reports and publications – vehicle, driver, and roadway
5. Annual seat belt observational survey
6. Vehicle Miles Traveled (VMT) data is not available
7. Individual tribal data (injury data is only available at the tribal level from participating tribes)

## PERFORMANCE MEASURES PROCESS

### Data Sources

Data sources used to determine targets for the Core Performance Measures are the same as identified in the 2nd paragraph under Data Sources above. Data for some Core Performance Measures is not available from national sources but are addressed directly from individual tribal projects as appropriate. Individual tribes provide activity data that is essential in setting reasonable performance measure targets.

### Steps in Performance Measure Process

The overall goal of the IHSP is to reduce crashes and traffic safety related injuries and fatalities in Indian Country,

1. The IHSP performance measure process begins with a review of crash data sources from FARS and individual tribal projects for either three year or five year periods to address Core performance measures. In addition; each tribal project contains performance measures which must include information to support the Performance Measure targets for the individual project.

2. The data driven trends are evaluated to determine if linear targets appear to be realistic and consistent. The process utilized supports the overall Core Performance Measure targets of the IHSP, HSP as well as provide the standard for the tribal projects which are selected.
3. Representatives from the BIA Roads, BIA OJS, HHS Indian Health Service (IHS), and Federal Highway Administration may evaluate each tribal grant application. Applications are evaluated for appropriate performance measures with realistic targets that support the overall core performance measures and the identified traffic safety issues.
4. The IHSP staff reviews trend data from each tribal proposal and the narrative problem identification information. The grant evaluation review includes IHSP staff discussions of known environmental factors which may impact progress, such as oil exploration and increased truck traffic which occurred in the North Dakota oil boom. Newly built casinos, high volume traffic highways/interstates transecting tribal lands, tribal enrolled population and population growth attributed to transient activities. Change in seasons or high volume traffic from casinos or other events, economic conditions, and identified local issue impact progress and are concerns provided by the tribe.

### **Performance Measurement Development Process**

The Core Performance Measures can be found under Performance Plans was developed from information provided on the FARS STSI site. National targets are set based on 3 to 5 year moving average. FARS 2016 shows Arizona, Oklahoma, New Mexico, Montana and Washington with the highest motor vehicle crash (MVC) fatality rates among Native Americans (NA) in the United States. Arizona reported 134 NA fatalities in 2017. The BIA IHSP will offer 2 PTS straight time law enforcement grants to tribes in Arizona, Navajo Nation and White Mountain Apache Tribe and an overtime grant to Fort McDowell Yavapai Nation in FY2021. Oklahoma reported 92 MVC fatalities in 2017. The tribes from the state of Oklahoma did not apply for Indian Highway Safety grant funds in 2021. New Mexico reported 83 MVC fatalities to FARS in 2017. In 2021, 5 tribes from New Mexico will receive straight time PTS grants, Jicarilla Apache Nation, Pueblo of Isleta, Pueblo of Jemez, Pueblo of Zia and Pueblo of Laguna. 2 overtime grants will be offered to Pueblo of Pojoaque and Santa Clara Pueblo. Montana reported 31 Native American fatalities in FARS in 2017. 1 tribe from Montana applied, the Chippewa Cree Tribe of the Rocky Boy's Reservation will be awarded a straight time PTS and CPS grant in FY21. The state of Washington reported 28 MVC fatalities in 2017 and The BIA IHSP will offer Confederated tribes of Yakama Nation and Confederated tribes of Colville straight time grants law enforcement grants. Overtime grant will be offered to Makah tribe. Minnesota has a large native population and tribes have actively applied for the grants for FY2021, and a number will be offered to the Minnesota Chippewa Tribes – Leech Lake Band, Red Lake Band of Chippewa, Upper Sioux Community, and White Earth Band of Chippewa Indians.

### **Processes Participants**

Participants in the process include representatives from the Bureau of Indian Affairs (BIA) Office of Justice Services (OJS), BIA Roads, Health and Human Services (HHS) Indian

Health Service (IHS), and State of New Mexico, Federal Highways (FHWA) may evaluate each tribal grant application. The BIA IHSP also participates in the Safety Management System Committee (SMS) with other federal partners and tribes. Applications are evaluated for appropriate performance measures with realistic targets that support the overall core performance measures and the identified traffic safety issues.

### **Description of Highway Safety Problems**

IHSP staff review monthly sub-grantee reports to obtain the most current traffic safety information available to evaluate areas needing improvement.

The Indian Highway Safety program problem identification process consists of reviewing and analyzing a broad range of data either submitted by tribes in grant applications or available from the data sources shown above. The IHSP staff begins the process of problem identification by obtaining the most current data from FARS and evaluating tribal reports submitted on a monthly basis. The tribal grantee reports contain information related to driving under the influence (DUI) speeding, crashes, fatalities and other traffic safety related data not available from FARS. FARS data is reviewed to determine trend lines that identify problem areas. Poor tribal crash reporting and NA FARS data more than three years old makes it difficult to obtain data relevant to the current HSP planning process. When available FARS Annual file data will be used in the analysis process however official target setting is based on the most current FARS data available on the State Traffic Safety Information (STSI).

Federally recognized tribes are sovereign and they are not required to report motor vehicle crash information to other entities. Since many either do not report or the information provided is not complete, obtaining accurate crash and injury data to identify traffic safety trends is difficult. BIA IHSP relies on grant funded tribes to provide reporting on a monthly and annual basis to assist with justification for grant funding and compares it with the numbers in FARS. According to FARS 2017 data Indian Country has 666 MVC fatalities nationwide and 394 of those fatalities have occurred within federally recognized tribal boundaries.

Indian Country faces many traffic problems which include motor vehicle crash and pedestrian fatalities, excessive speeding, impaired driving, and seatbelt violations. In FY19, 37 grant funded tribes reported 57 MVC fatalities on their reservations, 13 of the fatalities involved alcohol, 13 were due to excessive speed, and 9 involved people not wearing seat belts. During the same grant year 37 grant funded tribes reported 3,908 MVC, in which 951 were injury crashes. 364 of the total crashes reported involved alcohol and 330 were speed related.

In FY19, 3 grant funded tribes made 3,251 DUI, DWI and OWI arrests, issued 19,970 seatbelt violations, 2,638 child safety seat violations, and issued 35,685 speed along with 26,926 traffic violations. There were also 2 pedestrian fatalities within the FY19 grant year.

2,527 safety belt violations and 629 child passenger safety violation citations.

## **Methods for Project Selection**

### **Evidence Based Strategy and Project Selection Process Participants**

The IHSP utilizes a grant application review team which may consist of representatives from NHTSA, Indian Health Service, Bureau of Indian Affairs, Office of Justice Services and BIA Roads, and a Federal Highway Administration representative to evaluate and score the proposals.

Solicitation of Proposals and Project Selection Process. A solicitation letter and an electronic fill-in-the-blank application form, with instructions, are mailed to all federally recognized tribal leaders each year. Announcements regarding the solicitation for IHSP proposals are posted on the Tribal Technical Assistance Programs (TTAPs) websites, Indian Health Service websites and published in the Federal Register. Starting in 2017 applications and request for proposals were also made available to the tribes on grants.gov and the Bureau of Indian Affairs, Office of Justice Services Facebook page.

The IHSP began utilizing an electronic fill-in-the-blank application form in FY2011. The application was developed to help streamline the application process and assist in the collection of data and evaluation of proposed projects. The electronic fill-in-the-blank application is updated annually and requires specific data related to the project which requires the tribes to focus on traffic safety issues identified by their data.

Prospective tribal applicants are required to submit their application for funding to the Indian Highway Safety Program office no later than May 1 of each year. The tribes are required to include traffic crash data to support the problem(s) they plan to address as well as provide supportive data that includes previous years arrest records, citation records and conviction rates.

All applications are scored by a review team. PTS applications were eligible for scores up to 100 based on the following:

1. General Information - 10 points
2. Data (Problem Identification) - 45 points
3. Targets, Performance Measures & Strategies - 35 points
4. Budget - 10 points

After all scores are totaled and averaged projects were selected for funding based on their ranking. The IHSP Director reserves the right to fund modify or not fund grant applications regardless of scores. The projects selected must provide sufficient traffic records data to identify a traffic safety problem and activities to address the problem.

23 C.F.R. Section 402 establishes only 402 funds are available for the BIA IHSP. Each year the IHSP evaluates the obligations and status of carryforward funds to determine the available funding for obligation to the tribes. No matching funds are required for the IHSP or the tribes. During the coordination process with other federal agencies involved in traffic safety other federal fund sources that contribute to accomplishment of the IHSP HSP projects performance targets are identified.

NHTSA Region 6 coordinates with the various NHTSA regional offices to identify if other state highway safety funds will contribute to performance measure targets of IHSP participating tribes. This coordination takes place after the HSP approval processes concludes, however when identified a revision to the HSP will identify additional fund sources within the project description.

While there is no formal Strategic Highway Safety Plan (SHSP) as required for States, the IHSP Director coordinates with various Federal and Tribal partners as part of the planning and implementation of the IHSP Highway Safety Plan (HSP) such as with the Safety Management Steering (SMS) committee. In addition the IHSP Director participates in meetings with the BIA Central Office Transportation Division; the IHSP also participates in state planning meetings which include tribal organizations within their respective states. BIA Central Office Transportation Staff concur with the targets and strategies in the HSP. The final version of the HSP will also be provided in an effort to solicit in order to better serve Indian Country highway safety.

**List of Information and Data Sources**

**Data Sources**

Because tribes are sovereign they are not required to report motor vehicle crash information to other entities. Since many either do not report or the information provided is not complete, obtaining accurate crash and injury data to identify traffic safety trends is difficult. The IHSP uses multiple sources which include:

1. NHTSA Fatal Analysis Reporting System (FARS)
2. Center for Disease Control (WISQARS) population based fatalities
3. United States Census Bureau –demographic data
4. Traffic analysis reports and publications –vehicle driver and roadway
5. Annual Indian Country seat belt observational survey
6. Vehicle Miles Traveled (VMT) data is not available
7. Individual tribal data (injury data is only available at the tribal level from participating tribes)

**Description of Outcomes**

Indian Country does not have a State Strategic Highway Safety Plan.

**Performance Report**

Progress towards meeting State performance targets from the previous fiscal year's HSP

Sort Order	Performance measure name	Progress
1	C-1) Number of traffic fatalities (FARS)	In Progress



2	C-2) Number of serious injuries in traffic crashes (State crash data files)	Not Met
3	C-3) Fatalities/VMT (FARS, FHWA)	Not Met
4	C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)	In Progress
5	C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)	In Progress
6	C-6) Number of speeding-related fatalities (FARS)	In Progress
7	C-7) Number of motorcyclist fatalities (FARS)	In Progress
8	C-8) Number of unhelmeted motorcyclist fatalities (FARS)	In Progress
9	C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)	In Progress
10	C-10) Number of pedestrian fatalities (FARS)	In Progress
11	C-11) Number of bicyclists fatalities (FARS)	In Progress
12	B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)	In Progress
13	A-1) Number of seat belt citations issued (reported by tribes)	In Progress
14	A-2) Number of impaired driving arrests (reported by tribes)	Not Met
15	A-3) Number of speed citations issued (reported by tribes)	In Progress

**Performance Measure: C-1) Number of traffic fatalities (FARS)**

Progress: Achieved

Program-Area-Level Report:

To reduce all fatalities on Indian reservations by 13% from the 2015 FARS number of 369 to 318 by the end of FY2019.

