

UNITED STATES VIRGIN ISLANDS
HIGHWAY SAFETY PLAN **FY'2010**

Table of Contents

Mission Statement 2

Executive Summary. 4

Performance Plan 5

Goal Setting Process 6

Summary of Goals 13

Data Summary. 14

The Highway Safety Plan Planning Process. 27

Highway Safety Plan. 28

Alcohol Program..... 36

Occupant Protection Program. 30

Pedestrian/Bicycle Safety..... 32

Police Traffic Services 33

Traffic Records 34

Motor Cycle Safety..... 35

Speed Enforcement..... 36

Planning and Administration..... 37

State Certification and Assurances 38

Virgin Islands Cost Summary. 45

Appendix A

Mission Statement

The Office of Highway Safety is committed to developing and implementing a comprehensive strategy aimed at reducing traffic crashes, injuries, and saving lives on our roads and highways.

Executive Summary

The Virgin Islands Police Department (VIPD) and the Virgin Islands Office of Highway Safety (VIOHS) is pleased to present this FY 2010 Highway safety Plan on behalf of the people of the United States Virgin Islands and their visitors. Every year the Virgin Islands Office of Highway Safety develops a comprehensive Highway Safety Plan (HSP) that reflects the goals to reduce traffic crashes, injuries and fatalities on our roadways. Over the years, the success of HSP was as a result of strong partners such as elected officials, other governmental agencies, private sector partners, nonprofit organizations and dedicated citizens in the Virgin Islands; who assisted in program planning and implementation. While the past success have been significant, our goal still remains “to reduce traffic crashes, and injuries and to save lives” through a more effective administration of traffic safety programs.

Over the past three (3) years traffic crashes have steadily declined in the territory. In FFY 2008 the number of crashes was reduced by 9.5% over the FFY 2007 figure of 6,724. During the first ten months of FFY 2009 traffic crashes were significantly reduced by 34% over the FFY 2008 figure of 6083. It is anticipated that by the end of the fiscal year, even with additional crashes occurring, the percent decrease in the crash totals will still be significant. During federal fiscal (FFY) year 2008, sixteen (16) persons died on our roadway and one thousand and thirty one (1031) persons were injured in crashes. In FY 2009 to date, there are ten (10) fatalities and seven hundred and two (731) injuries as a result of traffic crashes. Motorcycle fatalities remained at three (3) from 2007 to 2008; pedestrian fatalities decreased from 3 in FFY 2008 to zero(0) to date, after a sharp increase from one (1) in FFY 2007 to three (3) in FFY 2008; while bicycle fatalities remained at zero (0). In calendar year 2007 the seatbelt usage rate was 83.4% and increased slightly in 2008 to 83.8%. It is anticipated that upon the completion of the seatbelt usage rate survey in 2009 that there will be a significant increase in the usage rate in the territory. The sharp decrease in crashes, fatalities and injuries are as a result of the hard work and dedication of the Virgin Islands traffic Safety partners, especially the law enforcement community.

This plan also defines how the Virgin Islands will utilize federal 402 highway safety funds and includes an explanation of our total traffic safety efforts. The programs and activities in this plan outlines and activate the efforts designed to meet our goal, by expanding on many of the activities and efforts conducted in FFY 2009.

Virgin Islands Office of Highway Safety

In accordance with the Highway Safety ACT OF 1966, THE Virgin Islands established what is known as the Virgin Islands Office of Highway Safety (VIOHS) to assist in the reduction of crashes throughout the territory. VIOHS is a division within the Virgin Islands Police Department, and serves as the territory’s designated State Highway Safety Office (SHSO). The Police Commissioner serves as the Governor’s Highway Safety Representative (GR) and the Administrator of the VIOHS serves as the Virgin Islands Highway Safety Coordinator. The Virgin Islands highway safety program is facilitated by the VIOHS staff and supported by the National Highway Traffic Safety Administration formula and incentive funds as well as local funds.

The primary functions of the VIOHS include:

- **Administration:** Includes the management of federal highway safety funds (402,405,406, and 408), local funds (non-matching); distribution of these funds to sub-grantee agencies and preparation of the annual Highway Safety Plan, and annual Highway Safety Plan Evaluation.
- **Problem Identification:** Includes identification of actual and potential traffic hazards and the development of effective countermeasures.
- **Monitoring and Evaluation:** Includes monitoring initiatives that impact highway safety and evaluating the effectiveness of approved highway safety projects.

Executive Summary

- **Public Information and Education:** Includes development and coordination of media events and public awareness activities with emphasis on identified priority areas.

The VIOHS staff coordinates, monitors and report on program activities. The staff is divided among four main priority areas- traffic records, occupant protection, alcohol and motor carrier safety which are supported by FMCSA. Other program areas are assigned to the staff by the Administrator. A full listing of the VIOHS staff and their areas of responsibilities is provided in Appendix A.

PERFORMANCE PLAN

Problem Identification Process and Data Sources

In order to determine the traffic fatality and injury trends, as well as an overall analysis of traffic safety in the Virgin Islands, the crash data from the preceding years are collected and analyzed. VIOHS utilizes the Virgin Islands Police Department Traffic Crash Database (Reportbeam), data from the Superior Court of the Virgin Islands as well as data from the Department of Health EMS database (EMS Charts) and data from the Department of Justice Office of the Attorney general. All of these systems compile data submitted to their respective agencies from Reportbeam and is available for analysis at any given point in time. The different databases are also used to cross reference the information to ensure that the results are accurate.

Data from Reportbeam can generate over 100 different kinds of report to include the number of traffic crashes investigated, number of fatalities and fatality rate, number injured, number and type of vehicles involved, sex and age of drivers and passengers and contributing factors of the crashes. Analysis of this data allows law enforcement and other safety partners to focus on enforcement and educational efforts on specific areas concern. VIOHS continues to work with the University of the Virgin Islands to conduct the annual seatbelt usage survey, as well as the Department of Health Emergency Medical Services, to improve the problem identification process.

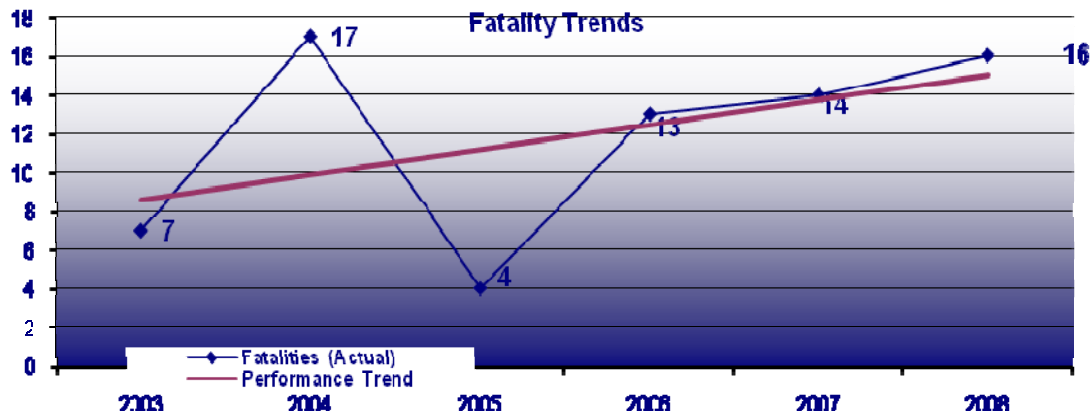
VIOHS is striving to further improve the problem identification process by utilizing other supplemental data such as number of registered vehicles, number of licensed drivers, population, and observation seatbelt use rates. Data available on the internet will be used on a continuous basis to also improve the process; data that are available will be taken for the census bureau, US Department of Health Center for Disease Control and Prevention and their Epidemiology studies.

The Goal Setting Process

Performance Goals and Trends

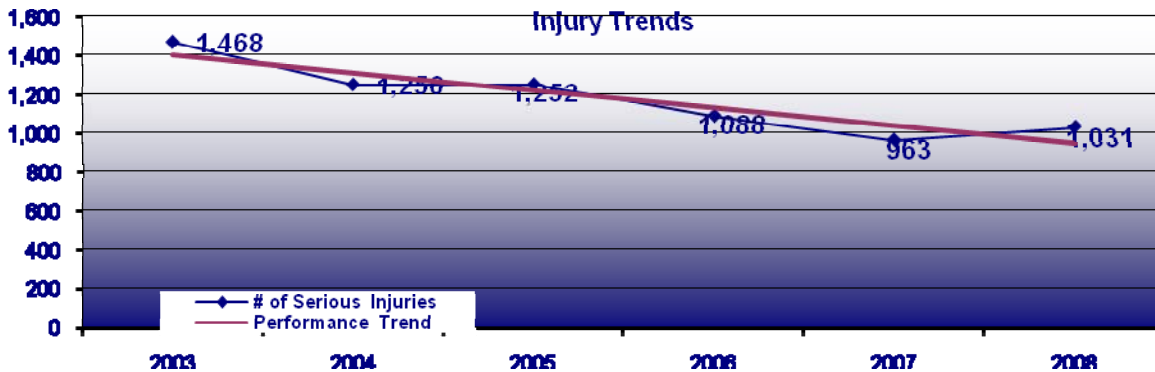
Goal: Fatalities

To decrease traffic fatalities by 12% from the 2006-2008 calendar base year average of 9 to 8 by December 31, 2010.



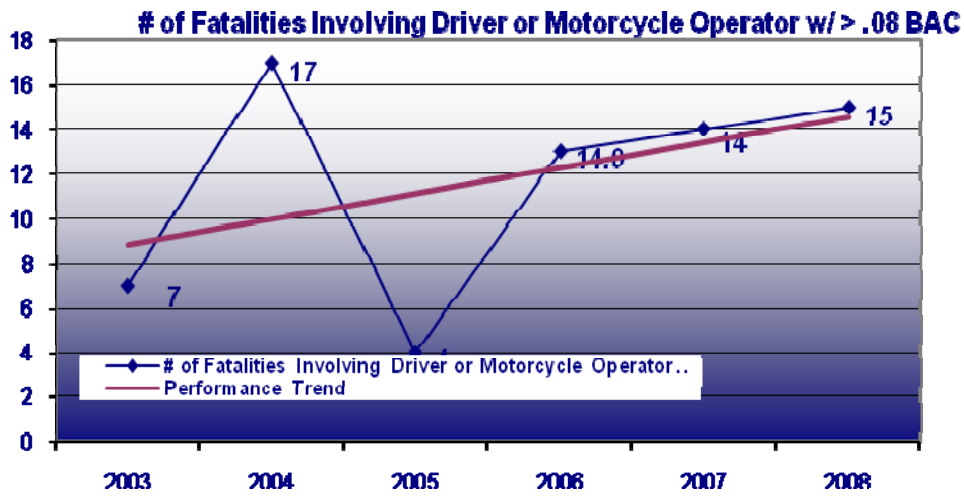
Goal: Injuries

To decrease injuries by 10% from the 2006-2008 calendar base year average of 1027 to 924 by December 31, 2010.



