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TRAFFIC SAFETY PROGRAMS

Progress, States' Challenges, and Issues for Reauthorization

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Highlights of [GAO-08-990T](#), a testimony before the Subcommittee on Highways and Transit, Committee on Transportation and Infrastructure, House of Representatives

Why GAO Did This Study

Although the number of traffic crashes and the associated fatality rates have decreased over the last 10 years, the number of traffic fatalities has unfortunately remained at about 42,000 to 43,000 annually. To help states reduce traffic fatalities, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) authorized funding for the National Highway Traffic Safety Administration (NHTSA) to award traffic safety grants to states and implement a high-visibility enforcement (HVE) program that combines intensive state and local enforcement of safety belt and impaired driving laws with extensive media communication provided by NHTSA. SAFETEA-LU also added requirements for NHTSA to review all states' management of traffic safety grants at least once every 3 years.

This statement is based on recent GAO reports and ongoing work that address (1) NHTSA's progress in administering and overseeing the traffic safety grant and HVE programs, (2) the programs' effectiveness in addressing traffic safety issues, and (3) issues for Congress to consider in reauthorizing funding for the programs when SAFETEA-LU expires in 2009. This statement also discusses older driver safety. GAO's work, which included recommendations, was based on analyses of traffic fatality data; information from selected states; and reviews of legislation, NHTSA guidelines and procedures, and management reports.

To view the full product, including the scope and methodology, click on [GAO-08-990T](#). For more information, contact Katherine A. Siggerud, (202) 512-2834, siggerudk@gao.gov.

TRAFFIC SAFETY PROGRAMS

Progress, States' Challenges, and Issues for Reauthorization

What GAO Found

In general, NHTSA has made substantial progress in administering and overseeing the traffic safety grant and HVE programs. For example, in fiscal years 2006 and 2007, NHTSA awarded about \$576 million through five safety incentive grant programs focused on national priorities, such as safety belt use, impaired driving, and motorcyclist safety. In addition, NHTSA has fully implemented the HVE program and evaluated campaign effectiveness. However, NHTSA's campaign evaluations are based on inconsistent and incomplete data and limited performance measures—GAO made recommendations in our recent report to overcome these limitations. Finally, NHTSA has improved the consistency of its management review process and implemented the requirement to conduct a management review of each state at least once every 3 years. However, NHTSA does not systematically analyze the recommendations that result from the reviews and has not nationally tracked the extent to which states have implemented its recommendations.

NHTSA has not yet assessed the effectiveness of the grant programs, but selected state officials told GAO the programs are helping to address key traffic safety issues such as unrestrained driving and alcohol-impaired driving. These officials also identified challenges that limit program effectiveness, such as difficulties in meeting eligibility requirements, separate application processes, and limited flexibility. Additionally, a key indicator of effectiveness at the national level—the number of traffic fatalities annually—has remained essentially constant over the last 10 years, although traffic fatalities per vehicle mile traveled have declined by about 14 percent. During this time, some causes of fatalities have changed. For example, motorcycle fatalities increased 127 percent while child passenger fatalities decreased 31 percent.

The challenges associated with the safety incentive grants, the lack of performance accountability mechanisms to tie state performance to the receipt of grants, and the persistence of substantial numbers of traffic fatalities nationwide raise issues that Congress may want to consider in reauthorizing funding for traffic safety programs when SAFETEA-LU expires in 2009. According to NHTSA officials, the challenges related to the safety incentive grants stem from the structure of the grant programs established under SAFETEA-LU. In addition, state performance in improving traffic safety is not always tied to the receipt of the grants. Furthermore, the plateau in the number of annual traffic fatalities nationwide and the changes in causes of fatalities may indicate that the traffic safety programs, as currently structured, have limited ability to effectively reduce fatalities. Consequently, in 2009, Congress will be faced with deciding whether to redesign the programs to simplify the grant application process, allow states more flexibility in using grant funds, provide different or additional incentives, or focus more specifically on accountability for performance. However, such changes would require improved safety data to enhance states' ability to identify safety issues and a robust accountability system to ensure that states use federal funds appropriately.

Mr. Chairman and Members of the Committee,

We appreciate the opportunity to participate in this hearing to discuss the National Highway Traffic Safety Administration's (NHTSA) programs and oversight. This is an urgent issue because the number of traffic fatalities has unfortunately remained at about 43,000 annually over the last decade, although the fatality rate has decreased by 14 percent during that period. The number of crashes during this time period has also decreased by 12 percent. Congress has developed many approaches to help states and communities reduce traffic fatalities, including traffic safety grant programs and a high-visibility enforcement (HVE) program as well as federal oversight of, and technical assistance to, state highway safety programs. The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) authorized NHTSA to award nearly \$2.4 billion from fiscal year 2005 through 2009 to states for Section 402 formula grants¹ and safety incentive grant programs which focus on specific national safety priorities—such as safety belt use, impaired driving, and motorcyclist safety—and include eligibility criteria which states need to meet in order to receive the grants. In addition, SAFETEA-LU authorized \$29 million annually for NHTSA to implement an HVE program that combines intensive state and local enforcement of a specific traffic safety law with extensive media communication provided by NHTSA to inform the public about the campaigns: Click It or Ticket (CIOT) to increase safety belt use, and Over the Limit, Under Arrest (OTLUA) to decrease the number of impaired drivers. Finally, to strengthen NHTSA's oversight, SAFETEA-LU added Section 412 to Title 23 U.S.C., which among other things included a requirement that the administration conduct regular management reviews—reviews of states' management of traffic safety grants—for all states at least once every 3 years and make recommendations.

My testimony today addresses (1) NHTSA's progress in administering and overseeing the traffic safety grant and HVE programs, (2) the programs' effectiveness in addressing traffic safety issues, and (3) issues for Congress to consider in reauthorizing funding for the programs in 2009. In addition, this statement provides information on a traffic safety area that

¹In 1966, Congress established a formula grant program—the State and Community Highway Safety Grant Program, commonly referred to as Section 402—that provides core funding to all states to address a range of traffic safety issues.

we expect to become a more serious issue in the future—older driver safety.

My testimony is based on three recently issued reports on (1) NHTSA’s Safety Incentive Grants, (2) the HVE campaign programs, and (3) NHTSA’s oversight of state traffic safety programs and the approaches currently available to improve safety outcomes.² In addition, we discuss issues raised in last year’s report on older driver safety.³ For all four of these reviews, we analyzed traffic fatality data from NHTSA and selected states, visited selected states, interviewed state highway safety officials, and reviewed relevant documents. We interviewed officials from NHTSA and representatives of at least one nongovernmental organization, including representatives of the American Association of State Highway and Transportation Officials, the Governor’s Highway Safety Association (GHSA), and the National Safety Council, among others. We also reviewed other relevant documentation, including legislation, NHTSA guidelines and procedures, and all NHTSA management reports developed in fiscal years 2005 through 2007. For the NHTSA oversight review, we analyzed data provided by NHTSA on how states spent highway safety grants from fiscal years 1999 through 2007. We found the data sufficiently reliable for purposes of this testimony. We conducted these four performance audits between April 2006 and July 2008 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained meets these standards.

Summary

In general, NHTSA has made substantial progress in implementing and overseeing the traffic safety grant programs and the HVE program. In fiscal years 2006 and 2007, NHTSA awarded about \$435 million⁴ to states

²GAO, *Traffic Safety: Grants Generally Address Key Safety Issues, Despite State Eligibility and Management Difficulties*, [GAO-08-398](#) (Washington, D.C.: Mar. 14, 2008); *Traffic Safety: Improved Reporting and Performance Measures Would Enhance Evaluation of High-Visibility Campaigns*, [GAO-08-477](#) (Washington, D.C.: Apr. 25, 2008); and *Traffic Safety: NHTSA’s Improved Oversight Could Identify Opportunities to Strengthen Management and Safety in Some States*, [GAO-08-788](#) (Washington, D.C.: July 14, 2008).