According to 2017 FARS data there were 394 motor vehicle fatalities on reservations. FARS shows motor vehicle crash fatalities have continued to rise from the 316 reported in 2017. In FY19, 37 Tribes reported a total of 57 motor vehicle fatalities.

**Performance Measure: C-2) Number of serious injuries in traffic crashes (State crash data files)**

Progress: Not Met

Program-Area-Level Report:

**Performance Measure: C-3) Fatalities/VMT (FARS, FHWA)**

Progress: Not Met

Program-Area-Level Report:

**Performance Measure: C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)**

Progress: Achieved

Program-Area-Level Report:

To reduce the total number of un-restrained passenger vehicle occupant fatalities, all seat positions by 13% from the 2015 FARs number of 166 to 144 by the end of FY2019.

Current FARS 2017 data reflects 144 un-restrained passenger vehicle occupant fatalities all seat positions remains the same as what was reported in FARS 2017. Un-restrained passenger vehicle-occupant fatalities all seat positions have not increased or decreased but has stayed the same the last two years. In FY19, 37 Tribes reported a total of 3,887 motor vehicle crash (MVC) on their reservations. Of this number 57 were motor vehicle crash fatalities and 9 of the people killed were not wearing seat belts.

**Performance Measure: C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)**

Progress: Achieved

Program-Area-Level Report:

Reduce crash fatalities on Indian reservations involving drivers or motorcycle operators with a BAC of 0.08 or above, by 15% from the FARS 2015 number of 168 to 142 by the end of FY2019.

Current 2017 FARS data reflects the number of on reservation fatalities in crashes involving a driver/motorcycle rider decreased to 158. In FY19, 37 funded Tribes reported a total of 2 fatalities with drivers with .08+ BAC.

**Performance Measure: C-6) Number of speeding-related fatalities (FARS)**

Progress: Achieved

Program-Area-Level Report:

To reduce the number of speed related fatalities, on Indian reservations, by 25% from the 2015 FARS number of 125 to 94 by the end of FY2019.

Current 2017 FARs data reflects a downward trend of 119 fatalities on reservations. In FY19, 37 funded Tribes reported a total of 13 speed-related motor vehicle fatalities on their reservations during the project year.

**Performance Measure: C-7) Number of motorcycle fatalities (FARS)**

Progress: Achieved

Program-Area-Level Report:

To decrease the number of motorcyclist fatalities, on Indian reservations, by 5% from the 2015 FARS number of 22 to 21 by the end of FY2019.

Current FARS 2017 data shows motorcyclist fatalities decreased to 19 on reservations. In FY19, 37 funded tribes reported 0 motorcyclist fatalities on their reservations during the project year.

**Performance Measure: C-8) Number of unhelmeted motorcycle fatalities (FARS)**

Progress: Achieved

Program-Area-Level Report:

To reduce the number of un-helmeted motorcyclist fatalities, on reservations, from 2015 FARS number of 6 to 12 by the end of 2019.

Current 2017 FARS data reflects an upward trend of unhelmeted motorcycle fatalities on reservations to 11. In FY19, 37 funded tribes reported 0 un-helmeted motorcyclist fatality on their reservations during the project year.

**Performance Measure: C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)**

Progress: Achieved

Program-Area-Level Report:

To decrease the number of drivers 20 or younger, on reservation, involved in fatal crashes from 2015 FARS number of 15 to 6 in 2019.

Current 2017 FARS data reveals an upward trend of 18 driver fatalities age 20 and younger on reservations. In FY19, 37 funded tribes reported a total of 1 fatalities of drivers 20 or younger fatalities on their reservations during the project year

**Performance Measure: C-10) Number of Pedestrian fatalities (FARS)**

Progress: Achieved

Program-Area-Level Report:

To reduce the number of pedestrians involved in fatal crashes, on reservations, from 2015 FARS number of 58 to 50 in 2019.

Current FARS data from 2017 shows an increase in pedestrian fatalities on reservations at 62. In FY19, 37 funded tribes reported a total of 2 pedestrian fatalities on their reservations during the project year

**Performance Measure: C-11) Number of bicyclist fatalities (FARS)**

Progress: Achieved

Program-Area-Level Report:

To reduce the number of bicyclists, on reservations, involved in fatal crashes from 2015 FARS number of 5 to 3 in 2019.

Current FARS 2017 data shows the number of pedal cyclist fatalities of 2 which reflects a decrease from the FY15 number of 5. In FY19, 37 funded tribes reported a total of 0 bicyclist fatalities on their reservations during the project year.

**Performance Measure: B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)**

Progress: Not Met

Program-Area-Level Report:

To increase safety belt usage rates in Indian Country from the FY 2017 “national” Indian Country rate of 76.8% to 79% by the end of FY2019.

In FY19, Indian Country is now at 77.0%.

**Performance Measure: A-1) Number of seat belt citations issued (reported by tribes)**

Progress: Not Met

Program-Area-Level Report:

FARS data for Native American seat belt citations is not available. These numbers are reported by grant funded tribes.

To increase the number of seat belt citations issued on Indian Reservations by 5% from the FY17 number of 3,110 to 3,265 by the end of FY2019. In FY19, 37 Tribes reported 2,527 seat belt citations issued. Target was not achieved due to Tribal Police Departments conducting high visibility enforcement, issuing citations for no seat belt usage and educating the public on the importance of seat belt usage along with car seat distributions.

**Performance Measure: A-2) Number of impaired driving arrests (reported by tribes)**

Progress: Not Met

Program-Area-Level Report:

The BIA IHSP planned to reduce the incidence of impaired driving by increasing DUI/DWI/OWI arrests by all funded traffic activity within the participating tribes by 20% from the FY2016 total of 4,128 to 4,954 by the end of FY2019.

In FY19, 37 Tribes reported 3,211 DUI/OWI arrests were made. Target was not achieved due to Tribal Police Departments conducting high visibility enforcement and educating the public on the dangers of impaired driving.

**Performance Measure: A-3) Number of speed citations issued (reported by tribes)**

Progress: Achieved

Program-Area-Level Report:

The BIA IHSP planned to increase the number of citations issued for speed, on Indian reservations, by 15% from the FY2017 number of 29,327 to 33,915 by the end of FY2019. In FY19, 37 Tribes reported 35,685 speed citations were issued.

## Performance Plan

Sort Order	Performance measure name	Target Period	Target Start Year	Target End Year	Target Value
1	C-1) Number of traffic fatalities (FARS)	5 Year	2017	2021	380
2	C-2) Number of serious injuries in traffic crashes (State crash data files)	5 Year	2017	2021	0.00
3	C-3) Fatalities/VMT (FARS, FHWA)	5 Year	2017	2021	0.000
4	C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)	5 Year	2017	2021	139
5	C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)	5 Year	2017	2021	150
6	C-6) Number of speeding-related fatalities (FARS)	5 Year	2017	2021	115
7	C-7) Number of motorcyclist fatalities (FARS)	5 Year	2017	2021	19
8	C-8) Number of unhelmeted motorcyclist fatalities (FARS)	5 Year	2017	2021	11
9	C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)	5 Year	2017	2021	17
10	C-10) Number of pedestrian fatalities (FARS)	5 Year	2017	2021	58
11	C-11) Number of bicyclists fatalities (FARS)	5 Year	2017	2021	2
12	B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)	5 Year	2019	2021	80
13	A-1 Number of seat belt citations issued (reported by tribes)	Other	2019	2021	22,807
14	A-2 Number of impaired driving arrests (reported by tribes)	Other	2019	2021	3,500
15	A-3 Number of speed citations issued (reported by tribes)	Other	2019	2021	39,550

### Performance Measure: C-1) Number of traffic fatalities (FARS)

**Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-1) Number of traffic fatalities (FARS)-2020	Numeric	380	5 Year	2017

**Performance Target Justification**

To reduce all fatalities on Indian Reservations by 4% from the 2017 FARS number of 394 to 380 by the end of FY 2021.

American Indian/Alaska Natives are killed in motor vehicle crashes on reservations at rates 2 to 3 times that of other ethnicities. The IHSP will award traffic safety grants to federally recognized tribes aimed at reducing death and injury caused by motor vehicle crashes. The IHSP has also awarded 4 Child Protection Seat grants in FY21 to assist in reducing fatalities among infants and small children. Target percentages and numbers were determined by using five year linear trend analysis from 2013-2017 FARS data which reflect a target of 394. The target reduction of 4% from 394 to 380 was selected because of the geographic locations of tribes being funded in FY21 (31 tribes in 15 states) and the ability to obtain FARS reports of motor vehicle crash fatalities from each of the 15 states. In FY20 the BIA IHSP awarded 35 PTS Grant and 15 CPS grants. In FY21 the BIA IHSP did not receive as many grant applications as in the prior years and will award 29 PTS grants and 4 CPS grants. The BIA IHSP attributes this to the COVID-19 pandemic that had an enormous impact on Indian Country causing many tribal offices to close at this time. Population, road miles, size of police force of each tribe and historical motor vehicle crash fatality numbers from the tribes funded in previous years was also taken into consideration.

**Performance Measure: C-2) Number of serious injuries in traffic crashes (State Crash data files)**

**Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-2) Number of serious injuries in traffic crashes (State crash data files)-2021	Numeric	0.00	5 Year	2017

**Performance Target Justification**

N/A

**Performance Measure: C-3 Fatalities/VMT (FARS, FHWA)**

**Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-3) Fatalities/VMT (FARS, FHWA)-2021	Numeric	0.000	5 Year	2017

**Performance Target Justification**

N/A

**Performance Measure: C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)****Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)-2021	Numeric	139	5 Year	2017

**Performance Target Justification**

To reduce the total number of un-restrained passenger vehicle occupant fatalities, all seat positions by 3% from the 2017 FARs number of 144 to 139 by the end of FY2021.

Target percentage and number was determined by using a five year linear trend analysis of 2013- 2017 FARS data. Five year linear trend analysis suggest un-restrained passenger vehicle occupant fatalities, all seat positions will be increase by 12% in FY21. Therefore, a 139 target, with a 3% reduction, was used to justify the target.

**Performance Measure: C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)****Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)-2021	Numeric	150	5 Year	2017

**Performance Target Justification**

Reduce crash fatalities on Indian Reservations involving drivers or motorcycle operators with a BAC of 0.08 or above, by 5% from the FARS 2017 number of 158 to 150 by the end of FY2021.

Target was determined by FARS data using a 5 year linear trend analysis from 2013-2017 which reflects a 23% increase in fatalities for FY21. Based on the FARs data the target was reduced to 5% to achieve the target of 150 by FY21.

**Performance Measure: C-6) Number of speeding-related fatalities (FARS)****Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
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C-6) Number of speeding-related fatalities (FARS)-2021	Numeric	115	5 Year	2017
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**Performance Target Justification**

To reduce the number of speed related fatalities, on Indian Reservations, by 3% from the 2017 FARS number of 119 to 115 by the end of FY2021.

