



# Maine

## Highway Safety Plan Federal Fiscal Year 2007

*John Elias Baldacci, Governor*

*Michael P. Cantara, Commissioner, Department of Public Safety*

*And Governor's Highway Safety Representative*

## **Message from the Commissioner**

On our cover this year, you will see a visual representation of our partners in highway safety. This is not a comprehensive list. We have spent the past year working to build and strengthen our relationships with people who share our goal of saving lives.

We are particularly grateful to our partners in law enforcement for working with us year after year to ensure that our programs are a success. The Maine State Police and many local and county agencies joined with us to promote education and awareness about: the benefits of wearing safety belts; decreasing the number of impaired drivers on the roads; and combating the ever increasing problem of speed.

I believe that you will see that our 2007 Highway Safety Plan shows our commitment to reducing fatalities, injuries and personal loss resulting from motor vehicle crashes. Through the dedication and tireless efforts of the Highway Safety office and through our new and old partners and with the direction and emphasis placed on these issues by Governor John E. Baldacci, I hope that more people will heed our message and that Maine's highways will be safer for all of us.

Michael P. Cantara, Commissioner, Maine Department of Public Safety  
and Governor's Highway Safety Representative

## Executive Summary

This Highway Safety Performance Plan outlines the State of Maine's strategy to achieve our overall goal of reducing fatalities, injuries and property damage resulting from traffic crashes. It also serves as our application for Section 402 Federal Funds for fiscal year 2007.

The GHSA template for Highway Safety Plans has been utilized in order to satisfy the suggestions in the approval letter received with the FFY2006 Highway Safety Plan.

This Plan addresses the program areas outlined by the National Highway Traffic Safety Administration and those identified by the Maine Bureau of Highway Safety. Initiatives and projects to be undertaken in FFY 2007 will include focusing efforts on increasing the overall safety belt usage rate. The Bureau will support the May/June national campaign "*Click It or Ticket*" with our "Buckle Up-No Excuses" campaign. Law enforcement will continue to enforce seat belt usage in their usual manner for the remainder of the year in conjunction with news, radio and television media schedule for fall 2006 and spring 2007.

Addressing the issue of alcohol-related crashes and fatalities. To combat this problem, the Bureau will continue its summer-long OUI enforcement effort with state, local and municipal law enforcement in areas of the state where data shows the greatest problem. We will support the National "*Drunk Driving. Over the Limit. Under Arrest*" campaign during Labor Day.

We will continue our dedicated speed enforcement efforts in much the same manner as the OUI enforcement, using data analyzed from the crash reports and plotted on a state map for the areas with the highest speed-related crashes. Finally, we will focus on efforts to reduce the number of motorcycle fatalities. We have identified a project to partner with the Motorcycle Rider Education of Maine, Inc. and the Departments of Motor Vehicle and Transportation to promote motorcycle safety. We hope to support that effort with media directed at both motorcyclists and motor vehicle operators.

The Bureau continues to work together with the MeDOT Strategic Highway Safety Plan and the MTSC Strategic Plan to be sure that all efforts compliment each other.

A relatively new area of concern for Maine has been the increase of motor vehicle drivers operating after suspension (OAS). We have analyzed data to support enforcement efforts specific to this area. In partnership with local and municipal law enforcement, our goal is to decrease the number of OAS drivers. In 2006, the State Legislature enacted a new law, "Tina's Law". "Tina's Law" creates the crime of aggravated operating after habitual offender revocation and imposes mandatory penalties ranging from \$500 to \$3,000 fines and six months to five years in jail. The law is named for a woman who died of injuries in a Maine Turnpike accident caused by a trucker with a lengthy record of offenses.

## **About the Maine Bureau of Highway Safety**

The Federal Highway Safety Act of 1966 directed the National Highway Traffic Safety Administration (NHTSA) and Federal Highway Administration (FHWA) of the United States Department of Transportation to jointly administer various highway safety programs and projects. This federal grant program provides funds administered through the Maine Department of Public Safety (MeDPS), Bureau of Highway Safety (MeBHS) to eligible entities to be used in part, for traffic safety education and enforcement to decrease the deaths and injuries that occur on Maine roads and highways.

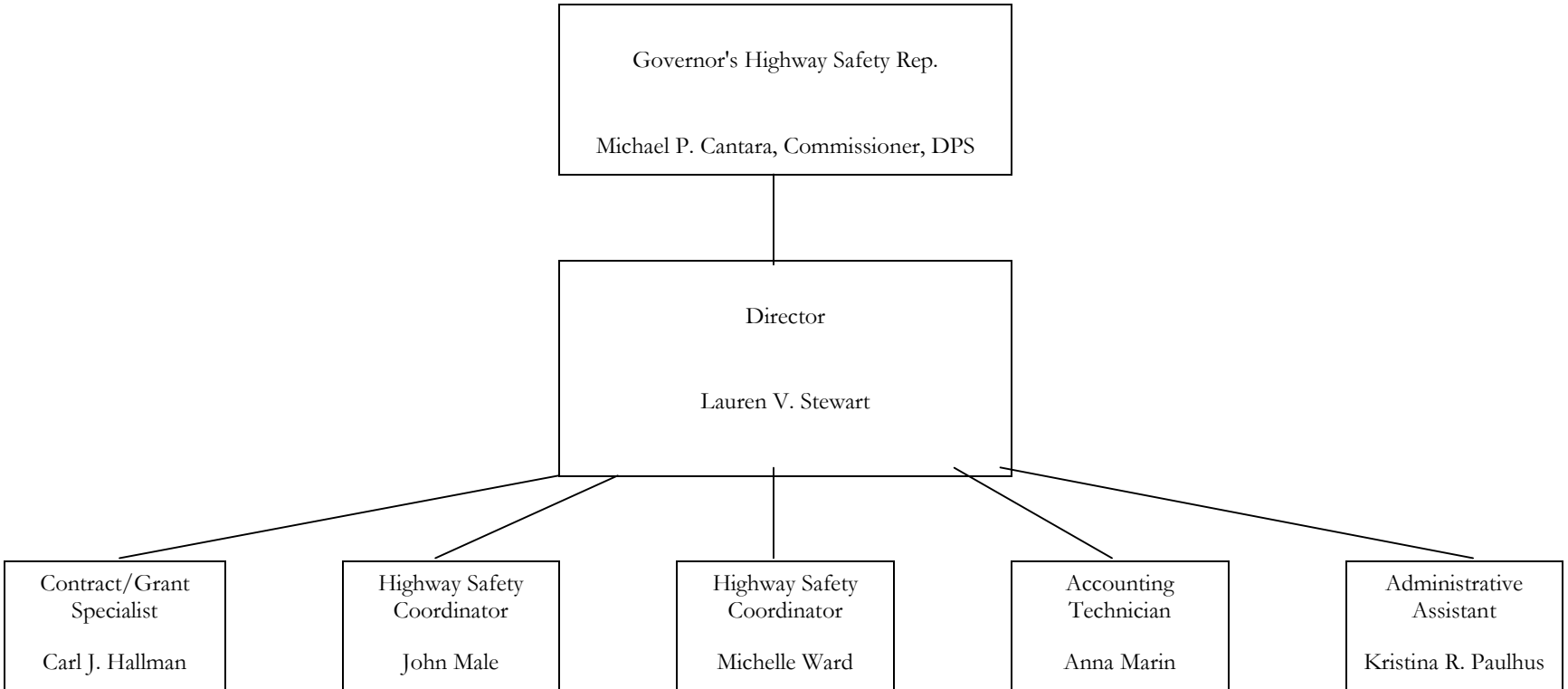
MeBHS is a six-person department with the responsibility for effectively administering and utilizing Section 402 State and Community Highway Safety Funds and related grants received from NHTSA and FHWA. These funds are to be used for planning, implementing and evaluating short-term behavioral highway safety programs and projects with the intent that other sources of funding will sustain these programs over the long-term. The bureau is the leader in coordinating the safety efforts of federal, state and local organizations involved in Maine traffic safety. Our programs are intended to improve the human behavior of drivers, passengers, pedestrians and cyclists. Our goal is to ultimately reduce the number of fatalities, injuries and property damage caused by highway crashes.