³GAO, *Older Driver Safety: Knowledge Sharing Should Help States Prepare for Increase in Older Driver Population*, [GAO-07-413](#) (Washington, D.C.: Apr. 11, 2007).

⁴All dollar values are in nominal dollars and not adjusted for inflation.

through the Section 402 grant program, and an additional \$576 million through five safety incentive grant programs focused on safety belt use, child safety seat and booster seat use, impaired driving, motorcyclist safety, and traffic safety information systems. While all states receive Section 402 grant funds, the extent to which states have qualified for the additional incentive grant programs has varied. For example, in 2006, 22 states received the Safety Belt Use grant and 5 states received the Child Safety and Child Booster Seat Use grant because not all states were able to pass the laws that these grant programs required. A majority of states received the other three grants for which states are required to take actions that do not specifically involve passing laws. In addition, NHTSA has fully implemented the HVE program by (1) developing and disseminating advertisements, (2) coordinating advertisement and enforcement activities with all states, and (3) evaluating the effectiveness of the CIOT and OTLUA campaigns. However, NHTSA's evaluations of its HVE campaign have shortcomings—such as inconsistent and incomplete data and limited performance measures—that hinder the administration's ability to assess the overall effectiveness of the campaigns. To improve the evaluations of HVE campaigns, we recommended that NHTSA develop a minimum core set of reporting requirements for states and include additional performance measures in the evaluations. Finally, as we recommended in 2003, NHTSA has improved the consistency of its management review process—one of the administration's key tools for overseeing state management of traffic safety grants—including implementing the Section 412 requirement that the administration conduct a management review of each state at least once every 3 years. Although the recommendations made by NHTSA as a result of the management reviews provide insight into common state challenges—information that NHTSA could use to direct some of its technical assistance and training resources—NHTSA does not currently analyze these recommendations systematically at a national level. In addition, NHTSA has not nationally tracked the extent to which states have implemented its recommendations, which could help the administration assess the impact of its oversight.

NHTSA has not yet assessed the effectiveness of the grant programs, but selected state officials told us the programs are helping to improve traffic safety; these officials also identified challenges that limit program effectiveness. Additionally, a key indicator of effectiveness at the national level—overall traffic fatalities—has not improved over the last 10 years. NHTSA currently does not have sufficient performance measures to assess the grant programs' effectiveness but has begun the process of developing those measures. In addition, insufficient time has passed since the safety

incentive grants were first awarded in 2006 to analyze trends in fatalities that the states' use of the grants might have affected. Nevertheless, officials in selected states told us the traffic safety grant and HVE programs help address key safety issues such as unbelted driving and alcohol-impaired driving. State officials further said that incentive grants complement Section 402 grants by allowing states to expand core traffic safety activities. For example, states have used the safety belt use and impaired driving incentive grants to fund enforcement activities for high-visibility enforcement campaigns. However, state officials also noted several challenges that limit the effectiveness of these programs:

- Despite the availability of incentive grants, some states have faced challenges passing legislation required to qualify for the safety belt use and child safety and booster seat grants.
- Each safety incentive grant has a separate application process, which has proven challenging for some states to manage, especially those with small safety offices.
- Some states also would have preferred more flexibility in using the safety incentive grants; this could become a key issue in the future as emerging issues—such as older driver safety—become more critical in states.

At the national level, a key indicator of the overall effectiveness of these programs—traffic fatalities—has not decreased but rather has remained at about 43,000 for the last 10 years. Traffic fatalities per 100 million vehicle miles traveled (VMT) declined, however, by approximately 14 percent in this time period. Within this overall indicator, some causes of fatalities have changed in the last decade. For example, between 1997 and 2006, annual motorcycle fatalities increased by 127 percent while child passenger fatalities decreased by 31 percent.

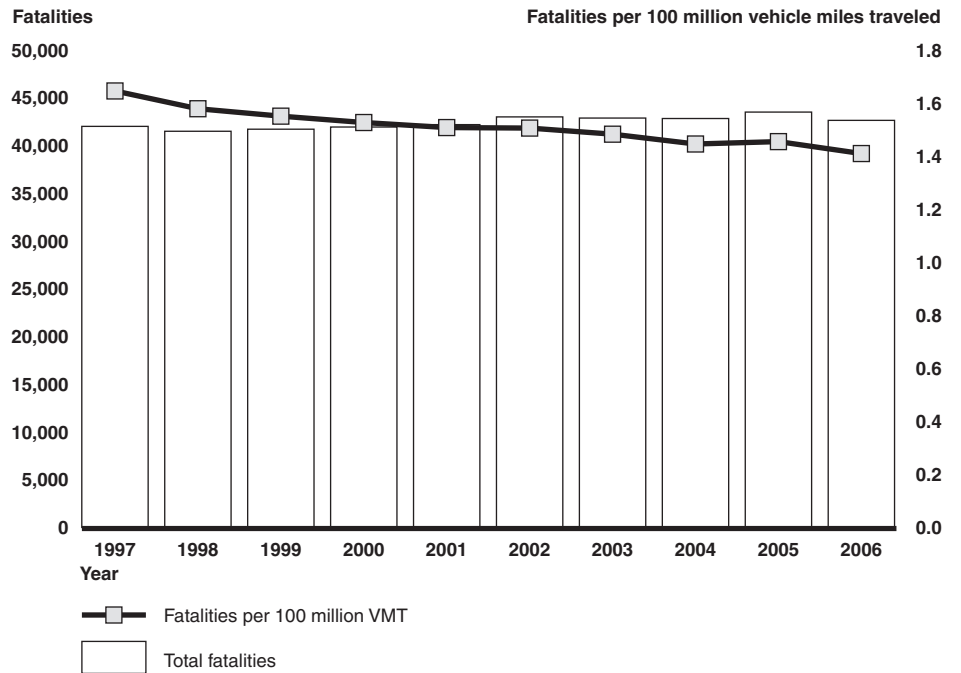
The challenges associated with the safety incentive grants, the lack of performance accountability mechanisms to tie state performance to receipt of grants, and the persistence of substantial numbers of traffic fatalities nationwide as well as changes in causes of fatalities raise issues that Congress may want to consider in reauthorizing funding for the Surface Transportation Program. First, NHTSA officials told us that the challenges related to the safety incentive grants—difficulties in meeting eligibility requirements, separate application processes, and limited

flexibility—stem from the structure of the grant programs authorized under SAFETEA-LU. Second, although NHTSA is developing additional performance measures to evaluate the results of traffic safety grants, state performance is not always tied to the receipt of the grants. Furthermore, the plateau in the number of annual traffic fatalities nationwide and the changes in causes of fatalities may indicate that the current structure of traffic safety programs has limited ability to effectively reduce fatalities and allow NHTSA and states to respond to emerging safety issues, such as motorcycle safety in recent years and potentially older driver safety in the future. Consequently, in 2009, Congress will be faced with deciding whether the programs could be designed differently to simplify the grant application process, allow states more flexibility in using grant funds to address current and emerging safety issues, provide different or additional incentives, or focus more specifically on performance accountability. NHTSA officials noted that the Department of Transportation’s (DOT) 2003 reauthorization proposal included features that would address these issues, such as performance-based grants within the Section 402 grant. However, these changes would require improved safety data to enhance states’ ability to identify safety issues and a robust accountability system to assure that states use federal funds appropriately.

Background

In 2006, more than 42,600 people were killed in motor vehicle crashes. Overall, the number of fatalities has remained fairly constant over the last decade, although the fatality rate declined by approximately 14 percent, from 1.65 fatalities per 100 million VMT in 1997 to 1.41 in 2006 (see fig. 1).

Figure 1: Trends in Traffic Fatalities and Fatality Rates (1997 to 2006)



Source: GAO analysis of NHTSA and FHWA data.

The two leading factors contributing to fatal crashes are the failure to use safety belts and alcohol-impaired driving; speeding and motorcycle crashes are also key factors.⁵ Overall, unrestrained fatalities⁶ and alcohol-involved⁷ fatalities have decreased over the last two decades. However, in contrast to the progress made in reducing unrestrained and alcohol-involved motor vehicle fatalities and fatality rates over time, speeding-related fatalities have remained fairly constant, and motorcycle fatalities and fatality rates have increased significantly over the last decade.

