

## **405(b) Occupant protection grant**

*The State will participate in the Click it or Ticket national mobilization in FFY 2024. The description of the State's planned participation is provided below. Also included is a list of the agencies that plan to participate.*

### **Description of the State's planned participation in the Click-it-or-Ticket national mobilization:**

#### **Planned Participation in Click-it-or-Ticket**

#### **Mobilization 3: Memorial Day “Click It or Ticket” Mobilization – May 13 - June 2, 2024**

**Theme:** Click It or Ticket – Border to Border. Full statewide participation from Border to Border. Nighttime seat belt and child restraint enforcement on unbelted crash roadways.

**Participation:** Involvement from municipal police will be coordinated under the Police Traffic Services grant project which reaches approximately 750 police departments. The PA State Police will also participate during the mobilization period.

#### **Enforcement strategies:**

12. LELs will contact each PTS Coordinator to confirm participation, review crash maps, identify target roadways, and plan enforcement strategies during the mobilization.

Partner with LEAs conducting Impaired Driving operations during this mobilization for joint enforcement efforts. Joint Operations could include a combination of enforcement, earned media, awareness and education. There will not be any consolidation of funding or enforcement time.

Every participating LEA will be required to conduct enforcement details (Saturation patrols, and Traffic Enforcement Zones) on identified roadways in their jurisdiction.

PA State Police will coordinate with municipal LEAs for enforcement and public awareness.

PA State Police will conduct Child Seat Check Events.

LEAs will be required to review enforcement plans on low belt use roadways in their jurisdictions as identified by unbelted crash data. Each participating department will be informed of the enforcement priorities below:

Any department that cannot commit to a “zero tolerance” seat belt enforcement policy will not be eligible to participate in any seat belt mobilization.

Departments agree to conduct at least 50 percent of enforcement at night. (High Risk Population Program)

Departments will participate in Saturation Patrols and Traffic Enforcement Zones.

**Earned Media:** The PennDOT Press Office will develop and produce an earned media plan to be made available to PennDOT District Safety Press Officers (SPOs), Community Traffic Safety Project (CTSP) Coordinators, and participating law enforcement agencies through e-mail distribution and for download on the PA Traffic Safety Enforcement Resource Center website ([www.patrafficsafety.org](http://www.patrafficsafety.org)). The plan will include fill-in-the-blank public service announcements, press releases, talking points, and suggested activities such as press conferences. The following is a sample outline of the earned media planner that will be provided to the Planning Teams:

- Click It or Ticket Handout – police distributed handout for motorists.
- General Press Release – this release focused on nighttime seat belt enforcement and holiday travel.
- Talking Points – nighttime unbuckled crashes and Holiday travel and general occupant protection.
- Variable message boards
- PSAs that complement variable message boards and marquee messages
- Community event advisory and release
- Nighttime enforcement advisory and release
- Nighttime Joint Seat Belt and DUI Details media release and PSAs
- Target release for college and high school students
- Regional kickoff events\*

\*County/regional kickoffs- Kickoffs will focus on nighttime operations or other regional strategies coordinated through Regional Planning Teams (SPOs, CTSPs, LELs, and LEAs). HSN LELs will work with each PennDOT Comprehensive Planning Team to coordinate at least 1 Kickoff per Region.

**Below is a list of the agencies planning to participate in CIOT:**

ABBOTTSTOWN BOROUGH	HARRISBURG CITY	PINE GROVE BOROUGH
ABINGTON TOWNSHIP	HARRISON TOWNSHIP	PITTSBURGH CITY
ADAMS TOWNSHIP	HARRISVILLE BOROUGH	PITTSTON CITY
ADAMS TOWNSHIP	HARVEYS LAKE BOROUGH	PITTSTON TOWNSHIP
AKRON BOROUGH	HASTINGS BOROUGH	PLAINS TOWNSHIP
ALBURTIS BOROUGH	HATBORO BOROUGH	PLEASANT HILLS BOROUGH
ALDAN BOROUGH	HATFIELD TOWNSHIP	PLUM BOROUGH
ALIQUIPPA CITY	HAVERFORD TOWNSHIP	PLUMSTEAD TOWNSHIP
ALLEGHENY TOWNSHIP	HAWLEY BOROUGH	PLYMOUTH BOROUGH
ALLEGHENY TOWNSHIP	HAZLETON CITY	PLYMOUTH TOWNSHIP

ALLEGHENY VALLEY REGIONAL	HEGINS TOWNSHIP	POCONO MOUNTAIN REGIONAL
ALLENTOWN CITY	HEIDELBERG BOROUGH	POCONO TOWNSHIP
ALTOONA CITY	HELLAM TOWNSHIP	POINT TOWNSHIP
AMBLER BOROUGH	HELLERTOWN BOROUGH	POLK BOROUGH
AMBRIDGE BOROUGH	HEMLOCK TOWNSHIP	PORT CARBON BOROUGH
AMITY TOWNSHIP	HERMITAGE CITY	PORTAGE BOROUGH
ANNVILLE TOWNSHIP	HIGHSPIRE BOROUGH	POTTSTOWN BOROUGH
APOLLO BOROUGH	HILLTOWN TOWNSHIP	POTTSVILLE CITY
ARCHBALD BOROUGH	HOLLIDAYSBURG BOROUGH	QUAKERTOWN BOROUGH
ARMAGH TOWNSHIP	HOMER CITY BOROUGH	QUARRYVILLE BOROUGH
ASHLAND BOROUGH	HOMESTEAD BOROUGH	RACCOON TOWNSHIP
ASHLEY BOROUGH	HONESDALE BOROUGH	RADNOR TOWNSHIP
ASTON TOWNSHIP	HOPEWELL TOWNSHIP	RALPHO TOWNSHIP
ATHENS BOROUGH	HORSHAM TOWNSHIP	RANKIN BOROUGH
ATHENS TOWNSHIP	HUGHESTOWN BOROUGH	READING CITY
AVALON BOROUGH	HUGHESVILLE BOROUGH	READING TOWNSHIP
AVOCA BOROUGH	HULMEVILLE BOROUGH	RICE TOWNSHIP
BADEN BOROUGH	HUMMELSTOWN BOROUGH	RICHLAND TOWNSHIP
BALDWIN BOROUGH	HUNTINGDON BOROUGH	RICHLAND TOWNSHIP
BALDWIN TOWNSHIP	INDEPENDENCE TOWNSHIP	RIDGWAY BOROUGH
BALLY BOROUGH	INDIANA BOROUGH	RIDLEY TOWNSHIP
BANGOR BOROUGH	INDIANA TOWNSHIP	RINGTOWN BOROUGH
BEAVER BOROUGH	IRWIN BOROUGH	RIVERSIDE BOROUGH
BEAVER FALLS CITY	IVYLAND BOROUGH	ROARING BROOK TOWNSHIP
BEAVER MEADOWS BOROUGH	JACKSON TOWNSHIP	ROARING SPRING BOROUGH
BEDMINISTER TOWNSHIP	JACKSON TOWNSHIP	ROBESON TOWNSHIP
BELLEVUE BOROUGH	JACKSON TOWNSHIP	ROBINSON TOWNSHIP
BELLWOOD BOROUGH	JEANNETTE	ROCHESTER BOROUGH
BENSALEM TOWNSHIP	JEFFERSON HILLS BOROUGH	ROCHESTER TOWNSHIP

BENTON BOROUGH	JEFFERSON TOWNSHIP	ROSS TOWNSHIP
BERN TOWNSHIP	JEFFERSON TOWNSHIP	ROSTRAVER TOWNSHIP
BERWICK BOROUGH	JENKINS TOWNSHIP	ROYALTON BOROUGH
BETHEL PARK BOROUGH	JENKINTOWN BOROUGH	ROYERSFORD BOROUGH
BETHEL TOWNSHIP	JERMYN BOROUGH	RURAL VALLEY BOROUGH
BETHEL TOWNSHIP	JESSUP BOROUGH	RUSH TOWNSHIP
BETHLEHEM CITY	JIM THORPE BOROUGH	RYAN TOWNSHIP
BETHLEHEM TOWNSHIP	JOHNSTOWN CITY	SADSBURY TOWNSHIP
BIGLER TOWNSHIP REGIONAL	KENNEDY TOWNSHIP	SAINT CLAIR BOROUGH
BIGLERVILLE BOROUGH	KENNETT SQUARE BOROUGH	SAINT CLAIR TOWNSHIP
BIRDSBORO	KENNETT TOWNSHIP	SAINT MARYS CITY
BIRMINGHAM TOWNSHIP	KIDDER TOWNSHIP	SALEM TOWNSHIP
BLACKLICK TOWNSHIP	KINGSTON BOROUGH	SALISBURY TOWNSHIP
BLAIR TOWNSHIP	KINGSTON TOWNSHIP	SALTSBURG BOROUGH
BLAIRSVILLE BOROUGH	KISKIMINETAS TOWNSHIP	SANDY TOWNSHIP
BLAKELY BOROUGH	KITTANNING BOROUGH	SAXONBURG BOROUGH
BONNEAUVILLE BOROUGH	KLINE TOWNSHIP	SAYRE BOROUGH
BOYERTOWN BOROUGH	KNOX BOROUGH	SCHUYKILL HAVEN BOROUGH
BRACKENRIDGE BOROUGH	KULPMONT BOROUGH	SCHUYKILL TOWNSHIP
BRADDOCK BOROUGH	KUTZTOWN BOROUGH	SCOTT TOWNSHIP
BRADFORD CITY	LAKE CITY BOROUGH	SCOTT TOWNSHIP
BRADFORD TOWNSHIP	LANCASTER CITY	SCOTT TOWNSHIP
BRANCH REILLY TOWNSHIP	LANCASTER TOWNSHIP	SCOTTDALE BOROUGH
BRECKNOCK TOWNSHIP	LANESBORO BOROUGH	SCRANTON CITY
BRENTWOOD BOROUGH	LANGHORNE BOROUGH	SELINGSGROVE BOROUGH
BRIAR CREEK TOWNSHIP	LANGHORNE MANOR BOROUGH	SEWARD BOROUGH
BRIDGEPORT BOROUGH	LANSDALE BOROUGH	SEWICKLEY BOROUGH
BRIDGEVILLE BOROUGH	LANSDOWNE BOROUGH	SHALER TOWNSHIP
BRIGHTON TOWNSHIP	LANSFORD BOROUGH	SHAMOKIN CITY

BRISTOL BOROUGH	LARKSVILLE BOROUGH	SHAMOKIN DAM BOROUGH
BRISTOL TOWNSHIP	LATIMORE TOWNSHIP	SHARON HILL BOROUGH
BUCKINGHAM TOWNSHIP	LATROBE CITY	SHARPSVILLE BOROUGH
BUFFALO VALLEY REGIONAL	LAURELDALE BOROUGH	SHENANDOAH BOROUGH
BUSHKILL TOWNSHIP	LAWRENCE PARK TOWNSHIP	SHENANGO TOWNSHIP
BUTLER CITY	LAWRENCE TOWNSHIP	SHENANGO TOWNSHIP
BUTLER TOWNSHIP	LEBANON CITY	SHILLINGTON BOROUGH
BUTLER TOWNSHIP	LEECHBURG BOROUGH	SHIPPENSBURG BOROUGH
BUTLER TOWNSHIP	LEETSDALE BOROUGH	SHIREMANSTOWN BOROUGH
CAERNARVON TOWNSHIP	LEHIGH TOWNSHIP	SILVER SPRINGS TOWNSHIP
CALIFORNIA BOROUGH	LEHIGH TOWNSHIP	SINKING SPRING BOROUGH
CALN TOWNSHIP	LEHIGHTON BOROUGH	SLATE BELT REGIONAL
CAMBRIA TOWNSHIP	LEHMAN TOWNSHIP	SLATINGTON BOROUGH
CAMBRIDGE SPRINGS BOROUGH	LEWISTOWN BOROUGH	SLIPPERY ROCK BOROUGH
CAMP HILL BOROUGH	LIBERTY TOWNSHIP	SOLEBURY TOWNSHIP
CANONSBURG BOROUGH	LIGONIER BOROUGH	SOUDERTON BOROUGH
CARBONDALE CITY	LIGONIER TOWNSHIP	SOUTH ABINGTON TOWNSHIP
CARBONDALE TOWNSHIP	LIMERICK TOWNSHIP	SOUTH ANNVILLE TOWNSHIP
CARLISLE BOROUGH	LINESVILLE BORO	SOUTH BEAVER TOWNSHIP
CARNEGIE BOROUGH	LITITZ BOROUGH	SOUTH BUFFALO TOWNSHIP
CARROLL TOWNSHIP	LITTLESTOWN BOROUGH	SOUTH CENTER TOWNSHIP
CARROLL VALLEY BOROUGH	LOCK HAVEN CITY	SOUTH FAYETTE TOWNSHIP
CARROLLTOWN BOROUGH	LOCUST TOWNSHIP	SOUTH FORK BOROUGH
CASS TOWNSHIP	LOGAN TOWNSHIP	SOUTH HEIDELBERG TOWNSHIP
CASTLE SHANON	LORETTO BOROUGH	SOUTH HEIGHTS BOROUGH
CATASAUQUA BOROUGH	LOWER ALLEN TOWNSHIP	SOUTH LEBANON TOWNSHIP
CATAWISSA BOROUGH	LOWER BURRELL CITY	SOUTH LONDONDERRY TOWNSHIP

CECIL TOWNSHIP	LOWER GWYNEDD TOWNSHIP	SOUTH PARK TOWNSHIP
CENTER TOWNSHIP	LOWER HEIDELBERG TOWNSHIP	SOUTH PYMATUMING TOWNSHIP
CENTRAL BERKS REGIONAL	LOWER MAKEFIELD TOWNSHIP	SOUTH STRABANE TOWNSHIP
CENTRAL BUCKS REGIONAL	LOWER MERION TOWNSHIP	SOUTH WHITEHALL TOWNSHIP
CHAMBERSBURG	LOWER MORELAND TOWNSHIP	SOUTH WILLIAMSPORT BOROUGH
CHARTIERS TOWNSHIP	LOWER PAXTON TOWNSHIP	SOUTHERN ARMSTRONG REGIONAL
CHELTENHAM TOWNSHIP	LOWER POTTS GROVE TOWNSHIP	SOUTHERN CHESTER COUNTY REGIONAL
CHERRY TREE BOROUGH	LOWER PROVIDENCE TOWNSHIP	SOUTHERN YORK REGIONAL
CHESTER CITY	LOWER SALFORD TOWNSHIP	SOUTHWEST GREENSBURG BOROUGH
CHESTER TOWNSHIP	LOWER SAUCON TOWNSHIP	SPRING CITY BOROUGH
CHIPPEWA TOWNSHIP	LOWER SOUTHAMPTON TOWNSHIP	SPRING GARDEN TOWNSHIP
CHRISTIANA BOROUGH	LOWER SWATARA TOWNSHIP	SPRING TOWNSHIP
CHURCHILL BOROUGH	LOWER WINDSOR TOWNSHIP	SPRING TOWNSHIP
CITY OF ARNOLD	LUZERNE BOROUGH	SPRINGDALE BOROUGH
CLAIRTON CITY	LYCOMING REGIONAL POLICE	SPRINGGETTSBURY TOWNSHIP
CLARION BOROUGH	LYKENS BOROUGH	SPRINGFIELD TOWNSHIP
CLARKS SUMMIT BOROUGH	MACUNGIE BOROUGH	SPRINGFIELD TOWNSHIP
CLEARFIELD BOROUGH	MAHANOEY CITY BOROUGH	SPRINGFIELD TOWNSHIP
CLEONA BOROUGH	MAHANOEY TOWNSHIP	STATE COLLEGE BOROUGH
CLIFTON HEIGHTS BOROUGH	MAHONING TOWNSHIP	STEELTON BOROUGH
CLYMER BOROUGH	MAHONING TOWNSHIP	STOCKERTOWN BOROUGH
COAL TOWNSHIP	MAIN TOWNSHIP	STONYCREEK TOWNSHIP
COALDALE BOROUGH	MALVERN BOROUGH	STOWE TOWNSHIP

COATESVILLE CITY	MANHEIM BOROUGH	STRASBURG BOROUGH
COCHRANTON BOROUGH	MANHEIM TOWNSHIP	STROUD AREA REGIONAL
COLEBROOKDALE DISTRICT	MANOR TOWNSHIP	SUGAR NOTCH BOROUGH
COLLEGEVILLE BOROUGH	MANOR TOWNSHIP	SUGARCREEK BOROUGH
COLLIER TOWNSHIP	MANSFIELD BOROUGH	SUGARLOAF TOWNSHIP
COLLINGDALE BOROUGH	MARION CENTER BOROUGH	SUMMERHILL TOWNSHIP
COLONIAL REGIONAL	MARLBOROUGH TOWNSHIP	SUMMIT HILL BOROUGH
COLUMBIA BOROUGH	MARPLE TOWNSHIP	SUNBURY CITY
CONEMAUGH TOWNSHIP	MARS BOROUGH	SUSQUEHANNA DEPOT BOROUGH
CONEMAUGH TOWNSHIP	MARTINSBURG BOROUGH	SUSQUEHANNA REGIONAL
CONEWAGO TOWNSHIP	MAYFIELD BOROUGH	SUSQUEHANNA TOWNSHIP
CONEWANGO TOWNSHIP	MCADOO BOROUGH	SWATARA TOWNSHIP
CONNEAUT LAKE REGIONAL	MCDONALD BOROUGH	SWISSVALE BOROUGH
CONNELLSVILLE CITY	MCSHERRYSTOWN BOROUGH	SWOYERSVILLE BOROUGH
CONSHOHOCKEN BOROUGH	MECHANICSBURG BOROUGH	TAMAQUA BOROUGH
CONWAY BOROUGH	MESHOPPEN BOROUGH	TARENTUM BOROUGH
COOPERSBURG BOROUGH	MIDDLEBURG BOROUGH	TATAMY BOROUGH
COPLAY BOROUGH	MIDDLESEX TOWNSHIP	TAYLOR BOROUGH
CORAOPOLIS BOROUGH	MIDDLESEX TOWNSHIP	TELFORD BOROUGH
CORNWALL BOROUGH	MIDDLETOWN BOROUGH	TELFORD BOROUGH
CORRY CITY	MIDDLETOWN TOWNSHIP	THROOP BOROUGH
COURTDALE BOROUGH	MIFFLIN COUNTY REGIONAL	TIADAGHTON VALLEY REGIONAL
COVINGTON TOWNSHIP	MIFFLINBURG BOROUGH	TILDEN TOWNSHIP
CRAFTON BOROUGH	MILFORD BOROUGH	TINICUM TOWNSHIP
CRANBERRY TOWNSHIP	MILLBOURNE BOROUGH	TITUSVILLE CITY
CRESCENT TOWNSHIP	MILLCREEK TOWNSHIP	TOWAMENCIN TOWNSHIP
CRESSON BOROUGH	MILLERSBURG BOROUGH	TOWANDA BOROUGH
CRESSON TOWNSHIP	MILLERSVILLE BOROUGH	TOWER CITY BOROUGH