Target was determined by FARS data using a five year linear trend analysis from 2013-2017 which reflects 3% decrease in all speed related fatalities on reservations.

**Performance Measure: C-7) Number of motorcyclist fatalities (FARS)**

**Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-7) Number of motorcyclist fatalities (FARS)-2021	Numeric	19	5 Year	2017

**Performance Target Justification**

To maintain the number of motorcyclist fatalities, on Indian Reservations, by the 2017 FARS number of 19 by the end of FY2021.

Target was determined by FARS data using a five year linear trend analysis from 2013-2017 which reflects maintaining motorcycle fatalities at 19 for FY21. In 2013 motorcyclist fatalities maintained at 18 and drastically increased to 25 in 2014 then dropped to 22 in 2015, with a slight decrease of 2 in 2016. And 19 in 2017. Therefore maintaining the target at 19 is reasonable and achievable based on FARS data.

**Performance Measure: C-8) Number of unhelmeted motorcyclist fatalities (FARS)**

**Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-8) Number of unhelmeted motorcyclist fatalities (FARS)-2021	Numeric	11	5 Year	2017

**Performance Target Justification**

To maintain the number of un-helmeted motorcyclist fatalities on reservations by the 2017 FARS number of 11 by the end of 2020.

Targets and percentages were determined by FARS using 5 year linear trend analysis from 2013-2017 projects un-helmeted fatalities on reservations increased from 9 in FY13 to 13 in FY14 and then decreased to 6 in FY15. Unhelmeted fatalities significantly increased to 11 in 2016 and 2017. Linear trend suggests un-helmeted motorcyclist fatalities on reservations will maintain at 11 and is justified for 2021 based on FARS data.

**Performance Measure: C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)**



**Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)-2020	Numeric	17	5 Year	2017

**Performance Target Justification**

To decrease the number of drivers 20 or younger on reservations involved in fatal crashes by 6% from 2017 FARS number of 18 to 17 in 2021.

Targets and percentages were determined by FARS using five year linear trend analysis from 2013-2017 which reflects an increase of 6% in fatalities involving drivers 20 or younger in FY21. Based on the FARS data a 6% reduction target was reasonable and achievable.

**Performance Measure: C-10) Number of pedestrian fatalities (FARS)****Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-10) Number of pedestrian fatalities (FARS)-2020	Numeric	58	5 Year	2017

**Performance Target Justification**

To reduce the number of pedestrians involved in fatal crashes on reservations by 6% from 2017 FARS number of 62 to 58 in 2021.

The FARS data using a five year linear trend analysis from 2013-2017 illustrated the trend projects a 15% increase in fatalities in FY21. The target is to reduce the fatalities by 6% from the FY17 number of 62 to 58 by the end of FY21 to make the target reasonable but yet still achievable.

**Performance Measure: C-11) Number of bicyclist fatalities (FARS)****Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-11) Number of bicyclists fatalities (FARS)-2021	Numeric	2	5 Year	2017

**Performance Target Justification**

To maintain the number of bicyclists on reservation involved in fatal crashes by the 2017 FARS number of 2 in 2021.

Target was determined by FARS data using a five year linear trend analysis from 2013-2017 which reflects a target of 2 for FY21.

**Performance Measure: B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)**

**Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)-2021	Percentage	80	5 Year	2019

**Performance Target Justification**

The safety belt usage rate for Indian Country is considerably lower than the other states in the Country. Five year linear trend analysis reflects an aggressive increase in seat belt usage in Indian Country at 80% in FY2021.

The seat belt usage rate in Indian Country has increased and slightly decreased within 5 years during FY15-FY19. In FY15 the seat belt usage rate was 74.3%, in FY16 it increased to 77.7% then decreased to 76.80%, increased to 78% and then slightly dropped to 77%. Based on prior year data a 4% increase of 80 was a realistic and achievable target for FY2021.

**Performance Measure: A-1) Number of seat belt citations issued (reported by tribes)**

**Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
A-1 Number of seat belt citations issued (reported by tribes)-2021	Numeric	22,807	Other	2019

**Performance Target Justification**

In FY21 BIA IHSP grant funded tribes seat belt citations issued are projected to increase to 14% which equals 22,807 citations to be issued for the grant year.

FARS data for Native American seat belt citations is not available. These numbers are reported by grant funded tribes. In FY19 thirty-seven (37) BIA IHSP grant funded tribes issued 19,970 seat belt citations. In FY20 the IHSP awarded fifty (50) grants which include thirty-five (35) Police Traffic Services grants and fifteen (15) Child Protection Seat grants.

**Performance Measure: A-2) Number of impaired driving arrests (reported by tribes)**

**Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
A-2 Number of impaired driving arrests (reported by tribes)-2021	Numeric	3,500	Other	2019

**Performance Target Justification**

Targets and percentages were determined by the 3,251 DUI/OWI arrests made, by thirty-six (36) grant funded tribes, in FY19. Five year linear trend analysis from 2015-2019 reflects an actual decrease in DUI/OWI arrests from the FY19 number of 3,251 to 781 in FY21. Based on the data used in the linear trend analysis it was determined an 8% decrease in DUI arrests was a reasonable and achievable target. In FY20 several tribes purchased Draeger drug testing machines which should assist in achieving this target in FY21. Tribes granted an awarded in FY21 will also be conducting high visibility enforcement.

**Performance Measure: A-3) Number of speed citations issued (reported by tribes)**

**Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
A-3 Number of speed citations issued (reported by tribes)-2021	Numeric	39,500	Other	2019

**Performance Target Justification**

FARS data for Native American speed citations is not available. These numbers are reported by grant funded tribes.

In FY19 the IHSP awarded thirty-seven (37) Police Traffic Services grants and they issued 38,775 speed citations, although the linear trend shows a downward trend, it is reasonable for an 8% increase to 39,500 for this target to be achievable in this core measure.

**Certification: State HSP performance targets are identical to the State DOT targets for common performance measures (fatality, fatality rate, and serious injuries) reported in the IHSP annual report, as coordinated through the State SHSP.**

I certify: **No**

**A-1) Number of seat belt citations issued during grant-funded enforcement activities\***

Seat Belt Citations: **22,807**

Fiscal Year A-1: **2021**

**A-2) Number of impaired driving arrests made during grant-funded enforcement activities\***

Impaired Driving Arrests: **3,500**

Fiscal Year A-2: **2021**

**A-3) Number of speeding citations issued during grant-funded enforcement activities\***

Speeding Citations: **39,950**

Fiscal Year A-3: **2021**

## Program Areas

### Program Area: Impaired Driving (Alcohol)

#### Description of Highway Safety Problems

This grant is a financial assistance award to maintain four Blood Alcohol Testing Mobiles (BAT Mobiles) for usage by the tribes and Bureau of Indian Affairs law enforcement in enhancing their current traffic safety and enforcement efforts. A few planned activities include providing support for the continued operation of the (BAT) Mobiles purchased for Breath Alcohol Testing use in Indian Country which will result in decreased alcohol related motor vehicle crash injuries and fatalities within the participating tribes. Support the tribes in BIA OJS Districts I (Aberdeen, South Dakota), III (Phoenix, Arizona), IV (Albuquerque, New Mexico) and V (Billings, Montana) by providing resources to utilize the BAT Mobiles. BAT Mobiles will be used to assist in reducing the number of fatalities in crashes involving a driver/motorcycle rider, on reservation, with a BAC of 0.08 and above. The four (4) BAT Mobiles will also be used at educational events, checkpoints and saturation patrols.

The 2013-2017 NHTSA FARS annual report shows alcohol-related fatalities have been decreasing from 158 in FY17 to 150 in FY21 on reservations across America. Based on the National Center for Health Statistics, leading causes of death for American Indian or Alaska Native population, accidents are the 3rd leading cause of death in our communities. In the last five (5) years DUI impaired driving arrests, among grant funded tribes, have gone up and down over the years but have decreased from the FY15 high number of 5,381 to 3,251 in FY19. Impaired driving fatalities have remained a serious issue on Native American reservations. The need for additional tribal officers, local DUI mobilizations and community education is necessary to have an effect on impaired driving in Indian Country.

#### Associated Performance Measures

Fiscal Year	Performance Measure Name	Target End Year	Target Period	Target Value
2021	C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)	2021	5 Year	150
2021	A-2 Number of impaired driving arrests (reported by tribes)	2021	Other	3,500

#### Countermeasure Strategies in Program Area

Countermeasure Strategy
High Visibility Enforcement

Countermeasure Strategy: High Visibility Enforcement

Program Area: **Impaired Driving (Alcohol)**

#### Project Safety Impacts

### **Assessment of Traffic Safety Impact**

The process for determining the potential impact of counter measure strategies/projects selected in each program area is based on an assessment of the following factors:

Percent of motor vehicle fatalities covered by funded projects. In 2021, the IHSP plans to fund 29 police traffic services contracts. 2019 crash data provided by the 37 projects reveal all fatalities on their reservations totaled 57 which are 14% of the 394 reported in FARS 2017.

Percent of high impact evidence based projects as identified in CTW. HVE activities have high potential for near term impact.

The comprehensive nature of the strategies employed. The standard for impaired driving strategies lies within the Alcohol/Impaired and Drugged Driving section of the CTW. Each of these funded programs must utilize the elements of the strategies shown to be effective and submit reports on their activities concerning: Publicized Sobriety Checkpoints, Publicized Saturation Patrol Programs, Integrated Enforcement activities to include participation in DUI Task forces, community education programs, and in High Visibility Enforcement mobilizations.

### **Linkage Between Program Area**

The 2013-2017 NHTSA FARS annual report shows alcohol-related fatalities have been increasing from 133 in FY14 to 158 in FY17 on reservations across America. Based on deaths per 100,000 population; the rate for Native Americans in 2013 was at 4.36. While the rate in the rest of the U.S. was 3.19. In the last five (5) years DUI impaired driving arrests among grant funded tribes have gone up and down over the years but have decreased from the FY15 number of 4964 to 3251 in FY17. Impaired driving fatalities have remained a serious issue on Native American reservations.

This grant is a financial assistance award to maintain four Blood Alcohol Testing Mobiles (BAT Mobiles) for usage by the tribes and Bureau of Indian Affairs law enforcement in enhancing their current traffic safety and enforcement efforts. A few planned activities include providing support for the continued operation of the (BAT) Mobiles purchased for Breath Alcohol Testing use in Indian Country which will result in decreased alcohol related motor vehicle crash injuries and fatalities within the participating tribes. Support the tribes in BIA OJS Districts I (Aberdeen, South Dakota), III (Phoenix, Arizona), IV (Albuquerque, New Mexico) and V (Billings, Montana) by providing resources to utilize the BAT Mobiles. BAT Mobiles will be used to assist in reducing the number of fatalities in crashes involving a driver/motorcycle rider, on reservation, with a BAC of 0.08 and above. The four (4) BAT Mobiles will also be used at educational events checkpoints and saturation patrols.

C-5 Reduce crash fatalities on Indian Reservations involving drivers or motorcycle operators with a BAC of 0.08 or above by 3 from the FARS 2017 number of 158 to 150 by the end of FY2021.