⁵According to NHTSA, these factors overlap, in that many of the people killed in alcohol-related crashes were also unrestrained. In addition, speeding-related crashes may involve alcohol, motorcycles, and/or unrestrained driving.

⁶Unrestrained fatalities are those in which the deceased was not wearing a shoulder belt, lap belt, lap and shoulder belt, child safety seat, or other restraint and were occupants (except bus passengers) of motor vehicles (except motorcycles, all terrain vehicles, and snowmobiles).

⁷Alcohol-involved fatalities include all fatalities in a motor vehicle crash where one or more involved drivers, pedestrians, or pedalcyclists in the crash had a blood alcohol content of 0.08 or greater.

While older drivers currently represent about 14 percent of annual traffic fatalities, their safety is an emerging issue that will likely become more serious due to predicted rapid growth in the elderly population. By 2030, the number of licensed drivers ages 65 and older is expected to nearly double to about 57 million. As people age, they may experience declines in physical, visual, and cognitive functions that affect their ability to drive safely. While older drivers experience fewer fatal crashes per licensed driver than younger drivers, they are more likely to suffer injuries or die in crashes.

Through SAFETEA-LU, Congress authorized nearly \$2.4 billion for 5 years, from fiscal years 2005 through 2009 to provide safety grants to assist states' efforts to reduce traffic fatalities. This represents an increase of \$172 million annually from the authorization levels under the Transportation Equity Act for the 21st Century (TEA-21) from fiscal years 1998 through 2003.⁸ The largest portion of these funds—about \$1 billion—was allocated for the continuation of the Section 402 grant program that provides core highway safety funds for all states through a formula based on each state's population and public road miles. States can use Section 402 funding to address a variety of traffic safety issues. SAFETEA-LU also modified or added five safety incentive grant programs, as follows:⁹

- *Safety Belt Use (\$498 million)*—encourages states to enact and directly enforce safety belt use laws. States qualify for this program if they pass primary safety belt laws or achieve and maintain a safety belt usage rate of 85 percent. States can use funds for a range of highway safety activities, including public education programs or construction to improve a hazardous roadway.
- *Child Safety and Child Booster Seat Use (\$25 million)*—encourages states to enact and enforce booster seat laws.¹⁰ States qualify for this

⁸Under TEA-21, Congress authorized approximately \$2.3 billion for 6 years, from fiscal years 1998 to 2003. After TEA-21 expired in 2003, Congress authorized extensions until passing SAFETEA-LU in 2005. We are not including funding authorized by these extensions.

⁹SAFETEA-LU also continued the Occupant Protection grant program (\$100 million) that provides funds for states to adopt and implement programs to reduce deaths and injuries from riding “unrestrained” or “improperly restrained.”

¹⁰Booster seats are intended to be used by children weighing more than 40 pounds who have outgrown a child safety seat. The seats serve as a transition to wearing a safety belt.

program if they have in effect a law requiring any child under the age of 8 to be secured in an appropriate child restraint system, unless the child weighs more than 65 pounds or is 4 feet 9 inches or taller. States can use funds for child restraint programs, including enforcing laws or training child safety professionals and parents on the proper use of child safety and booster seats. States may use up to 50 percent of the funds to purchase and distribute child safety and booster seats for low-income families.

- *Alcohol Impaired Driving Countermeasures (\$515 million)*—encourages states to implement enforcement, education, training, and other countermeasure activities to reduce alcohol-impaired driving. States qualify for this grant by: (1) achieving a low alcohol-related fatality rate of 0.5 or less per 100 million VMT, (2) being 1 of the 10 states with the highest alcohol-related fatality rate, or (3) meeting specific programmatic criteria—three in fiscal year 2006, four in fiscal year 2007, and five in fiscal years 2008 and 2009.¹¹
- *Motorcyclist Safety (\$25 million)*—to encourage states to adopt and implement programs to reduce crashes involving motorcyclists. States can use funds for motorcyclist safety training and motorist awareness programs. To qualify, states must meet one of six programmatic criteria in the first fiscal year and two in the second and subsequent years.¹²
- *State Traffic Safety Information Systems Improvement (\$138 million)*—to adopt and implement programs to improve states' safety data systems, which includes data on crashes, vehicles, drivers, enforcement or adjudication, and injury surveillance. States can use funds to improve the timeliness, accuracy, completeness, uniformity, integration, and accessibility of state data to identify national, state, and local highway and traffic safety programs. To qualify in the first year, a state must meet three criteria. To qualify in subsequent years, a state must meet five criteria.¹³ In 2004, GAO reported that state traffic safety data systems vary considerably

¹¹See App. II for the eight programmatic criteria that states can use to qualify.

¹²See App. II for explanation of the six criteria that states can use to qualify.

¹³See App. II for explanation of the criteria to qualify in the first and subsequent years.

in the extent to which they meet recommended criteria used by NHTSA to assess the quality of crash information.¹⁴

SAFETEA-LU also authorized \$29 million annually from fiscal years 2006 through 2009 for NHTSA to implement two nationwide HVE campaigns to increase safety belt use—CIOT—and reduce alcohol-impaired driving—OTLUA. HVE campaigns combine intensive traffic law enforcement with extensive communication, education, and outreach informing the public about the enforcement activity. This combination of media and enforcement is designed to increase the public’s perception that people who violate the law will be ticketed, arrested, convicted, or punished, and persuade them to adhere to the law. NHTSA is responsible for developing and disseminating national advertisements, coordinating with states to conduct the campaigns, and evaluating the results. State and local law enforcement agencies provide resources for the campaigns such as officers, cars, and equipment for patrols and checkpoints and can use federal traffic safety grants to support these activities.

NHTSA oversees state traffic safety grant programs by reviewing states’ management of these grants and assessing their progress in improving safety outcomes, and in 2003 GAO recommended that NHTSA take steps to improve its oversight. NHTSA oversees states’ grant management by monitoring spending and conducting triennial management reviews designed to ensure that states manage grants effectively, efficiently, and in compliance with laws and regulations. NHTSA also assesses states’ performance against state-established safety goals and national safety outcomes. NHTSA conducts special management reviews of states with consistently high alcohol-related fatality rates or low safety belt use rates and less than half of the national average improvement in these areas over time.¹⁵ A special management review is an in-depth evaluation of a state’s impaired driving or safety belt use program which NHTSA uses to recommend program improvements. In addition, at states’ request, NHTSA officials told us that the administration coordinates voluntary technical

¹⁴GAO, *Highway Safety: Improved Monitoring and Oversight of Traffic Safety Data Program Are Needed*, [GAO-05-24](#) (Washington, D.C.: Nov. 4, 2004).

¹⁵To select states for a special management review, each year NHTSA headquarters officials compare state performance in impaired driving and safety belt use over the prior 3 years with average national performance over the same time period. States with alcohol-related fatality rates consistently above the national average or safety belt usage rates consistently below the national average can be selected to receive a special management review.

program assessments conducted by leading independent experts who review state programs in one of seven traffic safety areas and recommend program improvements.¹⁶ In 2003, we found that NHTSA used management reviews and resulting improvement plans inconsistently across the administration's 10 regional offices, which made it difficult to ensure that states used federal funds in accordance with requirements and that they addressed program weaknesses. As a result, we recommended that NHTSA provide more specific guidance to regional offices on when to conduct management reviews and use improvement plans, and how to measure state progress toward meeting safety goals.¹⁷

NHTSA Has Successfully Implemented the Traffic Safety and HVE Programs and Improved the Consistency of Its Oversight Process

Overall, NHTSA has successfully administered the traffic safety grant and HVE programs and improved the consistency of its oversight. In fiscal years 2006 and 2007, NHTSA awarded about \$1 billion to states through the Section 402 program and five incentive grant programs, but some states were unable to meet the eligibility requirements for two of the incentive grant programs—the Safety Belt Use and Child Safety and Booster Seat Use programs—which required states to pass laws. NHTSA has implemented the HVE program by developing and disseminating advertising, coordinating with states, and evaluating the effectiveness of the campaigns. However, NHTSA's campaign evaluations have weaknesses related to data and performance measures that hinder the administration's ability to assess the campaigns' key components and overall effectiveness, and we recommended that NHTSA take steps to address these shortcomings. Finally, as we recommended in 2003, NHTSA has improved the consistency of its oversight process, including implementing requirements added by SAFETEA-LU. Even so, NHTSA does not currently analyze its management review recommendations to identify common state challenges, provide assistance accordingly, and assess the impact of its oversight.