CUMBERLAND TOWNSHIP	MILLVALE BOROUGH	TOWN OF BLOOMSBURG
CUMBERLAND TOWNSHIP	MILTON BOROUGH	TOWN OF MCCANDLESS
CUMRU TOWNSHIP	MINERSVILLE BOROUGH	TREDYFFRIN TOWNSHIP
DALLAS BOROUGH	MONACA BOROUGH	TREMONT BOROUGH
DALLAS TOWNSHIP	MONONGAHELA CITY	TROY BOROUGH
DALTON BOROUGH	MONROEVILLE BOROUGH	TULLYTOWN BOROUGH
DANVILLE BOROUGH	MONTGOMERY BOROUGH	TULPEHOCKEN TOWNSHIP
DELMONT BOROUGH	MONTGOMERY TOWNSHIP	TUNKHANNOCK TOWNSHIP
DERRY BOROUGH	MONTOUR TOWNSHIP	TYRONE BOROUGH
DERRY TOWNSHIP	MONTOURSVILLE BOROUGH	UNION CITY BOROUGH
DICKSON CITY BOROUGH	MONTROSE BOROUGH	UNION TOWNSHIP
DORMONT BOROUGH	MOON TOWNSHIP	UNION TOWNSHIP
DOUGLASS TOWNSHIP	MOORE TOWNSHIP	UNIONTOWN CITY
DOUGLASS TOWNSHIP	MOOSIC BOROUGH	UPLAND BOROUGH
DOWNINGTOWN BOROUGH	MORRISVILLE BOROUGH	UPPER ALLEN TOWNSHIP
DOYLESTOWN TOWNSHIP	MOSCOW BOROUGH	UPPER BURRELL TOWNSHIP
DUBLIN BOROUGH	MOUNT CARMEL TOWNSHIP	UPPER DARBY TOWNSHIP
DUBOIS CITY	MOUNT HOLLY SPRINGS BOROUGH	UPPER DUBLIN TOWNSHIP
DUNCANSVILLE BOROUGH	MOUNT JOY BOROUGH	UPPER GWYNEDD TOWNSHIP
DUNMORE BOROUGH	MOUNT LEBANON	UPPER MACUNGIE
DUPONT BOROUGH	MOUNT PLEASANT BOROUGH	UPPER MAKEFIELD TOWNSHIP
DUQUESNE CITY	MOUNT PLEASANT TOWNSHIP	UPPER MERION TOWNSHIP
DURYEA BOROUGH	MOUNT UNION BOROUGH	UPPER MORELAND TOWNSHIP
EAST COCALICO TOWNSHIP	MUHLENBERG TOWNSHIP	UPPER NAZARETH TOWNSHIP
EAST COVENTRY TOWNSHIP	MUNCY BOROUGH	UPPER PERK
EAST DEER TOWNSHIP	MUNCY TOWNSHIP	UPPER POTTS GROVE TOWNSHIP

EAST EARL TOWNSHIP	MUNHALL BOROUGH	UPPER PROVIDENCE TOWNSHIP
EAST FRANKLIN TOWNSHIP	MUNICIPALITY OF PENN HILLS	UPPER PROVIDENCE TOWNSHIP
EAST GREENVILLE BOROUGH	MURRYSVILLE	UPPER SAUCON TOWNSHIP
EAST HEMPFIELD TOWNSHIP	NANTICOKE CITY	UPPER SOUTHAMPTON TOWNSHIP
EAST LAMPETER TOWNSHIP	NANTY GLO BOROUGH	UPPER ST CLAIR TOWNSHIP
EAST LANSDOWNE BOROUGH	NAZARETH AREA	UPPER UWCHLAN TOWNSHIP
EAST NORRITON TOWNSHIP	NESHANNOCK TOWNSHIP	UPPER YODER TOWNSHIP
EAST PENNSBORO TOWNSHIP	NESQUEHONING BOROUGH	UWCHLAN TOWNSHIP
EAST PIKELAND TOWNSHIP	NEW BERLIN BOROUGH	VANDERGRIFT BOROUGH
EAST WHITELAND TOWNSHIP	NEW BETHLEHEM BOROUGH	WALNUTPORT BOROUGH
EASTERN ADAMS REGIONAL	NEW BRIGHTON AREA	WARMINSTER TOWNSHIP
EASTERN BERKS REGIONAL	NEW BRITAIN TOWNSHIP	WARREN CITY
EASTERN PIKE REGIONAL	NEW CASTLE CITY	WARRINGTON TOWNSHIP
EASTON CITY	NEW CASTLE TOWNSHIP	WARWICK TOWNSHIP
EASTTOWN TOWNSHIP	NEW CUMBERLAND BOROUGH	WASHINGTON CITY
EBENSBURG BOROUGH	NEW HANOVER TOWNSHIP	WASHINGTON TOWNSHIP
ECONOMY BOROUGH	NEW HOLLAND BOROUGH	WASHINGTON TOWNSHIP
EDDYSTONE BOROUGH	NEW HOPE BOROUGH	WASHINGTON TOWNSHIP
EDGEWOOD BOROUGH	NEW KENSINGTON CITY	WATSONTOWN BOROUGH
EDGEWORTH BOROUGH	NEW SEWICKLEY TOWNSHIP	WAVERLY TOWNSHIP
EDINBORO BOROUGH	NEWBERRY TOWNSHIP	WAYMART BOROUGH
EDWARDSVILLE BOROUGH	NEWPORT TOWNSHIP	WAYNESBORO BOROUGH
ELDERTON BOROUGH	NEWTOWN BOROUGH	WEATHERLY BOROUGH
ELIZABETH TOWNSHIP	NEWTOWN TOWNSHIP	WELLSBORO BOROUGH
ELIZABETHTOWN BOROUGH	NEWTOWN TOWNSHIP	WESLEYVILLE BOROUGH

EMMAUS BOROUGH	NEWVILLE BOROUGH	WEST BRANDYWINE TOWNSHIP
EPHRATA BOROUGH	NORRISTOWN BOROUGH	WEST CHESTER BOROUGH
ERIE CITY	NORTH BUFFALO TOWNSHIP	WEST CONSHOHOCKEN BOROUGH
ETNA BOROUGH	NORTH CATASAUQUA	WEST DEER TOWNSHIP
EVANS CITY SEVEN FIELDS REGIONAL	NORTH CORNWALL TOWNSHIP	WEST EARL TOWNSHIP
EXETER BOROUGH	NORTH COVENTRY TOWNSHIP	WEST GOSHEN TOWNSHIP
EXETER TOWNSHIP	NORTH EAST BOROUGH	WEST HAZELTON BOROUGH
EXETER TOWNSHIP	NORTH FAYETTE TOWNSHIP	WEST HEMPFIELD TOWNSHIP
FAIRVIEW TOWNSHIP	NORTH HOPEWELL TOWNSHIP	WEST HILLS REGIONAL
FAIRVIEW TOWNSHIP	NORTH HUNTINGDON TOWNSHIP	WEST HOMESTEAD BOROUGH
FALLS TOWNSHIP	NORTH LEBANON TOWNSHIP	WEST KITTANNING BOROUGH
FERGUSON TOWNSHIP	NORTH LONDONDERRY TOWNSHIP	WEST LAMPETER TOWNSHIP
FINDLAY TOWNSHIP	NORTH MIDDLETON TOWNSHIP	WEST MAHANOEY TOWNSHIP
FLEETWOOD BOROUGH	NORTH STRABANE TOWNSHIP	WEST MANCHESTER TOWNSHIP
FORD CITY BOROUGH	NORTH VERSAILLES TOWNSHIP	WEST MANHEIM TOWNSHIP
FOREST CITY BOROUGH	NORTH WALES BOROUGH	WEST MEAD TOWNSHIP
FOREST HILLS BOROUGH	NORTH WOODBURY TOWNSHIP	WEST MIFFLIN
FORKS TOWNSHIP	NORTHAMPTON BOROUGH	WEST NORRITON TOWNSHIP
FORT INDIANTOWN GAP	NORTHAMPTON TOWNSHIP	WEST PENN TOWNSHIP
FORTY FORT BOROUGH	NORTHEASTERN REGIONAL	WEST PIKELAND TOWNSHIP
FOSTER TOWNSHIP	NORTHERN BERKS REGIONAL	WEST PITTSTON BOROUGH

FOSTER TOWNSHIP	NORTHERN CAMBRIA BOROUGH	WEST POTTSBURY TOWNSHIP
FOSTER TOWNSHIP	NORTHERN LANCASTER COUNTY REGIONAL	WEST READING BOROUGH
FOUNTAIN HILL BOROUGH	NORTHERN REGIONAL	WEST SADSBUURY TOWNSHIP
FRACKVILLE BOROUGH	NORTHERN YORK COUNTY REGIONAL	WEST SHORE REGIONAL
FRANCONIA TOWNSHIP	NORTHUMBERLAND BOROUGH	WEST VIEW BOROUGH
FRANKLIN CITY	NORTHWEST LANCASTER CNTY REGIONAL	WEST VINCENT TOWNSHIP
FRANKLIN PARK	OAKDALE BOROUGH	WEST WHITELAND TOWNSHIP
FRANKLIN TOWNSHIP	OAKMONT BOROUGH	WEST WYOMING BOROUGH
FRANKLIN TOWNSHIP	OHARA TOWNSHIP	WEST YORK BOROUGH
FRAZER TOWNSHIP	OHIO TOWNSHIP	WESTMORELAND COUNTY PARK
FREEDOM BOROUGH	OHIOVILLE BOROUGH	WESTTOWN/EAST GOSHEN REGIONAL
FREEDOM TOWNSHIP	OIL CITY	WHITAKER BOROUGH
FREELAND BOROUGH	OLD FORGE BOROUGH	WHITE HAVEN BOROUGH
FREEMANSBURG BOROUGH	OLD LYCOMING TOWNSHIP	WHITE OAK BOROUGH
FREEPORT BOROUGH	OLYPHANT BOROUGH	WHITEHALL BOROUGH
GALLITZIN TOWNSHIP	ORANGEVILLE AREA	WHITEHALL TOWNSHIP
GETTYSBURG BOROUGH	ORWIGSBURG BOROUGH	WHITEMARSH TOWNSHIP
GILPIN TOWNSHIP	PALMER TOWNSHIP	WHITPAIN TOWNSHIP
GIRARD BOROUGH	PALMERTON BOROUGH	WICONISCO TOWNSHIP
GIRARDVILLE BOROUGH	PALMYRA BOROUGH	WILKES BARRE CITY
GLASSPORT BOROUGH	PALO ALTO BOROUGH	WILKES BARRE TOWNSHIP
GLENOLDEN BOROUGH	PARKESBURG BOROUGH	WILKINS TOWNSHIP
GRANVILLE TOWNSHIP	PARKS TOWNSHIP	WILLIAMSBURG BOROUGH
GREAT BEND BOROUGH	PATTERSON TOWNSHIP	WILLIAMSPORT CITY
GREEN TREE BOROUGH	PATTON BOROUGH	WILLISTOWN TOWNSHIP

GREENCASTLE BOROUGH	PATTON TOWNSHIP	WILSON BOROUGH
GREENFIELD TOWNSHIP	PENBROOK BOROUGH	WINDBER BOROUGH
GREENFIELD TOWNSHIP	PENN TOWNSHIP	WRIGHT TOWNSHIP
GREENSBURG CITY	PENN TOWNSHIP	WYOMING AREA REGIONAL
GREENVILLE-WEST SALEM	PENN TOWNSHIP	WYOMING BOROUGH
GROVE CITY BOROUGH	PENNDDEL BOROUGH	WYOMISSING BOROUGH
HALIFAX BOROUGH	PENNRIDGE REGIONAL	YARDLEY BOROUGH
HAMBURG BOROUGH	PEQUEA TOWNSHIP	YEADON BOROUGH
HAMPDEN TOWNSHIP	PERKASIE BOROUGH	YORK AREA REGIONAL
HAMPTON TOWNSHIP	PETERS TOWNSHIP	YORK CITY
HANOVER BOROUGH	PHILADELPHIA CITY	YORK COUNTY REGIONAL
HANOVER TOWNSHIP	PHOENIXVILLE BOROUGH	YOUNGSVILLE BOROUGH
HARMAR TOWNSHIP	PINE CREEK TOWNSHIP	ZELIENOPLE BOROUGH
HARMONY TOWNSHIP		

# **Strategic Plan to Reduce Impaired Driving**

**Fixing America's Surface Transportation Act (FAST Act)**

**23 United States Code, Section 405(d)**



*Prepared by the Statewide Task Force on Impaired Driving*

*June 2021*

# Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

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## **Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)**

### **Executive Summary**

Despite an overall downward trend in the number of traffic-related fatalities over the past decade and record low fatality numbers recently, fatalities due to impaired driving continue to account for slightly less than one-third of all traffic-related fatalities. Of the 1,129 traffic-related fatalities Pennsylvania experienced in 2020, 347 of those fatalities were due to crashes involving an impaired driver. These drivers were impaired by alcohol, drugs (either licit or illicit), or a combination of both substances. This represents 347 deaths which were totally preventable. Pennsylvania law enforcement also continues to arrest more than 40,000 drivers for driving under the influence (DUI) each year. A mounting concern is the increasing number of drivers arrested for DUI of drugs on an annual basis.

To address this issue, Pennsylvania has established a statewide task force on impaired driving, comprised of executive level membership from across state agencies and public partners. This task force adopts an impaired driving plan, aimed at reducing DUI, for the Commonwealth. Addressing the problem of impaired driving requires a multi-faceted approach involving numerous partners and stakeholders. This plan intends to both capture and coordinate the strategies and activities conducted by all stakeholders in their effort to combat DUI.

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

### Qualification Criteria

The Pennsylvania Department of Transportation is seeking to qualify for funding under 23 U.S.C. 405(d) for FFY2022 and will implement programs under this funding in accordance with 23 CFR §1300.23. Per the most recent data from FARS of 2016 to 2018, and supplied by NHTSA, Pennsylvania is categorized as a mid-range state with an average alcohol-impaired fatality rate of 0.33 per 100 million vehicle miles traveled. Under the FAST Act Legislation, states categorized as mid-range are required to submit a statewide impaired driving plan which is developed and adopted by a statewide impaired driving task force.

<b>Year</b>	<b>0.08+ Fataals</b>	<b>100M VMT</b>	<b>Rate</b>
2016	342	1,013.62	0.34
2017	321	1,016.14	0.32
2018	334	1,021.09	0.33
<b>Previous three-year average</b>			<b>0.33</b>

*Source: NCSA FARS Final Files*

**Glossary of Acronyms and Abbreviations**

- AHSS .....Alcohol Highway Safety School
- AOPC.....Administrative Office of Pennsylvania Courts
- ARD .....Accelerated Rehabilitative Disposition
- ARIDE .....Advanced Roadside Impaired Driving Enforcement
- BAC .....Blood Alcohol Concentration
- BLCE .....Bureau of Liquor Control Enforcement (PSP)
- CRN .....Court Reporting Network
- CTSP.....Community Traffic Safety Projects
- DEC.....Drug Evaluation and Classification Program
- DRE.....Drug Recognition Expert
- DUI .....Driving Under the Influence
- DUI RPA.....Driving Under the Influence Regional Project Administrator
- FAST Act .....Fixing America’s Surface Transportation Act
- HSP .....Highway Safety Plan (NHTSA Requirement)
- HVE .....High Visibility Enforcement
- IACP .....International Association of Chiefs of Police
- ILEE.....Institute for Law Enforcement Education (Dept of Ed)
- JOL.....Judicial Outreach Liaison
- MDJ.....Magisterial District Judge
- NCDC .....National Center for DWI Courts
- NHTSA .....National Highway Traffic Safety Administration
- PCPA.....Pennsylvania Chiefs of Police Association
- PLCB.....Pennsylvania Liquor Control Board
- RAMP .....Responsible Alcohol Management Program
- SHSO .....State Highway Safety Office
- SHSP .....Strategic Highway Safety Plan (FHWA Requirement)
- SFST .....Standardized Field Sobriety Testing
- TSRP.....Traffic Safety Resource Prosecutor

## **1. Statewide Impaired Driving Task Force Authority**

As required per 23 CFR §1300.23(e)(i), this section of the plan explains the authority of the statewide impaired driving task force and how it operates. The charter document of the task force was signed by the Secretary of the Pennsylvania Department of Transportation on May 3, 2013. This document gave authority to the Governor’s Representative for Highway Safety to both initiate the task force and outline its objectives. The charter document was adopted, and the first statewide impaired driving plan was approved by the task force membership during its initial meeting held on July 1, 2013. A copy of the signed charter can be found at the end of this section.

The approval process began with the sharing of a draft plan modeled after the NHTSA document titled “Highway Safety Program Guideline No. 8 – Impaired Driving.” Edits and comments were submitted, as well as proposed additions which were assimilated into the final version approved by the task force membership during its initial meeting. This first statewide impaired driving plan was submitted to and accepted by NHTSA.

During subsequent meetings of the task force, items were raised and discussed amongst the membership. These items were captured in a tracking document, assigned an owner and a due date. The items ranged from issues an organization was facing and seeking help in resolution to questions on procedures of another organization in the processing of impaired driving related issues.

The approval process for the current plan follows the same procedures as the initial plan submitted to NHTSA in 2013 as well as the updated plans submitted in 2016 and 2018. Sections of the plan were sent to the appropriate organizations for revisions and new material. These revisions, along with other new initiatives or changes since the 2018 plan, were compiled into a draft document which was shared with the task force membership for final comments and revisions. Received comments and revisions were included into the final version of the statewide strategic plan. The email approval notification dates of the task force membership adopting this plan can be found at the end of this section following the charter document. The final notifications were received adopting this plan on June 17, 2021.

# Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

## Commonwealth of Pennsylvania Statewide DUI Task Force

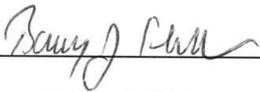
### Task Force Charter

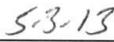
- A. BACKGROUND.** Traffic-related deaths due to impaired driving continue to account for over 30 percent of all highway deaths each year. Of the 1,309 people who were killed on Commonwealth highways in 2012, 398 fatalities involved alcohol-related impairment and 111 due to drug-related impairment. Each year, over 50,000 individuals are arrested for impaired driving in Pennsylvania and over a quarter of those arrests are due to drug-related impairment. Recent trends show impaired driving fatalities decreasing and at the same time arrests for impaired driving increasing. Addressing the impaired driving problem requires a systems-wide and comprehensive approach to achieve measureable results.
- B. PURPOSE.** The intention of a statewide DUI task force is to provide a forum that brings together a broad range of experts and diverse stakeholders to create a comprehensive approach in combating impaired driving related issues.
- C. DEFINITIONS.** "Task Force." The statewide DUI task force created by this Charter.
- D. OBJECTIVE.** The Task Force will provide an ongoing network of communication and cooperation among various stakeholders. It will oversee the drafting, adoption, and implementation of a statewide strategic plan for preventing and reducing impaired driving behavior and impaired driving crashes. The plan will identify specific impaired driving issues, make recommendations for reducing impaired driving, and address obstacles impeding effective countermeasures.
- E. AUTHORITY.** The Task Force is established at the direction of the Secretary of Transportation and initiated by the Governor's Representative for Highway Safety.
- F. DURATION.** The Task Force will exist until terminated by the Secretary of Transportation or the Governor's Representative for Highway Safety.
- G. MEMBERSHIP.** The Task Force will consist of membership from the State Highway Safety Office; areas of law enforcement, prosecution, adjudication, and probation; treatment and rehabilitation; public health; driver licensing; data and traffic records; and communications. Membership can be expanded by action of the Task Force to include members of the legislature, the defense bar, etc.

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

### Commonwealth of Pennsylvania Statewide DUI Task Force

- H. **CHAIRPERSON.** The Task Force membership will select the Chairperson by majority vote.
- I. **PROCESS.** The Statewide DUI Task Force will meet at minimum on a semiannual basis at a location in the Harrisburg area. The Task Force will assign a coordinator who will facilitate the logistics of Task Force meetings including scheduling, agendas, minutes and tracking implementation of recommended actions. If necessary, subcommittees will be formed to coordinate completion of specially assigned tasks.
- J. **FUNDING.** The State Highway Safety Office will secure a small federal highway safety funding grant in the amount of \$1,000 each year to support logistical needs of the task force. Additional funds may be requested by the Task Force if deemed necessary.
- K. **APPROVAL.** I hereby authorize the Governor's Representative for Highway Safety to initiate the Statewide DUI Task Force.