In 2006, the MeBHS joined with other Maine highway safety partners in adopting the federal goal of one fatality per 100 million vehicle miles traveled (MVMT) by 2008. With this goal in mind, the MeBHS places resources and efforts in program areas that are expected to have the greatest impact on our motor vehicle crash fatalities.

In addition to administering federal grant funds, the MeBHS is also responsible for:

- Managing Maine's Implied Consent Program. This is a state-wide program that tests drivers suspected of being impaired on alcohol or other drugs.
- The Maine Driving Dynamics Program. This is a five-hour driver improvement course that allows for point reduction on driver records.
- The Federal Fatal Analysis Reporting System (FARS), which records data on fatal crashes in Maine for input into a larger national record-keeping system of statistical data.

# Highway Safety Organizational Chart





From left to right:

Carl Hallman, Michelle Ward, Kristina Paulhus, Anna Marin, Johnny Male, Lauren Stewart

## Maine Facts



- Population of Maine in 2000: 1,274,923
- Land Area: 30,862 square miles
- Length of coastline: 3,500 miles
- Forest: 17 million acres
- Persons per square mile: 41.3
- Home ownership rate (2000): 71.6%
- Largest city by population: Portland
- State Capital: Augusta
- 16 Counties
- Nearly 500 municipalities
- 5.2% under age 5; 78.5 % 18 years and over; 14.1% age 65 and over
- 96.6% white; .7% African American; .5% American Indian and Alaska Native; .8% Asian; .4% other; .9% Hispanic or Latino

## **The Highway Safety Planning Process**

The Bureau of Highway Safety provides leadership and financial resources that develop, promote and coordinate programs designed to influence public and private policy, make systemic changes and heighten public awareness of highway safety issues. The highway safety problems outlined in this document were identified by analyzing available data that include traffic crashes, traffic citation information, OUI arrests, FARS data, surveys and other input from state, county and local agencies interested in addressing highway safety issues. This analysis helps to identify when, where, why and to whom specific safety problems occur.

In December of 2005, the Bureau held our first “Partners Meeting” in an effort to expand the scope of our partnerships. The meeting drew about 100 people from across the state. We spent time describing our organization, what we do and how we operate. We encouraged the submission of applications to our office for new and innovative projects that would help to address the issues that we have determined are our most critical.

Although the meeting was successful in that we began the process of opening our doors, we received very little project applications for 2007. We continued to analyze our data using new mapping capabilities from the Maine Department of Transportation, Injury data from Maine CDC, CODES, NHTSA data, Maine Transportation Safety Coalition data and other data sources.

The MeBHS director and highway safety coordinators regularly attend meetings of the Maine Chiefs of Police Association, Maine Sheriffs Association, EMS coordinators and others to further gather input on needs and potential solutions and to explain federal guidelines, MEBHS policy and the application process. In addition to the solicitation, MEBHS considers information developed by staff members through contacts with subgrantees, potential subgrantees and other highway safety professionals and non-profit agencies. Problem identification and solution development are ongoing throughout the year.



## Planning Process Calendar

October – June	Obtain input and program ideas for future planning and problem identification process
December – January	“Partners Meeting” to solicit more ideas for future planning
October – June	Begin implementation of programs approved for October 1 HSP Monitor programs and subgrantees
June – September	Evaluate programs and projects, begin closing out projects Begin HSP for next FFY utilizing problem ID and program ideas received October – June
September 1 <sup>st</sup>	Annual HSP/402 Application due to NHTSA
September – December	Annual rollover and close out of FFY & Annual Report

## **Mission of the Bureau**

To save lives and reduce injuries on the state's roads and highways through leadership, innovation, facilitation, project and program support, and in partnership with other public and private organizations.

## **Performance Plans**

### **Identify Problems – Summary Report**

The Bureau of Highway Safety (in partnership with others) conducts an extensive problem identification process to determine the most effective and efficient plan for the use of federal highway safety funds. Problem identification ensures that the programs address specific crash problems and provide the criteria necessary for proper prioritizing and evaluation. The MeBHS identifies problems through a strong partnership with the MeDOT, the Maine Transportation Safety Coalition (MTSC), CODES, FARS, Maine CDC-Injury Prevention, state, local and municipal law enforcement, and data from the Maine Crash Reporting System.

In 2004, the MTSC (and the above named partners) conducted an in-depth analysis of traffic crash data to identify and prioritize Maine traffic safety problems. We continue to analyze and update the data yearly and as necessary. The four areas of concern determined from our analysis have become the four emphasis areas that are detailed in the *Maine Strategic Highway Safety Plan*. Those areas are: Occupant Restraint, Lane Departures, Aggressive Driving (speed) and Younger/Older Drivers. The MeBHS has taken the lead on those problems for which our federal funds and regulations allow us to effect driver behavioral changes.

The MeBHS further analyzed the data to determine the highest crash locations for both speed related crashes and alcohol related crashes. With the assistance of the MeDOT, we produced maps of those areas in the state that have the most crashes. We directed our funds to those identified high crash areas and will continue that approach into FFY 2007. In addition to the four areas stated above, we reconvened our Traffic Records Coordinating Committee and with the assistance of all of the traffic records partners, have identified deficiencies in some or all of our systems. We will focus funds and attention to all of those traffic records systems including: Maine Crash Reporting System; Roadway System, Driver and Licensing Systems, EMS System and the Violations/Citations System.

We have noted an increase in motorcycle fatalities in Maine. We have not officially analyzed this problem as to who, what, when and where, but we generally know that most of our crashes involve middle age inexperienced males who run off the road, with either speed or alcohol as a factor. We have also seen an increase in motor vehicle/motorcycle crashes, and know that all of these factors also fit into other programs addressing those concerns.

Finally, in FFY 2006, the MeBHS began to implement some of the identified recommendations outlined in our 2005 Special Management Review for Occupant Protection.

## **Setting Performance Goals**

**Occupant Protection:** Since 1997 the percent of non-belt usage fatalities has fluctuated between 57% and 47% with the lowest percentage in 2002 of 39%. Our last finalized Observational Safety Belt Usage Report in 2005 showed our state at 75.8% usage. Clearly, we lag behind the national average and have more work to do in this area. As part of the State's *Strategic Highway Safety Plan*, we have identified two goals, one for reducing the percentage of unbelted fatalities and the other for increasing the safety belt usage rate.

### **Performance Goal:**

The performance goal previously stated was to reduce the percentage of unbelted fatalities from 49% in 2004 to 47% in 2006. We reached 47% in 2005, therefore the MeBHS has restated the goal to reducing the percentage of unbelted fatalities to 45% in 2007.

### **Performance Goal:**

The Strategic Plan identified a goal of increasing safety belt use from 72.6% in 2004 to 80% in 2006. We do not have a final usage rate for 2006, however, the MeBHS maintains the goal of reaching 80% by 2008.

### **Performance Measure:**

Statewide observational seat belt use surveys will continue annually, in order to measure the overall adult usage rate for drivers and front seat passengers. Continuing to track fatal crashes where seat belts were not used will also give us a way to track progress in our effort to increase the number of drivers and passengers wearing seat belts.

**Impaired Driving:** The percentage of alcohol-related fatalities had been on a steady incline since 2002. 2005 was a record year for a low number of fatalities and the alcohol-related fatalities declined to 36%. The State's Strategic Highway Safety Plan does not state a specific goal for reducing the number or percentage of alcohol-related deaths, but does provide for some strategies to reduce the percentage. It is difficult to get an accurate analysis of crash data as relates to alcohol due to the fact that some officers do not consistently mark the crash report even when alcohol is evident.

**Performance Goal:**

The MeBHS states a performance goal of reducing the percentage of alcohol-related fatalities from 36% to 34% by 2007.