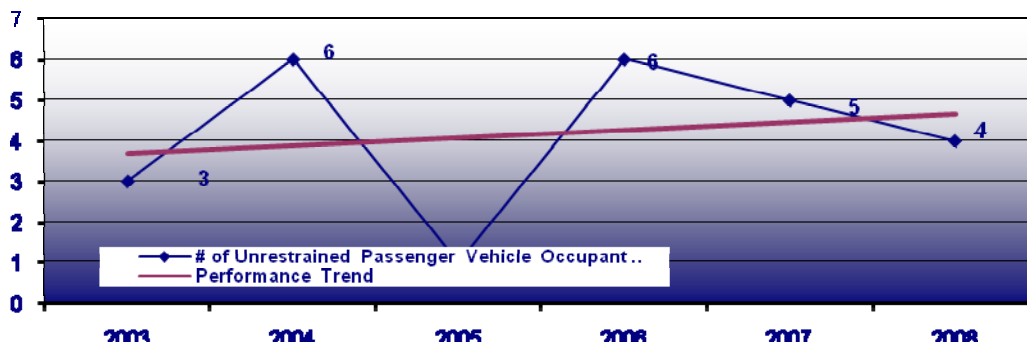
Goal: Fatalities Impaired Driving

To decrease alcohol impaired fatalities by 12% from the 2006-2008 base year average of 9 to 8 by December 2010.



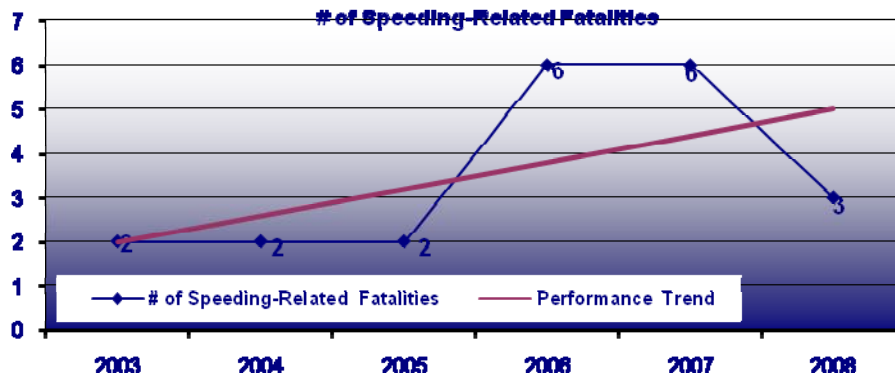
Goal: Unrestrained Fatalities

To decrease the number of unrestrained fatalities by 20% from the 2006-2008 calendar base year average of 15 to 4 by December 31, 2010.



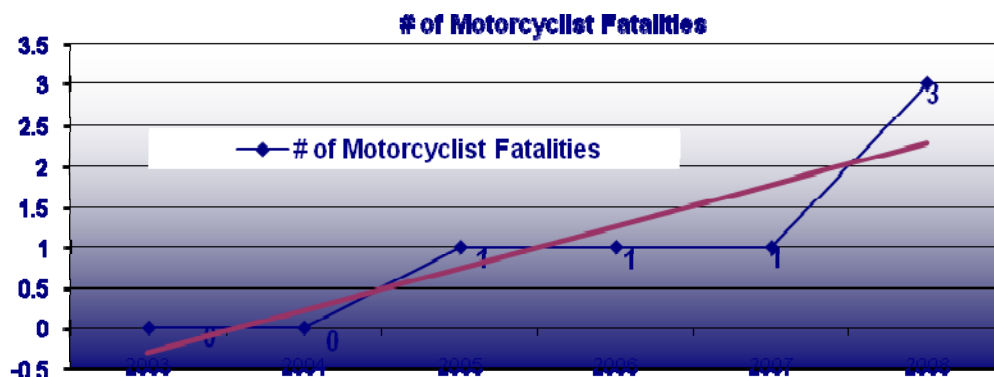
Goal: Speeding-Related Fatalities

To decrease the number of speed related fatalities by 20% from the 2006-2008 calendar base year average of 15 to 4 by December 31, 2010.



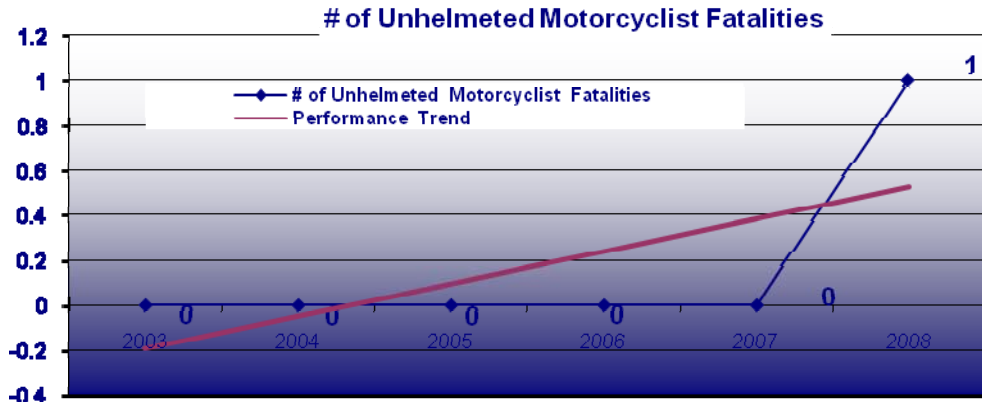
Goal: Motorcyclist Fatalities

To decrease Motorcycle Fatalities to 0% from the 2006-2008 calendar base year average of 2 to 0, by December 31, 2010.



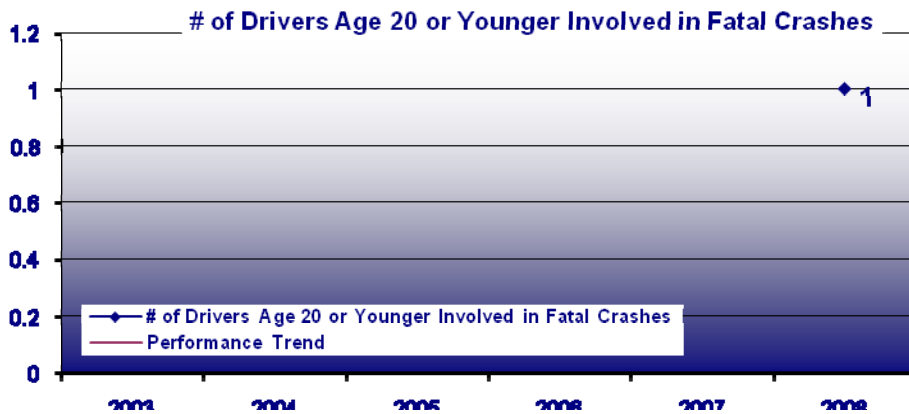
Goal: Unhelmeted Motorcyclists

To decrease the number of unhelmeted Motorcyclists Fatalities to 0, from the baseline calendar year 2006-2008 average of 1, December 2010.



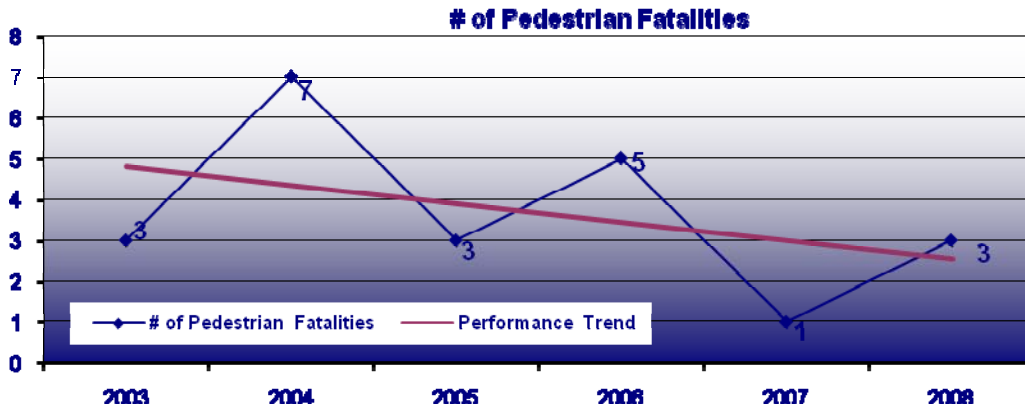
Goal: Drivers 20 or Under

To decrease the number of drivers age 20 and under that involved in Fatalities to 0, from the baseline calendar year 2006-2008 average of 1, December 2010.



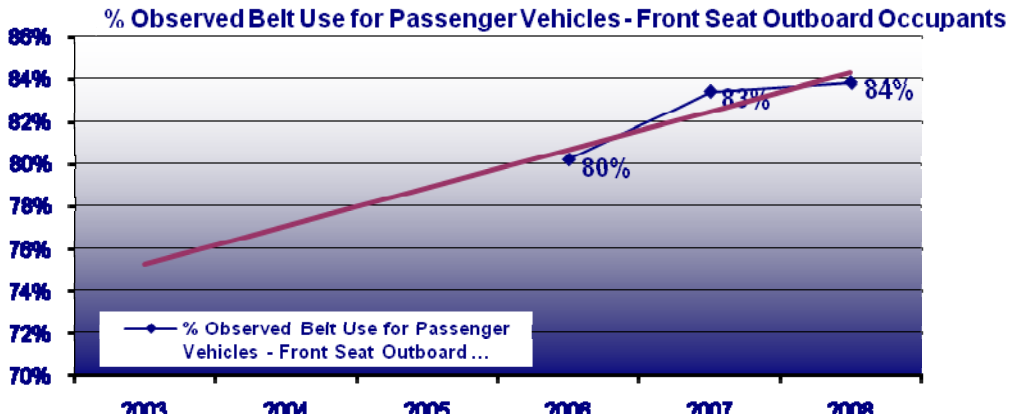
Goal: Pedestrian Fatalities

To decrease the pedestrian to 0 from the 2006-2008 calendar base year average of 3.