  
\_\_\_\_\_  
Barry J. Schoch, P.E.  
Secretary of Transportation

  
\_\_\_\_\_  
Date

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

<b>Statewide Impaired Driving Plan Approval</b>			
<b>Name</b>	<b>Title</b>	<b>Organization</b>	<b>Date Approval Rec'd</b>
Barrasse, Hon., Michael J.	Judicial Outreach Liaison	Lackawanna County Court of Common Pleas	June 8, 2021
Batula, P.E., Melissa J.	Acting Executive Deputy Secretary	Department of Transportation	June 17, 2021
Campbell, Nicole	Division Chief	PA Department of Education, Division of Law Enforcement Education and Trade Schools	June 5, 2021
Dinoski, Corinne M.	Bureau Director	PA Liquor Control Board, Bureau of Alcohol Education	June 14, 2021
Erni, C. Stephen	Executive Director	Pennsylvania DUI Association	June 8, 2021
Evanchick, Col., Robert	Commissioner	Pennsylvania State Police	June 8, 2021
Gramian P.E., Yassmin	Secretary	Department of Transportation	June 9, 2021
Gray, P.E., Gavin E.	Section Chief	Department of Transportation, Bureau of Maintenance and Operations	June 7, 2021
Krol, Maj., Robert J.	Bureau Director	Pennsylvania State Police, Bureau of Patrol	June 11, 2021
Kuntch, Jennifer M.	Deputy Communications Director	Department of Transportation	June 9, 2021
Love, Troy J.	Program Manager	Department of Transportation, Bureau of Maintenance and Operations	June 4, 2021
Pennington, Michael D.	Executive Director	Pennsylvania Commission on Crime and Delinquency	June 8, 2021
Smith, Jennifer S.	Secretary	Department of Drug and Alcohol Programs	June 7, 2021
Spangler, Esq., Jerry L.	Traffic Safety Resource Prosecutor	Pennsylvania District Attorney's Association	June 15, 2021
Templeton, Kara	Bureau Director	Department of Transportation, Bureau of Driver Licensing	June 9, 2021
Wagner, Capt., Robert C.	Asst. Bureau Director	Pennsylvania State Police, Bureau of Patrol	June 9, 2021

## **2. Statewide Impaired Driving Task Force Membership**

As required per 23 CFR §1300.23(e)(ii), this section provides a listing of the statewide impaired driving task force membership. The membership includes individuals from across agencies and organizations within Pennsylvania with the shared goal of reducing impaired driving in the Commonwealth. On the meeting of May 17, 2018, the task force selected then Lieutenant Colonel Robert Evanchick, Acting Commissioner, Pennsylvania State Police (PSP), as the new task force Chairperson. The Pennsylvania Senate confirmed now Colonel Evanchick as PSP Commissioner on June 4, 2019.

The membership has been modeled after the guidance found in the NHTSA publication titled “A Guide for State-wide Impaired Driving Task Forces.” Task force membership includes members from the state highway safety office, law enforcement, prosecution, adjudication, driver licensing, treatment and rehabilitation, communication, and alcohol beverage control. This diverse membership provides for a comprehensive impaired driving plan by addressing issues from across the entire field of impaired driving. A listing of the task force membership can be found at the end of this section. This listing includes the names, titles, and organizations of all task force members.

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

<b>Statewide Impaired Driving Task Force Membership</b>		
<b>Name</b>	<b>Title</b>	<b>Organization</b>
Barrasse, Hon., Michael J.	Judicial Outreach Liaison	Lackawanna County Court of Common Pleas
Batula, P.E., Melissa J.	Acting Executive Deputy Secretary	Department of Transportation
Campbell, Nicole	Division Chief	PA Department of Education, Division of Law Enforcement Education and Trade Schools
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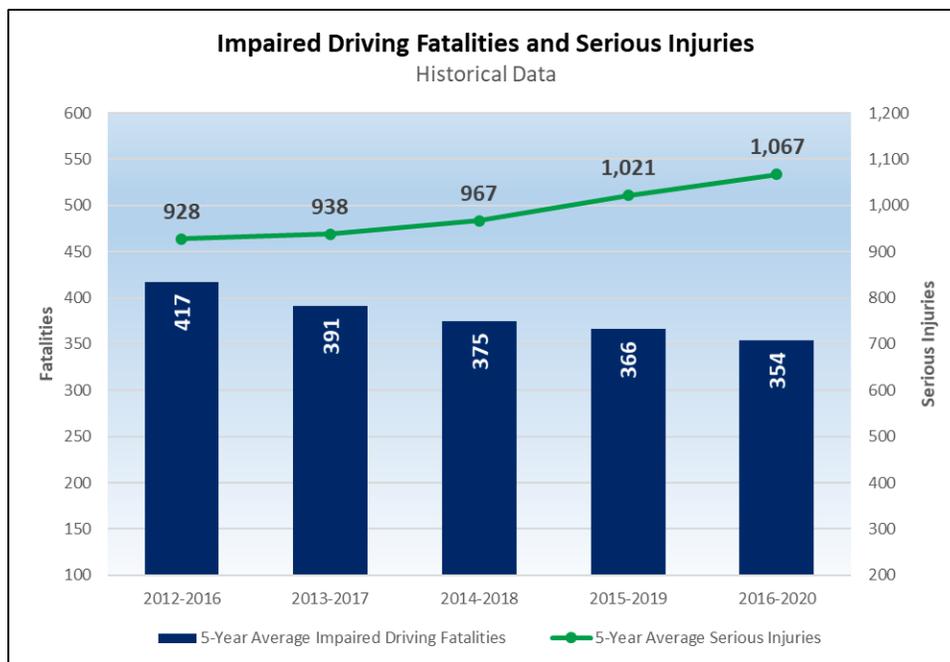
### **3. Strategic Plan for Preventing and Reducing Impaired Driving**

As required by 23 CFR §1300.23(e)(iii), the remainder of this document is the statewide impaired driving plan for preventing and reducing impaired driving behavior. This section begins with several pages of impaired driving problem identification which is followed by the remainder of the plan organized in the format found in the NHTSA document titled “Highway Safety Program Guideline No. 8—Impaired Driving”. Please note that not every strategy presented in this plan are funded with highway safety funding under the FAST Act. Strategies funded by other sources are included to submit a strategic plan covering the totality of impaired driving efforts in Pennsylvania.

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

### 3.1 Impaired Driving Problem Identification

According to Pennsylvania's Strategic Highway Safety Plan (SHSP), reducing impaired driving is one of 16 key emphasis areas which have the highest impact on overall highway fatalities. The vision of the SHSP is to work continuously towards zero deaths on our roads while fostering an environment that encourages safe behavior. As depicted in the chart below, Pennsylvania has experienced successes in reducing fatalities and serious injuries in impaired driving crashes. Continued success is dependent upon wide-ranging strategies from highly visible enforcement to adjudication/prosecution education to enhancement of current impaired driving laws and regulations.



The Commonwealth of Pennsylvania enacted its current impaired driving law on September 30, 2003, which lowered the per se BAC level to 0.08 percent. Since the per se BAC limit was lowered, alcohol-related fatalities have fluctuated year to year, but have declined overall. See Table 1 below. Although the number of alcohol-related fatalities is trending downward, their percentage of total traffic-related fatalities remains an issue.

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

Table 1

Data w/ Known BAC Results	2016		2017		2018		2019		2020	
	Num	%								
<b>Alcohol-related Fatalities (0.01+)</b>	210	17.7	204	17.9	233	19.6	213	20.1	210	18.6
<b>Alcohol-impaired Fatalities (0.08+)</b>	193	16.2	178	15.7	199	16.7	182	17.2	181	16.0
<b>Total Fatalities</b>	1,188	100	1,137	100	1,190	100	1,059	100	1,129	100

*Source: PennDOT Crash Reporting System*

As revealed by state crash data, the most prevalent group of drinking-drivers involved in crashes are male drivers age 21-35. Male drivers in this age group accounted for more than 34 percent of all drinking-driver crashes in 2020. The breakdown of vehicle type driven by the drinking driver is 56 percent passenger car and 39 percent small truck or SUV. Of all drinking-drivers involved in crashes in 2020, 73 percent were male. Additionally, 75 percent of the alcohol-related occupant deaths (drivers and passengers) were in the vehicle driven by the drinking driver; 63 percent were the drinking drivers themselves.

Table 2 shows the number of arrests for driving under the influence and the rate of arrests per 100 thousand licensed drivers for the past five years. As per Section 3816 of Title 75 (Vehicle Code), individuals charged with a DUI are required to be evaluated using Court Reporting Network (CRN) tools to determine the offender’s involvement in alcohol or drugs prior to sentencing. There were 32,321 CRN evaluations conducted during 2020. According to these evaluations, year-ending statistics show that 72.3 percent of all arrests for DUI offenders were male, 43.9 percent were in the 21-34 in age, 76.9 percent were white, 51.8 percent were single or not married, and the average BAC for all offenders at time of arrest was 0.17 percent.

Table 2

	2016	2017	2018	2019	2020
<b>Total DUI Cases (per AOPC)</b>	53,578	52,189	49,730	48,265	40,237
<b>Licensed Drivers in Pennsylvania</b>	8,533,514	8,533,514	8,533,514	8,533,514	8,533,514
<b>DUI Arrest Rate (per 100K drivers)</b>	628	612	583	566	472

*Source: Administrative Office of Pennsylvania Courts & PennDOT Driver License Database*

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

Slightly more than 27 percent of the DUI arrests in 2020 were a result of an impaired driving crash. As shown in Table 3, on average, one alcohol-impaired fatality occurred for every 19 alcohol-impaired crashes and one drug-impaired fatality occurred for every 30 drug-impaired crashes. It is important to note that under 75 Pa.C.S. § 3749(b), coroners and medical examiners are mandated to report BAC values for all killed drivers and fatally injured pedestrians age 15 or older. There is currently no statute in Pennsylvania requiring mandatory BAC testing of all drivers involved in a fatal crash which leads to unknown BAC results or an under-reported BAC data for those drivers.

Also revealed in Table 3 is the increasing number of drug-impaired crashes and Table 4 shows the corresponding increase in drug-related impaired driving charges. It is not clear whether the drug-impaired driving problem is increasing or if law enforcement is becoming better in identifying drug-impaired drivers through increased training, or if it is a combination of both. What is certain is that it will take a comprehensive approach to achieve our goals in reducing impaired driving crashes and fatalities.

**Table 3**

<b>DUI Crashes</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Alcohol-impaired Crashes (0.08+)</b>	3,976	3,993	3,740	3,386	2,494
<b>Alcohol-impaired Fatalities (0.08+)</b>	193	178	199	182	181
<b>Drug-impaired Crashes</b>	4,082	4,248	3,601	3,448	3,680
<b>Drug-impaired Fatalities</b>	144	129	126	103	132

*Source: PennDOT Crash Reporting System*

**Table 4**

<b>DUI Charges</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>§ 3802(a)(2) [BAC 0.08 to 0.099]</b>	2,927	2,690	2,400	2,396	1,583
<b>§ 3802(b) [BAC 0.10 to 0.159]</b>	10,534	9,988	9,473	9,121	6,098
<b>§ 3802(c) [BAC 0.16+]</b>	17,575	16,398	15,339	14,127	10,275
<b>§ 3802(d) [Controlled Substance]</b>	32,470	33,985	33,712	35,541	34,364

*Source: Administrative Office of Pennsylvania Courts*

## **Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)**

**Note:** The following sections of this statewide impaired driving plan are organized as structured in the NHTSA resource “Uniform Guidelines for State Highway Safety Programs No. 8 – Impaired Driving”. At the end of each program area narrative will be planned activities (where applicable).

### **3.2 Program Management and Strategic Planning**

The Fixing America’s Surface Transportation Act or FAST Act legislation requires states to develop a plan that provides a comprehensive strategy for preventing and reducing impaired driving. In addition, this legislation mandates the impaired driving plan be developed by a statewide impaired driving task force. This task force is to be comprised of key stakeholders and partners who manage impaired driving issues.

#### **3.2.1 Statewide Impaired Driving Task Force**

Per guidance from NHTSA, and found in the FAST Act legislation, the task force shall include membership from at least the following: law enforcement, prosecution, adjudication, probation, rehabilitation, driver licensing, public health, and prevention. It is anticipated that a diverse membership will contribute to the development of a well-rounded and comprehensive plan to reduce impaired driving in Pennsylvania. Not only will the task force approve and adopt an impaired driving plan for the state, but the task force will also provide the opportunity to have stakeholders and policy makers in one room to address policies and procedures on how state agencies manage impaired driving issues.

#### **3.2.2 State Highway Safety Office**

Much of the activities and strategies in this impaired driving plan will be administered by the State Highway Safety Office (SHSO) and utilize grant funding from NHTSA. The SHSO is within the Bureau of Maintenance and Operations in PennDOT. The SHSO office receives highway-safety grant funding from NHTSA and then administers the grant programs aimed at reducing traffic-related crashes and fatalities. These highway safety grant programs are approved by two PennDOT committees, the Safety Advisory Committee (SAC) and then ultimately, the Program Management Committee (PMC). The grant programs must be based upon the goals and priorities established in Pennsylvania’s overarching Strategic Highway Safety Plan (SHSP). The SHSO also prepares and submits an annual Highway Safety Plan (HSP) to NHTSA detailing highway safety problems and the subsequent strategies which address the identified problems.

### **3.3 Prevention, Intervention and Treatment**

#### **3.3.1 Department of Drug and Alcohol Programs**

Through Act 50 of 2012, the Bureau of Drug and Alcohol Programs and the Division of Drug and Alcohol Program Licensure were formally removed from the PA Department of Health and made a cabinet-level agency known as the Department of Drug and Alcohol Programs (DDAP). Part of the act establishing DDAP requires this new department to develop a statewide plan addressing drug and alcohol misuse and dependency problems in the commonwealth. Act 50 also requires DDAP to coordinate and oversee drug and alcohol prevention and treatment programming throughout the commonwealth.

In November 2020, DDAP experienced a reorganization to better align duties within their three Bureaus. This reorganization established the Bureau of County Program Oversight, the Bureau of Quality Assurance and Administration, and the Bureau of Program Licensure. Although the functions of these three Bureaus are vastly different, all cross paths to ensure the Department reaches its mission to engage, coordinate and lead the Commonwealth of Pennsylvania's effort to prevent and reduce drug, alcohol and gambling addiction and abuse; and to promote recovery, thereby reducing the human and economic impact of the disease.

Within the Bureau of County Program Oversight, the primary responsibility of the Division of Prevention and Treatment and the Division of Program Monitoring is to develop, oversee, and manage substance misuse prevention and treatment services throughout Pennsylvania that are primarily delivered by the Single County Authorities (SCAs). This Bureau also oversees the Compulsive Problem Gambling Treatment Program which includes entering into grant agreements with qualified providers to perform these services and oversee gambling prevention programs at the county level through the SCAs. DDAP is also tasked with licensing drug and alcohol treatment providers and recovery houses. Oversight of these duties occur in the Bureau of Program Licensure, Division of Licensing Inspection. New applications, as well as complaints are handled in the Bureau's Division of Licensing Operations. A variety of administrative support services for the agency such as budget, procurement, and IT falls under the purview of the Bureau of Quality Assurance and Administration. This Bureau is also responsible for federal grant management, as well as the development and oversight of a statewide training program for

## **Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)**

prevention and treatment providers as mandated through DDAP's Substance Abuse Prevention and Treatment Block Grant. Additionally, a newly created Quality Improvement Section was added to this Bureau to integrate quality into all aspects of service delivery.

Through its strategic goals, DDAP continues to focus on its goals to reduce stigma, intensify primary prevention, strengthen treatment systems, and empower sustained recovery.

### **3.3.2 The Substance Abuse and Demand Reduction Fund (SAEDRF)**

Act 198 of 2002 (amended by Act 36 of 2006) established the SAEDRF. The fund is generated by a mandatory cost of \$100 assessed to any individual convicted, adjudicated delinquent or granted Accelerated Rehabilitative Disposition or pleading guilty or nolo contendere for a violation of the Controlled Substance Drug, Device and Cosmetic Act, or a violation relating to driving under the influence of alcohol or controlled substance. An additional \$200 assessment is made against anyone when the amount of alcohol by weight is equal or greater than 0.16 percent at the time of testing. According to the legislation found within 18 Pa.C.S. § 7508.1, The Pennsylvania Commission on Crime and Delinquency (PCCD) is responsible for administering SAEDRF and for making awards to eligible organizations. PCCD uses three categories which are based on the distribution of funds as established by legislation. These are: Category 1, designed to educate youth, caregivers of youth and employers about the dangers of substance abuse and increase the awareness of the benefits of a drug-free Pennsylvania through media related efforts; Category 2, intended to educate employers, unions and employees about the dangers of substance abuse and provide drug-free programs and training for businesses; and, Category 3, provide funds to nonprofit organizations to provide research-based approaches to prevention, intervention, training, treatment and education services that reduce substance abuse or to provide resources to assist families in accessing these services.

In addition to these three categories, 10 percent of the total monies deposited into the fund during the fiscal year are transferred to the Community Drug Abuse Prevention Grant program administered within the Office of Attorney General, and up to five percent may be used by PCCD for administrative purposes. PCCD staff use an open, competitive process to award these funds and use a cadre of reviewers that include Departments of Education, Transportation, Labor and Industry, and Drug and Alcohol representatives.

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

### 3.3.3 PA Students Against Destructive Decisions

The mission of Students Against Destructive Decisions (SADD) is to empower young people to successfully confront the risks and pressures that challenge them throughout their daily lives. Pennsylvania SADD (PA SADD) provides students with the best prevention tools possible to deal with the issues of underage drinking, substance use and abuse, risky driving situations including impaired driving, and other destructive decisions. The Pennsylvania DUI Association is designated by SADD National as the official state office for PA SADD. PA SADD is committed to providing local school-based chapters with tools for healthy decision making and activities for students across the Commonwealth. Providing prevention services and technical assistance to over 650 SADD Chapters is the overall assignment of the PA SADD Office. These services include a monthly newsletter, identifying ways students can engage in policy change and provide statewide training each fall for chapters to participate. The PA SADD Office also hosts a PA SADD Student of the Year in which one SADD student is selected to represent PA SADD for the school year. Pennsylvania students have also been selected from a competitive selection process to serve on the SADD National Student Leadership Council. The PA SADD office is a provider of training and technical assistance in the areas of substance use and abuse, risky driving behaviors, underage drinking, and other drug related issues.

#### Planned Activity for the PA SADD Program

- Conduct annual PA SADD conference

### 3.3.4 Community Traffic Safety Projects

The Community Traffic Safety Projects (CTSP) are viewed as an extension of the State Highway Safety Office and are a critical component of the highway safety program to aid in the reduction of traffic fatalities statewide. The CTSP are vital in aiding our office at both a local and statewide level with generation of earned media, mobilization coordination, police outreach and training, educational programs for schools and the general public related to impaired driving and other identified safety focus areas. The CTSP projects serve a major role in coordinating enforcement mobilizations. These projects often serve an entire region, consisting of several counties, and

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

keep law enforcement agencies on the same page for mobilizations. This includes making certain that dates and times as well as messaging remain consistent within the region. Some of the larger CTSP projects even manage multi-county enforcement grants which then rely on local enforcement coordinators. The projects provide a valuable service in reaching young and novice drivers with education and awareness on the dangers of both alcohol and drug impaired driving which is critical in creating lifelong safe drivers.