¹⁶These areas include alcohol-impaired driving, occupant protection, occupant protection for children, motorcyclist safety, emergency medical services, traffic records, or standardized field sobriety testing. The Standardized Field Sobriety Test (SFST) is a battery of three tests administered and evaluated in a standardized manner to obtain validated indicators of impairment and establish probable cause for arrest. SFST training programs help law enforcement officers become more skillful at detecting driving while intoxicated (DWI) suspects, describing the behavior of these suspects, and presenting effective testimony in court.

¹⁷See GAO, *Highway Safety: Better Guidance Could Improve Oversight of State Highway Safety Programs*, [GAO-03-474](#) (Washington, D.C.: Apr. 21, 2003).

NHTSA Has Awarded Traffic Safety Grants to States

NHTSA has fully implemented the Section 402 and safety incentive grant programs, although some states have been unable to qualify for certain incentive grants, particularly those requiring states to pass laws. As table 1 indicates, in fiscal years 2006 and 2007, NHTSA awarded about \$435 million to states¹⁸ through the Section 402 grant program, and awarded an additional \$576 million to states through the five incentive grant programs.

Table 1: Grant Funds Awarded in Fiscal Years 2006 and 2007 (Dollars in millions)

Grants	Funds awarded in fiscal years 2006 and 2007
Section 402	\$434.6
<i>Safety Incentive Grants</i>	
Safety Belt Use	243.6
Child Safety and Booster Seat	8.6
Impaired Driving	242.8
Motorcyclist Safety	11.9
Traffic Safety Information Systems	68.7
Total Safety Incentive Grants	\$575.6

Source: GAO.

In each of these years, all states received the Section 402 formula grant and the Impaired Driving grant, and the majority of states received the Motorcyclist Safety and Traffic Safety Information Systems grants. However, fewer than half the states were able to meet the eligibility requirements for the Safety Belt Use and Child Safety and Booster Seat grant programs, which required states to pass laws—a primary safety belt law or a booster seat law—in order to qualify for the grants. Specifically, in fiscal year 2006, 22 states received the Safety Belt Use grant.¹⁹ In fiscal

¹⁸All 50 states; the District of Columbia; Puerto Rico; the territories of Guam, Virgin Islands, American Samoa, and the Commonwealth of the Northern Marianas Islands; and the Bureau of Indian Affairs (BIA) receive Section 402 grant funds. Moreover, all 50 states, the District of Columbia, and Puerto Rico are eligible for each of the safety incentive grants. The territories of Guam, Virgin Islands, American Samoa, and the Commonwealth of the Northern Marianas Islands are eligible for the Safety Belt Use, Impaired Driving, and Traffic Safety Information Systems grant programs. BIA is eligible for the Impaired Driving and Traffic Safety Information Systems grants. Dollar amounts in our figures include the 50 states, the District of Columbia, Puerto Rico, the territories, and BIA, but the focus of this testimony is the 50 states.

¹⁹Six states passed a primary safety belt law in 2003 or later and received a one-time Safety Belt Use grant in fiscal year 2006. Sixteen states had a law in place before 2003 and received this grant in two installments over fiscal years 2006 and 2007.

year 2007, two additional states qualified for this grant by passing a primary safety belt law. Beginning in fiscal year 2008, NHTSA will also award the Safety Belt Use grant to states that have achieved an 85 percent safety belt use rate in the preceding 2 calendar years. In fiscal year 2008, six additional states will receive this grant—five states qualified based on safety belt use rates, and one state based on a new primary safety belt law. According to a NHTSA official, only two additional states have a mathematical chance of qualifying for this grant in fiscal year 2009 based on safety belt use rates. Similarly, five states received the Child Safety and Booster Seat Use grant in fiscal year 2006. In fiscal year 2007, 8 additional states qualified for this grant program, for a total of 13 states receiving the grant that year.²⁰

NHTSA Has Implemented the HVE Program, but Should Take Steps to Improve Evaluation of the Program

NHTSA has implemented a nationwide HVE program, but we recently recommended that NHTSA take steps to improve its evaluations so the administration can better assess the overall effectiveness of the campaigns. As specified in SAFETEA-LU, NHTSA has implemented the HVE program by (1) developing and disseminating advertising, (2) coordinating with states on media and enforcement activities, and (3) annually evaluating the effectiveness of the CIOT and OTLUA campaigns. NHTSA introduced a national plan in 2005 that set forth an advertising strategy and has also developed advertisements and purchased national media time. In addition, NHTSA provides guidance to states, including an overall strategy for conducting the campaigns, as well as technical assistance and advertising materials such as posters and model press releases. Officials in selected states said that NHTSA has provided the support they need to conduct HVE campaigns. Although NHTSA's annual evaluations indicate that the campaigns are helping to improve safety belt use and reduce impaired driving, these evaluations have weaknesses that hinder the administration's ability to assess the level of state and local activity—a key component of the campaigns—and the campaigns' overall effectiveness. For example, NHTSA cannot meaningfully analyze and compare state activities because state data are incomplete and inconsistent due to voluntary reporting by law enforcement agencies. Furthermore, NHTSA cannot measure the campaigns' overall effectiveness because the performance measures used to evaluate the campaigns are not comprehensive. For example, while NHTSA measures the change in

²⁰States that pass or have in effect a booster seat law receive the Child Safety and Booster Seat grant each year under SAFETEA-LU.

daytime safety belt use, it does not directly measure nighttime safety belt use, despite recent efforts to increase the use of safety belts at night. NHTSA is working to develop more comprehensive performance measures. Nevertheless, to improve these evaluations, we recommended that NHTSA develop a minimum core set of reporting requirements for states and include additional performance measures in the evaluations.

NHTSA Has Improved Its Oversight of States, but Does Not Currently Analyze the Management Review Recommendations to Identify Common State Problems and Direct Resources Accordingly

As we recommended in 2003, NHTSA has improved the consistency of its oversight process, including implementing the requirement added by SAFETEA-LU that the administration conduct a management review of each state at least once every 3 years. NHTSA regional officials conducted 56 of the 57 required management reviews from fiscal years 2005 through 2007.²¹ NHTSA also refined its management review guidance to clarify the process each regional office uses to initiate, conduct, and publish a final management review report. In addition, NHTSA developed a tool—the corrective action plan—to track state implementation of management review recommendations and encourage states to act on the administration’s advice. Recently, NHTSA has worked with the Governors Highway Safety Association (GHSA) to clearly distinguish between recommendations related to noncompliance with statutes or regulations, which states are required by law to implement, and recommendations related to best practices, which states are not required to implement. NHTSA has also trained regional officials on these changes to the management review process and established a national team to review all draft management review reports for consistency.

NHTSA’s recent initiatives to improve the consistency of its management reviews should improve the information available to the administration for analysis—such as information on common grant management challenges faced by states—and thus may provide an opportunity for NHTSA to enhance its oversight. However, NHTSA does not currently have a process for analyzing its management review recommendations on a national level, identifying common challenges faced by states, and directing training and technical assistance resources accordingly. Furthermore, NHTSA has not

²¹American Samoa was the only state or territory that did not receive a management review from fiscal years 2005 through 2007. A NHTSA official told us that due to a limited travel budget, the regional office was unable to conduct an onsite management review during those fiscal years. The regional office plans on conducting an onsite visit in fiscal year 2008. American Samoa received \$1.6 million in federal highway safety funding in fiscal year 2007, one of the lowest amounts of funding in the nation.

nationally tracked the extent to which states have implemented its recommendations, which could help the administration assess the impact of its oversight.