A-2 to reduce the incidence of impaired driving by increasing DUI/DWI/OWI arrests by all funded traffic activity within the participating tribes by 8% from the FY2019 total of 3,251 to 3,500 by the end of FY2021. (Self-reported numbers by IHSP grant funded tribes)

## Rationale

In the last five (5) years DUI impaired driving arrests among grant funded tribes have gone up and down over the years but have decreased from the FY15 number of 5,964 to 3,251 in FY19. Impaired driving fatalities have remained a serious issue on Native American reservations. The BAT Mobiles are housed at BIA OJS facilities and used by the BIA OJS and tribes to conduct checkpoints. They are also used to provide educational presentations on traffic safety. The costs incurred by usage, maintenance, are proportionate to the need of maintaining 4 BAT Mobiles.

## Planned Activities in Countermeasure Strategy

Unique Identifier	Planned Activity Name
Impaired Driving	BAT Mobile

Planned Activity: BAT Mobile

Planned activity number: **Impaired Driving**

Primary Countermeasure Strategy ID:

## Planned Activity Description

A few planned activities include providing support for the continued operation of the (BAT) Mobiles purchased for Breath Alcohol Testing use in Indian Country which will result in decreased alcohol related motor vehicle crash injuries and fatalities within the participating tribes. Support the tribes in BIA OJS Districts I (Aberdeen, South Dakota), III (Phoenix, Arizona), IV (Albuquerque, New Mexico) and V (Billings, Montana) by providing resources to utilize the BAT Mobiles. BAT Mobiles will be used to assist in reducing the number of fatalities in crashes involving a driver/motorcycle rider, on reservation, with a BAC of 0.08 and above. The four (4) BAT Mobiles will also be used at educational events checkpoints and saturation patrols.

## Intended Sub Recipients

Bureau of Indian Affairs

## Countermeasure Strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
High Visibility Enforcement

## Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2021	FAST Act NHTSA 402	Alcohol (FAST)	\$100,000.00	N/A	N/A

**Program Area: Occupant Protection (Adult and Child Passenger Safety)**

**Description of Highway Safety Problems**

Occupant Protection: (Seat Belt Survey) - This grant is a financial assistance award to conduct seat belt usage survey on various reservations throughout Indian Country. Planned activity for this grant is for the contractor to observe seat belt use for passenger vehicles front seat outboard occupants for a select group of federally recognized tribes. The report will reflect trends on seat belt usage throughout Indian Country.

Occupant Protection (Tribal Grant Programs) - This grant is a financial assistance award to assist the tribe in enhancing their current traffic safety and child safety seat efforts in occupant protection. The BIA IHSP plans to provide 4 Occupant Protection Grants (Child Protection Seat Grants) in FY21. Tribes will be awarded child safety seats for distribution, provide educational training and handouts to parents/guardians on the importance of proper car seats installation and keeping children properly restrained in a motor vehicle.

The survey Safety Belt Use Estimate for Native American Tribal Reservations was published in February 2006. The overall usage rate in Indian country was at 55.4%. Indian State safety belt survey reported safety belt usage rates in Indian Country have increased to from 69.60 % in FY13 to 77.0% in FY19. The safety belt usage rate for Indian Country is considerably lower than the other states in the Country. Five year linear trend suggests FARS numbers for all vehicle occupant restraint fatalities have decreased from the FY17 number of 144 to 139 in FY19. All FY21 PTS grant funded tribes will be required to coordinate and collaborate with other federal and tribal agencies being utilized to educate school children of all ages, as well as tribal community members on the importance of wearing safety belts. Seatbelt citations among IHSP grant funded tribes have increased from 3,669 in FY15 to 19,970 in FY19.

**Associated Performance Measures**

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2021	C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)	2021	5 Year	139
2021	A-1 Number of seat belt citations issued (reported by tribes)	2021	Other	22,807

**Countermeasure Strategies in Program Area**

Countermeasure Strategy
Child Restraint System Inspection Station(s)
Seat belt survey

Countermeasure Strategy: Child Restraint System Inspection Station(s)

Program Area: **Occupant Protection (Adult and Child Passenger Safety)**

**Project Safety Impacts**

## **Assessment of Traffic Safety Impact**

The process for determining the potential impact of counter measure strategies/projects selected in each program area is based on an assessment of the following factors:

Percent of motor vehicle fatalities covered by funded projects. In 2021, the IHSP plans to fund 29 police traffic services contracts. 2019 crash data provided by the 37 projects in FY19 reveal all fatalities on their reservations totaled 57 which are 14% of the 394 reported in FARS 2017.

The impact of CPS will be measured through car seat assessments provided by the tribes which have agreed to provide information such as the increased number of car seat clinics, safety seat checkpoints and the increased number of distributions. The impact will be a decrease in the overall number of child injuries in the crash statistics in the future years due to current activities.

## **Linkage Between Program Area Occupant Protection**

The survey, *Safety Belt Use Estimate for Native American Tribal Reservations*, was published in February 2006. The overall usage rate in Indian country was at 55.4%. Indian State safety belt survey reported safety belt usage rates in Indian Country have increased to from 74.3% in FY13 to 77% in FY19. The safety belt usage rate for Indian Country is considerably lower than the other states in the Country. Five year linear trend suggests FARS numbers for all vehicle occupant restraint fatalities have decreased from the FY16 number of 156 to 144 in FY17. Although the 5 year linear trend suggests all vehicle occupant fatalities have decreased; seat belt usage numbers have increased from the FY13 number of 74.3 % to 77 % in FY19. This could be attributed to the coordination and collaboration with other federal and tribal agencies being utilized to educate school children of all ages as well as tribal community members on the importance of wearing safety belts. Seatbelt citations among IHSP grant funded tribes have increased from 2,816 in FY18 to 19,970 in FY19.

**Occupant Protection (Tribal Grant Programs)** - This grant is a financial assistance award to assist the tribe in enhancing their current traffic safety and child safety seat efforts in occupant protection. The BIA IHSP plans to provide 4 Occupant Protection Grants (Child Protection Seat Grants) in FY21. Tribes will be awarded child safety seats for distribution, provide educational training and handouts to parents/guardians on the importance of proper car seats installation and keeping children properly restrained in a motor vehicle.

The survey, *Safety Belt Use Estimate for Native American Tribal Reservations*, was published in February 2006. The overall usage rate in Indian country was at 55.4%. Indian State safety belt survey reported safety belt usage rates in Indian Country have increased to 74.3% in FY13 to 77% in FY19. The safety belt usage rate for Indian Country is considerably lower than the other states in the Country. Five year linear trend suggests FARS numbers for all vehicle occupant restraint fatalities have decreased from the FY16 number of 156 to 144 in FY17. Seatbelt citations among IHSP grant funded tribes have increased from 2,816 in FY18 to 19,970 in FY19. The increase could be attributed to the coordination and collaboration with other federal and tribal agencies being utilized to educate school children of all ages as well as tribal community members on the importance of wearing safety belts.



A-1 Core Measure: To increase the number of seat belt citations issued on Indian Reservations by 14% from the FY19 number of 19,970 to 22,807 by the end of FY2021. (Self-reported numbers by IHSP grant funded tribes)

C-4 Core Measure: To reduce the total number of un-restrained passenger vehicle occupant fatalities all seat positions by 3% from the 2017 FARs number of 144 to 139 by the end of FY2021.

**Rationale**

The safety belt usage rate for Indian Country is considerably lower than the other states in the Country. Coordination and collaboration with other federal and tribal agencies will be utilized to educate school children of all ages, as well as tribal community members, on the importance of wearing safety belts. Increasing the number of Tribes participating and reporting on the Click It or Ticket Mobilization as well as enforcing safety belt laws on the reservations will increase awareness and utilization of safety belts among Tribes. Car Seats will be inspected by a certified Child Safety Seat Technician and car seats will be distributed to children from families in need. Technicians will teach parents/caregivers on the proper installation of car seats

**Planned Activities in Countermeasure Strategy**

Unique Identifier	Planned Activity Name
Occupant Protection	Car seat distribution

Planned Activity: Car Seat Distribution

Planned Activity Number: **Occupant Protection**

Primary Countermeasure Strategy ID:

**Planned Activity Description**

This grant is a financial assistance award to assist the tribe in enhancing their current traffic safety and child safety seat efforts in occupant protection. The BIA IHSP plans to provide 4 Occupant Protection Grants (Child Protection Seat Grants) in FY21. Tribes will be awarded child safety seats for distribution, provide educational training and handouts to parents/guardians on the importance of proper car seats installation and keeping children properly restrained in a motor vehicle.

**Intended Sub Recipients**

Federally Recognized Tribes

**Countermeasure Strategies**

Countermeasure strategies in this planned activity

Countermeasure Strategy
Child Restraint System Inspection Station(s)
Seat belt survey

## Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2021	FAST Act NHTSA 402	Child Restraint (FAST)	\$65,264.00	N/A	N/A
2021	FAST Act NHTSA 402	Occupant Protection (FAST)	\$134,824.69	N/A	N/A

Countermeasure Strategy: Seat Belt Survey

Program Area: **Occupant Protection (Adult and Child Passenger Safety)**

### Project Safety Impacts

#### Assessment of Traffic Safety Impact

The process for determining the potential impact of counter measure strategies/projects selected in each program area is based on an assessment of the following factors:

Percent of motor vehicle fatalities covered by funded projects. In 2020, the IHSP plans to fund 29 police traffic services contracts. 2019 crash data provided by the 37 projects reveal all fatalities on their reservations totaled 57 which are 14% of the 394 reported in FARS 2017.

#### Linkage Between Program Area

The survey, *Safety Belt Use Estimate for Native American Tribal Reservations*, was published in February 2006. The overall usage rate in Indian country was at 55.4%. Indian State safety belt survey reported safety belt usage rates in Indian Country have increased from 74.3% in FY13 to 77% in FY19. The safety belt usage rate for Indian Country is considerably lower than the other states in the Country. Five year linear trend suggests FARS numbers for all vehicle occupant restraint fatalities have decreased from the FY16 number of 156 to 144 in FY17. The decrease could be attributed to the coordination and collaboration with other federal and tribal agencies being utilized to educate school children of all ages as well as tribal community members on the importance of wearing safety belts. Seatbelt citations among IHSP grant funded tribes have increased from 2,816 in FY18 to 19,970 in FY19.

Occupant Protection: (Seat Belt Survey) - This grant is a financial assistance award to conduct seat belt usage survey on various reservations throughout Indian Country. Planned activity for this grant is for the contractor to observe seat belt use for passenger vehicles front seat outboard occupants for a select group of federally recognized tribes. The report will reflect trends on seat belt usage throughout Indian Country.

The survey, *Safety Belt Use Estimate for Native American Tribal Reservations*, was published in February 2006. The overall usage rate in Indian country was at 55.4%. Indian State safety belt survey reported safety belt usage rates in Indian Country have increased from 74.3% in FY13 to 77% in FY19. The safety belt usage rate for Indian Country is considerably lower than the other states in the Country. Five year linear trend suggests FARS numbers for all vehicle occupant restraint fatalities have decreased from the FY16 number of 156 to 144 in

FY17. The decrease could be attributed to the coordination and collaboration with other federal and tribal agencies being utilized to educate school children of all ages as well as tribal community members on the importance of wearing safety belts. Seatbelt citations among IHSP grant funded tribes have increased from 2,816 in FY18 to 19,970 in FY19.