### Planned Activity for the CTSP Program

- Coordinate press events, releases, and generate earned media for enforcement mobilizations
- Coordinate educational programs to complement to High Visibility Enforcement
- Conduct law enforcement training seminars

### **3.3.5 Pennsylvania State Police Bureau of Liquor Control Enforcement**

The Pennsylvania State Police, Bureau of Liquor Control Enforcement (BLCE), is tasked with enforcing the Commonwealth's liquor laws. This means the Bureau must assist individual liquor licensees, as well as the general community, in understanding the laws and regulations governing the proper and lawful operation of a licensed liquor establishment. Not only does the BLCE enforce liquor laws, but they also provide prevention services programs to the Commonwealth. The "CHOICES" program, which is directed toward middle school, high school, or college age individuals, is presented by Liquor Enforcement Officers (LEOs) and is tailored to the respective group. "CHOICES" discusses the law, penalties, peer pressure, and consequences of choosing to participate or associate with the underage consumption of alcohol. This program is offered in a classroom or small assembly setting.

In coordination with the Pennsylvania DUI Association, the BLCE administers a hotline to report underage drinking activity, 1-888-UNDER 21. By remaining anonymous, callers are encouraged to provide tips about planned events involving underage drinkers or about parties already underway. All information deemed credible is investigated by the proper authorities.

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Underage enforcement programs conducted by the BLCE include the Minor Patrols program and the Age Compliance Program. Minor patrols involve the investigation of the illegal sales and consumption of alcoholic beverages by minors and the purchase, consumption, possession, and transportation of alcohol by minors. They are conducted at licensed establishments suspected of serving alcohol to minors and in and around the areas of colleges and universities and concerts and sporting events. There were 659 of these patrols conducted during 2019 and 226 in 2020. The Age Compliance program involves the authorized use of underage individuals who attempt to purchase alcoholic beverages in a controlled environment. If the establishment serves the underage buyer, an LEO immediately notifies the establishment about the age compliance check and administrative action is taken. In 2019, 1,787 age compliance checks were conducted; 1,273 licensees were found in compliance and 514 licensees were not in compliance. In 2020, 306 compliance checks were conducted; 235 licensees were found in compliance and 71 were not in compliance.

### Planned Activity for the BLCE Program

- Conduct the CHOICES program
- Conduct Minor Patrols program
- Conduct Age Compliance program

### **3.3.6 PLCB Bureau of Alcohol Education, RAMP Division**

Each year the Pennsylvania Liquor Control Board (PLCB) validates approximately 21,000 liquor licenses. Thus, the PLCB, Bureau of Alcohol Education, conducts a certification program for liquor licensees titled Responsible Alcohol Management Program (RAMP). These licensees include bars, restaurants, hotels, clubs, and distributors. The training was established by legislation to help licensees and their employees to serve alcohol responsibly. RAMP explains how to detect signs of impairment and intoxication, and effectively cut off service to a customer who has had too much to drink, identify underage individuals, and deter minors from coming into the establishment, detect altered, counterfeit, and borrowed identification, and help to reduce

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alcohol-related problems including underage drinking and DUI. RAMP trained more than 91,000 server/sellers during 2019 and just over 66,000 during 2020. Properly trained alcohol servers and sellers are less likely to serve intoxicated patrons and they are often the first line of defense in preventing impaired driving.

### Planned Activity for RAMP

- Conduct RAMP certification for owners/managers and servers/sellers

### **3.3.7 PLCB Bureau of Alcohol Education, Education and Grants Management Division**

The Pennsylvania Liquor Control Board's Bureau of Alcohol Education has multiple initiatives that have an impact on impaired driving. The Education and Grants Management division oversees the Reducing Underage and Dangerous Drinking Grant, which offers additional resources and funding to eligible community partners to develop and enhance the PLCB's mission to reduce underage drinking, reduce dangerous drinking by those who are of legal drinking age, and promote responsible alcohol consumption by those of legal drinking age. More than \$1 million in grants per year are awarded to communities, organizations, schools, colleges and universities, and law enforcement departments throughout the commonwealth to address the problem of underage and dangerous drinking. Additionally, the PLCB provides printed materials ranging from impaired driving laws to DUI arrest awareness information, offers an annual statewide conference for prevention professionals, campaigns directed at responsible alcohol consumption, and the award-winning research-based education and prevention effort media campaign, *Know When. Know How.*<sup>SM</sup>, that empowers Pennsylvania parents of children ages 8 to 12 with the tools, resources and confidence needed to engage in meaningful conversations with their kids about the dangers of alcohol from an early age, before trial or use of alcohol begins.

In coordination with PSP and PennDOT, The PLCB continues to support the Hero Campaign for Designated Drivers. An effort currently underway is having these state agencies along with the Pennsylvania Beer Alliance and the Pennsylvania Licensed Beverage & Tavern Association partner with the Hero Campaign by placing their logos on printed material bringing awareness to their new "Bar & Tavern Program". This program allows designated drivers to download a

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member card onto a smart phone which provides them with free non-alcoholic beverages at participating bars and taverns.

### **3.4 Criminal Justice System**

#### **3.4.1 Laws**

##### **3.4.1.1 Driving Under the Influence**

Act 24 of 2003, which lowered Pennsylvania's per se limit of alcohol to 0.08 percent, was signed into law on September 30, 2003 and became enforceable on February 1, 2004 as 75 Pa.C.S. § 3802. This law created a three-tiered approach toward levels of alcohol-impairment as well as subsections for controlled substances, minors, and commercial drivers. The combination of an individual's Blood Alcohol Content (BAC) level and prior offenses determines the sanctions and licensing reinstatement requirements. The BAC levels are categorized as follows; 0.08 to 0.099 percent, 0.10 to 0.159 percent, and 0.16 percent or higher. Under the DUI law, minors, commercial drivers, school vehicle or bus drivers, and offenders involved in a crash that injures someone or causes property damage may be subject to the high BAC penalties even if their BAC is not in the high tier. Impaired driving offenders who refuse breath or blood testing in order to determine impairment may be subject to the highest BAC penalties as well.

##### **3.4.1.2 Ignition Interlock**

On May 25, 2016, the Governor signed Senate Bill 290 into law as Act 33 of 2016. This new law requires ignition interlock for first time offenders who had a BAC of 0.10 percent or higher at the time of arrest and continues ignition interlock requirements for repeat offenders under the previous ignition interlock law. Individuals convicted of a second or subsequent DUI offense are required to have an ignition interlock limited license for one year. This one-year interlock restricted period follows a preceding 12-18 month license suspension. The new law allows first time offenders with a high BAC at the time of arrest to drive during a portion of their suspension or the full term if eligible for an Ignition Interlock Limited License.

Pennsylvania's ignition interlock program is governed by a set of specifications which closely follow the federal model. The interlock program is an administrative requirement, meaning it is a condition of receiving an unrestricted license. Under contract with PennDOT, the PA DUI Association provides training for law enforcement on how to identify ignition interlock license holders as well as demonstrating how the devices function. Law enforcement is instructed that

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when encountering an individual with an interlock license they should have the individual shut off the engine and then restart the vehicle to demonstrate the operability of the interlock device. Figures 1 and 2 below show the differences between interlock restricted licenses and an unrestricted license.

Figure 1 Restricted



Figure 2 Unrestricted



### Planned Activity for the Ignition Interlock Program

- Conduct ignition interlock training for police and judiciary

#### 3.4.1.3 Mandatory BAC Testing

Pennsylvania does not have a law requiring mandatory BAC testing of all drivers involved in fatal motor vehicle crashes. However, 75 Pa.C.S. § 3749(b) requires coroners and medical examiners to take blood or urine samples of all killed drivers to be tested for BAC and report the testing results to PennDOT. Table 5 provides the percentage of all drivers involved in a fatal motor vehicle crash with a known BAC testing result.

Table 5

2018				2019			
Known		Total		Known		Total	
Num	%	Num	%	Num	%	Num	%
561	33.45	1,677	100	568	35.24	1,612	100

Source: State Traffic Safety Information (STSI)

To improve upon the percentage of BAC tested drivers involved in fatal crashes, several

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agencies including PennDOT, Department of Health, PSP, the PA District Attorney’s Association, and the Hospital & Healthsystem Association of Pennsylvania worked together to start an update to the BAC Testing Protocol to be used by hospitals and law enforcement. The premise of the protocol is to make BAC testing as easy as possible for both the hospital staff and law enforcement. Topics such as chain of custody, hospital procedures, offender consent, and billing issues are covered in the protocol. Improved and more complete testing of drivers suspected of DUI is the anticipated outcome of this protocol. In lieu of a law requiring testing of all drivers involved in a fatal motor vehicle crash, PennDOT will continue to contact police agencies to obtain unknown BACs of surviving drivers involved in fatal crashes. It is planned that these two efforts will help to increase BAC testing rates of all drivers involved in fatal crashes.

The implied consent law in Pennsylvania can be found at 75 Pa.C.S. § 1547(a) and means that by accepting a driver’s license, you have given consent to submit to a chemical test for impairment when requested by an officer with reasonable grounds to believe you were driving under the influence. Despite the fact of an implied consent law in Pennsylvania, and stiff penalties for refusals, the state continues to see more than 5,000 evidentiary breath or blood test refusals each year. This data is represented in Table 6.

**Table 6**

<b>Implied Consent Violations</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>No prior DUI offenses</b>	2,453	3,006	3,084	3,401	3,299
<b>1 prior DUI offense</b>	1,118	1,232	1,358	1,546	1,318
<b>2 prior DUI offenses</b>	578	595	705	801	666
<b>3 or more prior DUI offenses</b>	577	666	673	812	647
<b>Total</b>	4,726	5,499	5,820	6,560	5,930

*Source: PennDOT Bureau of Driver Licensing*

### **Planned Activity for the Mandatory BAC Testing Program**

- Update the BAC Testing Protocol

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### **3.4.1.4 Chemical Breath Testing**

The typical DUI arrest in Pennsylvania is a multi-step procedure. It begins with an SFST if the investigating officer suspects any type of driver impairment. The officer then administers a portable breath test (PBT) to support suspicion of alcohol impairment. It is at this point where an officer typically decides whether or not to arrest for DUI. If arresting, the officer must administer an evidentiary test to determine the level of impairment. The test administered is either a blood or breath test. An evidentiary blood test sample is analyzed at an approved laboratory in a controlled environment. An evidentiary breath test sample is obtained by using an approved breath testing unit and is conducted by a certified breath test operator. Both blood and breath testing each have their advantages and disadvantages. The county District Attorney's Office typically determines what testing method will be used in the county. There is a fairly even distribution of the use of blood versus breath testing statewide. Most counties use both types of testing which is usually due to police preference or the proximity to a hospital laboratory. With the increase in drug impaired driving, more county District Attorney's Offices are going to blood testing for all evidentiary testing in impaired driving cases.

### **3.4.2 Enforcement**

#### **3.4.2.1 Underage Drinking**

Pennsylvania has several enduring programs designed to prevent persons under the age of 21 from obtaining alcoholic beverages and persons from providing alcohol to those under the age of 21. These programs and methods include but are not limited to, training for beverage retailers, enforcement of the underage drinking laws, and a zero-tolerance law for underage drinking drivers. PennDOT, PLCB, state and local police, and the hospitality industry joined forces in 1998 which led to the funding and implementation of Cops in Shops programs, many or most of which conduct operations near colleges and universities with a special emphasis upon prevention and intervention of alcohol access by those under age 21. The PLCB and PSP BLCE initially provided training to participating law enforcement officers and retailers covering such issues as detecting false ID's, liquor laws, policy development and Cops in Shops operational procedures. This program has become a valuable supplement to each of our efforts to educate and partner with licensed beverage establishments in our attempts to combat the DUI and underage drinking problem. The program has continued with support by grant funding from PennDOT. Enforcement grantees who conduct Cops in Shops operations also take every step to garner

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earned media attention surrounding their enforcement events. These include, but are not limited to, pre-announcement of Cops in Shops activities and press releases containing results from activities conducted.

The DUI law in Pennsylvania was updated with the passage of Act 24 of 2003. This Act amended the law pertaining to minors and DUI but retained a zero-tolerance approach. Under 75 Pa.C.S. § 3802(e), a minor can be charged with DUI if their BAC is 0.02 percent or higher. Strengthening the underage drinking and driving law has had an impact on crashes involving underage drinking-drivers. The number of crashes involving an underage drinking-driver has declined slightly during recent years. This data is shown in Table 7. Table 8 reveals the number of minors (under 21 years of age) who were charged with a DUI offense. The number of underage DUI offenses has steadily declined over the past several years accounting for less than two percent of all DUI cases each year and has been trending downward.

**Table 7**

	2016	2017	2018	2019	2020
<b>Driver 16-20 w/ BAC 0.01+ Crashes</b>	286	266	208	152	186
<b>Driver 16-20 w/ BAC 0.01+ Fatalities</b>	9	11	14	8	11

*Source: PennDOT Crash Reporting System*

**Table 8**

	2016	2017	2018	2019	2020
<b>Cases of Minor DUI (Age 20 and Under)</b>	1,170	984	749	647	595
<b>Percent of all DUI Cases (All Ages)</b>	2.2%	1.9%	1.5%	1.3%	1.5%
<b>Total DUI Cases (All Ages)</b>	53,578	52,189	49,730	48,265	40,237

*Source: Administrative Office of PA Courts*

Another step taken by Pennsylvania to prevent minors from obtaining alcohol is the state’s driver’s license. The Bureau of Driver Licensing issues separate and unique driver’s licenses to individuals over and under the age of 21. The arrangement of the license is landscape for individuals age 21 and above and portrait style for minors. See Figures 3 and 4 for an example of the differences.

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Figure 3 Under 21

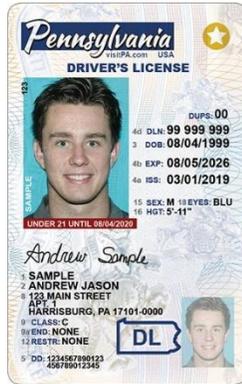


Figure 4 Over 21



### Planned Activity for the Underage Drinking Program

- Conduct Cops in Shops enforcement operations

#### 3.4.2.2 Drug Evaluation and Classification Program

Over the years, police have become very proficient at identifying alcohol impaired drivers. However, detecting drug impaired drivers has been a difficult task for law enforcement. Factors synonymous with alcohol impaired drivers such as slurred speech and the odor of an alcoholic beverage are not always present with a drug impaired driver. As a result, the Drug Evaluation and Classification (DEC) Program was introduced to Pennsylvania law enforcement beginning in 2004. Pennsylvania was the 39<sup>th</sup> state in the nation to implement this program. As of January 1, 2020, there are 209 law enforcement officers certified as drug recognition experts (DREs) in Pennsylvania. These certified DREs are most often utilized when a driver is stopped and the officer suspects impairment, but alcohol has been ruled out as the source of the impairment. The DRE performs a battery of tests on the driver ranging from horizontal gaze nystagmus to a blood pressure check. Results from the tests give the DRE enough information to determine what class of drugs is causing the impairment and the level of impairment. A DRE can also save time and money for toxicology testing by requesting a test for a specific drug category rather than a full drug screen.

From 2016 to 2020, the number of drinking driver crashes decreased 27 percent. Crashes

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involving a drugged driver decreased just under 10 percent over the same period. Charges for drug impaired driving (DUI-d) increased nearly six percent over the same period. This data is provided in Tables 9 and 10.

**Table 9**

	2016	2017	2018	2019	2020
<b>Drinking Driver Crashes</b>	10,045	10,120	9,540	9,061	7,307
<b>Drugged Driver Crashes</b>	4,082	4,248	3,601	3,448	3,690

*Source: PennDOT Crash Reporting System*

**Table 10**

	2016	2017	2018	2019	2020
<b>Total DUI Charges</b>	105,303	102,803	97,782	95,308	78,671
<b>Total DUI-d Charges</b>	32,470	33,985	33,712	35,541	34,364
<b>% of DUI Cases w/ DUI-d Charges</b>	30.8%	33.1%	34.5%	37.3%	43.7%
<b>No. of DRE Evaluations</b>	2,194	1,924	1,635	1,951	2,026
<b>No. of Certified DREs</b>	176	169	151	195	209

*Source: Administrative Office of Pennsylvania Courts & 2020 PA DEC Annual Report*

The NHTSA/IACP DEC Program in Pennsylvania is guided and promoted by the State DRE Coordinator who is working under a PennDOT grant at the PA DUI Association. He is assisted by two co-coordinators. This position is responsible for managing the (re)certification of all DREs in the state, creating annual reports on the DRE program, and serving as technical resource for any issue a DRE officer may encounter. Another task headed by the coordinator is to oversee the implementation of the ARIDE program in the state. The Advanced Roadside Impaired Driving Enforcement (ARIDE) program is a two-day training opportunity for law enforcement officers who need to learn more about drug impaired driving. This training serves as the bridge between SFST and DRE certification. Officers learn how to observe, identify, and articulate the signs of impairment related to drugs, alcohol, or a combination of both. The training must be instructed by a certified DRE officer.

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### Planned Activity for the Drug Evaluation & Classification Program

- Conduct ARIDE training for police
- Conduct DRE training for police

### 3.4.2.3 High Visibility Enforcement

Pennsylvania’s Police Traffic Services (PTS) program consists of approximately 50 individual police traffic services grants to local police and one statewide project conducted by the PA State Police (see Table 11). Ultimately, more than 725 individual police agencies receive grant funding for high visibility DUI enforcement under the PTS program. Each grant proposal requires the grantee to participate in the national crackdown on impaired driving, focused enforcement mobilizations, and to conduct enforcement operations on a sustained basis throughout the year.

**Table 11**

County	Grantee - Project	County	Grantee - Project
Allegheny	Baldwin Borough	Lehigh	South Whitehall Township
Allegheny	City of Pittsburgh	Luzerne	Luzerne County
Allegheny	Moon Township	Lycoming	Old Lycoming Township
Allegheny	Mount Lebanon Township	Mercer	City of Hermitage
Allegheny	Plum Borough	Mifflin	Mifflin County
Allegheny	West Deer Township	Montgomery	Abington Township
Armstrong	Gilpin Township	Montgomery	Hatfield Township
Beaver	Hopewell Township	Montgomery	Lower Merion Township
Blair	Blair County	Montgomery	Montgomery Township
Bradford	Towanda Borough	Montgomery	Pottstown Borough
Bucks	Bucks County	Montgomery	West Norriton Township
Butler	Butler County	Northampton	Bethlehem Township
Cambria	Cambria County	Northampton	City of Bethlehem
Centre	Ferguson Township	Northampton	City of Easton
Chester	Chester County	Northampton	Lehigh Township
Clearfield	Clearfield Borough	Northampton	Lower Saucon Township
Crawford	Cambridge Springs Borough	Northumberland	Northumberland County

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County	Grantee - Project	County	Grantee - Project
Cumberland	Cumberland County	Philadelphia	City of Philadelphia
Dauphin	Dauphin County	Venango	Venango County
Delaware	Haverford Township	Warren	Warren County
Delaware	Upper Darby Township	Washington	North Strabane Township
Erie	Erie County	Westmoreland	City of Lower Burrell
Franklin	Washington Township	Westmoreland	City of Latrobe
Indiana	Indiana County	York	York County
Lackawanna	Lackawanna County	Pennsylvania - Statewide	Pennsylvania State Police
Lebanon	Lebanon County		

The PA State Police and municipal police departments under the PTS program conducted over 2,800 DUI grant-funded enforcement operations which resulted in over 86,000 vehicle contacts in FFY 2020. Nearly 2,500 motorists were arrested for impaired driving because of this grant-funded high visibility enforcement. The State Highway Safety Office (SHSO) works with law enforcement to ensure the smooth implementation of cross jurisdictional checkpoints and other impaired driving enforcement as well as to organize earned media efforts. Table 12 below highlights the level of enforcement from previous years. Please note enforcement results fluctuate due to the variation in grant funds from year to year.