Selected State Officials Say Programs Are Helping Improve Traffic Safety Despite Some Challenges, but Nationwide Fatalities Have Not Decreased

NHTSA has not yet assessed the grant programs' effectiveness because it has not developed sufficient performance measures and the safety incentive grants have not been in place long enough to evaluate trends. Nevertheless, selected state officials told us the programs are helping to improve traffic safety. These officials also identified challenges limiting the programs' effectiveness. Additionally, a key indicator of effectiveness at the national level—overall traffic fatalities—has not improved over the last 10 years, being offset by factors such as increases in population and the number of vehicle miles traveled.

Insufficient Performance Measures and Trend Data Preclude Assessments of Effectiveness

NHTSA officials indicated that they plan to rely on performance measures to help determine the results of traffic safety programs. NHTSA does not currently have sufficient performance measures in place and changes to the safety incentive grant programs resulting from SAFETEA-LU have not been in place long enough to allow NHTSA to evaluate results, such as improvements in fatality rates. According to a NHTSA official, they will begin receiving sufficient trend data later in 2008. NHTSA currently uses DOT-wide measures that reflect the overall goal of reducing traffic fatalities, such as measures of the fatality rates of passenger vehicle occupants and motorcyclists. In addition, NHTSA has developed intermediate outcome measures to track behaviors influencing traffic safety, such as safety belt use.

However, these measures do not comprehensively cover the traffic safety areas included in the grant programs because they do not include measures to track behaviors influencing alcohol-related fatalities, such as the number of impaired-driving citations that police officers issued, arrests, and convictions.²² Currently, the extent to which states collect data

²² U.S. Department of Transportation Office of Inspector General, *Audit of the National Highway Traffic Safety Administration's Alcohol-Impaired Driving Traffic Safety Program*, Report No. MH-2007-036 (Washington, D.C., Mar. 5, 2007).

needed to track such measures varies. NHTSA recognizes the need to improve these measures and, in partnership with GHSA, has hired a contractor to develop a common set of performance measures that federal, state, and local governments could use. NHTSA seeks to establish intermediate outcome measures for a broad range of traffic safety areas, including safety belts and child passenger safety, impaired driving, and motorcycles, that can reliably track progress toward reducing safety problems. NHTSA plans to use these measures to track progress at the national level and encourage states to consider them in the highway safety planning process. The contractor's analysis is expected to be completed in August 2008.

Selected State Officials Report Safety Grant and HVE Programs Help Improve Traffic Safety

Officials in selected states told us that the safety grant and HVE programs help improve safety by funding activities addressing key safety issues in their states, and that the incentive grants complement Section 402 grants by allowing states to expand core traffic safety activities. For example:

- States primarily use Section 402 funds for programs aimed at reducing alcohol-impaired driving and unbelted driving. From fiscal years 1999 through 2007, states spent approximately \$1.5 billion in Section 402 funding. More than half of this funding was spent on traffic law enforcement, occupant protection, and alcohol-impaired driving countermeasures. These three areas support programs intended to reduce the incidence of alcohol-impaired and unrestrained driving, such as overtime hours police officers dedicated to traffic law enforcement, training for police officers on identifying and assessing drivers who are under the influence of alcohol or other drugs, and media campaigns aimed at increasing safety belt use as well as campaigns targeting populations that are at high risk for driving under the influence of alcohol. States also used Section 402 funding for programs to reduce speeding and improve motorcycle safety.

States also use safety incentive grant programs to plan and implement safety improvement activities to address key traffic safety issues in their states. These activities generally fall into five categories—education and training, media and public information, enforcement, data and technology, and infrastructure improvements. States use the grants to address goals and performance measures established in state highway safety plans. These include increasing safety belt use, reducing alcohol-impaired driving, and reducing motorcyclist fatalities. Specifically, states use the safety incentive grant programs as follows:

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- *Safety Belt Use*—State officials have more flexibility in using these funds compared with other incentive grants because they can use this grant program to fund any traffic safety activities, as well as to fund infrastructure improvements, although most funding has been allocated toward programs influencing safety. Specific examples of activities funded include the CIOT HVE campaign, statewide safety belt use surveys, traffic safety information system improvements, upgrades and improvements to locations where pedestrian and motor vehicle collisions occur, or videotaping and assessing county roadway systems.
 - *Child Safety and Booster Seat*—States use these funds for education and training, media and public information, and other activities such as car seat purchases. Specifically, these activities include increasing training for child safety seat technicians and instructors and supporting additional safety checkpoints and clinics where parents learn how to properly install safety seats, as well as promoting awareness of child passenger safety.
 - *Impaired Driving*—States use these funds for education, training, media, public information, and enforcement activities. Activities include training law enforcement officers and promoting outreach programs to prosecutors and judges, promoting awareness of the impact of impaired driving, including teen drivers, and funding HVE activities such as the OTLUA campaign, and targeting establishments that sell alcoholic beverages to minors. In addition, states have used funds to purchase equipment such as breath alcohol testing vans, enhance courts' and prosecutors' ability to prosecute impaired driving, and encourage legislation imposing stronger sanctions and penalties for impaired driving.
 - *Motorcyclist Safety*—States use these funds for education and training as well as media and public information. Specifically, states use these funds to train more motorcycle safety instructors and add classes, for campaigns to increase other motorists' awareness of motorcyclists and promote motorcycle training courses, and to purchase additional motorcycles for training courses.
 - *Traffic Safety Information Systems*—States use these funds for data and technology activities to enhance the quality of information concerning crashes, drivers licenses, injury surveillance, roadways, enforcement and adjudication, and vehicles. Activities include improving the timeliness and uniformity of crash data; developing an electronic citation system to allow

electronic issuance, collection, and court processing of citation data; creating a statewide emergency medical system and trauma database; and enhancing driving under the influence (DUI) records.

Officials in selected states reported that HVE campaigns contribute to increases in safety belt use and reductions in impaired driver fatalities. These states all experienced increased safety belt use and reduced alcohol-involved fatality rates in the last 10 years. Increased safety belt use ranged from 6.5 percent in North Carolina to 29.6 percent in North Dakota. Nationwide, safety belt use increased 12 percentage points from 1997 to 2006. Similarly, the selected states experienced a decrease in alcohol-involved fatality rates from 1997 to 2006. Decreases ranged from 22 percent in Rhode Island and North Dakota to 3 percent in Arkansas. Five of the seven states we visited experienced declines in alcohol-involved fatality rates that exceeded the overall U.S. decrease of 12 percent. States officials we spoke with attributed these improvements, in part, to participation in HVE campaigns.

**State Officials Noted
Challenges Limit
Programs' Effectiveness**

Although officials in selected states have found the grants and HVE programs helpful, they noted several challenges that limit the programs' effectiveness:

- Despite the availability of incentives, some states have faced challenges passing legislation required to qualify for the Safety Belt Use and Child Safety and Booster Seat grants. About half of the states have not enacted primary safety belt laws principally because their state legislatures or governors oppose mandating safety belt use laws that could infringe on individuals' personal freedom. Although 16 states had primary safety belt laws in effect before 2003, from 2003 through 2007, 29 states introduced primary safety belt bills; only 8 passed the bills. Similarly, relatively few states have passed laws to qualify for Child Safety and Booster Seat grants. From 2003, when states became aware that certain provisions would likely be included in the reauthorization legislation, through 2007, 24 states considered requiring children to use booster seats up to age 8. In total, five states passed new laws or modified existing laws to qualify for the grant in fiscal year 2006. An additional eight states passed laws to qualify in fiscal year 2007. Although many states have booster seat laws in effect, the laws vary in terms of age, height, and weight requirements, with some states requiring seats up to ages 5, 6, or 7. Other states use height and weight requirements. According to traffic safety officials and safety advocates, these variations occurred because of evolving research and guidance from NHTSA on determining who should be in booster seats. However, once a

state has a booster seat law, those involved in child passenger safety are reluctant to try to change it for fear of losing the states' existing safety provisions.