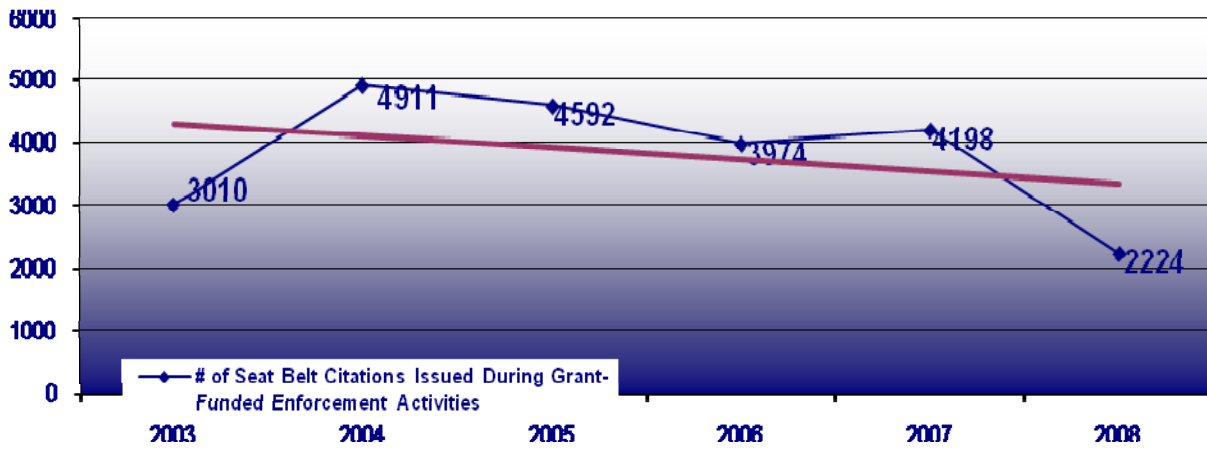
Goal: Observed Belt Use

To increase the observed seatbelt usage rate of front seat occupants from 84% in 2008 to 88% in 2010



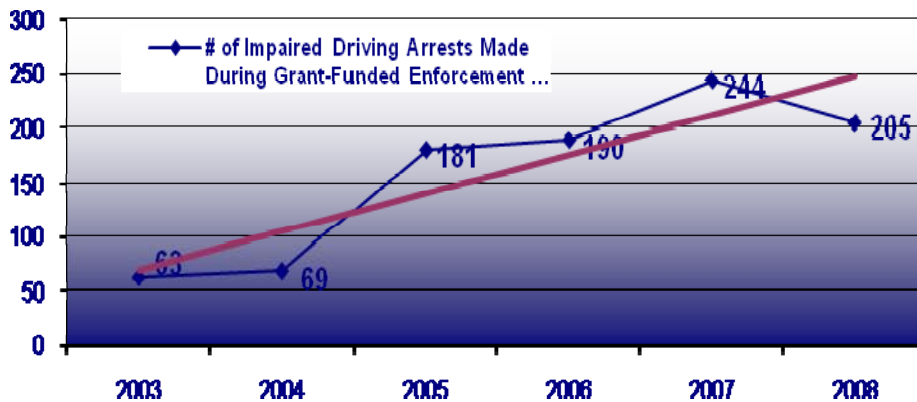
Goal: Seat Belt Citations

To decrease the number of seatbelt citations issued during grant funded enforcement activities by 10%, from the 2006-2008 calendar base year average of 3465 to 3118 by December 31, 2010.



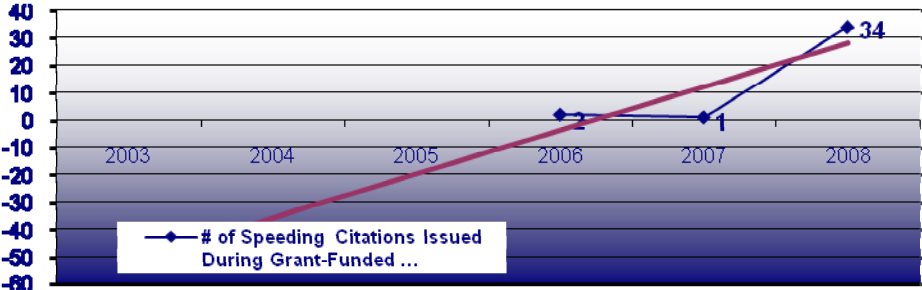
Goal: Impaired Driving Arrests

To increase the number of impaired driving arrests during grant funded enforcement activities by 20%, from the 2006-2008 calendar base year average of 213 to 255 by December 31, 2010.



Goal: Speeding Citations

To increase the number of speeding citations issued during grant funded enforcement activities by 300 from the 2006-2008 calendar base year amount of 37 to 337 by December 31, 2010.



Summary of Goals

For the FY 2010 funding period, the National Highway Traffic safety Administration (NHTSA) and the Governor's Highway Safety Association (GHSA) have agreed on a minimum set of performance measures to be used by states and territories in the development and implementation of behavioral highway safety plans and programs. The minimum set of measures (14) covers the major areas common to the state highway safety plans and use existing data systems. The Virgin Islands (VI) have set goals for these measures using existing local data along with data from the Fatality Analysis Reporting System (FARS). Occupant protection and impaired driving prevention continues to be the lead priority program area for the VI safety program in FY 2010. The third priority area is traffic records data improvement, as the Virgin strive to ensure that traffic records data are available captured real-time, and are accurate and accessible to traffic safety partners. Proper analysis of real-time data will allow the data users to make programmatic decisions such as the application of the appropriate countermeasures, to achieve the desired results. The following listing represents the VI's top priority traffic safety areas during FY 2010, funding these program areas would allow the VI to target those areas most at risk so that we can address the critical safety issues in the territory, and the Planning and Administration of the safety programs

- 1 Police Traffic Services
- 2 Occupant Protection
- 3 Impaired Driving
- 4 Pedestrian/Bicycle Safety
- 5 Data Program
- 6 Motorcycle safety
- 7 Planning and Administration
- 8 Aggressive Driving

An overall goal has been established for the VI's highway safety program for FY 2010 and several objectives have also been identified as being critical to the program's success.

To significantly reduce motor-vehicle related crashes, thereby reducing the fatalities, injuries, and resulting property damage.

- To decrease the total number of crashes from the 2006-2008 calendar base year average of 6309 to 5678 by December 31, 2010.
- To decrease traffic fatalities from the 2006-2008 calendar base year average of 9 to 8 by December 31, 2010.
- To decrease the total number of injuries from the 2006-2008 calendar base year average of 1027 to 924 by December 31, 2010.

Data Summary

In 2008, 16 people were killed in the 6083 police-reported traffic crashes in the VI, while 1031 people were injured. In total 10 drivers (seven (7) vehicle drivers and three (3) motorcycle operators), three (3) pedestrians and three (3) passengers were killed on the VI roads. On average, 17 police-reported traffic crashes occurred every day; and on average 3 people were injured each day. In 2009 to date, 10 people were killed in the 4038 police-reported traffic crashes in the VI, while 731 people were injured. In total eight drivers (five (5) vehicle drivers and three (3) motorcycle operators), zero (0) pedestrians and two (2) passengers were killed on the VI roads. On average, 11 police-reported traffic crashes occurred every day; and on average 2 people were injured each day. There were slight fluctuations from year to year (beginning with 2003) in total crashes fatalities and injuries. However, overall the crashes, injuries and fatalities are on a downward trend.

Table 1

VIRGIN ISLANDS FISCAL YEAR CRASHES, INJURIES, FATALITIES, CAR SEAT & SEATBELT CITATIONS, AND IMPAIRED DRIVING ARRESTS

YEAR	2003	2004	2005	2006	2007	2008	2009*
TOTAL CRASHES	5640	6399	6266	6119	6724	6,083	4038
TOTAL INJURIES	1468	1250	1252	1088	963	1,031	731
TOTAL FATALITIES	7	17	4	13	14	16	10
TOTAL FATAL CRASHES	7	9	4	6	11	15	10
PEDESTRIAN FATALITIES	3	7	3	5	1	3	0
BICYCLE FATALITIES	1	1	0	0	0	0	0
MOTORCYCLE FATALITIES	0	0	1	1	1	3	3
CAR SEAT & SEATBELT CITATION	3010	4911	4592	3974	4198	2224	1432
IMPAIRED DRIVING ARRESTS	63	69	181	190	244	205	81
SEATBELT USAGE RATE**	n/a	n/a	n/a	80.2	83.4	83.8	-

***First 10 months of fiscal year 2009**

Sources: 2003 -2009 crashes and injuries amount were obtained from the accident crash report and uniform crash report databases. Additionally, the 2008 total crashes for St. Thomas/St. John were obtained from data received from the Traffic Bureaus. The Fatality data was obtained from the VI Police Department’s Reportbeam database and NHTSA FARS data.

**** The first seatbelt survey was conducted in 2006.**

Table 2

**CONTRIBUTING FACTORS IN CRASHES
VIRGIN ISLANDS**

	2004	2005	2006	2007	2008	
FOLLOWING TOO CLOSELY	488	363	525	428	637	
DID NOT GRANT RIGHT OF WAY TO VEHICLE	623	470	592	396	681	
IMPROPER REVERSE	444	306	427	326	562	
IMPROPER PASSING/OVERTAKING	124	89	143	79	115	
IMPROPER TURNING	190	138	142	77	81	
EXCEEDING REASONABLE SAFE SPEED	123	77	130	52	60	

Sources: Data was obtained from the accident crash report and uniform crash report databases.