**Table 12**

	FFY 2016	FFY 2017	FFY 2018	FFY 2019	FFY 2020
<b>Checkpoints and Roving Patrols</b>	2,639	2,787	2,655	2,468	2,824
<b>Motorists Contacted</b>	184,561	163,716	176,898	123,592	86,458
<b>DUI Arrests</b>	3,402	3,141	3,256	2,595	2,449
<b>Other Arrests and Citations</b>	20,743	22,270	22,616	25,736	23,772

*Source: PennDOT dotGrants System*

Per the PennDOT Crash Records System, from 2016 to 2020 local police departments reported 18,404 crashes involving an impaired driver which resulted in an injury or fatality. In this example, an impaired driver crash is described as a crash involving at least one driver who at the time of the crash was suspected by the officer to be impaired in at least one or a combination of the following categories: alcohol, illegal drugs, alcohol and drugs, or medication. To be the most

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effective with limited grant funding, the HVE program involving local police departments needs to remain data-driven and conduct enforcement in the appropriate geographic areas identified by crash data. As such, grant funds are targeted at police departments who reported 16,853 of the 18,404 impaired driver crashes. In other words, approximately 92 percent of the impaired driver related crashes resulting in an injury or fatality are targeted by grant funded enforcement under the Police Traffic Services program. This data is presented in Table 13 below.

Table 13

HVE Participation	Impaired Driver Crashes	Percentage of Total
Non-participating Police Department	1,551	8%
Participating Police Department	16,853	92%
<b>Total Impaired Driver Crashes (2016-2020)</b>	<b>18,404</b>	<b>100%</b>

Source: PennDOT Crash Reporting System

### Planned Activity for the High Visibility Enforcement Program

- Conduct sobriety checkpoint enforcement
- Conduct roving patrol enforcement
- Participate in national crackdown on impaired driving
- Participate in enforcement mobilizations

#### 3.4.2.4 Police Training

Providing and coordinating highway safety training for the police community is paramount in reaching the safety goals outlined in this Impaired Driving Plan. A large number of strategies contained in this plan are enforcement-based. As a result, the police community must be trained in conducting targeted DUI enforcement to include NHTSA standardized field sobriety testing (SFST), chemical breath testing procedures, and training such as advanced roadside impaired driving enforcement (ARIDE) and as drug recognition experts (DRE) to detect motorists impaired by drugs. In order to participate in NHTSA grant-funded sobriety checkpoints, officers must be trained in sobriety checkpoints and NHTSA SFST certified to act as the testing officer at a checkpoint. The SHSO plans to continue to fund the Institute for Law Enforcement Education (ILEE) to perform this training for the police community. The Institute for Law Enforcement

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Education functions as a division of the Pennsylvania Department of Education and offers a broad range of training options with a focus on highway safety issues. In an effort to aide in the high demand for sobriety checkpoint and SFST training, the DUI Regional Program Administrators also conduct training for police.

### *Planned Activity for the Police Training Program*

- Conduct sobriety checkpoint training for police
- Conduct NHTSA SFST training for police
- Conduct evidentiary chemical breath test equipment certification training for police

#### 3.4.2.5 Pennsylvania Virtual Training Network

The Pennsylvania Chiefs of Police Association (PCPA) has been a long-time participant in both DUI prevention and enforcement programs. They have worked with their membership, the chiefs of Pennsylvania police departments, to understand the need to actively enforce DUI laws, engage in prevention programs, and coordinate their activities with the National Highway Traffic Safety Administration campaigns. They have used their website and membership notification system to keep the chiefs up to date on crackdown periods and direct them to material to help them coordinate their activities. The association used its quarterly magazine to publish articles relative to DUI enforcement and prevention. PCPA printed up thousands of posters for DUI prevention programs that contained a QR code which could be scanned by smart phones. The posters were distributed by police departments to entertainment, restaurant, and other alcohol beverages establishments. The scan would take the person to a mobile website that had videos and prevention material to alert the public that the police were actively cracking down on DUI before they engaged in risky behavior. The PCPA has also used its virtual training network, the Pennsylvania Virtual Training Network (PAVTN.NET) to provide a course on the need for special enforcement for DUI laws, the theory of general deterrence and the enhanced benefits of coordinating local enforcement with the national crackdown periods. It is the PAVTN that can provide great assistance to DUI enforcement and prevention through its improved training capabilities, reduced costs and ease of scheduling.

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The purpose of creating this virtual training facility was to allow small departments to train more of their officers, to save significant dollars on travel and to encourage connections between law enforcement officials across the Commonwealth. The results have been wildly successful. The savings in travel and tuition for municipal police departments is over a million dollars. In addition, 10,000 officers have been trained. Beyond the obvious cost savings, PAVTN serves the function of allowing far more officers to be trained because it is so cost efficient. Junior officers, for example, who might never have been sent to training in their first years on the job, are able to access on-line training. Participants access the training at no cost to their agencies. This leads to more consistency in training across departments and ultimately to more qualified, more prepared local police departments. Of course, a better trained police department is a better prepared one. So, the long-term benefit of such additional training is an increase in public safety and in public confidence in the ability of the police to protect them.

The PAVTN is operated and administered by staff of the PCPA. The agency also provides general guidance and oversight of the creation of courses, monitors the reaction to them, troubleshoots any technical issues that arise and keeps records of the participants. PCPA also oversees the content of the courses. The concept of virtual training is not new, but the idea of using virtual training for Pennsylvania law enforcement officers was the brainchild of the Pennsylvania Commission on Crime and Delinquency (PCCD) along with the Pennsylvania Chiefs of Police Association. It is unique in that federal funds from both the Office on Violence Against Women and Bureau of Justice Assistance were combined to create the network and support the on-going development of new coursework. It also represents a unique collaboration between law enforcement and the victim service providers. Part of the beauty of the virtual training program is that the collaborative nature of its creation means that both law enforcement officials and those they serve have input into the course selection and its content. The PAVTN is a resource that will add value to the effort to prevent DUI and enforce DUI laws. It should be part of any Pennsylvania effort.

### **3.4.2.6 DUI Regional Program Administrators**

The intent of a DUI Regional Program Administrator (DUI RPA) is to serve as a communicator between the State Highway Safety Office (SHSO) and law enforcement for impaired driving

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topics. This follows the law enforcement liaison model. A DUI RPA often reviews impaired driving initiatives of the SHSO from a law enforcement perspective and offers guidance to ensure successful program implementation. The SHSO currently funds four DUI RPAs dedicated to reducing impaired driving who not only serve as a resource for law enforcement on highway safety issues, but also perform quality assurance of the PennDOT grant funded DUI enforcement grantees. The law enforcement grantees conduct high visibility enforcement and must follow a specific set of instructions to lawfully conduct sobriety checkpoint operations which includes case law, a DUI law enforcement manual, and proper testing procedures to identify driver impairment. DUI RPAs are experts in these areas and perform site visits to the grantees to ensure proper protocols are followed. The DUI RPAs have also proven instrumental in the formation of several regional task forces on impaired driving.

### **Planned Activity for the DUI Regional Program Administrators**

- Conduct sobriety checkpoint training for police
- Provide yearly updates to the DUI law enforcement manual
- Coordinate law enforcement participation in national mobilizations

### **3.4.3 Publicizing High Visibility Enforcement**

#### **3.4.3.1 Media Campaigns**

In order for high visibility enforcement under the Police Traffic Services program to be successful it must have a strong and coordinated media effort. This is accomplished through both paid and earned media. All the impaired driving enforcement operations within the PTS program will correspond with the NHTSA Communications Calendar. This calendar identifies the periods of heightened enforcement as well as the corresponding campaign messaging. This allows for consistent messaging for enforcement statewide, and on the national level as well. Events on the Communications Calendar include enforcement during the Fourth of July, the National Crackdown surrounding Labor Day, Halloween, and the Thanksgiving holiday season through New Year's.

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Coordination for the National Crackdown is done via our six Highway Safety Regions and their planning meetings which are held every other month throughout the year. At the planning meetings prior to the mobilizations, the coordinating team will organize the media and enforcement components of the crackdown. The DUI RPAs disseminate the information down to the individual enforcement grantees conducting the high visibility enforcement. The national campaign materials from the NHTSA Traffic Safety Marketing website are shared. The theme has remained “*Drive Sober or Get Pulled Over.*” All participating police agencies are directed to [trafficsafetymarketing.gov](http://trafficsafetymarketing.gov) if additional materials are needed to maximize participation in the crackdown.

Sustained impaired driving enforcement throughout the year, and around some holidays associated with drinking, rely heavily on earned media efforts to garner attention. Again, material from the Traffic Safety Marketing website is made available to our enforcement grantees, and earned media is provided by PennDOT, to alleviate them from the burden of creating media materials. This earned media material ranges from press releases of upcoming enforcement operations, actual media coverage of enforcement, press releases with results of the impaired driving enforcement, and even press conferences emphasizing the impacts of impaired driving on the general public.

In addition to the earned media efforts above, PennDOT will utilize paid media during the Fourth of July impaired driving campaign. The paid media will utilize supportive messaging developed by the PennDOT Communications Office in conjunction with Commonwealth Media Services (CMS), a full-service multimedia and marketing provider for commonwealth agencies. State funding will be used for this media buy. All media will be directed at the target audience as characterized in the problem identification section of this plan primarily focusing on males aged 21 to 34.

### **3.4.4 Prosecution**

#### **3.4.4.1 Traffic Safety Resource Prosecutor**

Nearly every state in the nation utilizes the services of a Traffic Safety Resource Prosecutor (TSRP). This position is typically initiated and supported with NHTSA grant funds.

Pennsylvania began to utilize a state sanctioned TSRP to serve as an expert in highway safety

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issues for prosecutors, the police, and the judiciary within the commonwealth in 2008. Through an agreement with PennDOT, the Pennsylvania District Attorneys Institute (PDAI) employs Jerry L. Spangler, Esq. as the state sanctioned TSRP for Pennsylvania. This position is funded through a NHTSA grant administered by the SHSO.

The TSRP's role in highway safety is to conduct and coordinate training, education, and technical support for police, prosecutors, judiciary, and others who share our highway safety goals. Services of the TSRP are also made available to provide immediate assistance to individual prosecutors on specific traffic safety related cases. In addition to the training provided by the state sanctioned TSRP, prosecutorial training is conducted by the Pennsylvania District Attorneys Institute. Each year PDAI conducts a *Basic Prosecutors Course* to prepare newly hired assistant district attorneys to make the transition from law student to prosecutor. It is common that inexperienced Assistant DAs are assigned to traffic cases, including impaired driving cases. Two presentations offered at every *Basic Prosecutors Course* are *DUI Prosecution* and *DUI Booking Center Demonstration*. These presentations include topics such as DUI trial preparation, case law, prosecution, and the logistics of a DUI booking center.

The Pennsylvania TSRP program has evolved and grown since its inception to the point where the position has been well established in the DUI network amongst police and prosecutors. Our TSRP has created a listserv amongst this community to share ever changing caselaw and important court decisions that impact the enforcement and prosecution of impaired driving in the commonwealth. Training offered by the TSRP have also been fine-tuned to meet the needs of the current impaired driving environment in Pennsylvania. *Cops in Court* is a training offered to police that properly prepares an officer for case presentation in court and *Prosecuting the Drugged Driver* is a training addressed to both police and prosecutors on the nuances of successfully presenting evidence and testimony to secure a conviction in a DUI drug case. Other training includes *DUI Boot Camp* for junior prosecutors and *DUI Caselaw Presentation* for any individual in the impaired driving enforcement field. The NHTSA developed training *Protecting Lives, Saving Futures* is also provided via the TSRP position. Other large-scale trainings conducted include *Lethal Weapon: DUI Homicide* and a new DUI Conference for both police and prosecutors. With over 40,000 cases of DUI arrests in Pennsylvania each year and an ever-

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

increasing number of arrests for drugged impaired driving, it is imperative that the TSRP program continue to offer training and services to effectively prosecute impaired driving cases. Other vital services offered by the TSRP include raising awareness on the Accelerated Rehabilitative Disposition (ARD) program, as well as sharing the importance of drug and alcohol treatment services.

### *Planned Activity for the Traffic Safety Resource Prosecutor Program*

- Create and update a DUI Prosecutor’s Manual
- Conduct Caselaw presentations for police and prosecutors
- Conduct Cops in Court trainings for police
- Conduct DUI Boot Camp trainings for prosecutors
- Conduct Prosecuting the Drugged Driver trainings

### **3.4.5 Adjudication**

#### 3.4.5.1 Judicial Education

The Administrative Office of Pennsylvania Courts (AOPC) is the administrative arm of the Pennsylvania Supreme Court. One of the services provided by AOPC is judicial education. In 2005, AOPC formerly established the Judicial Education Department. The Judicial Education Department serves as the central point of contact for all matters pertaining to judicial education programming, resources, and communications. They assess judicial education needs, and develop and maintain appropriate educational programs (conferences, self-study, distance-learning, regional libraries, etc.). In addition, AOPC hosts the annual and mid-annual meetings for the state’s trial judges, as well as satellite seminars, the New Judges School and other programs as needed.

Each year, the minor court jurists receive a vehicle code update as part of their required continuing education program. This vehicle code update includes components on impaired driving related issues. The impaired driving portion of this program focuses on case law topics ranging from checkpoints to DUI sentencing issues.

## **Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)**

PennDOT's grant funded Community Traffic Safety Projects (CTSPs) continue to conduct judicial outreach sessions as part of their strategies to reduce impaired driving related crashes and fatalities. The CTSP grantees are currently helping to organize and schedule presentations on PennDOT's top three strategic safety focus areas, including aggressive driving, impaired driving, and occupant protection for the Magisterial District Judges (MDJs) within their regions. The intent of this outreach is to inform the judiciary of PennDOT's goals in highway safety and explain why their courts may see an increased number of citations during enforcement mobilizations. It is anticipated that the cooperation of the local judges towards the highway safety effort will serve as a catalyst towards a positive behavior change in the offending motorist. District Judges receiving the outreach are given PennDOT generated highway safety handout material for display and distribution in their local offices and courtrooms. The outreach presentations have been well received by the judiciary.

### **3.4.5.2 Judicial Outreach Liaison**

In 2011, PennDOT applied for a grant from NHTSA to establish and support a state judicial outreach liaison (JOL). Pennsylvania was successful in its application and secured its first state sanctioned JOL. PennDOT identified the Honorable Michael J. Barrassé, the President Judge for the Lackawanna County Court of Common Pleas, to serve as the state sanctioned JOL. The JOL's efforts focus on the court of common pleas judges. This is the court system where DUI offenses are normally adjudicated and sentenced.

For the JOL program to be successful, it must be modeled similar to the TSRP program. This means the JOL must be seen and utilized as an expert on DUI issues as seen by members of the judiciary. Pennsylvania has been very successful in reaching out and sharing its highway safety goals amongst the police and prosecutors. It is anticipated that the JOL position will be the tool to make this same connection with the judiciary in Pennsylvania by utilizing a peer-to-peer approach. Like the plan for the TSRP position, the judiciary in Pennsylvania must be exposed to the latest in highway safety related educational opportunities and made aware of Pennsylvania's highway safety goals.

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

### Planned Activity for the Judicial Outreach Liaison Program

- Assist in the CRN revision project
- Development of DUI Court Manual

#### 3.4.5.3 DUI Courts

During 2020 in Pennsylvania, more than 10,200 individuals were convicted of a second or subsequent DUI offense. As seen in the Table 14 below, convictions for a second or subsequent DUI offense accounted for 59 percent of all DUI convictions in 2020. Identifying strategies to reduce recidivism amongst DUI offenders has been a challenge; however, DUI courts have shown promise.

Table 14

DUI Convictions	2020	Percent of Total
First Conviction Offenses	7,142	41%
Second Conviction Offenses	6,257	36%
Third Conviction Offenses	2,337	13%
Subsequent Conviction Offenses	1,649	10%
<b>Total Conviction Offenses</b>	<b>17,385</b>	<b>100%</b>

Source: PennDOT Driver License and Control System

The DUI court model is aimed at these habitual DUI offenders who do not respond to the normal sanctions and treatment associated with a DUI conviction. According to *Countermeasures that Work* from NHTSA, “a dedicated DUI court provides a systematic and coordinated approach to prosecuting, sentencing, monitoring, and treating DUI offenders.” In Pennsylvania, the typical offender accepted into a DUI court is a third or subsequent offender, had a high BAC, and was not involved in a crash with injuries during the most recent DUI arrest. Offenders who seem receptive to treatment are identified by the DUI court team for acceptance into the program and the offender must also be willing to participate in the treatment court. The level and duration of treatment must be clinically matched to the offenders’ level of addiction to alcohol or other drugs. When clinically appropriate treatment is provided, outcomes are even further enhanced by the engagement of the DUI court team encouraging the offenders on their road to recovery, and

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

sanctioning those who do not constructively engage in the treatment opportunities afforded to them.

The National Center for DWI Courts (NCDC) offers two training programs for new DUI court programs, a 3½ day training for specialized treatment court teams with no experience and a one day training for specialized treatment court teams that currently operate a drug court and are expanding their court program to accept impaired driver offenders. Through NHTSA, PennDOT will continue to provide grant funding for the new DUI court teams to attend this necessary training.

PennDOT began funding two DUI courts in 2003 as Section 403 Demonstration Projects. These two projects, Lackawanna and Berks Counties, have been operational in the Commonwealth since 2003, although they no longer receive NHTSA grant funds. After the two aforementioned projects, thirteen additional DUI courts have been implemented with NHTSA grant funding. Table 15 lists the DUI courts that have received NHTSA funds. The grant-funded DUI courts have reported more than 1,000 graduates successfully completing the program and a positive impact on DUI recidivism amongst the graduates.