**Performance Measure:**

Ongoing analysis of Maine Crash Reporting crash data and FARS data will be used to measure progress toward reducing the number and percentage of alcohol-related fatalities.

**Aggressive Driving (Speed):** Speed-related fatalities have been on the rise since 2002, ending with 86 of 169 fatalities in 2005, or 50% of the total fatal crashes. The State's Strategic Highway Safety Plan does not specify a performance goal for reduction of speed-related crashes, but rather talks about aggressive driving as a whole.

**Performance Goal:**

The MeBHS states a performance goal of reducing the percentage of speed-related crashes from 50% to 46% in 2007.

**Performance Measure:**

The MeBHS and our partners will continue to analyze speed-related crashes and fatalities to better identify the high crash locations in order to specifically target our funds for those identified areas. In addition, the MeBHS will continue its Speed Grant Enforcement Program with law enforcement to target those identified towns, cities and counties.

**Motorcycle Fatalities:** Motorcycle fatalities had stayed relatively consistent in 2003 and 2004 in the low 20% range. In 2005, we had our lowest percentage since 2002, recognizing that we also had a record-low in total fatal crashes. We have observed an increase in motorcycle fatalities in 2006 and will address this by public awareness of the safety issues in motorcycle riding. More training, with emphasis on remedial refresher courses.

**Performance Goal:**

Reducing the percentage of motorcycle fatalities from 22% in 2004 to 20% in 2007.

**Performance Measure:**

The MeBHS will continue to monitor the crash specifics such as area, experience, age, speed, alcohol and other factors involved in the crash in order to better identify who, when and where we need to target our education efforts. This will allow us to reach the motorcycling community through media and other methods to reduce the percentage of fatalities.

**Traffic Records:** As a result of the State's Traffic Records Strategic Plan, the Traffic Records Coordinating Committee has identified several deficiencies in our ability to link traffic records from one agency to another, thereby hindering a totally efficient data analysis and problem identification process. We believe that an integrated data collection system will allow for a more comprehensive approach and ultimately improve safety on Maine roads.

**Performance Goal:**

To begin steps to integrate a statewide data collection system to allow for comprehensive analysis and improve completeness of information and greater detailed information.

**Performance Measure:**

The Traffic Records Coordinating Committee has identified several first steps in order to begin the integration of a statewide data collection system. Some of the first steps include the purchase of mobile data units for EMS and increasing the public use and availability of registration information on-line. Both of those will allow us to more quickly capture necessary data for integration with the statewide system.

## Crash Data / Trends

Baseline 1997-2000

Progress Report Data 2001-2005

	1997	1998	1999	2000	2001	2002	2003	2004	2005
<b>Fatalities (Actual)</b>	192	192	181	169	192	216	207	194	169
<b>Fatality Rate /100 million VMT</b>	1.5	1.4	1.3	1.2	1.3	1.5	1.4	1.3	1.1
<b>Serious Injuries (Actual)</b>	1,457	1,334	1,298	1,271	1,222	1,237	1,091	1,119	1,030
<b>Fatality &amp; Serious Injury Rate/(100 million VMT)</b>	12.7	11.5	10.6	10.2	9.8	10.14	8.8	8.8	7.9
<b>Fatality Rate/100K Population</b>	15.5	15.5	14.4	14.2	14.9	16.8	16.1	14.7	12.7
<b>Fatal &amp; Serious Injury Rate/100K population</b>	133.6	122.9	118.5	113.3	109.4	112.9	100.9	99.8	90.7
<b>Alcohol Related Fatalities</b>	63	50	51	46	49	42	57	60	55
<b>Proportion of Alcohol Related Fatalities</b>	32.8	26.0	28.2	25.4	25.5	19.4	27.5	30.9	32.5
<b>Alcohol Related Fatality Rate/100M VMT</b>	0.49	0.37	0.36	0.33	0.34	0.28	0.39	0.4	0.36
<b>Percent of Population Using Safety Belts*</b>	61.00%	59.00%				59.20%		72.60%	75.80%
<b>Speed Related Fatal Crashes</b>	61	75	73	67	66	65	69	79	86
<b>Percent of Speed Related Fatal Crashes</b>	0.35	0.42	0.43	0.42	0.38	0.34	0.37	0.44	0.50
<b>Motorcycle Fatalities</b>	10.0	15.0	16.0	18.0	14.0	13.0	20.0	22.0	15.0