Graph1

CONTRIBUTING FACTORS IN CRASHES VIRGIN ISLANDS

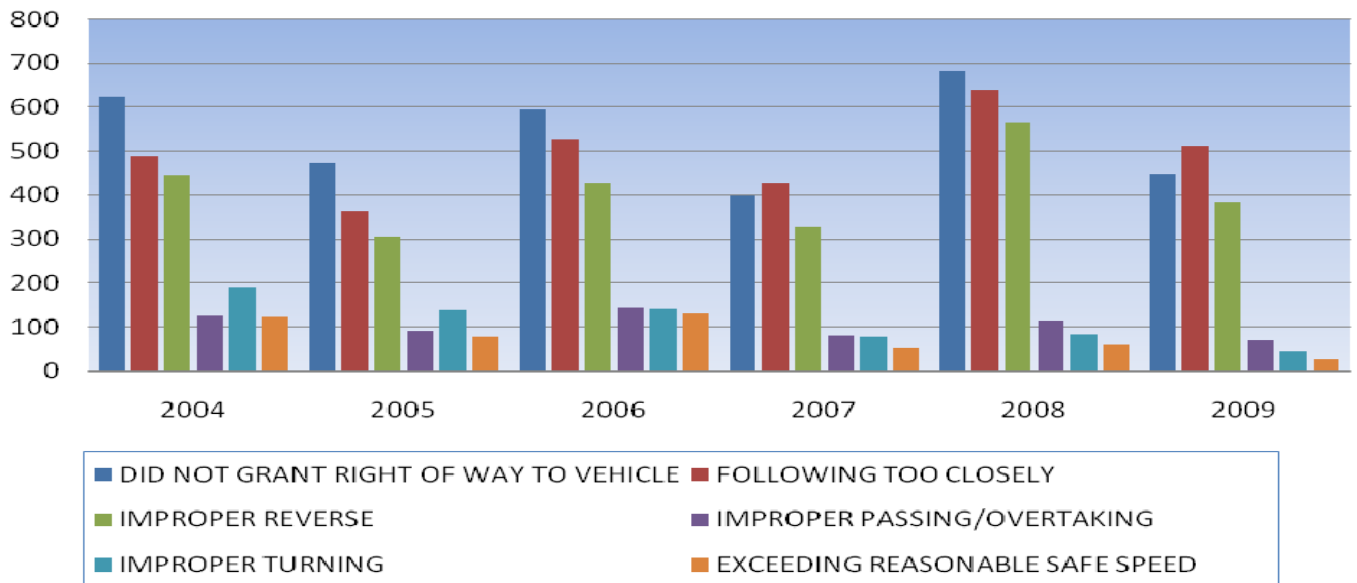
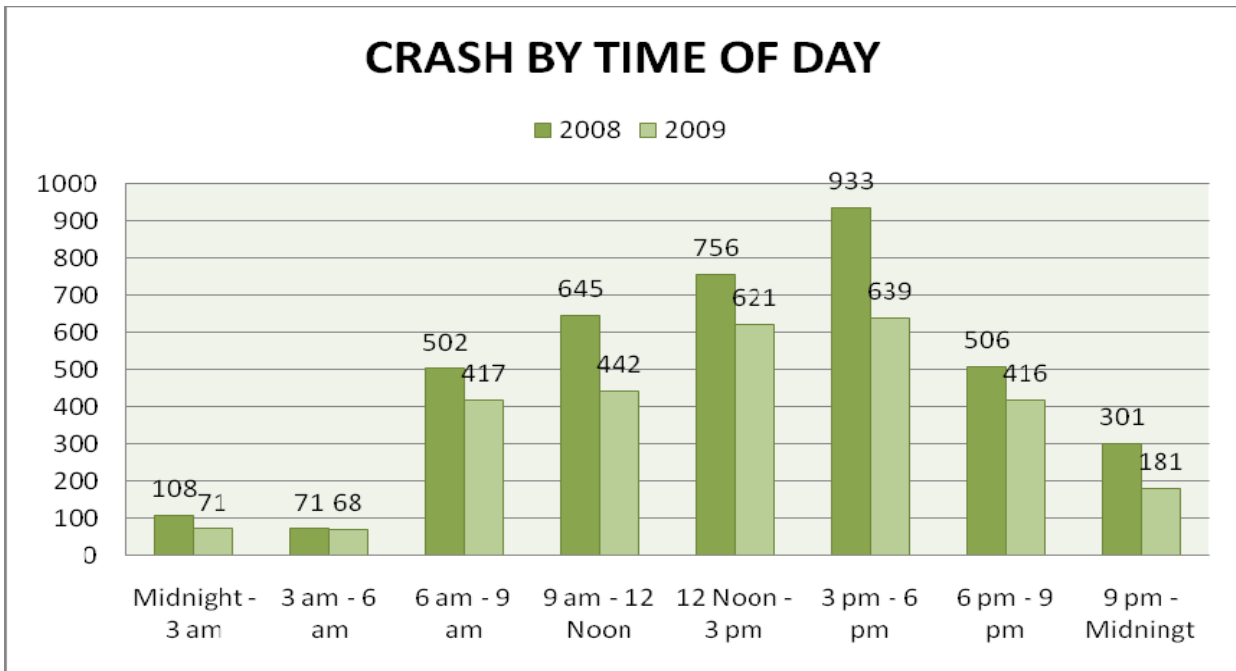


Table 2 and Graph 1 illustrates the six(6) contributing factors in crashes for Virgin Islands. The number one contributing factors in crashes for 2004- 2008 was not granting the right of way to vehicles followed by following too closely. Enforcement and educational efforts will be focused on these factors.

VARIABLE DATA

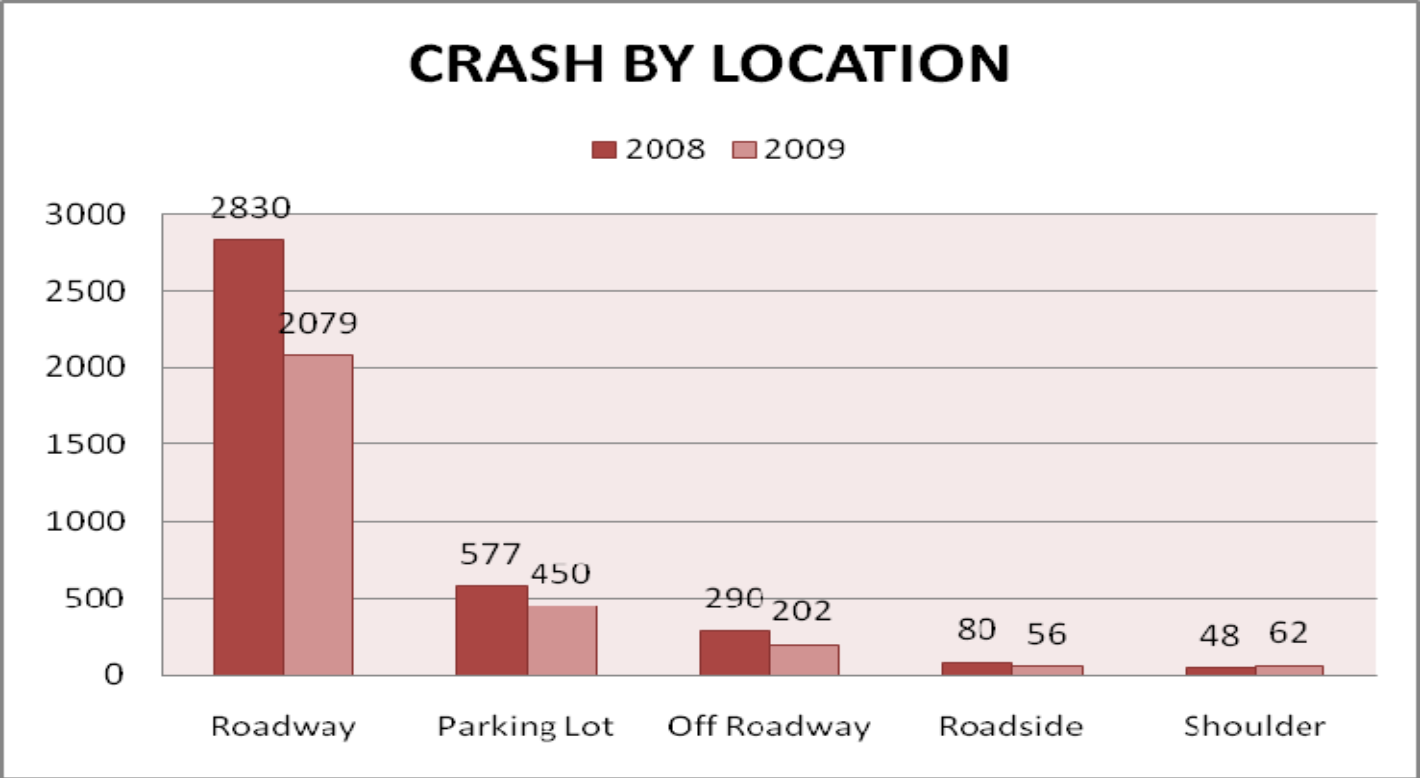
The data below shows where overrepresentation occurs in the various categories listed on crash reports for all of the VI crashes in 2008 and 2009. In FY 2010 the VI will use this data to target educational efforts by age and gender, while focusing enforcement efforts on location, month, day of week, and time of day.

Graph 11



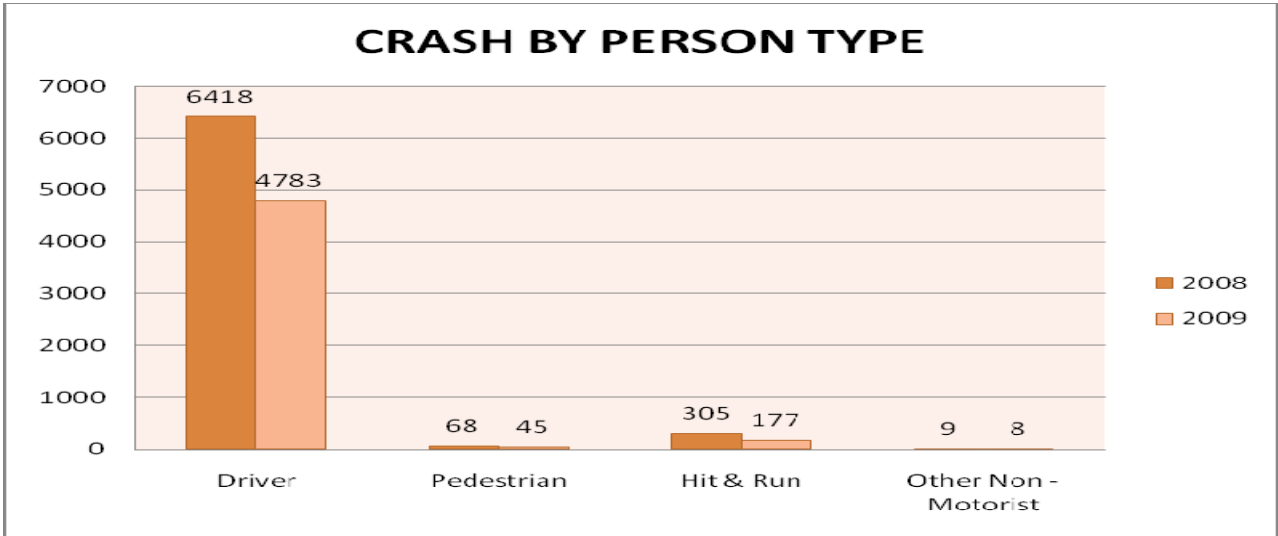
Graph 11 depicts the time of day of crashes for the Virgin Islands in 2008 & 2009. Majority of the crashes occurred between 12 Noon to 6 PM. The least amount of crashes occurred between midnight and 6 AM.

Graph 12



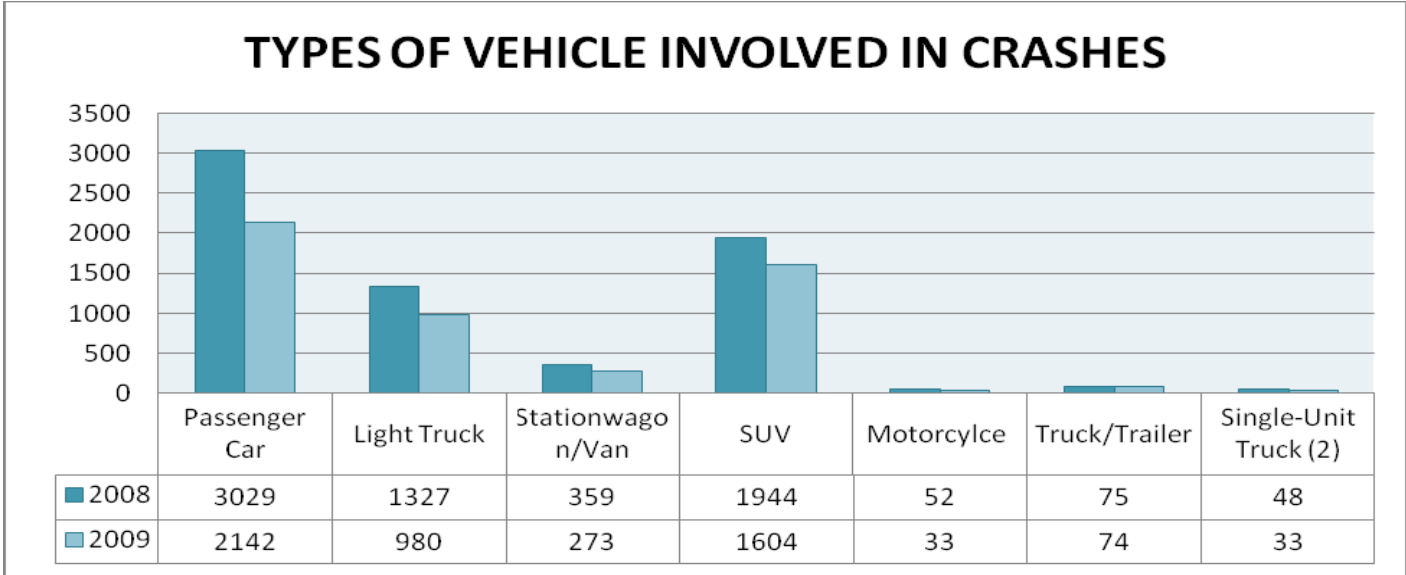
Graph 12 depicts the crash locations for the Virgin Islands in 2008 & 2009. Majority of the crashes occurred on the roadway, followed by parking lot and off roadway.