### **Planned Activity for the DUI Court Program**

- Provide NHTSA grant funding for up to two DUI Courts
- Provide NHTSA grant funding to DUI court teams to attend the NCDC trainings

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

Table 15

- |  |   |
|--|---|
| <p>1. Lackawanna County DUI Court<br/>200 North Washington Avenue<br/>Scranton, PA 18503<br/>Judge Michael J. Barrasse</p> | <p>2. Berks Count DUI Court<br/>633 Court St, 7TH floor<br/>Reading, PA 19601<br/>Judge James Lillis</p>                  |
| <p>3. Allegheny County DUI Court<br/>436 Grant Street<br/>Pittsburgh, PA 15219<br/>Judge Kelly Bigley</p>                  | <p>4. Blair County DUI Court<br/>423 Allegheny Street<br/>Holidaysburg, PA 16648<br/>Judge Daniel Milliron</p>            |
| <p>5. Philadelphia DUI Court<br/>1401 Arch St, Room 463<br/>Philadelphia, PA 19102<br/>Judge Frank Brady</p>               | <p>6. Lebanon County DUI Court<br/>400 South 8<sup>th</sup> Street<br/>Lebanon, PA 17042<br/>Judge John Tylwalk</p>       |
| <p>7. Centre County DUI Court<br/>700 Rishel Hill Rd.<br/>Bellefonte, PA 16823<br/>Judge Katherine Oliver</p>              | <p>8. Wyoming/Sullivan County DUI Court<br/>1 Courthouse Square<br/>Tunkhannock, PA 18657<br/>Judge Russell Shurtleff</p> |

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

- |   |   |
|---|---|
| <p><b>9.</b> Union/Snyder DUI Court<br/>103 S. 2<sup>nd</sup> St<br/>Lewisburg, PA 17837<br/>Judge Michael Hudock</p>   | <p><b>10.</b> York County DUI Court<br/>45 North George St<br/>York, PA 17401<br/>Judge Clyde Vedder</p>                  |
| <p><b>11.</b> Columbia County DUI Court<br/>35 West Main Street<br/>Bloomsburg, PA 17815<br/>Judge Thomas James</p>     | <p><b>12.</b> Lycoming County DUI Court<br/>48 West Third Street<br/>Williamsport, PA 17701<br/>Judge Nancy Butts</p>     |
| <p><b>13.</b> Potter County DUI Court<br/>1 North Main Street<br/>Coudersport, PA 16915<br/>Senior Judge John Leete</p> | <p><b>14.</b> Clinton County DUI Court<br/>230 East Water Street<br/>Lock Haven, PA 17745<br/>Judge Michael Salisbury</p> |
| <p><b>15.</b> Washington County DUI Court<br/>1 South Main Street<br/>Washington, PA 15301<br/>Judge John DiSalle</p>   |   |

### 3.4.6 Administrative Sanctions and Driver License Programs

#### 3.4.6.1 Ignition Interlock

Ignition interlock is an administrative sanction imposed by PennDOT and compliance is required to obtain an unrestricted license. On May 25, 2016, the Governor signed Senate Bill 290 into law as Act 33 of 2016. This new law requires ignition interlock for first time offenders who had a

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

BAC of 0.10 percent or higher at the time of arrest (please refer to Ignition Interlock under the Laws section for more information and planned activities).

### 3.4.6.2 Alcohol Highway Safety School

As prescribed by 75 Pa.C.S. § 1549(b), PennDOT and the Pennsylvania Department of Health promulgated regulations for the establishment of Alcohol Highway Safety Schools (AHSS). These regulations can be found in 67 Pa. Code, Chapter 94. All individuals convicted of a DUI offense are required to attend and complete 12 ½ hours of AHSS as a condition of restoring driving privileges. This requirement also applies to individuals who were admitted into an ARD program in lieu of a DUI conviction. There are over 360 AHSS instructors in the commonwealth who are certified to conduct the required schooling under 75 Pa.C.S. § 3804. PennDOT is tasked with recertifying these AHSS instructors every two years. The (re)certification of the AHSS instructors is currently performed under contract between PennDOT and the PA DUI Association. This contract also provides other training for the instructors to keep them abreast of the latest science and techniques in preventing DUI recidivism.

#### **Planned Activity for the Alcohol Highway Safety Program**

- Certify and recertify AHSS Instructors
- Conduct AHSS Instructor trainings and workshops
- Update name of AHSS to include drug impaired driving

## 3.5 Communication Program

### 3.5.1 Be Safe PA

The Pennsylvania Department of Transportation will use state funds to support paid advertising on topics including impaired driving, seat belt safety, speeding, and distracted driving. The Governor's Office of Press and Communications is encouraging agencies to utilize funding throughout the year to maintain brand identity for initiatives. These various highway safety efforts have been aligned through the use of a single tagline, "Be Safe PA." PennDOT plans to purchase paid media messages for DUI during the Independence Day enforcement crackdown utilizing material developed by the PennDOT Communications Office in conjunction with

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

Commonwealth Media Services (CMS), a full-service multimedia and marketing provider for commonwealth agencies. The buys will utilize digital marketing, radio, and out-of-home advertising in bars, at convenience stores and gas stations, and on billboards throughout the state. Court Reporting Network (CRN) statistics have shown that males age 21-54 contribute greatly to the impaired driving crash picture. Our media efforts will target this age group in hopes of positively influencing their dangerous behavior. PennDOT also plans to update several brochures and other free educational pieces for the public. The material will cover focus areas such as seat belts, child passenger safety, school bus safety, DUI prevention, bicycle/pedestrian/motorcycle safety, winter driving, aggressive driving prevention, rail-highway safety, truck safety and other safety issues.

The PennDOT Communications Office, District Safety Press Officers, and various safety partners will continue to deliver the bulk of our safety messaging throughout the year. Using the NHTSA communications calendar as a guide, press officers will issue press releases promoting enforcement activities, law enforcement trainings, and community events. PSA recordings, interview opportunities, and press conferences continue to be effective means of gaining the attention of local media sources. Due to Pennsylvania's varied media markets and how they overlap with our communications staff and District Offices, a reporting mechanism has been developed to capture activities from our communications staff. Various categories, such as media events, outreach meetings, and other communications efforts will be reported upon.

### *Planned Activity for the Communication Program*

- Utilize state funding to purchase paid media in support of HVE for the Fourth of July crackdown on impaired driving

### **3.5.2 Live Free Ride Alive**

With motorcycle use on the rise in Pennsylvania, PennDOT also continues to focus on improving motorcycle safety. The number of registered motorcycles was more than 377,000 in 2020. Likewise, the number of licensed motorcyclists reached nearly 811,000 in 2020. Drinking

## **Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)**

alcohol and motorcycle operation continues to be a concerning highway safety problem in Pennsylvania. Over the past five years (2016-2020) there have been 1,395 crashes involving at least one drinking driver operating a motorcycle. Every impaired driving crash, whether it's caused by an automobile or motorcycle is 100 percent preventable. It is hoped that proper education and extensive enforcement will eventually result in a behavioral change leading to fewer impaired driving/riding crashes and fatalities.

PennDOT is very aware of the riding culture and has already been working diligently to separate drinking from riding and has implemented a comprehensive motorcycle safety campaign, Live Free Ride Alive, in an effort to reduce the number of motorcycle crashes and fatalities on Pennsylvania's roadways. The campaign's website, [www.penndot.gov/pamsp](http://www.penndot.gov/pamsp), is a website designed specifically for motorcyclists. The site contains important safety messages relating to getting properly licensed to ride a motorcycle, reducing aggressive driving behaviors by obeying the speed limit, avoiding drinking and riding and encouraging the use of all protective riding gear. The website also outlines the motorcycle safety training available free of charge to Pennsylvania motorcycle license and permit holders through the Pennsylvania Motorcycle Safety Program (PAMSP).

The Live Free Ride Alive program is designed to educate riders on the importance of being properly licensed, riding sober, use of all protective gear, and safe riding experiences. Although it was suspended during 2020-21 and planned to resume for 2022, the grassroots effort of the program is PennDOT's Live Free Ride Alive booth, which will visit six motorcycle events over the summer months to talk to riders about the importance of getting licensed, getting trained, and don't speed or ride impaired. The booth offers riders a chance to register for training courses and view a video presentation on the various training courses offered through the Department's Motorcycle Safety Training Program. Additionally, LFRA posters, stickers, and other various materials will be distributed to dealerships, driver license centers, welcome centers and various tourism locations across the state.

Using the NHTSA Communications Calendar as a guide, the Live Free Ride Alive program also includes an extensive paid media component, which includes billboards and online promotion of the LFRA Facebook page, which also promotes these same safety messages and encourages

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

motorcyclists to learn more about riding their motorcycle safely at [www.livefreeridealive.com](http://www.livefreeridealive.com), the program's interactive website.

### Planned Activity for the Live Free Ride Alive Program

- Attend motorcycle rallies with the Live Free Ride Alive booth

### **3.6 Alcohol and Other Drug Abuse and Treatment**

Pennsylvania's DUI statute recognizes that those committing second or subsequent DUI offenses are likely to have alcohol or other drug problems requiring treatment. Without treatment, repeat DUI offenders will continue to drive impaired and perhaps commit other crimes as well; with clinically appropriate treatment, the offenders can gain recovery and once again become responsible drivers and citizens. As the statistics cited in the previous DUI Court section show (more than 1,000 graduates successfully completing the program and a positive impact on DUI recidivism amongst the graduates), treatment combined with the coercive leverage of the criminal justice system results in truly remarkable success in reducing recidivism. In addition, according to the PA Department of Corrections, 10 percent (5,000+ inmates) of their currently incarcerated inmates have a "violent" controlling offense with a DUI on their record prior to their current incarceration offense.

#### **3.6.1 Clinically Appropriate Treatment for DUI Offenders**

Pennsylvania's DUI statutory scheme provides robust provisions for clinically addressing any alcohol or other drug problems that DUI offenders may have. If the Court Reporting Network screen indicates a possible alcohol/drug problem (see next section), if there has been a prior offense within ten years of the current one, or if the BAC in the current offense is over 0.16 percent, then a "full assessment for alcohol and drug addiction" must be conducted per 75 Pa.C.S. § 3814(2). For those assessed to be in need of treatment, subsections 3815(b) & (c) mandate that the offender participate in and cooperate with drug and alcohol treatment as a condition of parole, and that the treatment "must conform to assessment recommendations made under § 3814." Subsection 3815(c) provides that the treatment program is required to report regularly to the parole officer on each offender's progress, and to immediately advise the officer

## **Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)**

“if the offender (i) fails to comply with program rules and treatment expectations; (ii) refuses to engage in the treatment process; or (iii) without authorization terminates participation in the treatment program.” If that occurs, then paragraph 3815(d)(2) requires that the “offender’s parole, prerelease, work release, or other release status shall be revoked.” Such an offender can be re-paroled or otherwise released only upon readmission into treatment (or upon serving the maximum sentence).

The DUI Treatment Compliance Project was identified in a previous Impaired Driving Plan to address assessment and treatment issues related to DUI. After the completion of the DUI Treatment Compliance Project, counties reporting compliance with the provisions of the law increased from 55 percent (37 counties) to 94 percent (63 counties). A final report of the project’s findings was released in 2018.

### **3.6.2 Court Reporting Network**

In accordance with 75 Pa.C.S. § 3816 (Requirements for driving under the influence offenders.), every person convicted of a DUI offense must be evaluated using Court Reporting Network (CRN) tools to determine the extent of the person’s involvement with alcohol or controlled substances. The subsequent results from this evaluation are used in sentencing, probation, or conditions to benefit the person or the driving public. Restrictions imposed during this phase of sentencing must be completed prior to restoration of the DUI offender’s operating privilege. There are approximately 450 CRN evaluators in the commonwealth who are certified to perform the required evaluations under § 3816. PennDOT is tasked with recertifying these CRN evaluators every two years. The (re)certification of the CRN evaluators is currently performed under contract between PennDOT and the PA DUI Association. This contract also provides other training for the CRN evaluators to keep them abreast of the latest science and techniques in evaluation of DUI offenders and beneficial services to prevent DUI recidivism.

The primary purpose of the CRN evaluation is to determine if the DUI offender has an addiction to alcohol or controlled substance which possibly requires treatment. However, under 75 Pa.C.S. § 3814, a convicted DUI offender must complete a full drug and alcohol assessment if their BAC

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

at time of arrest was 0.16 percent or higher. Section 3814 also mandates a full drug and alcohol assessment for offenders convicted of a second or subsequent DUI offense.

### **Planned Activity for the Court Reporting Network Program**

- Certify and recertify CRN Evaluators
- Conduct CRN Evaluator trainings and workshops
- Revise the CRN system to include DUI-d questions

### **3.6.3 Drug Impaired Driving Criminal Justice Evaluation Tool**

The National Highway Traffic Safety Administration recently developed a tool for states to evaluate its criminal justice system and its readiness when examining drug-impaired driving. The tool is titled “Drug-Impaired Driving Criminal Justice Evaluation Tool”. It examines the following ten components, law enforcement, prosecution, judiciary, community supervision, toxicology, treatment, emergency medical services, data, legislation, and program and communications. The tool is designed to identify program strengths and opportunities for improvements. Stakeholders from each component area provide input and offer scores to identify strengths and weaknesses. The JOL and the TSRP are championing this effort for Pennsylvania. They will identify the proper team of stakeholders and facilitate the completion of this self-evaluation. It is anticipated that opportunities for improvement will be identified thus creating action items for stakeholders to address system inefficiencies or to implement best practices.

### **Planned Activity for the Drug Impaired Driving Criminal Justice Evaluation Tool**

- Complete the self-evaluation tool for Pennsylvania
- Develop a list of action items from the findings

### **3.7 Program Strategies and Evaluation**

#### **3.7.1 Advisory Panel to Task Force**

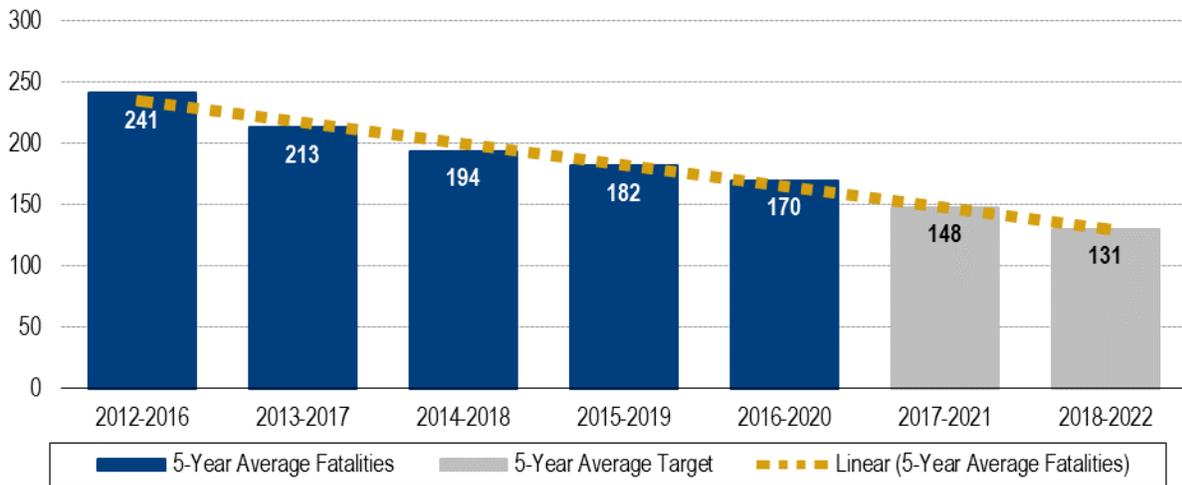
PennDOT has established a Statewide DUI Task Force, a forum for policymakers to create a comprehensive approach in combatting impaired driving related issues. There is a need for an advisory group of front-line criminal justice and treatment service providers that can identify emerging trends and issues, develop information and alternative approaches to advise the Statewide DUI Task Force, and provide advice and insights regarding ongoing projects being conducted. It will also identify and evaluate emerging trends and issues and provide information to the Statewide Impaired Driving Task Force for use in future strategic plans.

#### **3.7.2 Fatality Reduction Goals**

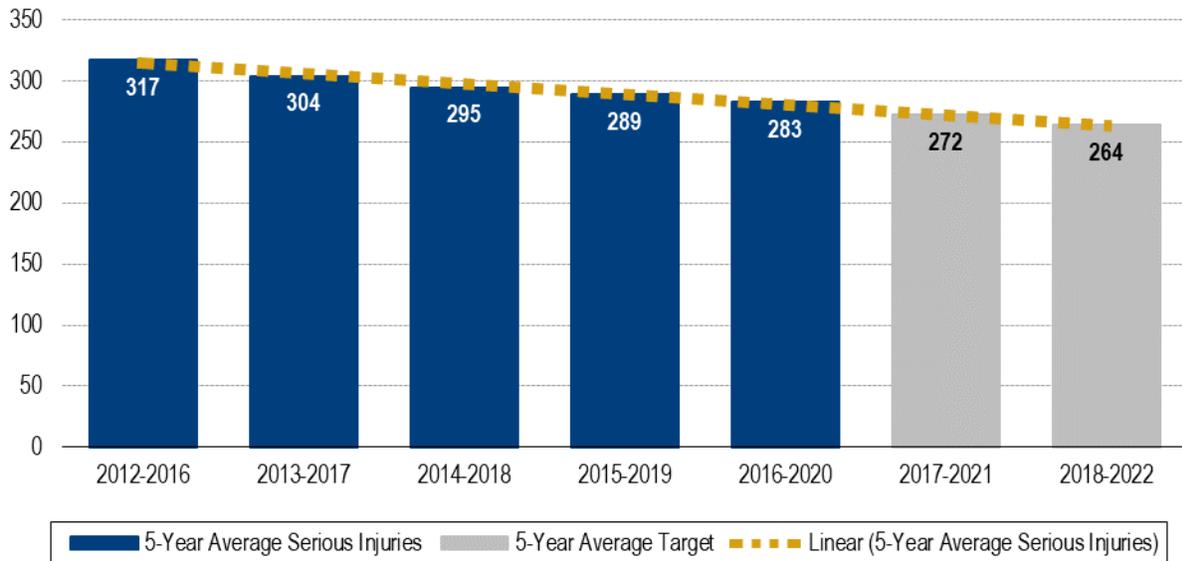
The following four charts were prepared for the FFY2022 Pennsylvania Highway Safety Plan submitted to NHTSA and reveal the reduction goals in the focus area of impaired driving. The charts are described as follows: three charts for crashes involving at least one driver or motorcycle operator with a BAC of 0.08 percent or more (one for a count of fatalities, another for a count of suspected serious injuries, and a third for a count of crashes). The fourth chart reveals the data and targets for crashes involving at least one drugged driver. As in the Pennsylvania Highway Safety Plan, activities highlighted in this strategic plan are directed at achieving our shared highway safety goals for reducing the incidence of impaired driving.

## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

**Chart 1 Fatalities Involving Driver or Motorcycle Operator with  $\geq 0.08$  BAC**

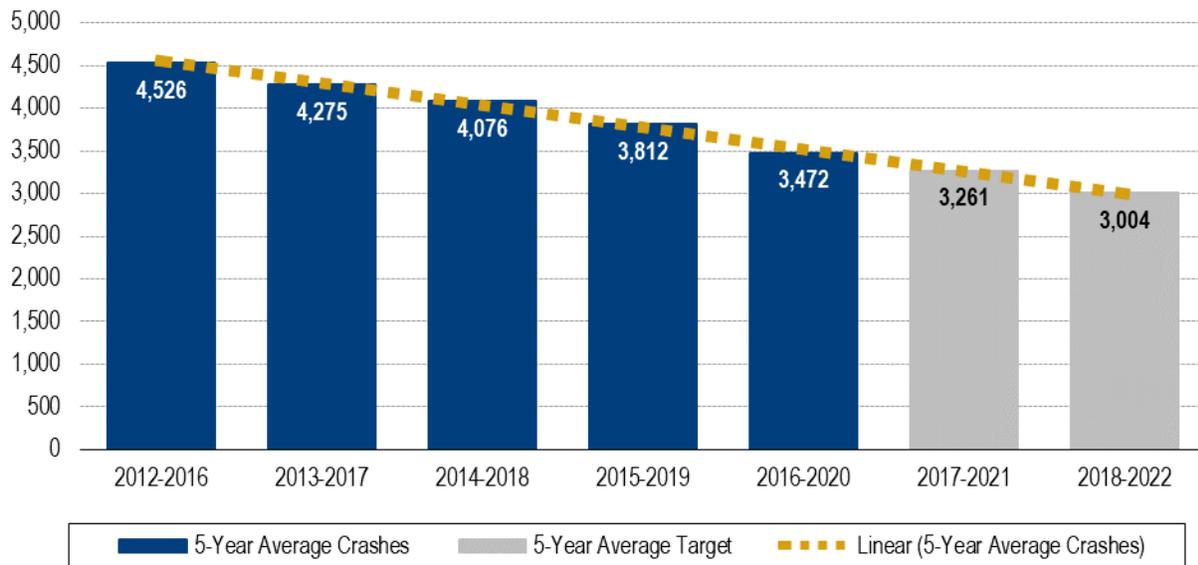


**Chart 2 Serious Injuries Involving Driver or Motorcycle Operator with  $\geq 0.08$  BAC**



## Strategic Plan to Reduce Impaired Driving in Pennsylvania (2021)

**Chart 3 Crashes Involving Driver or Motorcycle Operator with  $\geq 0.08$  BAC**



**Chart 4 Drugged Driver Crashes**



## **405(e) Distracted driving grant**

*The State provides sample distracted driving questions from the State's driver's license examination. Below are 2 distracted driving questions from Pennsylvania's driver's license examination.*

1005	2	English	Preparing to smoke and smoking while driving: 1. are distracting activities. 2. are not distracting activities. 3. help maintain driver alertness. 4. do not affect driving abilities.
------	---	---------	--

1003	2	English	Drivers who eat and drink while driving: 1. have trouble controlling their vehicles. 2. have no driving errors. 3. have trouble driving slow. 4. are better drivers because they are not hungry.
------	---	---------	--

## 405(f) Motorcyclist safety grant - Use of Fees Collected & Motorcycle Training Courses

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 below on pages 1 through 11 of this PDF.