C-4 Core Measure: To reduce the total number of un-restrained passenger vehicle occupant fatalities, all seat positions by 3% from the 2017 FARs number of 144 to 139 by the end of FY2021.

**Rationale**

Seat Belt Survey for Indian Country usage.

**Planned Activities in Countermeasure Strategy**

Unique Identifier	Planned Activity Name
Occupant Protection	Car seat distribution
Seat Belt Survey	Seat Belt Survey

Planned Activity: Car Seat Distribution

Planned Activity Number: **Occupant Protection**

Primary Countermeasure Strategy ID:

**Planned Activity Description**

This grant is a financial assistance award to assist the tribe in enhancing their current traffic safety and child safety seat efforts in occupant protection. The BIA IHSP plans to provide 4 Occupant Protection Grants (Child Protection Seat Grants) in FY21. Tribes will be awarded child safety seats for distribution, provide educational training and handouts to parents/guardians on the importance of proper car seats installation and keeping children properly restrained in a motor vehicle

**Intended Sub Recipients**

Federally Recognized Tribes

**Countermeasure Strategies**

Countermeasure Strategies in this Planned Activity

Countermeasure Strategy
Child Restraint System Inspection Station(s)
Seat belt survey

**Funding Sources**

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
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2021	FAST Act NHTSA 402	Child Restraint (FAST)	\$65,264.00	N/A	N/A
2021	FAST Act NHTSA 402	Occupant Protection (FAST)	\$134,824.69	N/A	N/A

Planned Activity: Seat Belt Survey

Planned Activity Number: **Seat Belt Survey**

Primary Countermeasure Strategy ID:

### Planned Activity Description

Planned activity for this grant is for the contractor to observe seat belt use for passenger vehicles front seat outboard occupants for a select group of federally recognized tribes. The report will reflect trends on seat belt usage throughout Indian Country.

### Intended Sub Recipients

Preusser Research Group (PRG)

### Countermeasure Strategies

Countermeasure Strategies in this Planned Activity

Countermeasure Strategy
Seat Belt Survey

## Program Area: Planning & Administration

### Description of Highway Safety Problems

The Indian Highway Safety Program faces many challenges with a five percent budget for operating expenses. With only 5% Program & Administration (P&A) personnel service manage, monitor and oversee the Indian Highway Safety Program include three positions funded by 402: Program Analyst (Coordinator), Program Analyst (Finance) and a Law Enforcement Assistant. Other costs include travel and training, office machines, office supplies, education supplies and other appropriate administrative expenditures. The five percent for P&A makes it difficult to provide site visits for tribal grant program monitoring due to extensive travel to rural locations throughout the United States. Indian Country encompasses five-hundred seventy-four (574) federally recognized tribes located across the United States with a majority of the tribes located in rural areas. The five percent P&A creates continued challenges for the IHSP staff to grow the program, provide awards and bring on more federally recognized grant programs due to limited staff. The IHSP staff consist of three (3) employees dedicated to managing the entire program who are paid out of P&A funds which makes hiring additional employees problematic. In FY21 the BIA IHSP will award thirty-three (33) grants to federally recognized tribes across the United States.

IHSP staff also have to be selective in the type of training, and meetings they attend because locations are all outside of New Mexico. Staff training is necessary to maintain compliance

and management of expending federal funds. The five percent program management budget limits the IHSP staff from offering more grant opportunities and services to the tribes and limits training, meeting attendance, along with hiring additional staff to help meet the mission and goals of the program.

Personnel planned activities will be to initiate highway safety related projects with not less than twenty-nine (29) Police Traffic Services grants, and four (4) Occupant Protection (Child Protection Seat (CPS) grants for thirty-three (33) tribes by the end of FY2021. IHSP staff will initiate meetings and communications with non-granted tribes to evaluate for potential funding opportunities which would provide financial assistance to meet a Police Traffic Services, Occupant Protection, Impaired Driving Court and/or Youth Traffic Safety Education need in order to expand the program. They will contact state highway safety offices in order to offer funding opportunities to their tribal communities which may be available. IHSP will maintain constant contact with participating tribes via on-site visits, desk and telephone monitoring and audits. Staff will offer technical assistance and outreach to tribes not currently participating in program as requested. They will also conduct monthly monitoring of expenditures utilizing BIA’s finance system and NHTSA’s Grants Tracking System (GTS).

Unique Identifier	Planned Activity Name	Primary Countermeasure Strategy ID
402	Program and administration	Planning & Administration

Planned Activity: Program and Administration

Planned Activity Number: **402**

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2021	402 - Traffic Safety	Police Traffic Services (FAST)	\$234,870.00	N/A	\$0.00

## **Program Area: Police Traffic Services**

### **Description of Highway Safety Problems**

This grant is a financial assistance award to assist the tribe in enhancing their current traffic safety, enforcement and education efforts. The BIA IHSP plans to award twenty-three (23) PTS grants to fund straight time Highway Safety Officers and six (6) grants for overtime of officers for traffic safety enforcement. Tribes will also utilize tribal crash data to identify high DUI locations and increased impaired driving enforcements in those areas. Provide training for officers in SFST, SFST instructor, radar operator and instructor, saturation patrol, checkpoint methods as well as drug impaired driver identification. Participate in three (3) mobilizations; two (2) national (Click it or Ticket, and Drive Sober or Get Pulled Over) and 1 (one) Indian State (Don’t Shatter the Dream) mobilizations, and conduct local mobilizations as necessary. Conduct and participate in checkpoints and/or saturation patrols if tribal/state laws allow and participate in impaired driving task forces locally. Provide not less than two (2) educational presentations.

American Indian/Alaska Natives are killed in motor vehicle crashes on reservations at rates 2 to 3 times that of other ethnicities. The IHSP will award traffic safety grants to federally recognized tribes aimed at reducing death and injury caused by motor vehicle crashes. The IHSP will also award Child Protection Seat grants in FY21 to assist in reducing fatalities among infants and small children. FARS five year linear trend analysis from 2013-2017 FARS data shows motor vehicle crash fatalities on reservations are increasing in the last 3 years from 369 in FY15, 383 in FY16, and 394 in FY17. The geographic locations of tribes being funded in FY21 (31 tribes in 15 states) and the ability to obtain FARS reports of motor vehicle crash fatalities from each of the 9 states. Population, road miles, size of police force of each tribe and historical motor vehicle crash fatality numbers were taken into consideration for award. Grant funded tribes have reported a slight decrease in speed citations from the FY15 number of 32,674 to an all-time high of 39,396 in FY16 to a slight decrease to 38,775 in FY19. The decrease in speed citations issued could have been attributed to high visibility enforcement in prior years. Tribes still need the assistance of Police Traffic Services grants to combat the traffic safety issues within Indian Country.

**Associated Performance Measures**

<b>Fiscal Year</b>	<b>Performance measure name</b>	<b>Target End Year</b>	<b>Target Period</b>	<b>Target Value</b>
2021	C-1) Number of traffic fatalities (FARS)	2021	5 Year	380
2021	C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)	2021	5 Year	139
2021	C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)	2021	5 Year	150
2021	C-6) Number of speeding-related fatalities (FARS)	2021	5 Year	115
2021	C-7) Number of motorcyclist fatalities (FARS)	2021	5 Year	19
2021	C-8) Number of unhelmeted motorcyclist fatalities (FARS)	2021	5 Year	11
2021	C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)	2021	5 Year	17

**Countermeasure Strategies in Program Area**

<b>Countermeasure Strategy</b>
High Visibility Law Enforcement
Traffic Enforcement

Countermeasure Strategy: High Visibility Law Enforcement

Program Area: **Police Traffic Services**

## **Project Safety Impacts**

### **Assessment of Traffic Safety Impact**

The process for determining the potential impact of counter measure strategies/projects selected in each program area is based on an assessment of the following factors:

Percent of motor vehicle fatalities covered by funded projects. In 2021, the IHSP plans to fund 29 police traffic services agreements. In 2019 crash data provided by the thirty-seven projects reveal all fatalities on their reservations totaled 57 which are 14% of the 394 reported in FARS 2017.

Percent of high impact evidence based projects as identified in CTW. HVE activities have high potential for near term impact.

The comprehensive nature of the strategies employed. The standard for impaired driving strategies lies within the Alcohol/Impaired and Drugged Driving section of the CTW. Each of these funded programs must utilize the elements of the strategies shown to be effective and submit reports on their activities concerning: Publicized Sobriety Checkpoints, Publicized Saturation Patrol Programs, Integrated Enforcement Activities to include participation in DUI Task forces, Community Education Programs, and in High Visibility Enforcement Mobilizations.

### **Linkage Between Program Area**

This grant is a financial assistance award to assist the tribe in enhancing their traffic safety and enforcement efforts. The BIA IHSP plans to award twenty-three (23) PTS grants to fund straight time Highway Safety Officers and six (6) grants for overtime of officers for traffic safety enforcement. Tribes will also utilize tribal crash data to identify high DUI locations and increased impaired driving enforcements in those areas. Provide training for officers in SFST, SFST instructor, radar operator and instructor, saturation patrol, checkpoint methods and training for detection of drug impaired drivers. Participate in three (3) mobilizations two (2) national (Click it or Ticket, and Drive Sober or Get Pulled Over) and 1 (one) Indian State (Don't Shatter the Dream) mobilizations as well as local mobilizations as necessary. Conduct and participate in checkpoints and/or saturation patrols if tribal/state laws allow and participate in local impaired driving task forces. Provide not less than two (2) educational presentations.

American Indian/Alaska Natives are killed in motor vehicle crashes on reservations at rates 2 to 3 times that of other ethnicities. The IHSP will award traffic safety grants to federally recognized tribes aimed at reducing death and injury caused by motor vehicle crashes. The IHSP will also award Child Protection Seat grants in FY21 to assist in reducing fatalities among infants and small children. FARS five year linear trend analysis from 2013-2017 FARS data shows motor vehicle crash fatalities on reservations are increasing in the last 3 years from 369 in FY15 to 383 in FY16 and 394 in FY17. The geographic locations of tribes being funded in FY20

(41 tribes in 15 states) and the ability to obtain FARS reports of motor vehicle crash fatalities from each of the 9 states. Population, road miles, size of police force of each tribe and historical motor vehicle crash fatality numbers were taken into consideration for award. Grant

funded tribes have reported a decrease in speed citations from the FY15 number of 32,674 to an all-time high of 39,396 in FY16 to a decrease to 38,775 in FY19. The decrease in speed citations issued could have been attributed to high visibility enforcement in prior years. Tribes still need the assistance of Police Traffic Services grants to combat the traffic safety issues within Indian Country.