Graph 13



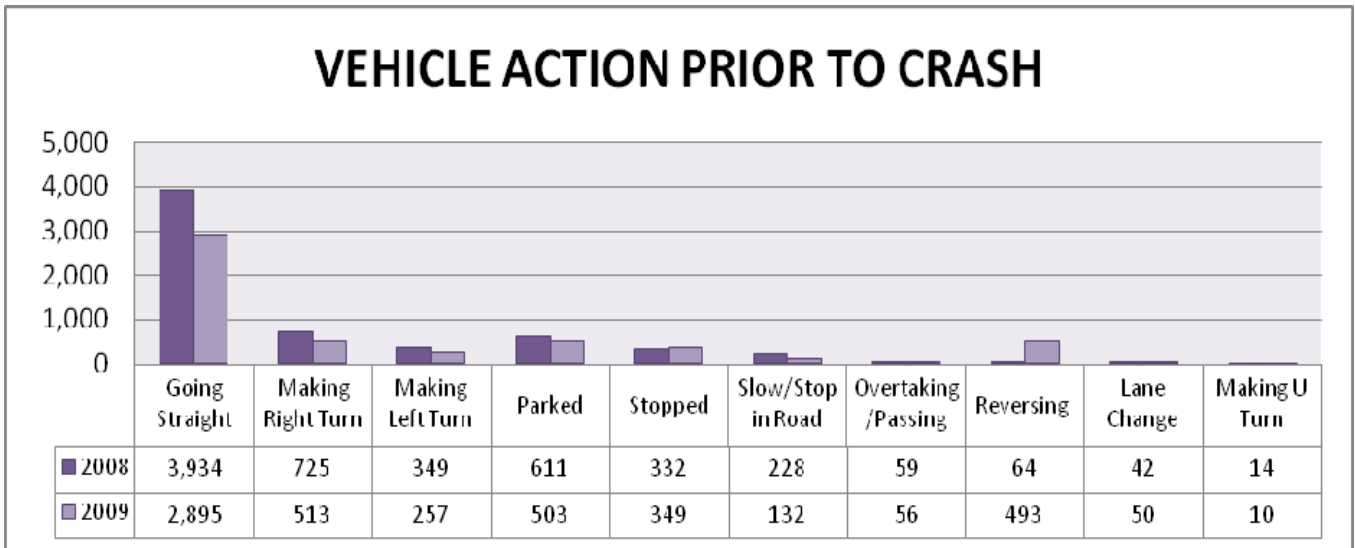
Graph 13 depicts the type of people involved in crashes for the Virgin Islands in 2008 & 2009. In 2009, 4783 were drivers; 45 involved pedestrians; 8 were non-motorist (skater, bicyclist, or law enforcement officer); and 177 were hit and runs.

Graph 14



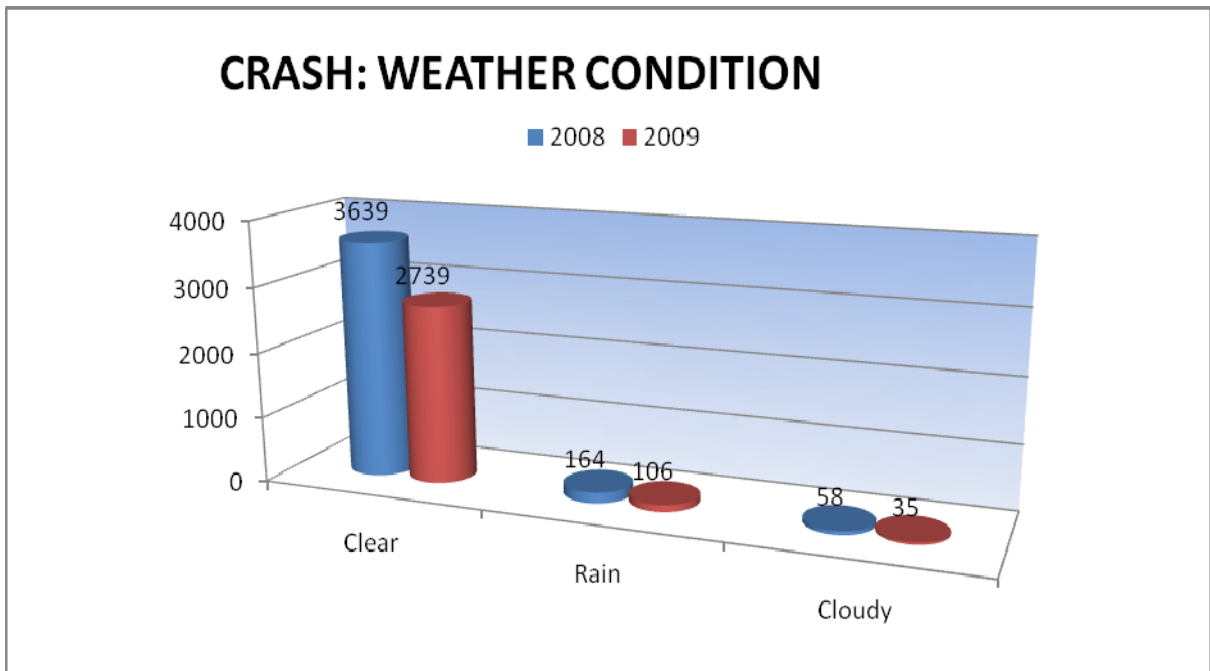
Graph 14 depicts the types of vehicle involved in crashes for thhe Virgin Islands in 2008. The top 3 vehicles involved in crashes are: passenger cars, SUVs, and light trucks.

Graph 15



Graph 15 depicts the vehicle action prior to the crash for the Virgin Islands in 2008 and 2009 . The top 5 vehicle action prior for 2008 were going straight, making right turn, parked, making left turn, and stopped and for 2009 were going straight, reversing, making right turn, parked, and stopped.

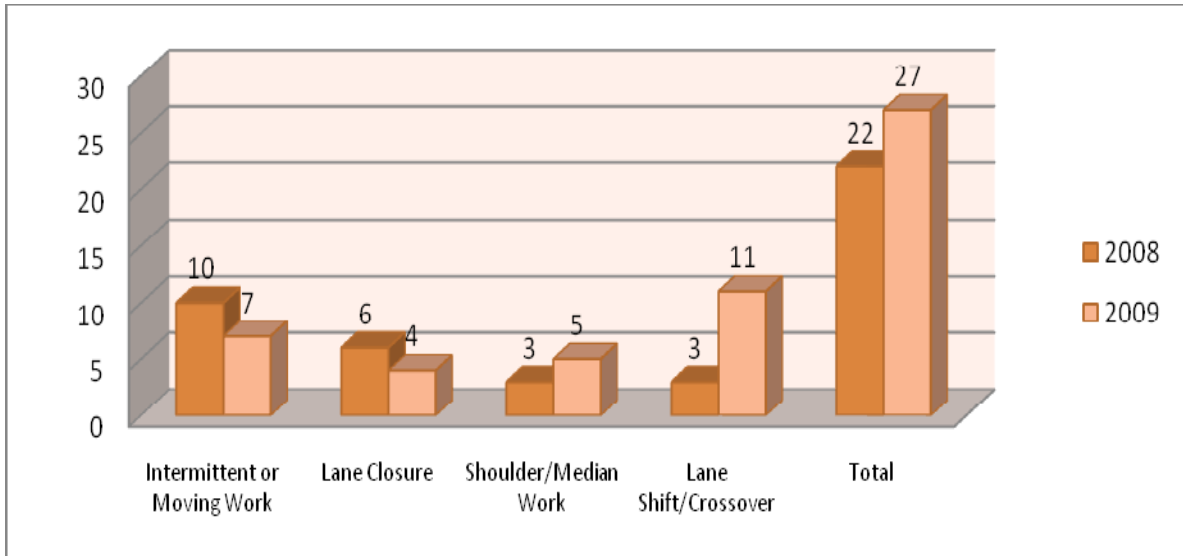
Graph 16



Graph 16 shows the weather condition during a crash for the Virgin Islands in 2008.