A list of counties in in the State where motorcycle rider training courses will be conducted during FFY 2024 and number of registered motorcycles in each such county according to official State motor vehicle records are on pages 12 through 15 of this PDF.

May 31, 1984

Expenditure Symbol Notification Number 84- 44

Honorable R. Budd Dwyer  
State Treasurer

and

Honorable Al Benedict  
Auditor General

Robert A. Bittenbender  
Secretary of the Budget



On March 29, 1984, the Governor signed Act No. 31 (House Bill 1209, Printer's No. 2595) which established the following restricted receipt in the Motor License Fund for the Department of Transportation.

This symbol will be used to deposit additional fees collected in conjunction with applications for Class 5 licenses and/or learner permits as approved.

Department of Transportation

Expenditure Symbol

Motorcycle Safety Education Account

10-08-56- -4

RAB/let2/D2A/ESN-42 ESN-42-C

cc: Hon. Paul J. Lawrence  
Mr. Clyde Bruno (5)  
Ms. Margaret A. Clarke  
Mr. Leo Emig  
Mr. John R. Small  
Mr. George West  
Ms. Shirley Stayner (2)  
Mr. Richard Dario  
Ms. Dawn Peiffer (2)

Hon. Robert A. Bittenbender  
Hon. Kant Rao  
Mr. R. Brian Wilbur  
Ms. Phyllis Skok  
Mr. Ronald K. Flory  
Mr. Richard Kowal  
Mr. Grover McLaughlin  
Mr. David Margolis

**From:** [Nelson, Melissa](#)  
**To:** [Timbrell, Christy](#)  
**Subject:** RE: Motorcycle Restricted Receipts Account Request  
**Date:** Thursday, June 8, 2023 7:32:46 AM

---

Forgot to mention, the below statement is still accurate.

---

**From:** Nelson, Melissa  
**Sent:** Thursday, June 8, 2023 7:31 AM  
**To:** Timbrell, Christy <[ctimbrell@pa.gov](mailto:ctimbrell@pa.gov)>  
**Subject:** RE: Motorcycle Restricted Receipts Account Request

Hi Christy,

Attached is the updated spreadsheet that you requested. I did want to point out that the total commitments currently exceed the fund balance, so someone needs to work on liquidating some of the older PO balances that are not needed anymore.

Thanks,  
Melissa

---

**From:** Timbrell, Christy <[ctimbrell@pa.gov](mailto:ctimbrell@pa.gov)>  
**Sent:** Wednesday, June 7, 2023 6:59 PM  
**To:** Nelson, Melissa <[melnelson@pa.gov](mailto:melnelson@pa.gov)>  
**Subject:** Motorcycle Restricted Receipts Account Request

Hi Melissa,

Our office is once again in the process of completing our 405f application to NHTSA for Share the Road with Motorcycles funding. Are you able to provide the most recent versions of the attached spreadsheets and confirm if the statement below is still accurate?

*“The General Assembly has not authorized diversion of funds from the Motorcycle Safety Education Account. Furthermore, the Bureau of Fiscal Management is not aware of any expenditures not used as directed by the General Assembly, nor are we aware of any audit findings that would suggest unauthorized diversion.”*

Please let me know if you have any questions.

Thank you!  
Christy

**Christy Timbrell** | Highway Safety Outreach Programs Manager  
PA Department of Transportation | Bureau of Operations

Division of Highway Safety & Traffic Operations  
400 North Street, 6th Floor | Harrisburg, PA 17120  
Phone: 717.783.4577 | Fax: 717.783.8012  
[PennDOT.pa.gov](http://PennDOT.pa.gov)

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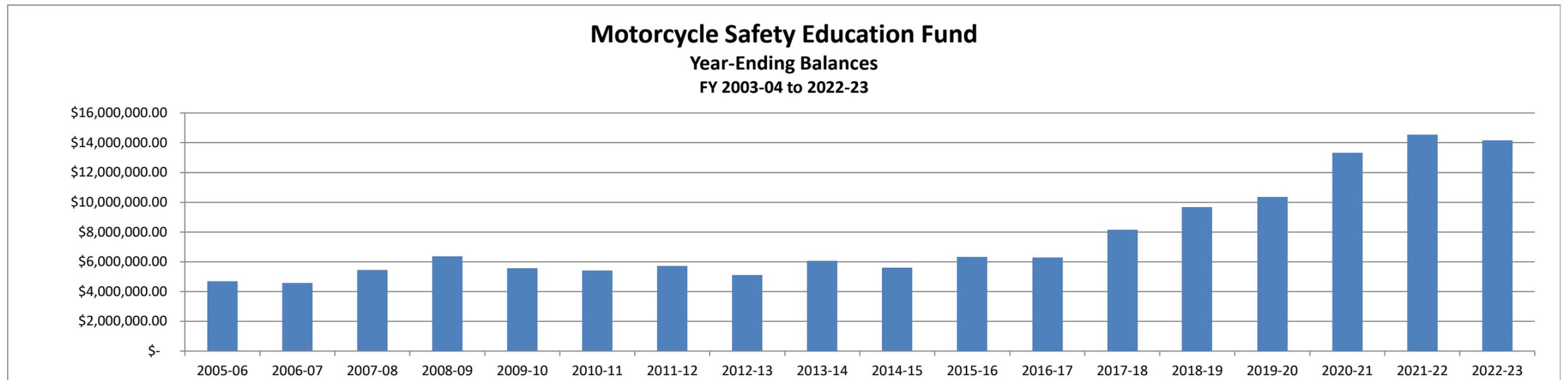
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## Motorcycle Safety Education Fund Balance History FY 2005-06 to 2016-17

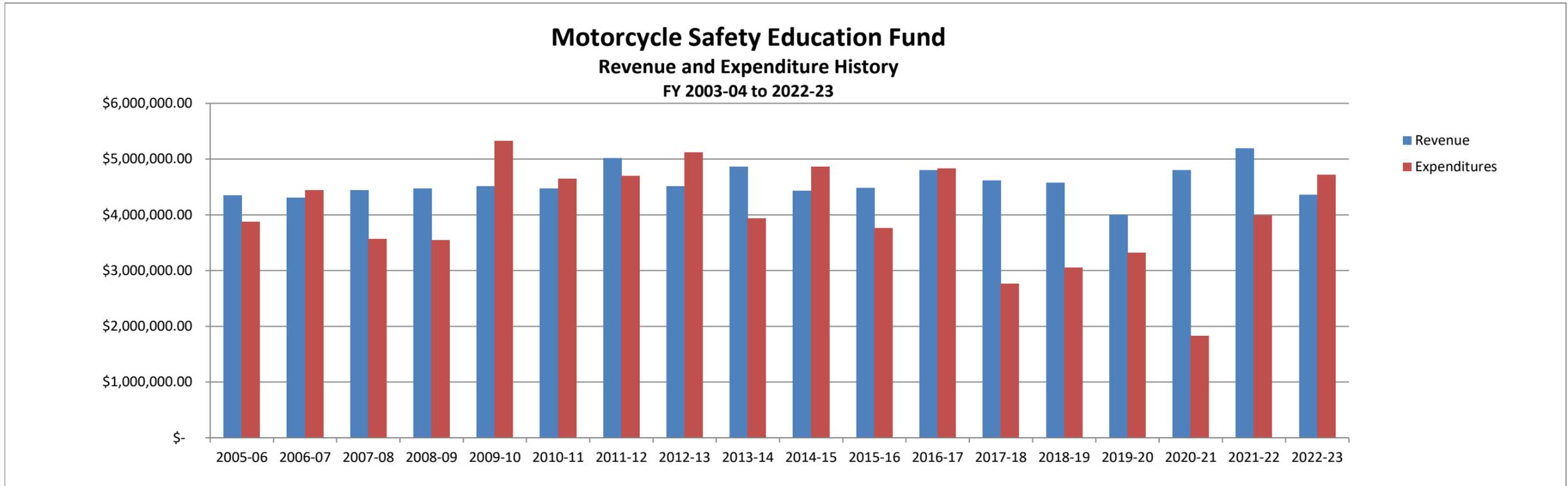
Fiscal Year	Beginning Balance	Revenue	Expenditures	Year Ending Balance
2005-06	\$ 4,237,403.16	\$ 4,343,885.10	\$ 3,871,464.19	\$ 4,709,824.07
2006-07	\$ 4,709,824.07	\$ 4,309,995.43	\$ 4,439,471.07	\$ 4,580,348.43
2007-08	\$ 4,580,348.43	\$ 4,439,119.40	\$ 3,560,022.82	\$ 5,459,445.01
2008-09	\$ 5,459,445.01	\$ 4,469,282.73	\$ 3,541,198.77	\$ 6,387,528.97
2009-10	\$ 6,387,528.97	\$ 4,516,199.26	\$ 5,324,533.01	\$ 5,579,195.22
2010-11	\$ 5,579,195.22	\$ 4,465,170.39	\$ 4,647,479.44	\$ 5,396,886.17
2011-12	\$ 5,396,886.17	\$ 5,016,825.25	\$ 4,693,482.83	\$ 5,720,228.59
2012-13	\$ 5,720,228.59	\$ 4,512,689.67	\$ 5,119,026.22	\$ 5,113,892.04
2013-14	\$ 5,113,892.04	\$ 4,862,798.17	\$ 3,933,345.29	\$ 6,043,344.92
2014-15	\$ 6,043,344.92	\$ 4,432,390.04	\$ 4,861,069.16	\$ 5,614,665.80
2015-16	\$ 5,614,665.80	\$ 4,474,385.62	\$ 3,757,365.18	\$ 6,331,686.24
2016-17	\$ 6,331,686.24	\$ 4,797,554.91	\$ 4,827,101.73	\$ 6,302,139.42
2017-18	\$ 6,302,139.42	\$ 4,611,506.38	\$ 2,758,652.45	\$ 8,154,993.35
2018-19	\$ 8,154,993.35	\$ 4,570,634.13	\$ 3,046,476.62	\$ 9,679,150.86
2019-20	\$ 9,679,150.86	\$ 3,998,020.65	\$ 3,315,669.14	\$ 10,361,502.37
2020-21	\$ 10,361,502.37	\$ 4,800,687.15	\$ 1,821,569.09	\$ 13,340,620.43
2021-22	\$ 13,340,620.43	\$ 5,187,186.21	\$ 3,990,384.41	\$ 14,537,422.23
2022-23	\$ 14,537,422.23	\$ 4,350,703.57	\$ 4,719,200.13	\$ 14,168,925.67

\*through 06/07/2023

\*\*Note current year FY2022-23 commitments total \$17,361,830.18



**Motorcycle Safety Education Fund Balance History**  
FY 2005-06 to 2016-17



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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1209 Session of  
1983

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INTRODUCED BY RYBAK, KOWALYSHYN, FREEMAN, ZWIKL, AFFLERBACH,  
McHALE, GRUPPO, SEMMEL, D. W. SNYDER, CIMINI, TRELLO,  
KUKOVICH, BOOK, VROON, BATTISTO, E. Z. TAYLOR, MILLER,  
MAIALE, HALUSKA, COY, MAYERNIK, COLAFELLA, McINTYRE,  
STEIGHNER, DeLUCA, TELEK, PETRONE, FISCHER, PRATT, MRKONIC,  
WAMBACH, FATTAH, CARN, KOSINSKI, EVANS, WESTON, SALVATORE AND  
JAROLIN, JUNE 14, 1983

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AS AMENDED ON THIRD CONSIDERATION, IN SENATE, FEBRUARY 28, 1984

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for parking for handicapped  
3 persons; further providing for the use of hearing impairment  
4 devices; providing for inspection of motorcycles; and adding  
5 provisions relating to motorcycle safety.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Sections 3314 and 3354(d)(1) of Title 75 of the  
9 Pennsylvania Consolidated Statutes are amended to read:

10 § 3314. Prohibiting use of hearing impairment devices.

11 (a) General rule.--No driver shall operate a vehicle whilee  
12 wearing or using one or more headphones, ~~or~~ earphones for any ←  
13 similar device which the department by regulation determines  
14 would impair the ability of the driver to hear traffic sounds. ←

15 ~~(b) Exception.--~~ ←

16 ~~(1) This section does not prohibit the use of hearing~~

1 ~~aids or other devices for improving the hearing of the~~  
2 ~~driver.~~

3 ~~(2) This section shall not apply to motorcycle operators~~  
4 ~~complying with section 3525 (relating to protective equipment~~  
5 ~~for motorcycle riders).~~

6 (B)e EXCEPTION.--THIS SECTION DOES NOT PROHIBIT THE USE OFe ←  
7 HEARING AIDS OR OTHER DEVICES FOR IMPROVING THE HEARING OF THE  
8 DRIVER NOR DOES IT PROHIBIT THE USE OF COMMUNICATION EQUIPMENT  
9 BY MOTORCYCLE OPERATORS COMPLYING WITH SECTION 3525 (RELATING TO  
10 PROTECTIVE EQUIPMENT FOR MOTORCYCLE RIDERS).

11 § 3354. Additional parking regulations.e

12 \* \* \*e

13 (d)e Handicapped persons and disabled veterans.--

14 (1)e When a motor vehicle bearing registration plates ore  
15 displaying a placard issued to handicapped persons or  
16 disabled veterans as prescribed in this title is being  
17 operated by or for the transportation of the handicapped  
18 person or disabled veteran, the driver shall be relieved of  
19 any liability for parking for a period of 60 minutes in  
20 excess of the legal parking period permitted by local  
21 authorities except where local ordinances or police  
22 regulations provide for the accommodation of heavy traffic  
23 during morning, afternoon or evening hours.

24 \* \* \*e

25 Section 2. Title 75 is amended by adding a section and a  
26 chapter to read:

27 § 4708. Inspection of motorcycles.e

28 An annual system of inspections in accordance with section  
29 4702 (relating to requirements for periodic inspection of  
30 vehicles) shall be established for motorcycles according to the

1 following schedule:

2 (1) Motorcycles whose registrations expire in the months  
3 of January and July shall be inspected in the months of May,  
4 June or July.

5 (2) Motorcycles whose registrations expire in the months  
6 of February and August shall be inspected in the months of  
7 June, July or August.

8 (3) Motorcycles whose registrations expire in the months  
9 of March and September shall be inspected in the months of  
10 July, August or September.

11 (4) Motorcycles whose registrations expire in the months  
12 of April and October shall be inspected in the months of  
13 August, September or October.

14 (5) Motorcycles whose registrations expire in the months  
15 of May and November shall be inspected in the months of  
16 March, April or May.

17 (6) Motorcycles whose registrations expire in the months  
18 of June and December shall be inspected in the months of  
19 April, May or June.

20 CHAPTER 79

21 MOTORCYCLES

22 Subchapter

23 A. General Provisions

24 B. Motorcycle Safety Education

25 SUBCHAPTER A

26 GENERAL PROVISIONS

27 Sec.

28 7901. Short title of chapter.

29 7902. Definitions.

30 7903. Waiver of examination.

1 7904. Fees.

2 7905. Restricted receipts account.

3 § 7901. Short title of chapter.

4 This chapter shall be known and may be cited as the  
5 Motorcycle Safety Law.

6 § 7902. Definitions.

7 The following words and phrases when used in this chapter  
8 shall have the meanings given to them in this section unless the  
9 context clearly indicates otherwise:

10 "Approved motorcycle safety course." A course of motorcycle  
11 safety education approved by the department and offered by  
12 public schools or other organizations which meet instructional,  
13 course and teacher certification requirements of this  
14 Commonwealth.

15 "Motorcycle Safety Education Account." A restricted receipts  
16 account established from fees assessed by this chapter.

17 § 7903. Waiver of examination.

18 Applicants who have successfully completed an approved  
19 motorcycle safety course shall be deemed to have met the  
20 requirements of the motorcycle operator's license examination  
21 administered by the department and the examination shall be  
22 waived.

23 § 7904. Fees.

24 Fees relating to motorcycle licenses for motorcycle operators  
25 to be collected by the department under this chapter SHALL BE IN <—  
26 ADDITION TO ANY OTHER FEES IMPOSED UNDER THE PROVISIONS OF THIS  
27 TITLE AND are as follows:

28 (1) A AN ADDITIONAL fee of \$2 shall be assessed and <—  
29 collected for each original motorcycle operator's license.

30 (2) A AN ADDITIONAL fee of \$2 shall be assessed and <—

1 collected for each annual renewal of a motorcycle operator's  
2 license.

3 (3) ~~A~~ AN ADDITIONAL fee of \$2 shall be assessed and ←  
4 collected for each motorcycle learner's permit.

5 (4) ~~A~~ AN ADDITIONAL fee of \$2 shall be assessed and ←  
6 collected for each replacement motorcycle operator's license.  
7 § 7905. Restricted receipts account.

8 The department shall deposit all moneys received from THE ←  
9 ADDITIONAL fees collected under this chapter in a restricted  
10 receipts fund, which shall be known as the Motorcycle Safety  
11 Education Account, and such moneys shall be applied to the costs  
12 incurred in administering and conducting motorcycle safety  
13 education programs.

14 SUBCHAPTER B

15 MOTORCYCLE SAFETY EDUCATION

16 Sec.

17 7911. Motorcycle safety education program.

18 § 7911. Motorcycle safety education program.

19 The department shall establish a motorcycle safety education  
20 program throughout this Commonwealth. It shall approve and  
21 conduct an annual review of course material for authorized  
22 schools. It shall certify all instructors and shall include a  
23 uniform curriculum for the course of instruction and training  
24 requirements for instructors. The department shall be  
25 responsible for certifying schools to conduct approved  
26 motorcycle safety courses and shall adopt such necessary rules  
27 and regulations to govern the administration of motorcycle  
28 education within this Commonwealth.

29 Section 3. (a) The provisions of 75 Pa.C.S. § 3314  
30 (relating to prohibiting use of hearing impairment devices) and

1 75 Pa.C.S. § 3354(d) (relating to additional parking  
2 regulations) shall take effect immediately.

3 (b) The remainder of this act shall take effect in 90 days.