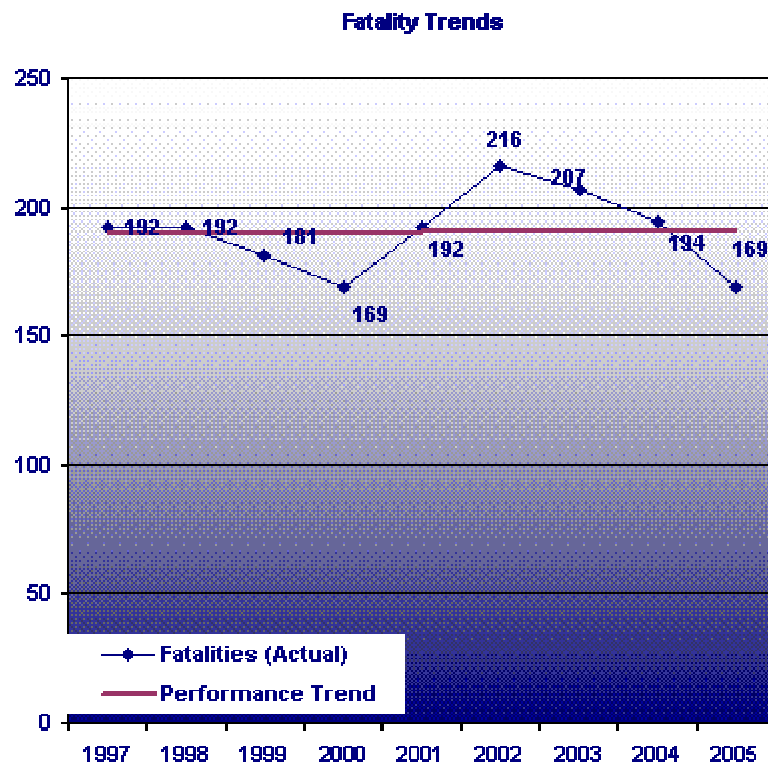


# Performance Goals and Trends

Goal: Fatalities

Maintain downward trend/reduce fatalities

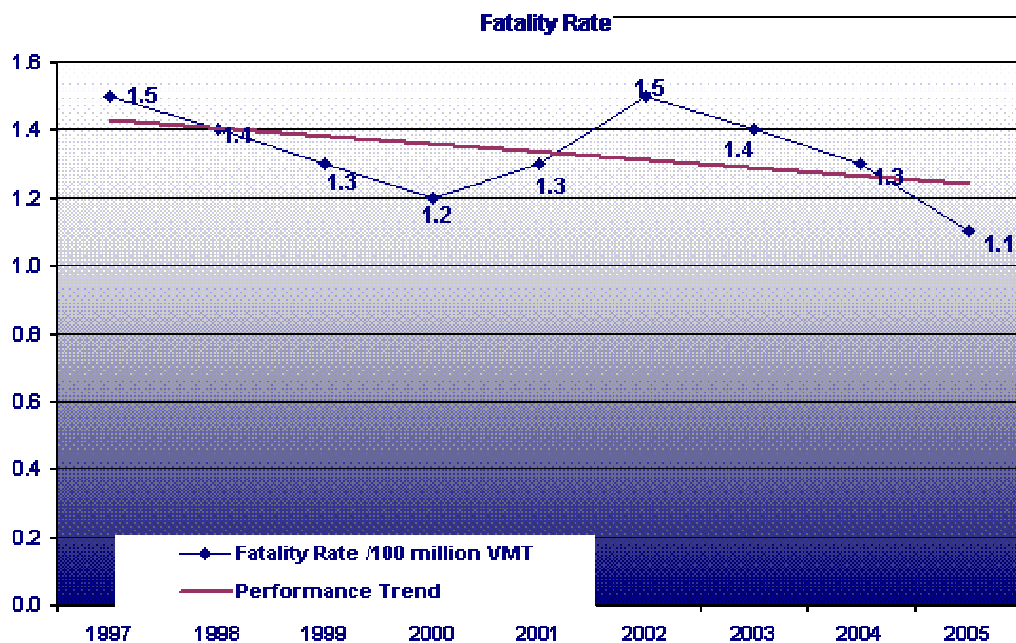
Baseline



Goal: Fatality Rate/VMT

1 per 100K VMT

Baseline 1997-2000

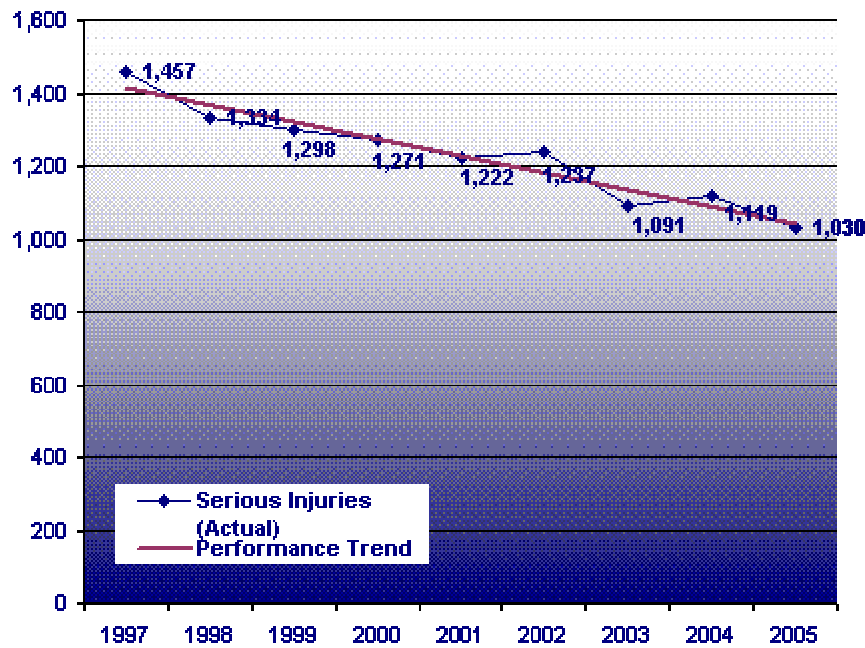


Goal: Injuries

Reduce

Baseline

*Injury Trends*

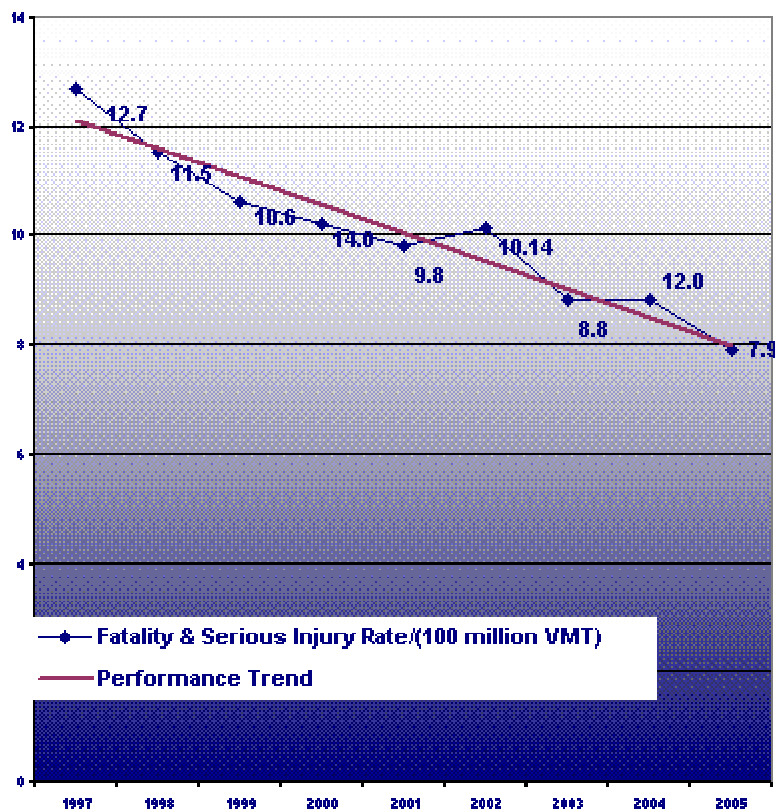


Goal: Fatal and Injury Rate/VMT

Maintain downward trend of both

Baseline

**Fatal and Serious Injury Rate per 100M VMT**



Goal: Fatality Rate/100K Population