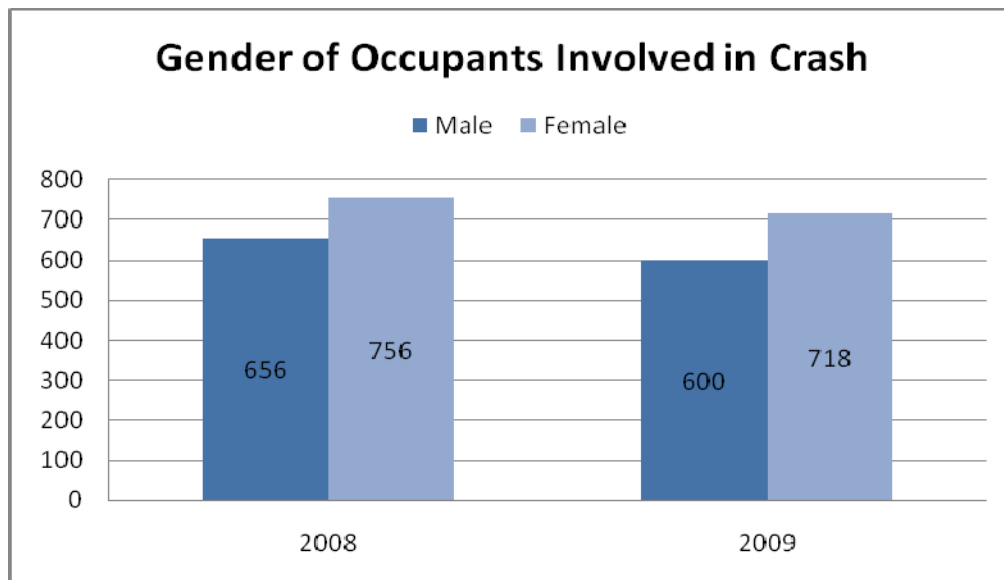
Graph 17

CRASH WORKZONE RELATIONSHIP



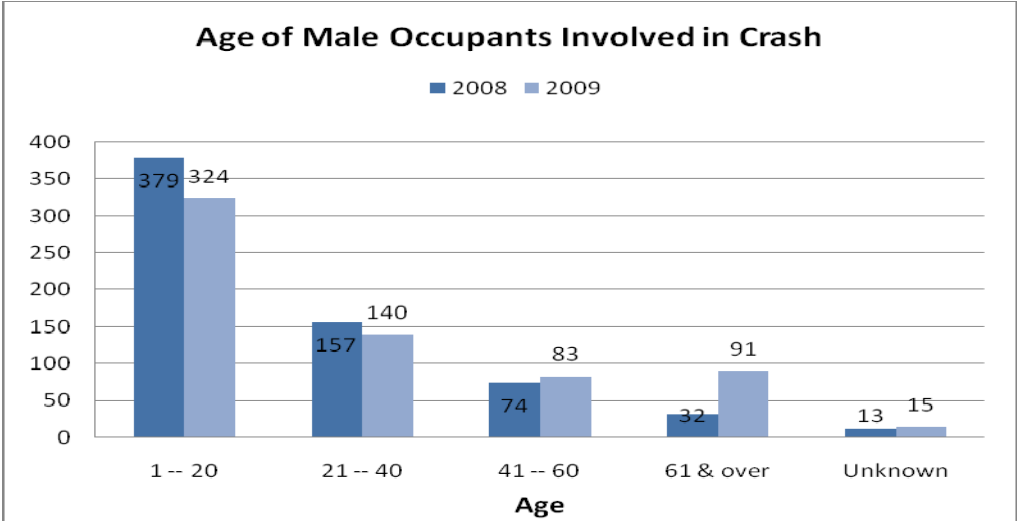
Graph 17 shows the crash workzone relationship the Virgin Islands in 2008 & 2009; The number of crashes that were workzone related has increased in 2009 and majority of these crashes were lane shift /crossovers.

Graph 18

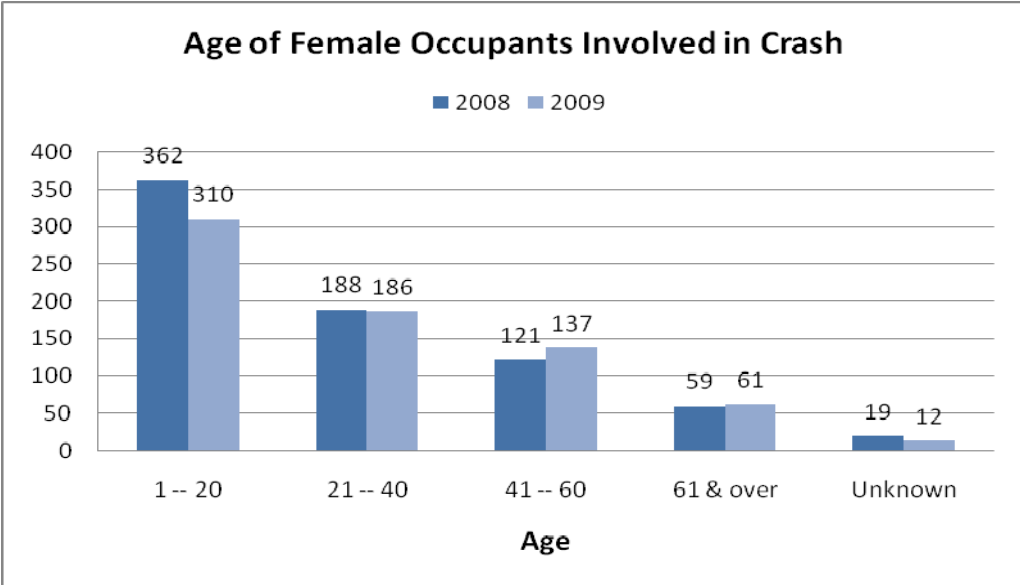


For the past two years female drivers represented the highest numbers of drivers involved in crashes in the territory. Specific initiatives will be conducted under the Police Traffic Services section of the plan to address this section of the driving population.

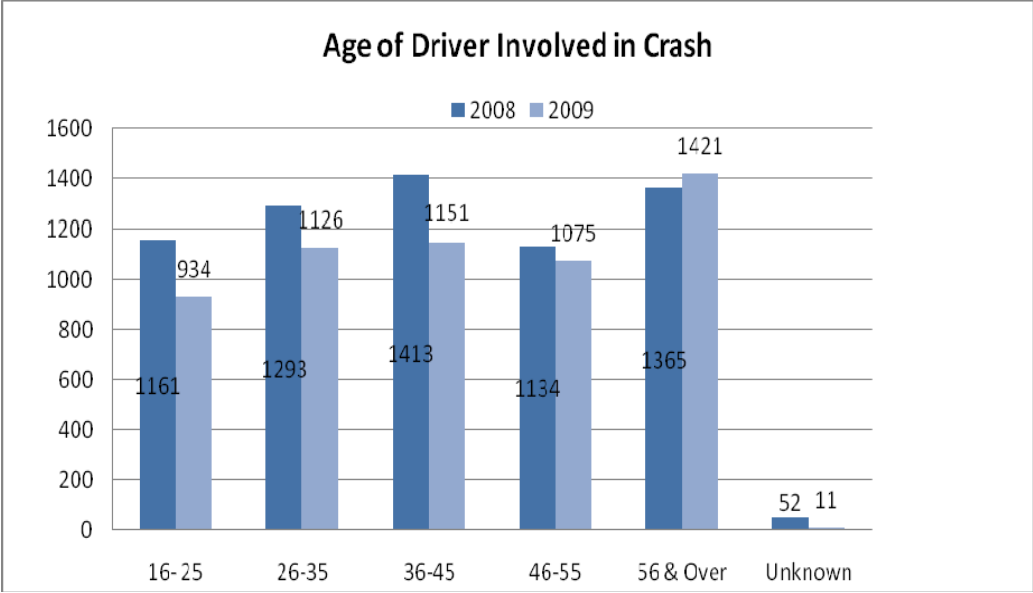
Graph 19



Graph 20



Graph 21



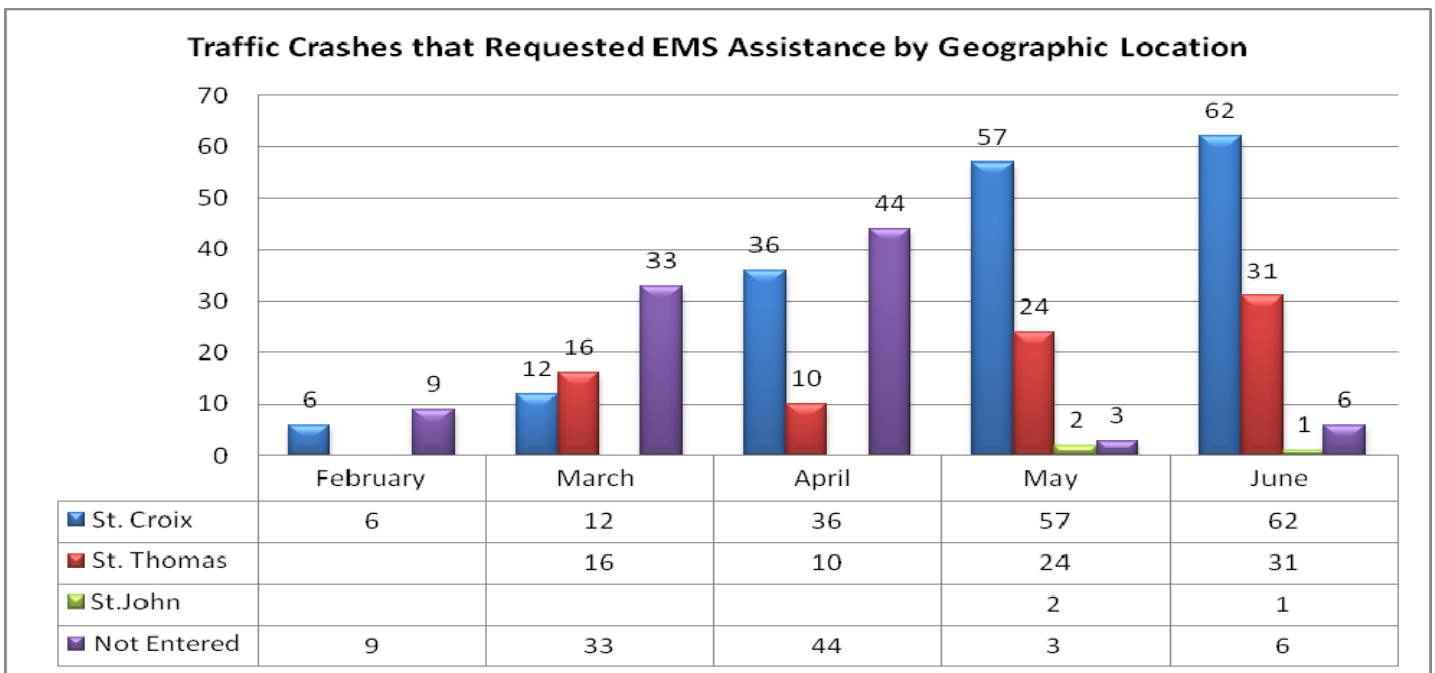
While the age of the occupants involved in crashes are between the ages of 1-20, the ages of the drivers that are involved in crashes are between the of 36-45 and 56 and over. The Police Traffic Services section of the plan will address the enforcement and public information and education efforts that will be focus on drivers in these age categories.