- Each safety incentive grant has a separate application process, which has proven challenging for some states to manage, especially those with small safety offices. The five applications are each due within a 1-1/2 month period between June 15 and August 1. According to state highway safety officials, each application requires extensive amounts of staff time and resources. Although the application process is similar for each grant, having to complete it several times within a short time frame presents administrative challenges for states. Several states expressed concerns about the demands the application process placed on their staff, including those with larger safety programs and more staff and resources than those with smaller safety programs. According to NHTSA, the application requirements reflect statutory requirements to award grants in the same year in which the state's legislative status and fatality-rate performance are measured.
- Some states would have preferred more flexibility in using safety incentive grants; flexibility could become a key issue in the future as emerging issues become more critical. For example, the Motorcyclist Safety grant program allows funding to be used only for training and to increase other motorists' awareness of motorcyclists. Officials in Montana would like to use the funds to build new sites or expand the size of current training sites, but the grant does not allow them to do so, although the grant does allow states to lease or purchase new sites. New Jersey officials also noted that the Child Safety and Booster Seat grant they received in fiscal year 2006 was much larger than expected; they would have preferred using the additional funding for other areas, such as the state's traffic safety information systems. Some state officials we interviewed noted that, while the traffic safety data improvement grant will help them improve their data systems, the cost of developing and maintaining these systems far exceeds the amount of the grant.
- In implementing the HVE campaigns, some law enforcement agencies found it difficult to recruit sufficient officers to conduct campaigns. Some law enforcement agencies said they did not have sufficient staffing levels for both regular police work and frequent HVE campaign enforcement activities. Factors affecting staffing include crime enforcement having priority over traffic enforcement, officers being called up for military duty

or diverted to homeland security duties, too few personnel, and an insufficient number of officers signing up for overtime to work the campaigns. NHTSA has taken steps to help states overcome these challenges by providing funding for equipment as an incentive to participate and providing guidance on how to better use existing resources. States have also taken steps, for example, by recognizing officers for contributions to HVE campaigns.

- Weak prosecution of impaired driving offenders reduces the likelihood that HVE campaigns will achieve desired results. State and NHTSA officials indicated that, because court systems have heavy caseloads and limited resources, DUI cases may be given a lower priority compared with more violent crimes. Additionally, some law enforcement officials and prosecutors lack the knowledge and training needed to consistently prosecute DUI cases. As a result, some DUI charges may be dismissed. Finally, judges handling DUI cases face challenges, including frequent plea bargains, which may undermine the deterrent value of the arrest. States have developed initiatives to train judges and officers on DUI prosecution and train officers on conducting field sobriety testing. NHTSA has also provided guidance, funded training programs, and provided states grants to more effectively prosecute DUI offenders.
- States face difficulties increasing safety belt use and reducing alcohol-impaired driving among resistant populations, such as drivers in rural areas, those who drive pickup trucks, and those who repeatedly drink and drive. Statistics show that more drivers in rural areas resist wearing safety belts. In general, rural areas have a higher proportion of fatal crashes and traffic fatalities than urban areas, as well as higher alcohol-involved crash rates, crashes at higher speeds on narrow or sharply curved rural roads, and less access to emergency services. Moreover, crashes in rural areas also more likely involve unrestrained occupants who are thus ejected from vehicles. NHTSA and states are taking steps to increase rural safety belt use and have developed programs targeting pickup truck drivers, including the “Buckle Up in Your Truck,” campaign that targeted young males who are more likely to drive pickup trucks. NHTSA has outlined strategies for states and local communities, such as a rural demonstration program involving intensified enforcement and paid media to alert residents in targeted areas that safety belt laws will be enforced. Another challenge is reducing impaired driving among hardcore drunk drivers—those who drive with a blood alcohol content (BAC) of 0.15 or greater. NHTSA data indicates that hardcore drinkers are involved in 54 percent of alcohol-involved fatalities and are likely to be repeat drinking drivers. NHTSA has

recommended increased use of ignition interlock devices—which prevent a vehicle from starting if the BAC exceeds a certain limit—as a penalty against repeat drunken drivers.

Despite improvements in certain areas, traffic fatalities—a key indicator of the overall effectiveness of these programs—have remained relatively constant at about 43,000 per year over the last 10 years. Traffic fatalities per 100 million VMT declined by approximately 14 percent during this period, from 1.65 in 1997 to 1.41 in 2006. Also, the two primary causes of fatalities—improper safety belt use and impaired driving—have been somewhat mitigated. Unrestrained fatalities decreased from 23,236 in 1985 to 16,053 in 2006, while the unrestrained fatality rate decreased by 0.78, from 1.31 to 0.53 fatalities per 100 million VMT. These improvements were likely due to safety belt laws states began passing in the 1980s. Alcohol-impaired driving showed similar reductions. From 1985 to 2006, the alcohol-involved fatality rate decreased by 0.63, from 1.13 to 0.50 fatalities per 100 million VMT. According to NHTSA, these improvements were influenced by federal laws providing states incentives to strengthen impaired driving laws, among other factors. Nevertheless, progress has slowed, with a fluctuating number of alcohol-involved fatalities and a generally declining alcohol-involved fatality rate from 1994 to 2006. A third category—child passenger fatalities—decreased by 31 percent, from 3,157 in 1997 to 2,173 in 2006.

However, increases in motorcycle fatalities from 1997 to 2006 offset improvements in other areas. Motorcycle fatalities more than doubled between 1997 and 2006, increasing from 2,116 fatalities (5 percent of total traffic fatalities) to 4,810 fatalities (11.3 percent of total traffic fatalities). Similarly, motorcycle fatality rates grew from 55.30 fatalities per 100,000 registered motorcycles in 1997 to 71.94 fatalities per 100,000 registered motorcycles in 2006.²³ NHTSA attributes part of this problem to an increase in older motorcycle riders—particularly those riders over age 50 who have not operated motorcycles in 15 to 20 years—whose riding skills have declined, but have not sought additional training. In contrast to the changes in these three types of traffic fatalities, speeding-related fatalities

²³DOT has changed the baseline for its motorcycle fatality rates from 100 million VMT to 100,000 registered motorcycles because of concerns that VMT did not seem valid considering the number of registered motorcycles. NHTSA calculates motorcycle fatality rates using both measures. Thus, using VMT, the motorcycle fatality rates increased from 20.99 per 100 million VMT in 1997 to 38.79 per 100 million VMT in 2006.

have essentially remained constant over the last decade, growing slightly from 13,036 fatalities in 1997 (31 percent of total traffic fatalities) to 13,543 in 2006 (32 percent of total traffic fatalities).

Issues for Reauthorization

The administrative challenges faced by states in applying for and using incentive grants and a lack of performance measures that link traffic safety grant awards to state performance, as well as the plateau in overall traffic fatalities and changes in causes of fatalities in recent years pose implications that Congress may want to consider when reauthorizing funding for the Surface Transportation Program. As noted previously, states have faced challenges in meeting eligibility requirements for the Safety Belt Use and Child Safety and Booster Seat grant programs and in managing the separate grant applications and deadlines associated with each of the five incentive grants, and would like to have more flexibility in the range of traffic safety activities supported by these grants. NHTSA officials acknowledged state officials' concerns, but noted they cannot address the concerns because these difficulties stem from the grant requirements established in SAFETEA-LU. In reauthorization, Congress may wish to consider ways to reduce these administrative and management challenges for states, for example, by restructuring the safety incentive grant programs or adjusting grant requirements to consolidate incentive grant applications, simplifying the application procedures and deadlines, or allowing states to use these grants for a broader range of traffic safety purposes.