**Rationale**

The rationale for the selection of the IHSP countermeasure strategy and funding allocation is based on systematic and spot approaches due to the diversity of tribal lands population land base and road miles. Tribal programs submit the tribal individual statistical information and the countermeasures are subjective to the tribe and the needs are based on the individual tribal traffic problems reported. The tribal projects work the mobilizations provide educational programs and HVE in order to get to the greatest amount of people in their communities for crash reduction and prevention. Additionally tribes can identify high crash areas and utilize a spot location approach for the countermeasure and address the focus on the need identified. The countermeasures and funding allocation is fact based and justification for the funding allocation is based on the tribal statistical information and traffic crash data provided

**Planned Activities in Countermeasure Strategy**

Unique Identifier	Planned Activity Name
Police Traffic Services	High Visibility Saturation Patrol
Police Traffic Services	Traffic Enforcement

Planned Activity: High Visibility Saturation Patrol

Planned activity number: **Police Traffic Services**

Primary Countermeasure Strategy ID:

**Planned Activity Description**

This grant is a financial assistance award to assist the tribe in enhancing their traffic safety and enforcement efforts. The BIA IHSP plans to award twenty-three (23) PTS grants to fund straight time Highway Safety Officers and six (6) grants for overtime of officers for traffic safety enforcement. Tribes will also utilize tribal crash data to identify high DUI locations and increased impaired driving enforcements in those areas. Provide training for officers in SFST radar and saturations patrol and checkpoint methods. Participate in three (3) mobilizations two (2) national (Click it or Ticket, and Drive Sober or Get Pulled Over) and 1 (one) Indian Sate (Don't Shatter the Dream) mobilizations. Conduct and participate in checkpoints and/or saturation patrols if tribal/state laws allow. Provide not less than two (2) educational presentations.

American Indian/Alaska Natives are killed in motor vehicle crashes on reservations at rates 2 to 3 times that of other ethnicities. The IHSP will award traffic safety grants to federally recognized tribes aimed at reducing death and injury caused by motor vehicle crashes. The IHSP will also award Child Protection Seat grants in FY21 to assist in reducing fatalities



among infants and small children. FARS five year linear trend analysis from 2013-2017 FARS data shows motor vehicle crash fatalities on reservations are increasing in the last 3 years from 369 in FY15, 383 in FY16, and 394 in FY17. The geographic locations of tribes being funded in FY21 31 tribes in 15 states) and the ability to obtain FARS reports of motor vehicle crash fatalities from each of the 9 states. Population, road miles, size of police force of each tribe and historical motor vehicle crash fatality numbers were taken into consideration for award. Grant funded tribes have reported a slight decrease in speed citations from the FY15 number of 32,674 to an all-time high of 39,396 in FY16 to a slight drop to 38,775 in FY19. The decrease in speed citations issued could have been attributed to high visibility enforcement in prior years. Tribes still need the assistance of Police Traffic Services grants to combat the traffic safety issues within Indian Country.

**Intended Sub Recipients**

The BIA IHSP plans to award 23 straight time PTS grants and 6 grants for overtime for traffic safety enforcements for federally recognized tribes.

**Countermeasure Strategies**

Countermeasure Strategies in this Planned Activity

Countermeasure Strategy
High Visibility Law Enforcement

**Funding Sources**

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2021	FAST Act NHTSA 402	Police Traffic Services (FAST)	\$23,567,587.00	N/A	N/A

**Funding Sources**

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2021	FAST Act NHTSA 402	Police Traffic Services (FAST)	\$8,662,452.00	N/A	N/A

**Evidence-based Traffic Safety Enforcement Program (TSEP)**

Planned activities that collectively constitute an evidence-based traffic safety enforcement program (TSEP):

Unique Identifier	Planned Activity Name
Impaired Driving	BAT Mobile
Police Traffic Services	High Visibility Saturation Patrol
Police Traffic Services	Traffic Enforcement

Analysis of crashes, crash fatalities, and injuries in areas of highest risk.

### **Crash Analysis**

Major issues in Indian Country, impaired driving, occupant protection, and traffic records are similar to those experienced nationwide, but the severity of traffic safety problems vary greatly among tribes.

The lack of crash reporting is detrimental to the tribes as it affects the ability to accurately provide information on fatalities and severe injuries which may be occurring on their lands. Poor tribal crash reporting and Native American (NA) FARS data more than three years old makes it difficult to obtain data relevant to the current HSP planning process. When available FARS annual file data will be used in the analysis process however official target setting is based on the most current FARS data available on the State Traffic Safety Information (STSI). Data for some core measures is not available from national sources but are addressed in individual tribal projects as appropriate. Individual tribes provide activity data that is essential in setting reasonable performance measure targets. Therefore 2017 FARS data is used in the FY21 HSP.

The IHSP funds a variety of projects each year. These include Police Traffic Services (PTS), impaired driving enforcement and Child Protective Safety (CPS) activities. All funded activities are found in the NHTSA publication “Countermeasures That Work” as proven countermeasures.

A review of 2017 Native American/Alaska Native fatalities by State shows Arizona, New Mexico, Oklahoma, Montana and South Dakota are the top 5 states with Native American/Alaska Native fatalities. In 2021, the IHSP plans to fund enforcement and occupant protection (child protection seat (CPS) projects in each of the States: 3 PTS 0 CPS in Arizona, 1 PTS 1 CPS in Montana, 3 PTS and 1 CPS in South Dakota, 7 PTS and 1 CPS in New Mexico and 0 PTS 0 CPS Oklahoma. Montana is home to seven (7) federally recognized tribes with reservations. The state of Montana has a secondary seat belt law. Montana tribes did not request a CPS grant for FY21.

In 2021 the IHSP plans to fund twenty-nine (29) police traffic services agreements. Crash data provided by these projects show in 2019 the involved reservations had a total of one-hundred twenty-four (124) fatalities or 69% percent of the total of three-hundred ninety-four (394) fatalities on reservations. In Indian Country seat belt usage is below the national average and in FY18 seat belt usage decreased by 1% from the FY19 number of 77%. Thirty-seven (37) tribes reported 9 unrestrained passenger vehicle occupant fatalities all seat positions in FY19. This is a 94% decrease from the FARS number of 161 reported in FY19. In FY19 Tribes also reported issuing 19,970 seat belt citations.

### **Deployment of Resources**

Prospective tribal applicants are required to submit their application for funding to the Indian Highway Safety Program office no later than May 1 of each year. The tribes are required to include traffic crash data to support the problem(s) they plan to address, as well as provide

supportive data that includes previous years arrest records, citation records, and conviction rates.

All applications are scored by a review team. PTS applications were eligible for scores up to 100 based on the following: General Information - 10 points Data (Problem Identification) - 45 points Targets Performance Measures & Strategies - 35 points Budget - 10 points.

After all scores are totaled and averaged, projects were selected for funding based on their ranking. The IHSP Director reserves the right to fund, modify, or not fund grant applications, regardless of scores. The projects selected must provide sufficient traffic records data to identify a traffic safety problem and activities to address the problem.

23 C.F.R. Section 402 establishes only 402 funds are available for the BIA IHSP. Each year the IHSP evaluates the obligations and status of carryforward funds to determine the available funding for obligation to the tribes. No matching funds are required for the IHSP or the tribes. During the coordination process with other federal agencies involved in traffic safety other federal fund sources that contribute to accomplishment of the IHSP HSP projects performance targets are identified.

NHTSA Region 6 coordinates with the various NHTSA regional offices to identify if other State highway safety funds will contribute to performance measure targets of IHSP participating tribes. This coordination takes place after the HSP approval processes concludes, however when identified a revision to the HSP will identify additional fund sources within the project description.

### **Effectiveness Monitoring**

Evidence-based Countermeasures. The IHSP funds a variety of projects each year. These include Police Traffic Services (PTS), impaired driving enforcement and Child Protective Safety (CPS) activities. All funded activities are found in the NHTSA publication “Countermeasures That Work” as proven countermeasures. In addition, IHSP staff conducts ongoing evaluation of tribal activities performed during the grant year. This monitoring is utilized to determine if funded activities are showing a positive result in effecting traffic safety issues on the reservation.

### **High-Visibility Enforcement (HVE) Strategies**

#### **Planned HVE Strategies to Support National Mobilizations:**

<b>Countermeasure Strategy</b>
Checkpoints
High Visibility Enforcement
High Visibility Law Enforcement
Traffic Enforcement

**HVE planned activities that demonstrate the State's support and participation in the National HVE mobilizations to reduce alcohol-impaired or drug impaired operation of motor vehicles and increase use of seat belts by occupants of motor vehicles:**

<b>Unique Identifier</b>	<b>Planned Activity Name</b>
Impaired Driving	BAT Mobile
Police Traffic Services	High Visibility Saturation Patrol
Police Traffic Services	Traffic Enforcement

**[Certifications, Assurances, and Highway Safety Plan \(PDF\)](#)**

**Appendix A to Part 1300 – Certifications and Assurances for Fiscal Year 2021 Highway Safety Grants (23 U.S.C. Chapter 4; Sec. 1906, Pub. L. 109-59, As Amended By Sec. 4011, Pub. L. 114-94)**

*[Each fiscal year, the Governor’s Representative for Highway Safety must sign these Certifications and Assurances affirming that the State complies with all requirements, including applicable Federal statutes and regulations, that are in effect during the grant period. Requirements that also apply to subrecipients are noted under the applicable caption.]*

State: \_\_\_\_\_

Fiscal Year: 2021

**By submitting an application for Federal grant funds under 23 U.S.C. Chapter 4 or Section 1906, the State Highway Safety Office acknowledges and agrees to the following conditions and requirements. In my capacity as the Governor’s Representative for Highway Safety, I hereby provide the following Certifications and Assurances:**

**GENERAL REQUIREMENTS**

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4 – Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 23 CFR part 1300 – Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 – Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

**INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS**

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs).

**FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)**

The State will comply with FFATA guidance, OMB Guidance on FFATA Subward and Executive Compensation Reporting, August 27, 2010, ([https://www.fsrs.gov/documents/OMB\\_Guidance\\_on\\_FFATA\\_Subaward\\_and\\_Executive\\_Compensation\\_Reporting\\_08272010.pdf](https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf)) by reporting to FSRS.gov for each sub-grant awarded:

- Name of the entity receiving the award;
- Amount of the award;

- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
- A unique identifier (DUNS);
- The names and total compensation of the five most highly compensated officers of the entity if:
  - (i) the entity in the preceding fiscal year received—
    - (I) 80 percent or more of its annual gross revenues in Federal awards;
    - (II) \$25,000,000 or more in annual gross revenues from Federal awards; and
  - (ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;
- Other relevant information specified by OMB guidance.

## **NONDISCRIMINATION**

**(applies to subrecipients as well as States)**

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), **and Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities,

public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;

- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100)).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

“During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;

- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- e. To insert this clause, including paragraphs (a) through (e), in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

**THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)**

The State will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
  - 1. The dangers of drug abuse in the workplace;
  - 2. The grantee's policy of maintaining a drug-free workplace;
  - 3. Any available drug counseling, rehabilitation, and employee assistance programs;
  - 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace;
  - 5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –
  - 1. Abide by the terms of the statement;
  - 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;



- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted –
  - 1. Taking appropriate personnel action against such an employee, up to and including termination;
  - 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
  
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

**POLITICAL ACTIVITY (HATCH ACT)**  
**(applies to subrecipients as well as States)**

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

**CERTIFICATION REGARDING FEDERAL LOBBYING**  
**(applies to subrecipients as well as States)**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
  
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
  
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**RESTRICTION ON STATE LOBBYING**  
**(applies to subrecipients as well as States)**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

**CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**  
**(applies to subrecipients as well as States)**

Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions

(1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

*Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:*

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

## **BUY AMERICA ACT**

**(applies to subrecipients as well as States)**

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

## **PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE**

**(applies to subrecipients as well as States)**

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

## **POLICY ON SEAT BELT USE**

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at [www.trafficsafety.org](http://www.trafficsafety.org). The NHTSA website ([www.nhtsa.gov](http://www.nhtsa.gov)) also provides information on statistics, campaigns, and program evaluations and references.