ALTERNATE SOURCE OF DATA

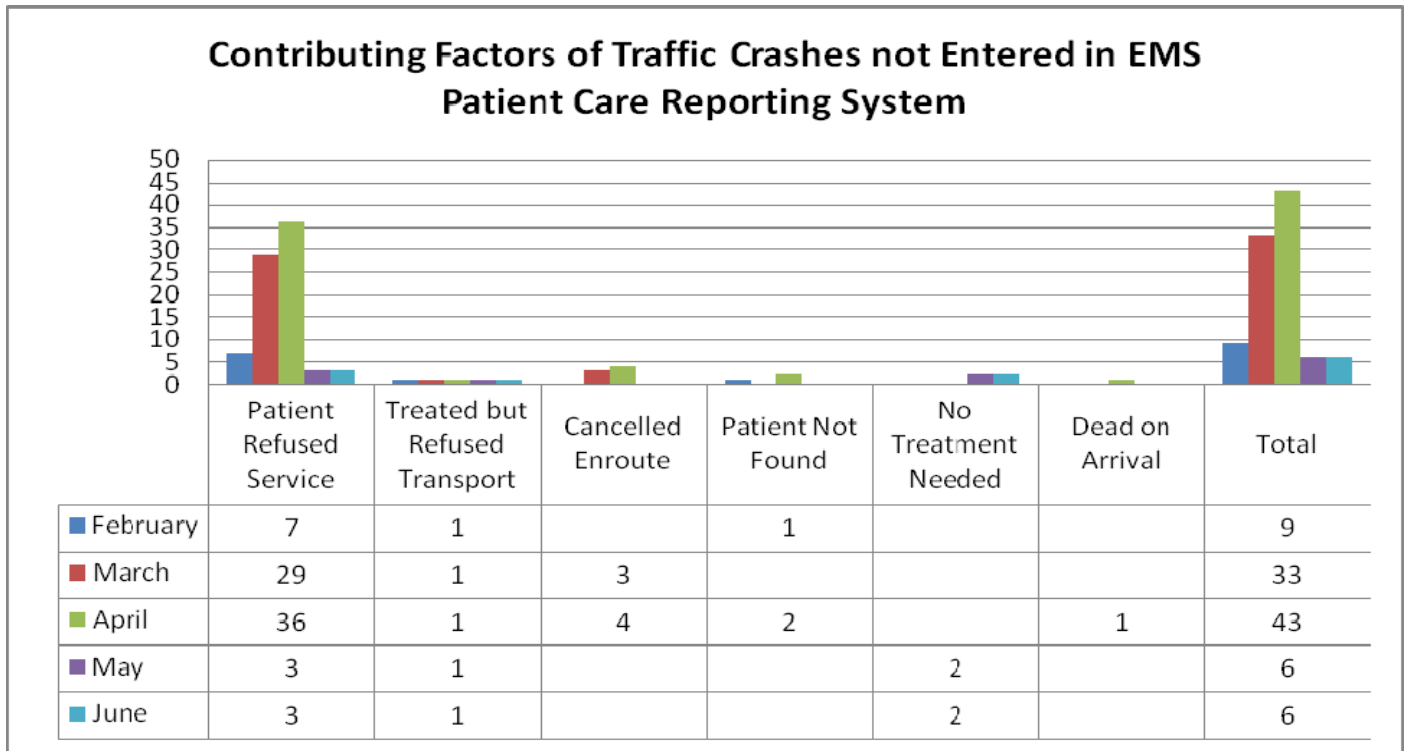
Emergency Medical Services System

A total of 352 cases that were reported were transported by EMS. The average response time was 7 minutes. EMS response time was calculated as the number of minutes between the time the call was received by the EMS system to the time the ambulance arrived at the location.

Graph 22



Graph 23



This chart shows the number of cases to which EMS responded, however the patient refused treatment, could not be found, passed away and was transported by non-EMS transportation or refused EMS transportation.

The Highway Safety Planning Process

PROCESS DESCRIPTION

The 2009 Highway Safety Plan (HSP) is a coordinated program of strategies addressing the serious societal problems of property damage, injuries and fatalities resulting from traffic crashes. It identifies programs and projects that have been designed to mitigate the traffic crash problem. Each year the Virgin Islands Office of Highway Safety (VIOHS) prepares a Highway Safety Plan (HSP) that describes the projects recommended for funding for the federal fiscal year (October 1, to September 30). For the most part, the projects presented in the FY-2010 HSP, are continuation projects from the prior year. Projects that were started in the previous fiscal year, are given a high priority in order to allow them to achieve full implementation.

The process of developing the HSP begins early in the calendar year proceeding the federal fiscal year. All projects continuing into the next fiscal year are identified and initial funding estimates are developed. Appropriate highway safety staff members review the proposals submitted by the coordinators. The problem identification process includes goals, performance measures and strategies. VIOHS staff analyzes traffic safety data and information available from the Police Department, and VIOHS. The data is used to identify emerging problem areas, as well as to verify the problem identification by the agencies that have submitted proposals for funding consideration.

The process for selection of new projects during fiscal year 2009 will involve the following steps:

- 1 Problem Identification
- 2 Established Goals
- 3 Proposals solicited and/or reviewed;
- 4 Develop funding recommendations
- 5 Draft Highway Safety Plan
- 6 HSP finalized after necessary approvals;
- 7 Conduct onsite review
- 8 Approval of drafted project agreements
- 9 Conduct Pre-operational meetings
- 10 Monitoring

HIGHWAY SAFETY PLAN

ALCOHOL PROGRAM AREA

Goal 1: To increase the number of impaired driving arrests during grant funded enforcement activities by 20%, from the 2006-2008 calendar base year average of 213 to 255 by December 31, 2010.

Goal 2: To decrease alcohol impaired fatalities by 12% from the 2006-2008 calendar base year average of 9 to 8 by December 31, 2010.

Project Title: Impaired Driving Enforcement

Project Description

The Virgin Islands Police Department will conduct DUI initiatives, during national mobilizations and identified local holidays when alcohol consumption is highest. Field sobriety checkpoints will be administered and there will be a minimum of ten sobriety check points throughout the year. Funds will also be used for equipment and related training as approved.

Budget: \$300,000.00

Project Title: Youth Alcohol

Project Description

During FY'09 The Unity Coalition of St. Croix has submitted a proposal to conduct sting operations as well as merchant education for those merchants that sell alcohol to minors. The project is also proposing to pay for other related project activities such as training, monitoring and the cost of the development and dissemination of educational and training materials. Funds will also be used to coordinate community education/prevention efforts about the dangers of underage drinking and driving.

Budget: \$76,000.00

Project Title: Alcohol Program Management

Project Description

The funds will be used for program operations including reporting, monitoring, technical assistance and development of plans and applications for alcohol related countermeasures. Funds will also be used to coordinate community education/prevention efforts about impaired driving and other related training as approved.

Budget: \$100,000.00

Alcohol: Budget Summary

Project Number	Project Title	Budget	Budget Source
	Alcohol Enforcement	\$300,000.00	402 Funds
	Youth Alcohol	\$ 76,000.00	402 Funds
	Alcohol Program Management	\$100,000.00	402 Funds
402 Total		\$476,000.00	
Total All funds		\$476,000.00	

OCCUPANT PROTECTION PROGRAM AREA

Goal 1: To decrease the number of unrestrained fatalities by 20% from the 2006-2008 calendar base year average of 15 to 4 by December 31, 2010.

Goal 2: To increase the observed seatbelt usage rate of front seat occupants from 84% in 2008 to 88% in 2010

Goal 3: To decrease the number of seatbelt citations issued during grant funded enforcement activities by 10%, from the 2006-2008 calendar base year average of 3465 to 3118 by December 31, 2010.

Project Title: Occupant Protection Program Management

Project Description

Occupant Protection Program Administration will include the coordination of activities, certification training and projects that promote the usage of restraint systems, and the enforcement of same. Administration also includes the development and facilitation of public information and education projects, and providing status reports and updates on project activity to the Highway Safety Administrator and the NHTSA Regional Office. Additionally, program administration will include monitoring project activity, preparing and maintaining project documentation, and evaluating task accomplishments. Funding will be provided for personnel services, employee-related expenses, professional and outside services, travel, materials, supplies, and other related operating expenses.

Budget: \$100,000.00

Project Title: Occupant Protection Enforcement

Project Description

The VIPD will enforce the mandatory seat belt law using overtime, funded by the 405 grant. This is to supplement law enforcement regular seat belt enforcement activity. Enforcement will be done on a year round basis and will include participation in the national "Click It or Ticket" Mobilization.

Budget: \$250,000.00

Project Title: Seatbelt Usage Rate Survey

Project Description

This project will address the contract with the University of the Virgin Islands to conduct a Scientific Seatbelt Survey in the Territory as it is an agreement as part of our annual certification.

Budget: \$60,000.00

Project Title: Child Passenger Safety

Project Description

VIOHS will use grant funds to purchase child safety seats for safety seat clinics and a public information and education campaign. The recently enacted Booster Seat law in the territory requires an educational period before enforcement, therefore this program area will focus on promoting the safe usage of booster seats, distribution of seats at public community events, and training of community partners to assist in marketing the safety message.

Budget: \$100,000.00

Occupant Protection: Budget Summary

Project Number	Project Title	Budget	Budget Source
	Occupant Protection Program Management	\$100,000.00	402
	Occupant Protection Enforcement	\$250,000.00	405
	Child Passenger Safety	\$100,000.00	406
	Seatbelt Survey	\$60,000.00	402
402 Total		\$160,000.00	
Total All funds		\$510,000.00	

PEDESTRIAN/BICYCLE SAFETY PROGRAM AREA

Goal: To decrease the pedestrian fatalities to 0 from the 2006-2008 calendar base year average of 3.

Project Title: Pedestrian Safety Program

Project Description

Using NHTSA funds, training, and educational resources will target high-risk motorist pedestrian behaviors and locations. Training of enforcement for motorists and pedestrians will be conducted to support this effort along with paid and earned media to further impact the safety message.

Budget: \$40,000.00

Pedestrian/Bicycle Safety Program Area: Budget Summary

Project Number	Project Title	Budget	Budget Source
	Pedestrian Safety Program	\$40,000.00	402
402 Total		\$40,000.00	
Total All funds		\$40,000.00	

POLICE TRAFFIC SERVICES PROGRAM AREA

Goal 1: To decrease the total number of crashes from 6119 in 2005 to 4000 in 2010.

Goal 2: To decrease the total number of injuries from 1252 in 2005 to 700 in 2010.

Goal 3: To maintain the total number of fatalities from 4 in 2005 to 4 in 2010.

Project Title: Police Traffic Services Program

Project Description

Inattentive driving (failure to yield, failure to maintain safe distance and failure to stay in lane) continues to be one of the leading contributing factors in crashes in the Virgin Islands. In FFY 2010, VIOHS will work closely with the VIPD and other safety partners to develop a message regarding the importance of paying attention while driving. The focus will be on middle age and older drivers. Funds will also be sub-granted to VIPD to provide training to law enforcement and EMS personnel, as well as to procure the necessary equipment and supplies to support the HSP goals.

Budget: \$500,000.00

Police Traffic Services Program Area: Budget Summary

Project Number	Project Title	Budget	Budget Source
	Police Traffic Services-St. Croix	\$250,000.00	Section 402 funds
	Police Traffic Services-St. Thomas	\$250,000.00	Section 402 funds
402 Total		\$500,000.00	
Total All funds		\$500,000.00	

TRAFFIC RECORDS PROGRAM AREA PROGRAM AREA

Goal 1: To design, develop and implement a traffic citation/ adjudication data subsystem which can deliver traffic citation and adjudication on data in a timely fashion to all users by the year 2009.

Goal 2: To continue to make available to stakeholders complete traffic information, to aid in their resource allocation and decision making process.

Project Title: Traffic Records Improvement Program

Project Description

To provide funding for the Coordinator to assist in the full development of the traffic records Program. This will include planning, program implementation, monitoring and evaluation of traffic records activities.

To purchase e-citation technology that will automate the citation process.

Budget: \$1,250,000.00

Traffic Records Program Area: Budget Summary

Project Number	Project Title	Budget	Budget Source
		\$1,250,000.00	Section 408 funds
402 Total			
Total All funds		\$1,250,000.00	

MOTORCYCLE SAFETY PROGRAM AREA

Goal 1: To decrease Motorcycle Fatalities to 0% from the 2006-2008 calendar base year average of 2 to 0, by December 31, 2010

Goal 2: To decrease the number of unhelmeted Motorcyclists Fatalities to 0, from the baseline calendar year 2006-2008 average of 1, December 2010.