A second potential consideration is whether the traffic safety grant programs could be designed differently to include performance accountability mechanisms to link state performance with traffic safety grant awards. NHTSA officials indicated that they plan to rely on performance measures to help determine the results of the incentive grant programs. Although the performance measures that NHTSA currently uses—DOT performance measures and several intermediate outcome measures—are not comprehensive, the administration is in the process of developing more comprehensive measures to reliably track states' progress toward achieving safety goals in a broad range of traffic safety areas. Even so, states' receipt of traffic safety grant funds is not always linked to performance. For example, while the Traffic Safety Information Systems and Impaired Driving grants include performance criteria in their eligibility requirements, states can also qualify for the Impaired Driving

grant based on additional criteria, and the three other incentive grants do not include any performance-based eligibility criteria.²⁴ We have previously reported that such performance accountability mechanisms could improve the design and implementation of federal grants.²⁵ Specifically, regarding transportation-related grants, we have raised concerns about insufficient links between state performance and receipt of grants.

Finally, given the plateau in the number of annual traffic fatalities nationwide and the changes in causes of fatalities, including the increase in motorcycle fatalities and fatality rates, Congress may wish to consider whether the current traffic safety programs could be restructured to more effectively reduce fatalities. Currently, to address traffic fatalities, Congress offers incentive grants to encourage states to pass safety legislation and achieve certain safety outcomes, and penalty transfer programs to discourage states from failing to pass safety legislation. In addition, NHTSA uses several approaches to help states improve their safety outcomes. NHTSA provides expert advice to all states through its evaluation of state progress toward safety goals and performance measures established annually by each state, special management reviews for states not making adequate progress in the areas of alcohol-impaired driving and safety belt use, and voluntary technical program assessments for states requesting additional assistance in a variety of areas. However, since the number of annual traffic fatalities has remained fairly constant in recent years—being offset by factors such as increases in population and the number of vehicle miles traveled—Congress may wish to consider adjusting these existing strategies or implementing additional strategies to reduce fatalities. For example, Congress may wish to consider different or additional state incentives, or allow states more flexibility in using grant funds to address current and emerging safety issues. We have also recommended that NHTSA identify options to target safety expertise and technical assistance to states with a high number of fatalities that would not qualify for a special management review.

²⁴NHTSA will begin awarding the Safety Belt Use grant in fiscal year 2008 to states that have certified that they have achieved at least an 85 percent safety belt use rate in the preceding 2 calendar years. However, a NHTSA official indicated that only five states would qualify for the grant based on safety belt use in fiscal year 2008 and that only two had a mathematical chance of qualifying under this criteria in fiscal year 2009.

²⁵GAO, *Grants Management: Enhancing Performance Accountability Provisions Could Lead to Better Results*, GAO-06-1046 (Washington, D.C.: Sept. 29, 2006).

NHTSA officials noted that DOT's 2003 reauthorization proposal included performance-based grants within the Section 402 grant, and would have addressed the eligibility and management challenges states faced in using the safety incentive grants. Under this proposal, the amount of each state's performance based grant would have depended on the state's performance related to various crash fatality rates, safety belt use, and safety belt laws. However, given that we identified deficiencies in the quality of state data systems in 2004, data-driven changes to the traffic safety grant programs such as those included in NHTSA's 2003 reauthorization proposal would require improved state safety data to enhance states' ability to identify traffic safety issues, as well as a robust oversight approach to ensure that states are using federal funds appropriately. As noted earlier in this statement, NHTSA has improved the consistency of its oversight since 2003 and has implemented requirements established in SAFETEA-LU regarding the frequency of its management reviews of states.

Mr. Chairman, this concludes my prepared statement. I would be pleased to respond to any questions that you or other Members of the Committee might have.

For further information on this statement, please contact Katherine Siggerud at (202) 512-2834 or siggerudk@gao.gov. Contact points for our Congressional Relations and Public Affairs offices may be found on the last page of this statement. Individuals making key contributions to this testimony were Sara Vermillion, Assistant Director; Michael Armes; Catherine Colwell; Caitlin Croake; Colin Fallon; Lynn Filla-Clark; Joah Iannotta; Tom James; Bert Japikse; Leslie Locke; and Terry Richardson.

Appendix I: Objectives, Scope, and Methodology

We were asked to participate in this hearing to discuss the National Highway Traffic Safety Administration's (NHTSA) programs and oversight. Our statement addresses (1) NHTSA's progress in administering and overseeing the traffic safety grant and high-visibility enforcement (HVE) programs, (2) the programs' effectiveness in addressing traffic safety issues, and (3) implications for reauthorization of the programs in 2009. In addition, this statement provides information on a traffic safety area that we expect to become a more serious issue in the future—older driver safety. Our statement is based on three recently issued reports on (1) NHTSA's Safety Incentive Grants, (2) the HVE campaign programs, and (3) NHTSA's oversight of state traffic safety programs and the approaches currently available to improve safety outcomes.¹ In addition, we touch on issues raised in last year's report on older driver safety.²

NHTSA Safety Incentive Grants

In the NHTSA Safety Incentive Grants report, we addressed (1) NHTSA's status in awarding and overseeing states' use of these grant programs, (2) the activities states have conducted using the grants and issues they have faced in applying for and implementing them, and (3) how NHTSA plans to evaluate the results of the grant programs and implications for reauthorizing funding for these programs. To address these objectives, we reviewed documents and interviewed officials from NHTSA, the Federal Highway Safety Administration (FHWA), and representatives from professional groups, including the American Association of State Highway and Transportation Officials, Governors Highway Safety Association (GHSA), National Safety Council, and Advocates for Auto and Highway Safety. We interviewed state highway safety officials and reviewed documents from 7 selected states—California, Illinois, Missouri, Montana, New Jersey, South Carolina, and Vermont (see Table 2). We selected the states based on a combination of characteristics, including fatality rates, funding, and geographic distribution. Since we used a nongeneralizable sampling approach, our findings cannot be used to make inferences about

¹GAO, *Traffic Safety: Grants Generally Address Key Safety Issues, Despite State Eligibility and Management Difficulties*, [GAO-08-398](#) (Washington, D.C.: Mar. 14, 2008); *Traffic Safety: Improved Reporting and Performance Measures Would Enhance Evaluation of High-Visibility Campaigns*, [GAO-08-477](#) (Washington, D.C.: Apr. 25, 2008); and *Traffic Safety: NHTSA's Improved Oversight Could Identify Opportunities to Strengthen Management and Safety in Some States*, [GAO-08-788](#) (Washington, D.C.: July 14, 2008).

²GAO, *Older Driver Safety: Knowledge Sharing Should Help States Prepare for Increase in Older Driver Population*, [GAO-07-413](#) (Washington, D.C.: Apr. 11, 2007).

all states that received NHTSA Safety Incentive Grants. We also reviewed states' 2007 highway safety plans and 2006 annual reports for all 50 states to identify activities states are funding with these grants. In addition, we reviewed the U.S. Department of Transportation's (DOT) and NHTSA's performance measures and other related documents, including NHTSA's 2003 reauthorization proposal. We conducted this performance audit from March 2007 through March 2008 in accordance with generally accepted government auditing standards.

Table 2: Site Visit Locations for GAO Traffic Safety Reports

NHTSA Safety Incentive Grants	HVE Campaign Program	NHTSA Oversight	Older Driver Safety
California	Arkansas	Arizona	California
Illinois	Illinois	Idaho	Florida
Missouri	Iowa	Maine	Iowa
Montana	North Carolina	Minnesota	Maryland
New Jersey	North Dakota	Nevada	Michigan
South Carolina	Rhode Island	Texas	Oregon
Vermont	Washington	West Virginia	
		Wisconsin	

Source: GAO.

HVE Campaign Program

In the HVE campaign program report, we addressed (1) the extent to which NHTSA has implemented the HVE program and (2) for selected states, the impact of the HVE campaigns and challenges that exist in conducting the campaigns. To address these objectives, we analyzed information and interviewed officials from NHTSA headquarters and regions; FHWA; and state traffic safety offices, state police, local police, and police advocacy organizations in seven states—Arkansas, Illinois, Iowa, North Carolina, North Dakota, Rhode Island, and Washington (see Table 2). We judgmentally selected the states by including: states that have enacted various laws that may affect how states conduct enforcement campaigns; states with a wide range of traffic safety performance levels, such as extent of safety belt use and number of alcohol-involved fatalities in each state; states with differences in average size of law enforcement agencies; states that exhibited various degrees of participation by state and local law enforcement agencies in campaigns; and states that were geographically dispersed. Since we used a nongeneralizable sampling approach, our findings cannot be used to make inferences about all states that implemented the HVE program. We also interviewed representatives

of nongovernmental organizations; reviewed relevant studies, reports, and laws; and analyzed safety belt use and alcohol-involved fatality data for selected states.³ We conducted this performance audit from March 2007 through April 2008 in accordance with generally accepted government auditing standards.