Maintain/Reduce downward trend

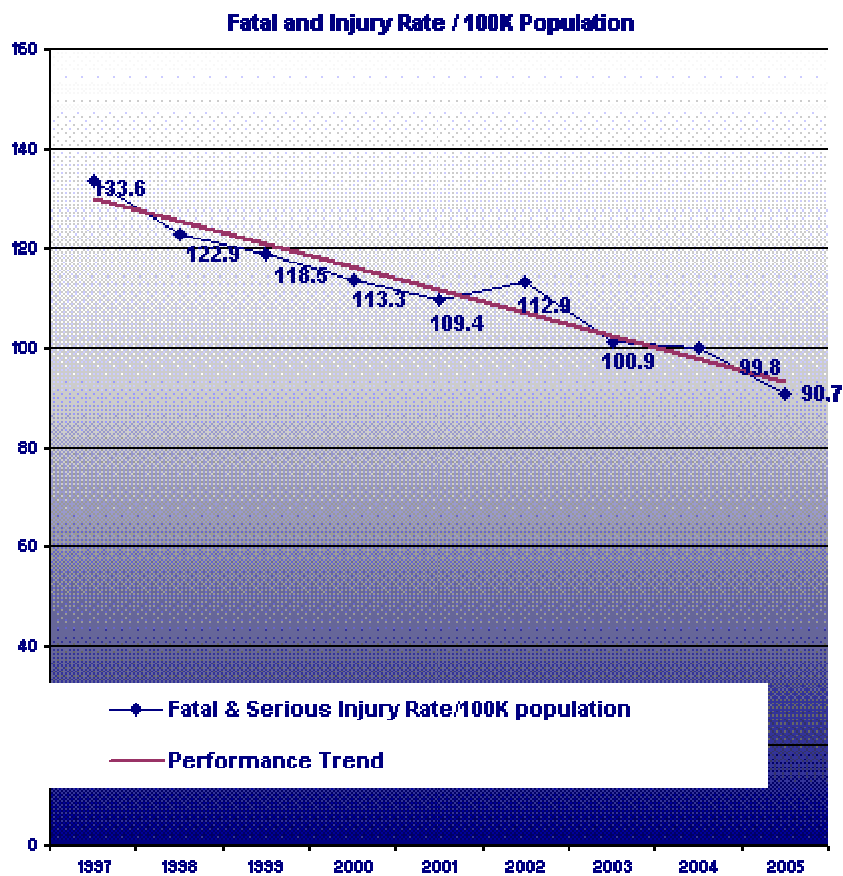
Baseline



Goal: Fatal/Injury Rate/100K Population

Maintain downward trend

Baseline

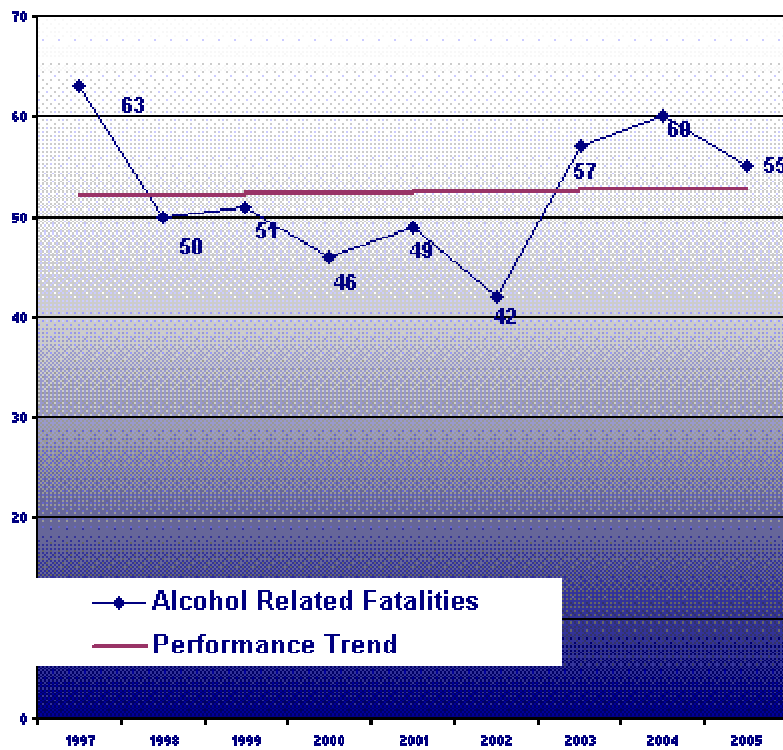


Goal: Alcohol Fatalities

53% by 2007

Baseline

Alcohol Related Fatalities

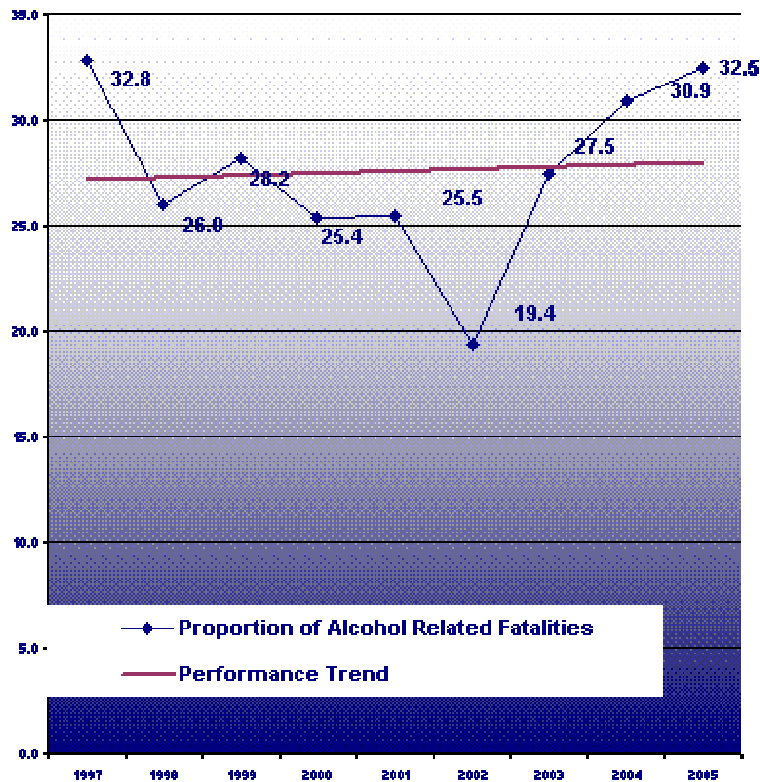


Goal: Alcohol Fatality Proportion

Reduce upward trend

Baseline

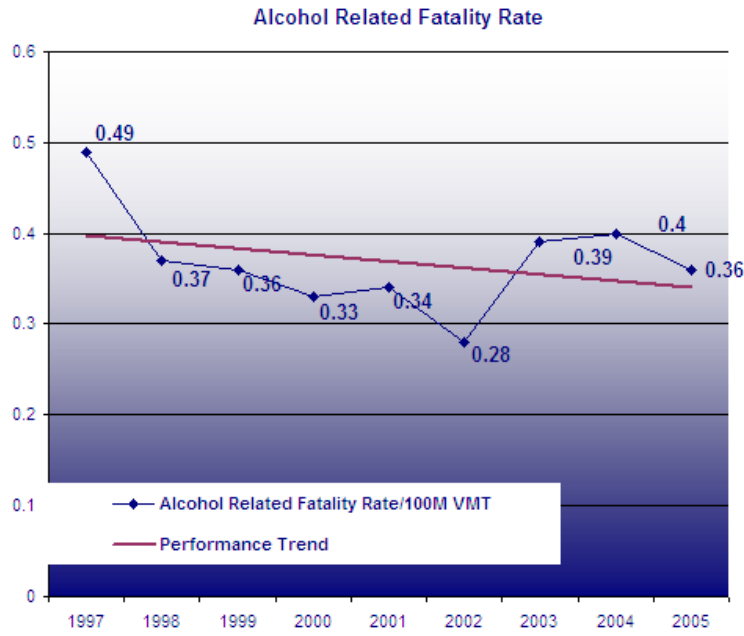
Alcohol Related Fatalities as a Proportion of All Fatalities