## **POLICY ON BANNING TEXT MESSAGING WHILE DRIVING**

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

## **SECTION 402 REQUIREMENTS**

1. To the best of my personal knowledge, the information submitted in the Highway Safety Plan in support of the State's application for a grant under 23 U.S.C. 402 is accurate and complete.
2. The Governor is the responsible official for the administration of the State highway safety program, by appointing a Governor's Representative for Highway Safety who shall be responsible for a State highway safety agency that has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program. (23 U.S.C. 402(b)(1)(A))
3. The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation. (23 U.S.C. 402(b)(1)(B))
4. At least 40 percent of all Federal funds apportioned to this State under 23 U.S.C. 402 for this fiscal year will be expended by or for the benefit of political subdivisions of the State in carrying out local highway safety programs (23 U.S.C. 402(b)(1)(C)) or 95 percent by and for the benefit of Indian tribes (23 U.S.C. 402(h)(2)), unless this requirement is waived in writing. (This provision is not applicable to the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.)
5. The State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks. (23 U.S.C. 402(b)(1)(D))
6. The State will provide for an evidenced-based traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents. (23 U.S.C. 402(b)(1)(E))
7. The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State, as identified by the State highway safety planning process, including:
  - Participation in the National high-visibility law enforcement mobilizations as identified annually in the NHTSA Communications Calendar, including not less than 3 mobilization campaigns in each fiscal year to –
    - Reduce alcohol-impaired or drug-impaired operation of motor vehicles; and
    - Increase use of seat belts by occupants of motor vehicles;
  - Submission of information regarding mobilization participation into the HVE Database;
  - Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits;

- An annual Statewide seat belt use survey in accordance with 23 CFR part 1340 for the measurement of State seat belt use rates, except for the Secretary of Interior on behalf of Indian tribes;
  - Development of Statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources;
  - Coordination of Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in 23 U.S.C. 148(a).
- (23 U.S.C. 402(b)(1)(F))

8. The State will actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j))
9. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system. (23 U.S.C. 402(c)(4))

**I understand that my statements in support of the State’s application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.**

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Signature Governor’s Representative for Highway Safety

Date

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Printed name of Governor’s Representative for Highway Safety



**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 4011, Pub. L. 114-94, 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: 2021

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***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 HSP. Attachments may be submitted electronically.***

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**PART 1: OCCUPANT PROTECTION GRANTS (23 CFR 1300.21)**

*[Check the box above **only** if applying for this grant.]*

**All States:**

*[Fill in **all** blanks below.]*

- The lead State agency responsible for occupant protection programs will maintain its aggregate expenditures for occupant protection programs at or above the average level of such expenditures in fiscal years 2014 and 2015. (23 U.S.C. 405(a)(9))
- The State’s occupant protection program area plan for the upcoming fiscal year is provided in the HSP at \_\_\_\_\_ (location).
- The State will participate in the Click it or Ticket national mobilization in the fiscal year of the grant. The description of the State’s planned participation is provided in the HSP at \_\_\_\_\_ (location).
- Countermeasure strategies and planned activities demonstrating the State’s active network of child restraint inspection stations are provided in the HSP at \_\_\_\_\_ (location).

Such description includes estimates for: (1) the total number of planned inspection stations and events during the upcoming fiscal year; and (2) within that total, the number of planned inspection stations and events serving each of the following population categories: urban, rural, and at-risk. The planned inspection stations/events provided in the HSP are staffed with at least one current nationally Certified Child Passenger Safety Technician.

- Countermeasure strategies and planned activities, as provided in the HSP at \_\_\_\_\_ (location), that include estimates of the total number of classes and total number of technicians to be trained in the upcoming fiscal year to ensure coverage of child passenger safety inspection stations and inspection events by nationally Certified Child Passenger Safety Technicians.

**Lower Seat Belt Use States Only:**

*[Check at least 3 boxes below and fill in all blanks under those checked boxes.]*

- The State's **primary seat belt use law**, requiring all occupants riding in a passenger motor vehicle to be restrained in a seat belt or a child restraint, was enacted on \_\_\_\_\_ (date) and last amended on \_\_\_\_\_ (date), is in effect, and will be enforced during the fiscal year of the grant.

**Legal citation(s):** \_\_\_\_\_.

- The State's **occupant protection law**, requiring occupants to be secured in a seat belt or age-appropriate child restraint while in a passenger motor vehicle and a minimum fine of \$25, was enacted on \_\_\_\_\_ (date) and last amended on \_\_\_\_\_ (date), is in effect, and will be enforced during the fiscal year of the grant.

**Legal citations:**

- \_\_\_\_\_ Requirement for all occupants to be secured in seat belt or age appropriate child restraint;
- \_\_\_\_\_ Coverage of all passenger motor vehicles;
- \_\_\_\_\_ Minimum fine of at least \$25;
- \_\_\_\_\_ Exemptions from restraint requirements.

- The countermeasure strategies and planned activities demonstrating the State's **seat belt enforcement plan** are provided in the HSP at \_\_\_\_\_ (location).
- The countermeasure strategies and planned activities demonstrating the State's **high risk population countermeasure program** are provided in the HSP at \_\_\_\_\_ (location).

- The State's **comprehensive occupant protection program** is provided as follows:
    - Date of NHTSA-facilitated program assessment conducted within 5 years prior to the application date \_\_\_\_\_ (date);
    - Multi-year strategic plan: HSP at \_\_\_\_\_ (location);
    - The name and title of the State's designated occupant protection coordinator is \_\_\_\_\_.
    - List that contains the names, titles and organizations of the Statewide occupant protection task force membership: HSP at \_\_\_\_\_ (location).
  
  - The State's NHTSA-facilitated **occupant protection program assessment** of all elements of its occupant protection program was conducted on \_\_\_\_\_ (date) (within 3 years of the application due date);
-

**□ PART 2: STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS GRANTS (23 CFR 1300.22)**

[Check the box above **only** if applying for this grant.]

**All States:**

- The lead State agency responsible for traffic safety information system improvement programs will maintain its aggregate expenditures for traffic safety information system improvements programs at or above the average level of such expenditures in fiscal years 2014 and 2015. (23 U.S.C. 405(a)(9))

[Fill in **all** blank for each bullet below.]

- A list of at least 3 TRCC meeting dates during the 12 months preceding the application due date is provided in the HSP at \_\_\_\_\_ (location).
- The name and title of the State's Traffic Records Coordinator is \_\_\_\_\_.
- A list of the TRCC members by name, title, home organization and the core safety database represented is provided in the HSP at \_\_\_\_\_ (location).
- The State Strategic Plan is provided as follows:
  - Description of specific, quantifiable and measurable improvements at \_\_\_\_\_ (location);
  - List of all recommendations from most recent assessment at: \_\_\_\_\_ (location);
  - Recommendations to be addressed, including countermeasure strategies and planned activities and performance measures at \_\_\_\_\_ (location);
  - Recommendations not to be addressed, including reasons for not implementing: HSP at \_\_\_\_\_ (location).
- Written description of the performance measures, and all supporting data, that the State is relying on to demonstrate achievement of the quantitative improvement in the preceding 12 months of the application due date in relation to one or more of the significant data program attributes is provided in the HSP at \_\_\_\_\_ (location).
- The State's most recent assessment or update of its highway safety data and traffic records system was completed on \_\_\_\_\_ (date).

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**PART 3: IMPAIRED DRIVING COUNTERMEASURES  
(23 CFR 1300.23(D)-(F))**

[Check the box above **only** if applying for this grant.]

**All States:**

- The lead State agency responsible for impaired driving programs will maintain its aggregate expenditures for impaired driving programs at or above the average level of such expenditures in fiscal years 2014 and 2015.
- The State will use the funds awarded under 23 U.S.C. 405(d) only for the implementation of programs as provided in 23 CFR 1300.23(j).

**Mid-Range State Only:**

[Check **one box** below and fill in **all blanks** under that checked box.]

The State submits its Statewide impaired driving plan approved by a Statewide impaired driving task force on \_\_\_\_\_ (date).

Specifically –

- HSP at \_\_\_\_\_ (location) describes the authority and basis for operation of the Statewide impaired driving task force;
- HSP at \_\_\_\_\_ (location) contains the list of names, titles and organizations of all task force members;
- HSP at \_\_\_\_\_ (location) contains the strategic plan based on Highway Safety Guideline No. 8 – Impaired Driving.

The State has previously submitted a Statewide impaired driving plan approved by a Statewide impaired driving task force on \_\_\_\_\_ (date) and continues to use this plan.

**High-Range State Only:**

*[Check one box below and fill in all blanks under that checked box.]*

The State submits its Statewide impaired driving plan approved by a Statewide impaired driving task force on \_\_\_\_\_ (date) that includes a review of a NHTSA-facilitated assessment of the State's impaired driving program conducted on \_\_\_\_\_ (date). Specifically, –

- HSP at \_\_\_\_\_ (location) describes the authority and basis for operation of the Statewide impaired driving task force;
- HSP at \_\_\_\_\_ (location) contains the list of names, titles and organizations of all task force members;
- HSP at \_\_\_\_\_ (location) contains the strategic plan based on Highway Safety Guideline No. 8 – Impaired Driving;
- HSP at \_\_\_\_\_ (location) addresses any related recommendations from the assessment of the State's impaired driving program;
- HSP at \_\_\_\_\_ (location) contains the planned activities, in detail, for spending grant funds;
- HSP at \_\_\_\_\_ (location) describes how the spending supports the State's impaired driving program and achievement of its performance targets.

The State submits an updated Statewide impaired driving plan approved by a Statewide impaired driving task force on \_\_\_\_\_ (date) and updates its assessment review and spending plan provided in the HSP at \_\_\_\_\_ (location).

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**PART 4: ALCOHOL-IGNITION INTERLOCK LAWS (23 CFR 1300.23(G))**

*[Check the box above **only** if applying for this grant.]*

*[Fill in **all** blanks.]*

The State provides citations to a law that requires all individuals convicted of driving under the influence or of driving while intoxicated to drive only motor vehicles with alcohol-ignition interlocks for a period of 6 months that was enacted on \_\_\_\_\_ (date) and last amended on \_\_\_\_\_ (date), is in effect, and will be enforced during the fiscal year of the grant.

**Legal citation(s):**

\_\_\_\_\_  
\_\_\_\_\_.