NHTSA Oversight

In the NHTSA oversight report, we addressed (1) how states have used Section 402 funding to achieve national safety goals, (2) the progress NHTSA has made toward addressing consistency in the management review process, (3) how useful NHTSA's management reviews and recommendations are in improving management of state safety programs, and (4) the approaches currently available to improve safety outcomes. To address these objectives, we reviewed legislation, guidance, and procedures relevant to NHTSA's oversight of state highway safety grants, including NHTSA's management review process. We interviewed NHTSA headquarters and regional officials and representatives from the Governors Highway Safety Administration (GHSA). We also conducted site visits in eight states—Arizona, Idaho, Maine, Minnesota, Nevada, Texas, West Virginia, and Wisconsin—to gather state officials' views of NHTSA's oversight, including the management review process, and to discuss how states use Section 402 grants (see table 2). In addition, we analyzed data NHTSA provided on how states spent highway safety grants from fiscal years 1999 through 2007, conducted a content analysis of the recommendations in all management reviews developed in fiscal years 2005 through 2007, and summarized information from NHTSA's corrective action plans. We also analyzed data provided by NHTSA on the total number of alcohol-related fatalities and fatality rates as well as the total number of unbelted fatalities and fatality rates from 1998 through 2006. We conducted this performance audit from July 2007 to July 2008 in accordance with generally accepted government auditing standards.

Older Driver Safety

Finally, in the older driver safety report, we addressed (1) what the federal government has done to promote practices to make roads safer for older drivers and the extent to which states have implemented those practices, (2) the extent to which states assess the fitness of older drivers and what

³ We used data contained in NHTSA's Fatality Analysis Reporting System database and vehicle miles traveled data maintained by FHWA in its Highway Performance Monitoring System database.

support the federal government has provided, and (3) what initiatives selected states have implemented to improve the safety of older drivers. To address these objectives, we reviewed documents and interviewed officials from NHTSA, FHWA, the National Institute on Aging and the Administration on Aging within the U.S. Department of Health and Human Services, and the American Association of Motor Vehicle Administration. To obtain information on the extent to which states are implementing practices to make roads safer for older drivers, we surveyed and received responses from DOTs in each of the 50 states and the District of Columbia. We also conducted case studies in six states—California, Florida, Iowa, Maryland, Michigan, and Oregon—that transportation experts identified as progressive in their efforts to improve older driver safety. We conducted our work from April 2006 through April 2007 in accordance with generally accepted government auditing standards.

Appendix II: Criteria for States to Qualify for Selected Incentive Grant Programs

Alcohol Impaired Driving Countermeasures Grant. The eight criteria are: (1) implement a high-visibility enforcement campaign program using checkpoints or saturation patrols, along with paid and earned media; (2) implement an education program for judges and prosecutors on prosecuting and adjudicating offenders; (3) implement a program to increase blood alcohol content (BAC) testing rate for drivers in fatal crashes; (4) enact legislation imposing stronger sanctions or additional penalties for high-risk drivers with a BAC of at least 0.15; (5) implement a rehabilitation program for repeat or high-risk offenders or refer them to a state-sanctioned driving while intoxicated (DWI) court; (6) develop a strategy to prevent underage drivers from obtaining alcoholic beverages and anyone from making alcoholic beverages available to persons under 21; (7) implement a program to suspend or revoke licenses for drivers apprehended while driving under the influence; or (8) implement a “self-sustaining impaired driving prevention program” in which a significant portion of DWI fines or surcharges collected are returned to communities to reduce alcohol-impaired driving.

Motorcyclist Safety Grant. The six criteria are: (1) implement a statewide motorcycle rider training program; (2) implement a program promoting motorcyclist awareness; (3) reduce fatalities and crashes involving motorcycles in the prior year; (4) implement a statewide impaired-driving program that includes measures targeting impaired motorcycle operation; (5) reduce fatalities and crashes involving impaired motorcyclists in the prior year; and (6) use all fees collected from motorcyclists for motorcycle programs.

State Traffic Safety Information Systems Improvement Grant. The three criteria for the first year are to (1) establish a multidisciplinary highway safety data and traffic records coordinating committee; (2) develop an approved multiyear safety data and traffic records strategic plan with performance-based measures; and (3) certify that the state has adopted and is using model data elements in the Model Minimum Uniform Crash Criteria and National Emergency Medical Service Information System, or certify that it will use funds to adopt and use the most elements practicable.

The five criteria for the second and subsequent years are to (1) certify that an assessment or audit of the state traffic records system has been conducted or updated in the last 5 years; (2) certify that the coordinating committee still operates and supports the plan; (3) specify how grant and other state funds will support the plan; (4) demonstrate measurable

**Appendix II: Criteria for States to Qualify for
Selected Incentive Grant Programs**

progress toward achieving goals and objectives in the plan; and (5) submit a report showing measurable progress in implementing the plan.

Appendix III: Older Driver Safety

In GAO's 2007 report on older driver safety,¹ we found the following:

- FHWA has recommended practices—such as using larger letters on signs—targeted to making roadways easier for older drivers to navigate. FHWA also provides funding that states may use for projects that address older driver safety. States have, to varying degrees, adopted FHWA's recommended practices. For example, 24 states reported including about half or more of FHWA's practices in state design guides, while the majority of states reported implementing certain FHWA practices in roadway construction, operations, and maintenance activities. States generally do not place high priority on projects that specifically address older driver safety but try to include practices that benefit older drivers in all projects.
- More than half of the states have implemented licensing requirements for older drivers that are more stringent than requirements for younger drivers, but states' assessment practices are not comprehensive. For example, these practices primarily involve more frequent or in-person renewals and mandatory vision screening but do not generally include assessments of physical and cognitive functions. While requirements for in-person license renewals generally appear to correspond with lower crash rates for drivers age 85 and older, the validity of other assessment tools is less clear. NHTSA is sponsoring research and other initiatives to develop and assist states in implementing more comprehensive driver fitness assessment practices.
- Five of the six states GAO visited have implemented coordination groups to assemble a broad range of stakeholders to develop strategies and foster efforts to improve older driver safety in areas of strategic planning, education and awareness, licensing and driver fitness assessment, roadway engineering, and data analysis. However, knowledge sharing among states on older driver safety initiatives is limited, and officials said states could benefit from knowledge of other states' initiatives.

We recommended that the Secretary direct FHWA and NHTSA Administrators to implement a mechanism to allow states to share information on older driver safety practices.

In response to our recommendations, FHWA indicated that it is working with NHTSA and others in DOT to identify the types of references and

¹GAO, *Older Driver Safety: Knowledge Sharing Should Help States Prepare for Increase in Older Driver Population*, [GAO-07-413](#) (Washington, D.C.: Apr. 11, 2007).

links to other organizations' information to include on its Web site. This information includes articles on older road users, technical reference materials, and research results. FHWA expects to have its Web site updated by June 2008.

NHTSA responded that it has also taken steps to allow states to share information on leading practices for enhancing older drivers' safety. First, NHTSA established a clearinghouse for sharing technical information about older road user programs. The clearinghouse was created through an interagency agreement with the Federal Transit Administration and the National Central for Senior Transportation, a clearinghouse for information on transportation for seniors, such as programs and strategies that have been successful in other states. Second, NHTSA's regional offices have worked with state highway safety offices to develop older road user programs, including exchanging information on other states' best practices. The regions are also promoting use of NHTSA's Older Driver Law Enforcement Course, and advising states of progress with demonstration projects. These include a project in Missouri to help establish older driver coalitions, and others in New Jersey and Virginia to enhance driver licensing referral programs.

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