**Goal: Alcohol Fatality Rate/VMT**

**Reduce**

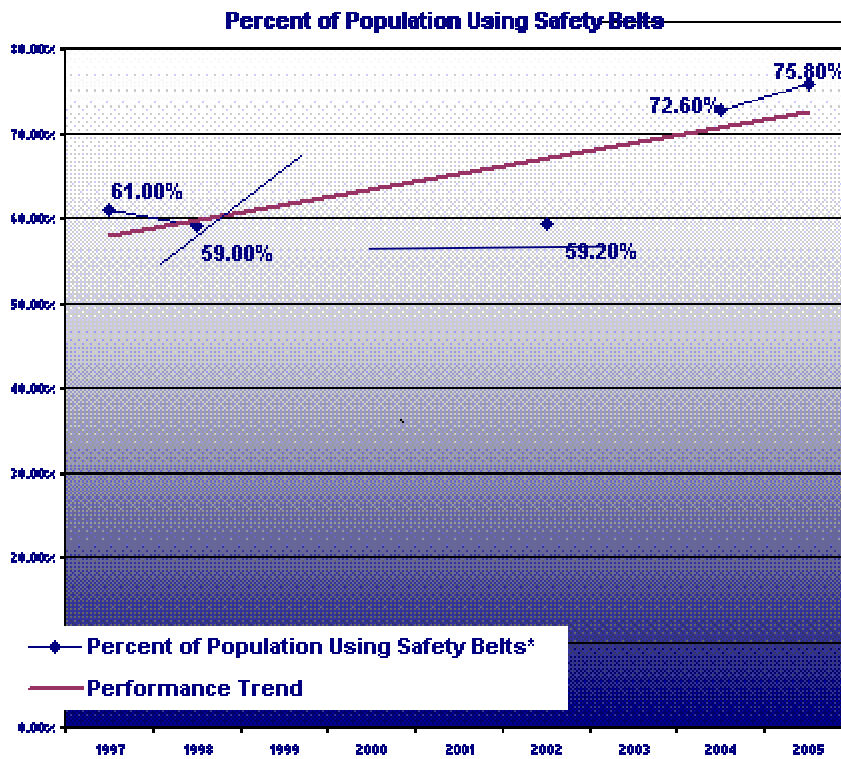
**Baseline**



**Goal: Safety Belt Use**

**Increase to 80% by 2008**

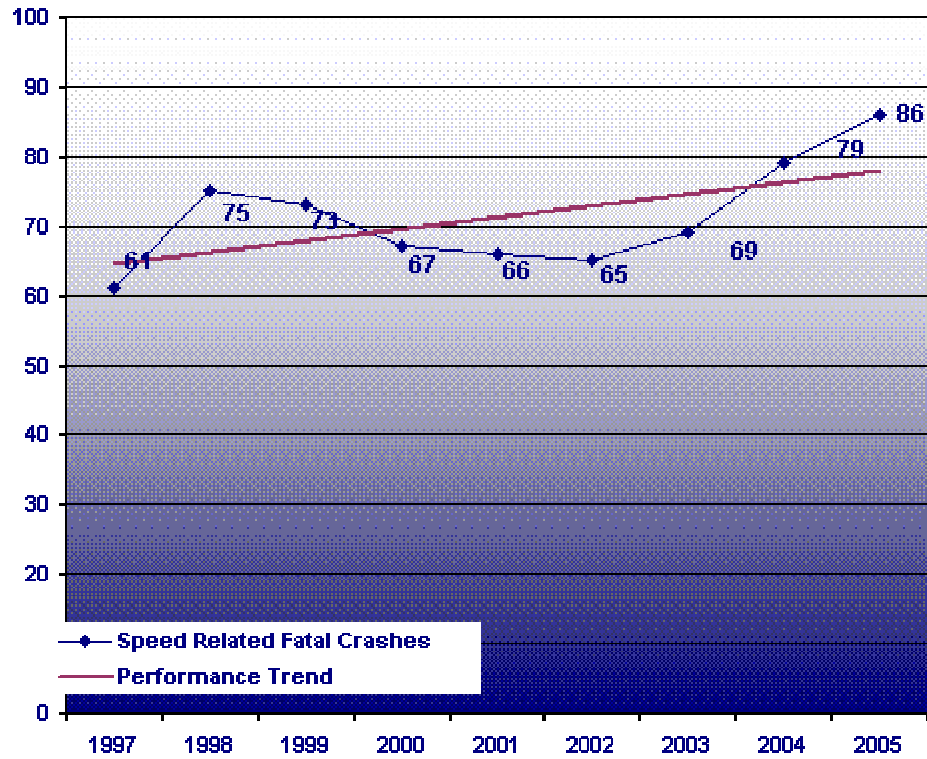
**Baseline**



Goal: Speed Related Fatal Crashes

Reduce

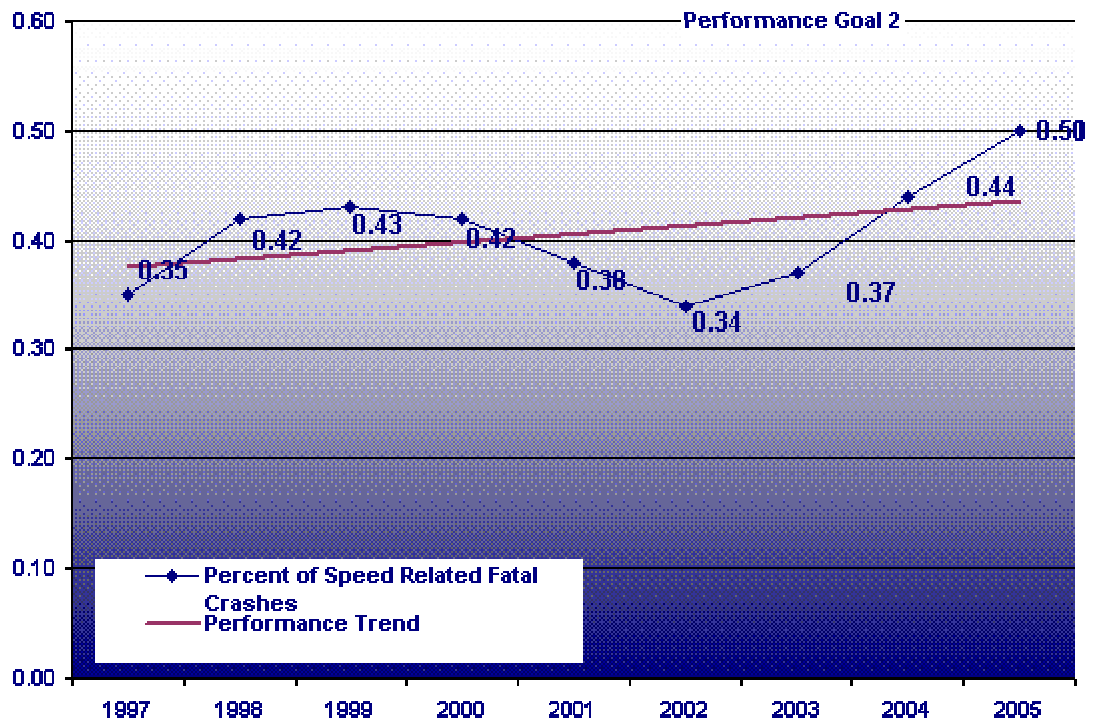
Baseline

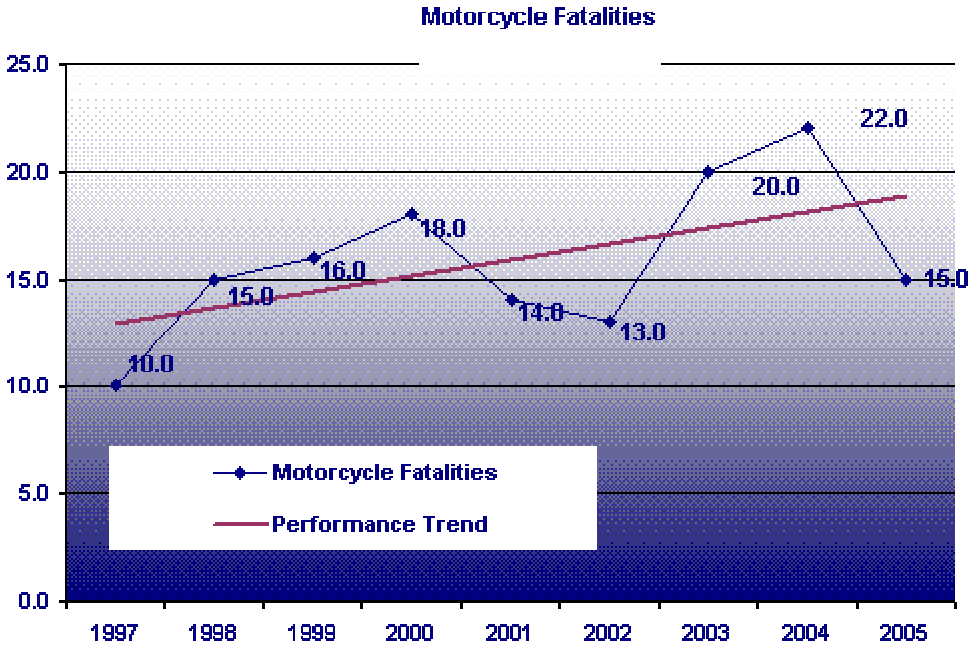


Goal: Percentage of Speed Related Fatals

46% in 2007

Baseline





## Strategies

### Occupant Protection Program Area

**Goal:** Reducing unbelted fatalities to 47% in 2006 & Increasing Safety Belt usage to 80% by 2008.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Safety Belt Education Program

**Project Description:** This is a full-time staffed position for a very successful safety belt education program. By demonstration of both Convincer and Rollover interactive machines, we are able to reach many thousands of people to educate about the benefits of wearing a safety belt. This program provides education state-wide to schools K-12, private and public businesses.

**Budget:** \$43,000.00 FY07 402 funds and carry-forward 402 funds

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**Goal:** Reducing unbelted fatalities to 47% in 2006 & Increasing Safety Belt usage to 80% by 2008.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Convincer/Rollover Ops & Maintenance

**Project Description:** costs associated with repairs, gasoline, etc for both machines.

**Budget:** \$0.00 FY07 402 funds. Funded with carry-forward 402 funds

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**Goal:** Reducing unbelted fatalities to 47% in 2006 & Increasing Safety Belt usage to 80% by 2008.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Observational Safety Belt Survey

**Project Description:** Annual observational safety belt survey to determine usage percentage.

**Budget:** \$20,000.00 FY07 402 funds and carry-forward 402 funds

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**Goal:** Reducing unbelted fatalities to 47% in 2006 & Increasing Safety Belt usage to 80% by 2008.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Click It or Ticket/Buckle Up, No Excuses

**Project Description:** Overtime enforcement costs for dedicated details for the two-week Click It or Ticket campaign

**Budget:** \$150,000.00 FY07 402 funds

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**Goal:** Reducing unbelted fatalities to 47% in 2006 & Increasing Safety Belt usage to 80% by 2008.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Public Education/Media

**Project Description:** Costs associated with radio/television in support of the Click It or Ticket National Campaign and to promote safety belt usage at other times during the year as outlined in the State's Strategic Highway Safety Plan.