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**PART 5: 24-7 SOBRIETY PROGRAMS (23 CFR 1300.23(H))**

*[Check the box above **only** if applying for this grant.]*

*[Fill in **all** blanks.]*

The State provides citations to a law that requires all individuals convicted of driving under the influence or of driving while intoxicated to receive a restriction on driving privileges that was enacted on \_\_\_\_\_ (date) and last amended on \_\_\_\_\_ (date), is in effect, and will be enforced during the fiscal year of the grant.

**Legal citation(s):**

\_\_\_\_\_  
\_\_\_\_\_.

*[Check **at least one of the boxes** below and fill in **all** blanks under that checked box.]*

*Law citation.* The State provides citations to a law that authorizes a Statewide 24-7 sobriety program that was enacted on \_\_\_\_\_ (date) and last amended on \_\_\_\_\_ (date), is in effect, and will be enforced during the fiscal year of the grant.

**Legal citation(s):**

\_\_\_\_\_  
\_\_\_\_\_.

*Program information.* The State provides program information that authorizes a Statewide 24-7 sobriety program. The program information is provided in the HSP at \_\_\_\_\_ (location).

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□ **PART 6: DISTRACTED DRIVING GRANTS (23 CFR 1300.24)**

[Check the box above **only** if applying for this grant and fill in **all** blanks.]

**Comprehensive Distracted Driving Grant**

- The State provides sample distracted driving questions from the State’s driver’s license examination in the HSP at \_\_\_\_\_ (location).

- **Prohibition on Texting While Driving**

The State’s texting ban statute, prohibiting texting while driving and requiring a minimum fine of at least \$25, was enacted on \_\_\_\_\_ (date) and last amended on \_\_\_\_\_ (date), is in effect, and will be enforced during the fiscal year of the grant.

**Legal citations:**

- \_\_\_\_\_ Prohibition on texting while driving;
- \_\_\_\_\_ Definition of covered wireless communication devices;
- \_\_\_\_\_ Minimum fine of at least \$25 for an offense;
- \_\_\_\_\_ Exemptions from texting ban.

- **Prohibition on Youth Cell Phone Use While Driving**

The State’s youth cell phone use ban statute, prohibiting youth cell phone use while driving, driver license testing of distracted driving issues and requiring a minimum fine of at least \$25, was enacted on \_\_\_\_\_ (date) and last amended on \_\_\_\_\_ (date), is in effect, and will be enforced during the fiscal year of the grant.

**Legal citations:**

- \_\_\_\_\_ Prohibition on youth cell phone use while driving;
- \_\_\_\_\_ Definition of covered wireless communication devices;
- \_\_\_\_\_ Minimum fine of at least \$25 for an offense;
- \_\_\_\_\_ Exemptions from youth cell phone use ban.

- The State has conformed its distracted driving data to the most recent Model Minimum Uniform Crash Criteria (MMUCC) and will provide supporting data (i.e., NHTSA-developed MMUCC Mapping spreadsheet) within 30 days after notification of award.



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**PART 7: MOTORCYCLIST SAFETY GRANTS (23 CFR 1300.25)**

[Check the box above **only** if applying for this grant.]

[Check **at least 2 boxes** below and fill in **all** blanks under those checked boxes **only**.]

**Motorcycle riding training course:**

- The name and organization of the head of the designated State authority over motorcyclist safety issues is \_\_\_\_\_.
- The head of the designated State authority over motorcyclist safety issues has approved and the State has adopted one of the following introductory rider curricula:  
[Check at least one of the following boxes below and fill in any blanks.]
  - Motorcycle Safety Foundation Basic Rider Course;
  - TEAM OREGON Basic Rider Training;
  - Idaho STAR Basic I;
  - California Motorcyclist Safety Program Motorcyclist Training Course;
  - Other curriculum that meets NHTSA's Model National Standards for Entry-Level Motorcycle Rider Training and that has been approved by NHTSA.
- In the HSP at \_\_\_\_\_ (location), a list of counties or political subdivisions in the State where motorcycle rider training courses will be conducted during the fiscal year of the grant AND number of registered motorcycles in each such county or political subdivision according to official State motor vehicle records.

**Motorcyclist awareness program:**

- The name and organization of the head of the designated State authority over motorcyclist safety issues is \_\_\_\_\_.
- The State's motorcyclist awareness program was developed by or in coordination with the designated State authority having jurisdiction over motorcyclist safety issues.
- In the HSP at \_\_\_\_\_ (location), performance measures and corresponding performance targets developed for motorcycle awareness that identify, using State crash data, the counties or political subdivisions within the State with the highest number of motorcycle crashes involving a motorcycle and another motor vehicle.
- In the HSP at \_\_\_\_\_ (location), the countermeasure strategies and planned activities demonstrating that the State will implement data-driven programs in a majority of counties or political subdivisions

where the incidence of crashes involving a motorcycle and another motor vehicle is highest, and a list that identifies, using State crash data, the counties or political subdivisions within the State ranked in order of the highest to lowest number of crashes involving a motorcycle and another motor vehicle per county or political subdivision.

□ **Reduction of fatalities and crashes involving motorcycles:**

- Data showing the total number of motor vehicle crashes involving motorcycles is provided in the HSP at \_\_\_\_\_ (location).
- Description of the State's methods for collecting and analyzing data is provided in the HSP at \_\_\_\_\_ (location).

□ **Impaired driving program:**

- In the HSP at \_\_\_\_\_ (location), performance measures and corresponding performance targets developed to reduce impaired motorcycle operation.
- In the HSP at \_\_\_\_\_ (location), countermeasure strategies and planned activities demonstrating that the State will implement data-driven programs designed to reach motorcyclists and motorists in those jurisdictions where the incidence of motorcycle crashes involving an impaired operator is highest (i.e., the majority of counties or political subdivisions in the State with the highest numbers of motorcycle crashes involving an impaired operator) based upon State data.

□ **Reduction of fatalities and accidents involving impaired motorcyclists:**

- Data showing the total number of reported crashes involving alcohol-impaired and drug-impaired motorcycle operators is provided in the HSP at \_\_\_\_\_ (location).
- Description of the State's methods for collecting and analyzing data is provided in the HSP at \_\_\_\_\_ (location).

**Use of fees collected from motorcyclists for motorcycle programs:**

*[Check one box only below and fill in all blanks under the checked box only.]*

Applying as a Law State –

- The State law or regulation requires all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are to be used for motorcycle training and safety programs. **AND**
- The State’s law appropriating funds for FY \_\_\_\_ demonstrates that all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are spent on motorcycle training and safety programs.

**Legal citation(s):** \_\_\_\_\_  
\_\_\_\_\_.

Applying as a Data State –

- Data and/or documentation from official State records from the previous fiscal year showing that **all** fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs were used for motorcycle training and safety programs is provided in the HSP at \_\_\_\_\_ (location).

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**☐ PART 8: STATE GRADUATED DRIVER LICENSING INCENTIVE GRANTS (23 CFR 1300.26)**

[Check the box above **only** if applying for this grant.]

[Fill in **all** applicable blanks below.]

The State's graduated driver's licensing statute, requiring both a learner's permit stage and intermediate stage prior to receiving an unrestricted driver's license, was last amended on \_\_\_\_\_ (date), is in effect, and will be enforced during the fiscal year of the grant.

**Learner's Permit Stage –**

**Legal citations:**

- \_\_\_\_\_ Applies prior to receipt of any other permit, license, or endorsement by the State if applicant is younger than 18 years of age and has not been issued an intermediate license or unrestricted driver's license by any State;
- \_\_\_\_\_ Applicant must pass vision test and knowledge assessment;
- \_\_\_\_\_ In effect for at least 6 months;
- \_\_\_\_\_ In effect until driver is at least 16 years of age;
- \_\_\_\_\_ Must be accompanied and supervised at all times;
- \_\_\_\_\_ Requires completion of State-certified driver education or training course or at least 50 hours of behind-the-wheel training, with at least 10 of those hours at night;
- \_\_\_\_\_ Prohibits use of personal wireless communications device;
- \_\_\_\_\_ Extension of learner's permit stage if convicted of a driving-related offense;
- \_\_\_\_\_ Exemptions from learner's permit stage.

**Intermediate Stage –**

**Legal citations:**

- \_\_\_\_\_ Commences after applicant younger than 18 years of age successfully completes the learner's permit stage, but prior to receipt of any other permit, license, or endorsement by the State;
- \_\_\_\_\_ Applicant must pass behind-the-wheel driving skills assessment;

- \_\_\_\_\_ In effect for at least 6 months;
  - \_\_\_\_\_ In effect until driver is at least 17 years of age;
  - \_\_\_\_\_ Must be accompanied and supervised between hours of 10:00 p.m. and 5:00 a.m. during first 6 months of stage, except when operating a motor vehicle for the purposes of work, school, religious activities, or emergencies;
  - \_\_\_\_\_ No more than 1 nonfamilial passenger younger than 21 years of age allowed;
  - \_\_\_\_\_ Prohibits use of personal wireless communications device;
  - \_\_\_\_\_ Extension of intermediate stage if convicted of a driving-related offense;
  - \_\_\_\_\_ Exemptions from intermediate stage.
- 

**PART 9: NONMOTORIZED SAFETY GRANTS (23 CFR 1300.27)**

[Check the box above **only** applying for this grant AND **only** if NHTSA has identified the State as eligible because the State annual combined pedestrian and bicyclist fatalities exceed 15 percent of the State's total annual crash fatalities based on the most recent calendar year final FARS data.]

The State affirms that it will use the funds awarded under 23 U.S.C. 405(h) only for the implementation of programs as provided in 23 CFR 1300.27(d).

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**PART 10: RACIAL PROFILING DATA COLLECTION GRANTS (23 CFR 1300.28)**

*[Check the box above **only** if applying for this grant.]*

*[Check one box **only** below and fill in **all** blanks under the checked box **only**.]*

- In the HSP at \_\_\_\_\_ (location), the official document(s) (i.e., a law, regulation, binding policy directive, letter from the Governor or court order) demonstrates that the State maintains and allows public inspection of statistical information on the race and ethnicity of the driver for each motor vehicle stop made by a law enforcement officer on all public roads except those classified as local or minor rural roads.
- In the HSP at \_\_\_\_\_ (location), the State will undertake countermeasure strategies and planned activities during the fiscal year of the grant to maintain and allow public inspection of statistical information on the race and ethnicity of the driver for each motor vehicle stop made by a law enforcement officer on all public roads except those classified as local or minor rural roads. (A State may not receive a racial profiling data collection grant by checking this box for more than 2 fiscal years.)
-

**In my capacity as the Governor's Representative for Highway Safety, I hereby provide the following certifications and assurances –**

- I have reviewed the above information in support of the State's application for 23 U.S.C. 405 and Section 1906 grants, and based on my review, the information is accurate and complete to the best of my personal knowledge.
- As condition of each grant awarded, the State will use these grant funds in accordance with the specific statutory and regulatory requirements of that grant, and will comply with all applicable laws, regulations, and financial and programmatic requirements for Federal grants.
- I understand and accept that incorrect, incomplete, or untimely information submitted in support of the State's application may result in the denial of a grant award.

**I understand that my statements in support of the State's application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.**

  
\_\_\_\_\_  
Signature Governor's Representative for Highway Safety

08/30/2020

Date

**Charles Addington**  
\_\_\_\_\_  
Printed name of Governor's Representative for Highway Safety