## **405(f) Motorcyclist safety grant**

### **Motorcycle safety information**

**To qualify for a Motorcyclist Safety Grant in a fiscal year, a State shall submit as part of its HSP documentation demonstrating compliance with at least two of the following criteria:**

Motorcycle rider training course: **Yes**

Motorcyclist awareness program: **Yes**

Reduction of fatalities and crashes: **No**

Impaired driving program: **No**

Reduction of impaired fatalities and accidents: **No**

Use of fees collected from motorcyclists: **Yes**

### **Motorcycle rider training course**

**Enter the name and organization of the head of the designated State authority over motorcyclist's safety issues.**

State authority agency: Department of Transportation

State authority name/title: Michael B. Carroll Secretary

**Select the introductory rider curricula that has been approved by the designated State authority and adopted by the State.**

Approved curricula: Total Control Training, Inc and Motorcycle Safety Foundation

**CERTIFICATION: The head of the designated State authority over motorcyclist safety issues has approved and the State has adopted the selected introductory rider curricula.**

**Enter a list of the counties or political subdivisions in the State where motorcycle rider training courses will be conducted during the fiscal year of the grant and the number of registered motorcycles in each such county or political subdivision according to official State motor vehicle records, provided the State must offer at least one motorcycle rider training course in counties or political subdivisions that collectively account for a majority of the State's registered motorcycles.**

COUNTY	BODY TYPE	REGISTRATION COUNT	TRAINING COURSE
			TO BE CONDUCTED IN FY 2024
ADAMS	MC	5,221	YES
ALLEGHENY	MC	23,762	YES
ARMSTRONG	MC	3,006	YES
BEAVER	MC	6,178	YES
BEDFORD	MC	2,238	NO
BERKS	MC	14,373	YES
BLAIR	MC	4,812	YES
BRADFORD	MC	2,374	YES
BUCKS	MC	16,365	NO
BUTLER	MC	7,659	YES
CAMBRIA	MC	6,095	YES
CAMERON	MC	282	NO
CARBON	MC	3,144	NO
CENTRE	MC	3,810	YES
CHESTER	MC	13,115	YES
CLARION	MC	1,406	NO
CLEARFIELD	MC	4,030	YES
CLINTON	MC	1,829	NO
COLUMBIA	MC	2,559	YES
CRAWFORD	MC	3,069	NO
CUMBERLAND	MC	7,914	YES
DAUPHIN	MC	7,012	YES
DELAWARE	MC	8,059	NO
ELK	MC	1,801	NO
ERIE	MC	7,423	YES
FAYETTE	MC	4,755	NO
FOREST	MC	373	NO
FRANKLIN	MC	6,241	YES
FULTON	MC	586	NO
GREENE	MC	1,526	NO
HUNTINGDON	MC	1,715	NO
INDIANA	MC	3,387	YES
JEFFERSON	MC	2,026	NO
JUNIATA	MC	923	NO
LACKAWANNA	MC	4,809	YES
LANCASTER	MC	19,149	YES
LAWRENCE	MC	3,529	YES
LEBANON	MC	5,674	YES
LEHIGH	MC	8,743	YES
LUZERNE	MC	8,602	YES
LYCOMING	MC	4,397	YES
MCKEAN	MC	1,614	YES
MERCER	MC	3,849	YES
MIFFLIN	MC	1,708	NO

COUNTY	BODY TYPE	REGISTRATION COUNT	TRAINING COURSE
			TO BE CONDUCTED IN FY 2024
MONROE	MC	5,856	YES
MONTGOMERY	MC	16,075	YES
MONTOUR	MC	658	NO
NORTHAMPTON	MC	9,829	NO
NORTHUMBERLAND	MC	3,561	NO
PERRY	MC	2,408	NO
PHILADELPHIA	MC	10,778	YES
PIKE	MC	2,831	YES
POTTER	MC	721	NO
SCHUYLKILL	MC	5,801	YES
SNYDER	MC	1,521	YES
SOMERSET	MC	3,498	NO
SULLIVAN	MC	310	NO
SUSQUEHANNA	MC	1,594	NO
TIOGA	MC	1,891	YES
UNION	MC	1,395	YES
UNKNOWN	MC	16	NO
VENANGO	MC	2,024	NO
WARREN	MC	1,669	NO
WASHINGTON	MC	8,336	YES
WAYNE	MC	2,350	YES
WESTMORELAND	MC	13,606	YES
WYOMING	MC	1,239	NO
YORK	MC	20,021	YES
		359,130	
		279,798	YES, 78%
		79,332	NO, 22%
		359,130	

## Appendix A to Part 1300—Certifications and Assurances for Highway Safety Grants

*[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:     Pennsylvania    

Fiscal Year: 2024

**By submitting an application for Federal grant funds under 23 U.S.C. Chapter 4 or Section 1906, Public Law 109-59, as amended by Section 25024, Public Law 117-58, 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, [Public Law 109-59](#), as amended by Sec. 25024, [Public Law 117-58](#);
- [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 Subaward 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;
  - Unique entity identifier (generated by **SAM.gov**);
- 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 [and its subrecipients] 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);
- [49 CFR part 21](#) (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
- [28 CFR 50.3](#) (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- *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* (preventing 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);
- [Executive Order 13166](#), *Improving Access to Services for Persons with Limited English Proficiency* (requiring that recipients of Federal financial assistance provide meaningful access for applicants and beneficiaries who have limited English proficiency (LEP));
- [Executive Order 13985](#), *Advancing Racial Equity and Support for Underserved Communities through the Federal Government* (advancing equity across the Federal Government); and
- [Executive Order 13988](#), *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation* (clarifying that sex discrimination includes discrimination on the grounds of gender identity or sexual orientation).

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

## **GENERAL ASSURANCES**

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA.”*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

## SPECIFIC ASSURANCES

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in § 21.23(b) and (e) of [49 CFR part 21](#) will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:  
*“The [name of Recipient], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”*
3. The Recipient will insert the clauses of appendix A and E of this Assurance (also referred to as DOT Order 1050.2A) <sup>[U]</sup> in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in appendix C and appendix D of this DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or

structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the State highway safety agency also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing NHTSA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by NHTSA. You must keep records, reports, and submit the material for review upon request to NHTSA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The State highway safety agency gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Highway Safety Grant Program. This ASSURANCE is binding on the State highway safety agency, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Highway Safety Grant Program. The person(s) signing below is/are authorized to sign this ASSURANCE on behalf of the Recipient.

### **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-awards 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**

**(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.

## **CERTIFICATION ON CONFLICT OF INTEREST**

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

### **GENERAL REQUIREMENTS**

No employee, officer, or agent of a State or its subrecipient who is authorized in an official capacity to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting, or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

1. The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.
  - a. The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
  - b. The code or standards shall establish penalties, sanctions, or other disciplinary actions for violations, as permitted by State or local law or regulations.
2. The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

### **DISCLOSURE REQUIREMENTS**

No State or its subrecipient, including its officers, employees, or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in

organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

1. The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
2. NHTSA will review the disclosure and may require additional relevant information from the recipient. If a conflict of interest is found to exist, NHTSA may (a) terminate the award, or (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict.
3. Conflicts of interest that require disclosure include all past, present, or currently planned organizational, financial, contractual, or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor, and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization.

### **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 annual grant application 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. 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 on behalf 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 on behalf 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.)
4. 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\(b\)\(1\)\(D\)](#))
5. As part of a comprehensive program, the State will support a data-based traffic safety enforcement program that fosters effective community collaboration to increase public safety, and data collection and analysis to ensure transparency, identify disparities in traffic enforcement, and inform traffic enforcement policies, procedures, and activities. ([23 U.S.C. 402\(b\)\(1\)\(E\)](#))
6. 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;
  - 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 triennial Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in 23 U.S.C. 148(a); and
  - Participation in the Fatality Analysis Reporting System (FARS), except for American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, or the United States Virgin Islands
7. 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))
8. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system, except in a work zone or school zone. (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.**

**[Click here to validate form fields and permit signature](#)**

<i>Michael W. Rebert</i>	7/18/23
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Signature Governor's Representative for Highway Safety	Date
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Michael W. Rebert, P.E.

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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, [Public Law 109-59](#), as amended by Section 25024, [Public Law 117-58](#), the State must complete and submit all required information in this appendix, and the Governor's Representative for Highway Safety must sign the Certifications and Assurances.]*

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

Fiscal Year: \_\_\_\_\_

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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 Highway Safety Plan. 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 State's occupant protection program area plan for the upcoming fiscal year is provided in the annual grant application 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 annual grant application at \_\_\_\_\_ (location).
- Projects demonstrating the State's active network of child restraint inspection stations are provided in the annual grant application 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 annual grant application are staffed with at least one current nationally Certified Child Passenger Safety Technician.
- Projects, as provided in the annual grant application 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) and is in effect and will be enforced during the fiscal year of the grant.
  - *Legal citation(s):*
    - 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.  
\_\_\_\_\_
  
- Projects demonstrating the State's seat belt enforcement plan are provided in the annual grant application at \_\_\_\_\_ (location).
  
- The projects demonstrating the State's high risk population countermeasure program are provided in the annual grant application 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: annual grant application or triennial HSP at \_\_\_\_\_ (location);
  - The name and title of the State's designated occupant protection coordinator is \_\_\_\_\_.
  - The list that contains the names, titles, and organizations of the statewide occupant protection task force membership: annual grant application at \_\_\_\_\_ (location).

- The State's NHTSA-facilitated occupant protection program assessment of all elements of its occupant protection program was conducted on \_\_\_\_\_ (date) (within 5 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 State has a functioning traffic records coordinating committee that meets at least 3 times each year.
- The State has designated a TRCC coordinator.
- The State has established a State traffic records strategic plan, updated annually, that has been approved by the TRCC and describes specific quantifiable and measurable improvements anticipated in the State's core safety databases, including crash, citation or adjudication, driver, emergency medical services or injury surveillance system, roadway, and vehicle databases.
- [ Fill in the blank below.]* Written description of the performance measure(s), 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 annual grant application at \_\_\_\_\_ (location).

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

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

**ALL STATES**

- 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 STATES 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:

- Annual grant application at \_\_\_\_\_ (location) describes the authority and basis for operation of the statewide impaired driving task force;
- Annual grant application at \_\_\_\_\_ (location) contains the list of names, titles, and organizations of all task force members;
- Annual grant application 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.

[ For fiscal year 2024 grant applications only.]

- The State will convene a statewide impaired driving task force to develop a statewide impaired driving plan and will submit that plan by August 1 of the grant year.

**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:
  - Annual grant application at \_\_\_\_\_ (location) describes the authority and basis for operation of the statewide impaired driving task force;
  - Annual grant application at \_\_\_\_\_ (location) contains the list of names, titles, and organizations of all task force members;
  - Annual grant application at \_\_\_\_\_ (location) contains the strategic plan based on Highway Safety Guideline No. 8—Impaired Driving;
  - Annual grant application at \_\_\_\_\_ (location) addresses any related recommendations from the assessment of the State's impaired driving program;
  - Annual grant application at \_\_\_\_\_ (location) contains the projects, in detail, for spending grant funds;

- Annual grant application 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 annual grant application at \_\_\_\_\_ (location).

[ For fiscal year 2024 grant applications only.]

- The State's NHTSA-facilitated assessment was conducted on \_\_\_\_\_ (date) (within 3 years of the application due date); OR
- The State will conduct a NHTSA-facilitated assessment during the grant year; AND The State will convene a statewide impaired driving task force to develop a statewide impaired driving plan and will submit that plan by August 1 of the grant year.

**PART 4: ALCOHOL-IGNITION INTERLOCK LAWS ([23 CFR 1300.23\(G\)](#))**

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

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

- The State's alcohol-ignition interlock law, requiring 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 not less than 180 days, 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 alcohol-ignition interlocks for all DUI offenders for not less than 180 days;
    - \_\_\_\_\_
- The State's alcohol-ignition interlock law, requiring an individual convicted of driving under the influence of alcohol or of driving while intoxicated, and who has been ordered to use an alcohol-ignition interlock, and does not permit the individual to receive any driving privilege or driver's license unless the individual installs on each motor vehicle registered, owned, or leased by the individual an alcohol-ignition interlock for a period of not less than 180 days, 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 installation of alcohol ignition-interlocks for DUI offenders for not less than 180 days;

- 
- Identify all alcohol-ignition interlock use exceptions.
- 

- The State's alcohol-ignition interlock law, requiring an individual convicted of, or the driving privilege of whom is revoked or denied, for refusing to submit to a chemical or other appropriate test for the purpose of determining the presence or concentration of any intoxicating substance, and who has been ordered to use an alcohol-ignition interlock, requires the individual to install on each motor vehicle to be operated by the individual an alcohol-ignition interlock for a period of not less than 180 days, was enacted on \_\_\_\_\_ (date) and last amended on \_\_\_\_\_ (date), is in effect, and will be enforced during the fiscal year of the grant; and

The State's compliance-based removal program, requiring an individual convicted of driving under the influence of alcohol or of driving while intoxicated, and who has been ordered to use an alcohol-ignition interlock, requires the individual to install on each motor vehicle to be operated by the individual an alcohol-ignition interlock for a period of not less than 180 days, was enacted (if a law) or implemented (if a program) on \_\_\_\_\_ (date) and last amended on \_\_\_\_\_ (date), is in effect, and will be enforced during the fiscal year of the grant; and

State's compliance-based removal program, requiring completion of a minimum consecutive period of not less than 40 percent of the required period of alcohol-ignition interlock installation immediately prior to the end of the individual's installation requirement, without a confirmed violation of the State's alcohol-ignition interlock program use requirements, was enacted (if a law) or implemented (if a program) 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 installation of alcohol-ignition interlocks for refusal to submit to a test for 180 days;

- 
- Requirement for installation of alcohol ignition-interlocks for DUI offenders for not less than 180 days;

- 
- Requirement for completion of minimum consecutive period of not less than 40 percent of the required period of alcohol-interlock use;
-

- Identify list of alcohol-ignition interlock program use violations;
- 
- Identify all alcohol-ignition interlock use exceptions.
- 

**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 annual grant application at \_\_\_\_\_ (location).
- 

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

*[Check the box above only if applying for this grant and check the box(es) below for each grant for which you wish to apply.]*

- 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.*, the State's most

recent crash report with distracted driving data element(s)) within 30 days after notification of award.

**DISTRACTED DRIVING AWARENESS GRANT**

- The State provides sample distracted driving questions from the State's driver's license examination in the annual grant application at \_\_\_\_\_ (location).

**DISTRACTED DRIVING LAW GRANTS**

- Prohibition on Texting While Driving**  
State's texting ban statute, prohibiting texting while driving and requiring a fine, was enacted on \_\_\_\_\_ (date) and last amended on \_\_\_\_\_ (date), is in effect, and will be enforced during the fiscal year of the grant.

- o *Legal citations:*

- Prohibition on texting while driving;  
\_\_\_\_\_
    - Definition of covered wireless communication devices;  
\_\_\_\_\_
    - Fine for an offense;  
\_\_\_\_\_
    - Exemptions from texting ban.  
\_\_\_\_\_

- Prohibition on Handheld Phone Use While Driving**  
The State's handheld phone use ban statute, prohibiting a driver from holding a personal wireless communications device while driving and requiring a fine for violation of the law, was enacted on \_\_\_\_\_ (date) and last amended on \_\_\_\_\_ (date), is in effect, and will be enforced during the fiscal year of the grant.

- o *Legal citations:*

- Prohibition on handheld phone use;  
\_\_\_\_\_
    - Definition of covered wireless communication devices;  
\_\_\_\_\_
    - Fine for an offense;  
\_\_\_\_\_
    - Exemptions from handheld phone use 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, and requiring a fine, 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;  
\_\_\_\_\_
  - Fine for an offense;  
\_\_\_\_\_
  - Exemptions from youth cell phone use ban  
\_\_\_\_\_
- Prohibition on Viewing Devices While Driving**  
The State's viewing devices ban statute, prohibiting drivers from viewing a device while driving, 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 viewing devices while driving;  
\_\_\_\_\_
    - Definition of covered wireless communication devices;  
\_\_\_\_\_

**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 Rider 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 annual grant application 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 annual grant application 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 annual grant application at \_\_\_\_\_ (location), the projects 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.

□ **Helmet Law**

- The State's motorcycle helmet law, requiring the use of a helmet for each motorcycle rider under the age of 18, 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):*  
\_\_\_\_\_

□ **Reduction of Fatalities and Crashes Involving Motorcycles**

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

□ **Impaired Motorcycle Driving Program**

- In the annual grant application or triennial HSP at \_\_\_\_\_ (location), performance measures and corresponding performance targets developed to reduce impaired motorcycle operation.
- In the annual grant application at \_\_\_\_\_ (location), countermeasure strategies and projects 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 Crashes Involving Impaired Motorcyclists**

- Data showing the total number of reported crashes involving alcohol-impaired and drug-impaired motorcycle operators are provided in the annual grant application at \_\_\_\_\_ (location).
- Description of the State's methods for collecting and analyzing data is provided in the annual grant application 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.  
*Legal citation(s):*  
\_\_\_\_\_.

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 annual grant application at \_\_\_\_\_ (location).

**PART 8: NONMOTORIZED SAFETY GRANTS (23 CFR 1300.26)**

*[Check the box above only if applying for this grant and only if NHTSA has identified the State as eligible because the State annual combined nonmotorized road user fatalities exceed 15 percent of the State's total annual crash fatalities based on the most recent calendar year final FARS data, then fill in the blank below.]*

The list of project(s) and subrecipient(s) information that the State plans to conduct under this program is provided in the annual grant application at \_\_\_\_\_ (location(s)).

**PART 9: PREVENTING ROADSIDE DEATHS GRANTS (23 CFR 1300.27)**

*[Check the box above only if applying for this grant, then fill in the blank below.]*

The State's plan describing the method by which the State will use grant funds is provided in the annual grant application at \_\_\_\_\_ (location(s)).

**PART 10: DRIVER AND OFFICER SAFETY EDUCATION GRANTS (23 CFR 1300.28)**

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

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

**Driver Education and Driving Safety Courses**

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

Applying as a law State—

- The State law requiring that driver education and driver safety courses include instruction and testing related to law enforcement practices during traffic stops 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):*  
\_\_\_\_\_.

Applying as a documentation State—

- The State has developed and is implementing a driver education and driving safety course throughout the State that require driver education and driver safety courses to include instruction and testing related to law enforcement practices during traffic stops.
- Curriculum or course materials, and citations to grant required topics within, are provided in the annual grant application at \_\_\_\_\_ (location).

**Peace Officer Training Programs**

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

Applying as a law State—

- The State law requiring that the State has developed and implemented a training program for peace officers and reserve law enforcement officers with respect to proper interaction with civilians during traffic stops 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):*

- Applying as a documentation State—

- The State has developed and is implementing a training program for peace officers and reserve law enforcement officers with respect to proper interaction with civilians during traffic stops.
- Curriculum or course materials, and citations to grant required topics within, are provided in the annual grant application at

\_\_\_\_\_ (location).

- Applying as a qualifying State—

- A proposed bill or planning or strategy documents that identify meaningful actions that the State has taken and plans to take to develop and implement a qualifying law or program is provided in the annual grant application at

\_\_\_\_\_ (location).

- A timetable for implementation of a qualifying law or program within 5 years of initial application for a grant under this section is provided in the annual grant application at

\_\_\_\_\_ (location).

## **PART 11: RACIAL PROFILING DATA COLLECTION GRANTS ([23 CFR 1300.29](#))**

*[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.]*

- 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 are provided in the annual grant application at \_\_\_\_\_ (location).
- The projects that the State will undertake 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 are provided in the annual grant application at \_\_\_\_\_ (location).

*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.

*Michael Rebert, P.E.*

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

\_\_\_\_\_  
Date

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