**Budget:** \$40,000.00 FY07 402 funds and carry-over 402 funds

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**Goal:** Reducing unbelted fatalities to 47% in 2006 & Increasing Safety Belt usage to 80% by 2008.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Minority Outreach Efforts

**Project Description:** Costs associated with outreach to growing minority populations in Maine, in various areas of the state. Costs to include brochure language translation for the Catholic Charities of Maine and other associated outreach costs.

**Budget:** \$10,000.00 FY07 402 funds

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**Goal:** Reducing unbelted fatalities to 47% in 2006 & Increasing Safety Belt usage to 80% by 2008.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Program Management

**Project Description:** Costs associated with public information, education, procurement and distribution of printed materials and promotional information, attendance of MeBHS employees at trainings, conferences and workshops for Occupant Protection.

**Budget:** **\$10,000.00 FY07 402 funds and carry-over 402 funds**

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**Goal:** Reducing unbelted fatalities to 47% in 2006 & Increasing Safety Belt usage to 80% by 2008.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Community Grants

**Project Description:** Costs associated with the support of various community efforts to increase safety belt usage.

**Budget:** **\$0.00 FY07 402 funds. Funded with carry-over 402 funds**

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**Budget Summary**

Project	FY07 402 Requested	Estimated Carry-over	Carry-over funding source
Public Safety Belt Education	\$43,000.00	\$30,000.00	402
Convincer/Rollover Ops	\$0.00	\$10,000.00	402
Safety Belt Study	\$20,000.00	\$25,000.00	402
CIOT Enforcement	\$150,000.00		
PI&E Media	\$40,000.00	tbd	402
Minority Outreach	\$10,000.00		
OP Mgmt	\$10,000.00	\$60,000.00	402
Community Grants	\$0.00	\$67,000.00	402
	<b>\$273,000.00</b>		

## **Child Passenger Safety Program Area**

**Goal:** Increasing proper CPS usage and conducting a CPS usage study in FY2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Child Passenger Safety Liasion

**Project Description:** This is a very successful child passenger safety, bicycle, pedestrian and school bus safety education project supported by the salary of one liaison from the Maine CDC, Injury Prevention Unit.

**Budget:** **\$0.00 FY07 402 funds. Funded with carry-over 405 & new 2011 funds.**

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**Goal:** Increasing proper CPS usage and conducting a CPS usage study in FY2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Child Passenger Safety usage study

**Project Description:** funding for this project will support a CPS usage study conducted with the USM, Muskie Research Center so that the MeBHS & Maine CDC liaison can have a base-line usage rate.

**Budget:** **\$0.00 FY07 402 funds. Funded with carry-over 402 funds.**

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**Goal:** Increasing proper CPS usage and conducting a CPS usage study in FY2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Child Passenger Training & Instructors

**Project Description:** funding for this project will support the increasing of CPS techs and instructors to support new trainings and also the law enforcement program at the Maine Criminal Justice Academy which was very successful in FY06.

**Budget:** **\$0.00 FY07 402 funds. Funded with carry-over 405 & new 2011 funds.**

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**Goal:** Increasing proper CPS usage and conducting a CPS usage study in FY2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Child Passenger Safety for Buses

**Project Description:** funding for this project will support new trainings and education for bus drivers and monitors for installation of Child Passenger Safety Seats and Special Needs Child Passenger Safety Seats.

**Budget:** **\$10,000.00 FY07 402 funds.**

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**Goal:** Increasing proper CPS usage and conducting a CPS usage study in FY2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Child Safety Seats for Fitting Stations and Voucher Sites

**Project Description:** funding for this project will support new safety seats and special needs safety seats for Maine fitting stations and for income eligible voucher sites.

**Budget:** **\$0.00 FY07 402 funds. Funded with carry-forward 405 funds.**

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### **Budget Summary**

<b>Project</b>	<b>FY07 402 Requested</b>	<b>Estimated Carry-over</b>	<b>Carry-over funding source</b>
CPS Liasion	\$0.00	\$85,000.00	405, 2011
CPS Study	\$0.00	\$40,000.00	402
CPS Training & Instr	0.00	\$10,000.00	405, 2011
CPS for Buses	\$10,000.00		
CPS Fitting & Voucher Seats	\$0.00	tbd	405
	<b>\$10,000.00</b>		

## **Alcohol and Impaired Driving Program Area**

**Goal:** Reduce percentage of alcohol-related fatalities from 36% to 34% by 2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** OUI Enforcement

**Project Description:** funding for this project will support overtime for law enforcement to participate in Impaired driving enforcement details and checkpoints for the “Drunk Driving. Over the Limit – Under Arrest” campaign and the MeBHS summer OUI program.

**Budget:** **\$82,657.00 FY07 402 funds and new 410 funds.**

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**Goal:** Reduce percentage of alcohol-related fatalities from 36% to 34% by 2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Impaired Driving Program Management

**Project Description:** funding will support attendance of MeBHS employees at trainings, conferences, and workshops for Impaired Driving. Funds will also support public information and education materials.

**Budget:** **\$10,000.00 FY07 402 funds & carry-over 402 funds.**

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**Goal:** Reduce percentage of alcohol-related fatalities from 36% to 34% by 2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Public Information & Education/Media

**Project Description:** funding will support radio/television promotion against impaired driving during the two-week national campaign and at other times during the year as outlined in the State’s Strategic Highway Safety Plan.

**Budget:** **\$ new 410 funds.**

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**Goal:** Reduce percentage of alcohol-related fatalities from 36% to 34% by 2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Community Grants/Youth Alcohol

**Project Description:** funding will support community efforts to reduce the incidence of impaired driving for adults and minors/teens. (“Every Fifteen Minutes Project” and potential partnerships with SADD and MADD in Maine.)

**Budget:** **\$15,000.00 in FY07 402 funds**

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### **Budget Summary**

<b>Project</b>	<b>FY07 402 Requested</b>	<b>Estimated Carry-over</b>	<b>Carry-over funding source</b>
OUI Enforcement	\$82,657.00	Tbd	402
AL Mgmt	\$10,000.00	\$60,000.00	402
PI&E/media	0.00	Tbd	410
Community Grants/Youth Alcohol	\$15,000.00		
	<b>\$107,657.00</b>		

## **Police Traffic Services Program Area**

**Goal:** Reduce the percentage of speed-related crashes from 50% to 46% in 2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Equipment (under \$5,000.00)

**Project Description:** Funds will support law enforcement in the procurement of equipment (radars, cameras, mobile laptops, printers) and other tools necessary to enforce speed and aggressive driving risk behaviors.

**Budget:** **\$150,000.00 in FY07 402 funds**

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**Goal:** Reduce the percentage of speed-related crashes from 50% to 46% in 2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** PTS Program Management

**Project Description:** Funds will support public information, education, procurement and distribution of printed materials and promotional information items, attendance of MeBHS employees at trainings, conferences and workshops directed at speed and aggressive driving behaviors.

**Budget:** **\$10,000.00 in FY07 402 funds & carry-over 402 funds.**

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**Goal:** Reduce the percentage of speed-related crashes from 50% to 46% in 2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** MSP Enforcement (Speed, Alcohol and OP)

**Project Description:** Funds will support one grant for the year-long efforts of the Maine State Police (MSP) to target specific areas identified for speed and alcohol related crashes. The MSP will also conduct the two-week Buckle Up, No Excuses/Click It or Ticket campaign for OP using these funds.