Project Title: Motorcycle Program

Project Description

The number of Motorcycle fatalities has increased significantly from 2003 to present. As a result the territory enacted a law that requires all motorcycle riders to be trained by a certified establishment before they can receive a motorcycle endorsement on their drivers license. The Bureau of Motor Vehicle (BMV) will certify rider safety instructors, by using driving simulators to promote training and licensure among at-risk population. BMVA will use print and electronic paid and earned media to deliver the driver/motorists awareness messages.

Budget: \$150,000.00

Motorcycle Safety Program Area: Budget Summary

Project Number	Project Title	Budget	Budget Source
	Motorcycle Safety Program	\$150,000.00	Section 402
402 Total			
Total All funds		\$150,000.00	

SPEED MANAGEMENT PROGRAM AREA

Goal 1: To decrease the number of speed related fatalities by 20% from the 2006-2008 calendar base year average of 15 to 4 by December 31, 2010.

Goal 2: To increase the number of speeding citations issued during grant funded enforcement activities by 20%, from the 2006-2008 calendar base year average of 215 to 150 by December 31, 2010.

Project Title: Speed Enforcement Program

Project Description

To increase speed enforcement and arrest, thereby reducing the number of motor vehicle collisions, resulting in fatalities and injuries caused by speeding drivers. VIPD will conduct high visibility speed checkpoints using designated Officers Cite violators. Funds will be used to train officers to efficiently investigate and supervise traffic crashes. Law enforcement will also be participating in operation "Arrive Alive", and will select areas known for speeding, on a quarterly basis for special speed enforcement.

Public information and education will also be an integral part of the speed enforcement program. A Program Coordinator will be hired this fiscal year to assist in the accomplishment of program task

Budget: \$200,000.00

Speed Management Program Area: Budget Summary

Project Number	Project Title	Budget	Budget Source
	Speed and Aggressive program Enforcement	\$200,000.00	Section 406
402 Total			
Total All funds		\$200,000.00	

PLANNING AND ADMINISTRATION

Goal: To provide effective and efficient management to the Virgin Islands Highway Safety Programs

Project Title: Planning and Administration

Project Description

The funds will be used to administer the highway safety program for the US Virgin Islands. Funds will also be used to travel to conferences such as GHSA annual conference, Lifesavers, NAWHSL, Regional Meetings and any other NHTSA sanctioned meetings, workshops or conferences.

Budget: \$55,000.00

PLANNING AND ADMINISTRATION: Budget Summary

Project Number	Project Title	Budget	Budget Source
	Planning and Administration	\$55,000.00	Section 402 funds
Total All funds		\$55,000.00	

CERTIFICATIONS AND ASSURANCES

Consult with the NHTSA Regional office to ensure that you have the most current version of the Certifications and Assurances. (www.nhtsa.dot.gov/nhtsa/whatsup/tea21/GrantMan) Paste the following document into your HSPP and obtain the appropriate signature.

State Certifications

Revised 7/00

State Certifications and Assurances

Failure to comply with applicable Federal statutes, regulations and directives may subject State officials to civil or criminal penalties and/or place the State in a high risk grantee status in accordance with 49 CFR §18.12.

Each fiscal year the State will sign these Certifications and Assurances that the State complies with all applicable Federal statutes, regulations, and directives in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but not limited to, the following:

- 23 U.S.C. Chapter 4 - Highway Safety Act of 1966, as amended;
- 49 CFR Part 18 - Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 49 CFR Part 19 - Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Nonprofit Organizations
- 23 CFR Chapter II - (§§1200, 1205, 1206, 1250, 1251, & 1252) Regulations governing highway safety programs
- NHTSA Order 462-6C - Matching Rates for State and Community Highway Safety Programs
- Highway Safety Grant Funding Policy for Field-Administered Grants

Certifications and Assurances

The Governor is responsible for the administration of the State highway safety program through a State highway safety agency which 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 USC 402(b) (1) (A));

The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation (23 USC 402(b) (1) (B));

At least 40 per cent of all Federal funds apportioned to this State under 23 USC 402 for this fiscal year will be expended by or for the benefit of the political subdivision of the State in carrying out local highway safety programs (23 USC 402(b) (1) (C)), unless this requirement is waived in writing;

This 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 USC 402(b) (1) (D));

Cash drawdowns will be initiated only when actually needed for disbursement, cash disbursements and balances will be reported in a timely manner as required by NHTSA, and the same standards of timing and amount, including the reporting of cash disbursement and balances, will be imposed upon any secondary recipient organizations (49 CFR 18.20, 18.21, and 18.41). Failure to adhere to these provisions may result in the termination of drawdown privileges);

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);

Equipment acquired under this agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the State; or the State, by formal agreement with appropriate officials of a political subdivision or State agency, shall cause such equipment to be used and kept in operation for highway safety purposes (23 CFR 1200.21);

The State will comply with all applicable State procurement procedures and will maintain a financial management system that complies with the minimum requirements of 49 CFR 18.20;

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970(P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse of alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

The Drug-free Workplace Act of 1988(49 CFR Part 29 Sub-part F):

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.

- c) 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).
- d) 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.
- e) Notifying the agency within ten days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction.
- f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d) (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.
- g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f) above.

Buy America Act

The State will comply with the provisions of the Buy America Act (23 USC 101 Note) which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases 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. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

Political Activity (Hatch Act)

The State will comply with the provisions of 5 U.S.C. §§ 1501-1508 and implementing regulations of 5 CFR Part 151, concerning "Political Activity of State or Local Offices, or Employees".

Certification Regarding Federal Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
4. 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

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

Instructions for Primary Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
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 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 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 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.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *proposal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. 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 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 participant further agrees by submitting this proposal that it will include the clause titled "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.
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 may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.
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 this transaction for cause or default.

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

1. The prospective primary participant certifies to the best of its knowledge and belief, that its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded 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 record, 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 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 Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
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 and/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, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. 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 "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. (See below)
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 may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
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 and/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 participation in this transaction 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.

Environmental Impact

The Governor's Representative for Highway Safety has reviewed the State's Fiscal Year 2010 highway safety planning document and hereby declares that no significant environmental impact will result from implementing this Highway Safety Plan. If, under a future revision, this Plan will be modified in such a manner that a project would be

instituted that could affect environmental quality to the extent that a review and statement would be necessary, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969 (42 USC 4321 et seq.) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517).

Novelle E. Francis, Jr.
Governor's Representative for Highway Safety

Date

HIGHWAY SAFETY COST SUMMARY

APPENDIX A

STAFF SUPPORT

There are five (5) team members in the Highway Safety Office, which are responsible for providing support and also present the public with awareness and education programs. The telephone number to the office where staff members can be reached is 340-778-1001. The Highway Safety office address is 54CC Castle Coakley, Christiansted, St. Croix, US Virgin Islands, 00840.

Administrator- Barbara McIntosh

Barbara.mcintosh@vipd.gov.vi

Clerk Typist -Agnes Wallace

Agnes.wallace@vipd.gov.vi

SafetyNet Coordinator -Kareem Christian

Kareem.christian@vipd.gov.vi

Traffic Records Coordinator -Kieran Isidore

Kieran.isidore@vipd.gov.vi

Occupant Protection Program Coordinator- Leslie Dickenson

Leslie.dickenson@vipd.gov.vi

Motor Carrier Safety Assistance Program- Vacant

Alcohol Coordinator, Barbara Flemming

Barbara.flemming@vipd.gov.vi

CERTIFICATIONS AND ASSURANCES

Consult with the NHTSA Regional office to ensure that you have the most current version of the Certifications and Assurances. (www.nhtsa.dot.gov/nhtsa/whatsup/tea21/GrantMan) Paste the following document into your HSPP and obtain the appropriate signature.

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Revised 7/00

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- 23 U.S.C. Chapter 4 - Highway Safety Act of 1966, as amended;
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- 49 CFR Part 19 - Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Nonprofit Organizations
- 23 CFR Chapter II - (§§1200, 1205, 1206, 1250, 1251, & 1252) Regulations governing highway safety programs
- NHTSA Order 462-6C - Matching Rates for State and Community Highway Safety Programs
- Highway Safety Grant Funding Policy for Field-Administered Grants

Certifications and Assurances

The Governor is responsible for the administration of the State highway safety program through a State highway safety agency which 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 USC 402(b) (1) (A));

The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation (23 USC 402(b) (1) (B));

At least 40 per cent of all Federal funds apportioned to this State under 23 USC 402 for this fiscal year will be expended by or for the benefit of the political subdivision of the State in carrying out local highway safety programs (23 USC 402(b) (1) (C)), unless this requirement is waived in writing;

This 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 USC 402(b) (1) (D));

Cash drawdowns will be initiated only when actually needed for disbursement, cash disbursements and balances will be reported in a timely manner as required by NHTSA, and the same standards of timing and amount, including the reporting of cash disbursement and balances, will be imposed upon any secondary recipient organizations (49 CFR 18.20, 18.21, and 18.41). Failure to adhere to these provisions may result in the termination of drawdown privileges;

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);

Equipment acquired under this agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the State; or the State, by formal agreement with appropriate officials of a political subdivision or State agency, shall cause such equipment to be used and kept in operation for highway safety purposes (23 CFR 1200.21);

The State will comply with all applicable State procurement procedures and will maintain a financial management system that complies with the minimum requirements of 49 CFR 18.20;

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970(P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse of alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

The Drug-free Workplace Act of 1988(49 CFR Part 29 Sub-part F):

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.

- c) 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).
- d) 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.
- e) Notifying the agency within ten days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction.
- f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d) (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.
- g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f) above.

Buy America Act

The State will comply with the provisions of the Buy America Act (23 USC 101 Note) which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases 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. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

Political Activity (Hatch Act)

The State will comply with the provisions of 5 U.S.C. §§ 1501-1508 and implementing regulations of 5 CFR Part 151, concerning "Political Activity of State or Local Offices, or Employees".

Certification Regarding Federal Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
4. 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

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

Instructions for Primary Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
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 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 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 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.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *proposal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. 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 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 participant further agrees by submitting this proposal that it will include the clause titled "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.
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 may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.
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 this transaction for cause or default.

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

1. The prospective primary participant certifies to the best of its knowledge and belief, that its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded 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 record, 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 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 Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
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 and/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, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. 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 "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. (See below)
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 may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
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 and/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 participation in this transaction 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.

Environmental Impact

The Governor's Representative for Highway Safety has reviewed the State's Fiscal Year 2010 highway safety planning document and hereby declares that no significant environmental impact will result from implementing this Highway Safety Plan. If, under a future revision, this Plan will be modified in such a manner that a project would be

instituted that could affect environmental quality to the extent that a review and statement would be necessary, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969 (42 USC 4321 et seq.) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517).

Barbara J. McIntosh

for Novelle E. Francis, Jr.
Governor's Representative for Highway Safety

9/1/09
Date

RECEIVED

SEP - 3 2009

NHTSA