**Budget:** **\$110,000.00 in FY07 402 funds**

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**Goal:** Reduce the percentage of speed-related crashes from 50% to 46% in 2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Local & County Law Enforcement Speed Enforcement

**Project Description:** Funds will support overtime for dedicated speed details for local and county law enforcement.

**Budget:** \$150,000.00 in FY07 402 funds

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**Goal:** Reduce the percentage of speed-related crashes from 50% to 46% in 2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Specialized Law Enforcement Training

**Project Description:** Funds will support specialized training, travel and/or materials for state, local and county law enforcement in the areas of Drug Recognition and Crash Reconstruction as well as use in law enforcement equipment (radars, lasers, etc) necessary for the enforcement of speed and aggressive driving behaviors.

**Budget:** \$30,000.00 in FY07 402 funds and carry-forward 402 funds

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**Goal:** Reduce the percentage of speed-related crashes from 50% to 46% in 2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Public Education & Information

**Project Description:** Funds will support a media (radio/television) directed at educating the public about the dangers of speeding and other aggressive driving behaviors. Funds may be used in conjunction with the State's Strategic Highway Safety Plan efforts or used by MeBHS for the above stated purpose.

**Budget:** \$0.00 in FY07 402 funds. Funded with carry-forward 402 funds

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**Goal:** Reduce the percentage of speed-related crashes from 50% to 46% in 2007.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Operating after Suspension Enforcement details

**Project Description:** Funds will support the Cumberland County Sheriff's Office in a project targeting violator when their license has been suspended or revoked.

**Budget:** \$10,000.00 in FY07 402 funds

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**Budget Summary**

<b>Project</b>	<b>FY07 402 Requested</b>	<b>Estimated Carry-over</b>	<b>Carry-over funding source</b>
Equipment	\$150,000.00		
PTS Mgmt	\$10,000.00	\$60,000.00	402
MSP Enforcement	\$110,000.00		
Speed Enforcement	\$150,000.00		
LE Training	\$30,000.00	Tbd	
PI&E	0.00	Tbd	402
OAS	\$10,000.00		
	<b>\$460,000.00</b>		

## Traffic Records Program Area

**Goal:** Begin integration of state systems to improve data collection and analysis

**Project Number:** tbd in GMIS system when set up

**Project Title:** Traffic Records Coordinating Committee

**Project Description:** Funds will support meeting materials, travel and other expenses associated with the Traffic Records Coordinating Committee.

**Budget:** **\$3,000.00 in FY07 402 funds**

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**Goal:** Begin integration of state systems to improve data collection and analysis

**Project Number:** tbd in GMIS system when set up

**Project Title:** Maine Crash Reporting System

**Project Description:** Funds will support maintenance and necessary updates to the electronic Maine Crash Reporting System.

**Budget:** **\$60,000.00 in FY07 402 funds and FHWA 163 funds and new Traffic Records Section 408 funds.**

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**Goal:** Begin integration of state systems to improve data collection and analysis

**Project Number:** tbd in GMIS system when set up

**Project Title:** Traffic Records Program Management

**Project Description:** Funds will support MeBHS employees at meetings, trainings and workshops associated with Traffic Records.

**Budget:** **\$10,000.00 in FY07 402 funds**

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**Goal:** Begin integration of state systems to improve data collection and analysis

**Project Number:** tbd in GMIS system when set up

**Project Title:** Fatality Analysis Reporting System (FARS)

**Project Description:** Funds will support all FARS travel and activities for the FARS analyst and FARS supervisor.

**Budget:** **\$0.00 in FY07 402 funds. Funded with FARS funds.**

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**Budget Summary**

Project	FY07 402 Requested	Estimated Carry-over	Carry-over funding source
TRCC	\$3,000.00		
MCRS	\$60,000.00	Tbd	163, 408
TR Mgmt	\$10,000.00	\$60,000.00	402
FARS	\$0.00		FARS
	<b>\$73,000.00</b>		

**Planning and Administration Program Area**

**Goal:** Efficient management of the highway safety office.

**Project Number:** tbd in GMIS system when set up

**Project Title:** Planning and Administration

**Project Description:** Funds will support a portion of the costs associated with administering the highway safety office and performance plan projects. The costs include salaries, operation expenses, training, etc. Funds will also support the upgrade of the new highway safety office website and fixes and maintenance to the Grants Management Information System.

**Budget:** \$107,350.07 in FY07 402 funds (10% allowable) and carry-over 402 funds.

**Budget Summary**

Project	FY07 402 Requested	Estimated Carry-over	Carry-over funding source
P&A	\$107,350.07	107,000.00	402
	<b>\$107,350.07</b>		

**EMS Program Area**

**Goal:** Support EMS related activities

**Project Number:** tbd in GMIS system when set up

**Project Title:** Transporting Kids in Ambulances

**Project Description:** Funds will support a project between the EMS office and SafeKids of Maine to educate ambulance operators and others about the safest way to transport kids in ambulances.

**Budget:** **\$5,000.00 in FY07 402 funds and \$6,000.00 in carry-over 402 funds.**

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**Budget Summary**

<b>Project</b>	<b>FY07 402 Requested</b>	<b>Estimated Carry-over</b>	<b>Carry-over funding source</b>
Transporting Kids in Ambulances	\$5,000.00	\$6,000.00	402
	<b>\$5,000.00</b>		

## Motorcycle Program Area

**Goal:** Reduce Motorcycle Fatalities to 20% in 2007

**Project Number:** tbd in GMIS system when set up

**Project Title:** Motorcycle Safety Maps

**Project Description:** Funds will support a project between the MeBHS office, the MeDOT office, the SOS office and motorcycle associations to create and distribute a motorcycle specific map geared towards motorcycle safety.

**Budget:** **\$7,500.00 in FY07 402 funds and carry-over 402 funds.**

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**Goal:** Reduce Motorcycle Fatalities to 20% in 2007

**Project Number:** tbd in GMIS system when set up

**Project Title:** Public Information and Education

**Project Description:** Funds will support a motorcycle specific media campaign either by just the MeBHS or in conjunction with the State's Strategic Highway Safety Plan media activities.

**Budget:** **\$20,000.00 in FY07 402 funds and new 2010 motorcycle funds.**

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**Goal:** Reduce Motorcycle Fatalities to 20% in 2007

**Project Number:** tbd in GMIS system when set up

**Project Title:** Enhancement of motorcycle training materials and/or procurement of motorcycles for training purposes.

**Project Description:** Funds will support enhancement to materials or equipment (motorcycles) as determined by the Secretary of State's Office.

**Budget:** **\$? in new 2010 motorcycle funds.**

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## Budget Summary

Project	FY07 402 Requested	Estimated Carry-over	Carry-over funding source
Maps	\$7,500.00	Tbd	402
PI&E	\$20,000.00	Tbd	402,2010
Training or Bikes	\$0.00		2010
	<b>\$27,500.00</b>		

**Safe Communities Program Area**

**Goal:** Partner with the community on highway safety issues

**Project Number:** tbd in GMIS system when set up

**Project Title:** Community Grants.

**Project Description:** Funds will support community efforts for bicycle, pedestrian, occupant protection, impaired driving, speed, motorcycle and other highway safety issues.

**Budget:** \$0.00 in FY07 402 funds. Funding with carry-over 402 funds.

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**Goal:** Partner with the community on highway safety issues

**Project Number:** tbd in GMIS system when set up

**Project Title:** Maine Transportation Safety Coalition Project

**Project Description:** The MTSC will partner with the MeBHS on a highway safety issue outlined in the MTSC Strategic Plan or as outlined in the State’s Strategic Highway Safety Plan. Project will involve CPS, OP, OUI, Speed, MC and/or Bicycle and Pedestrian.

**Budget:** \$10,000.00 in FY07 402 funds. Funding with carry-over 402 funds.

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**Goal:** Partner with the community on highway safety issues

**Project Number:** tbd in GMIS system when set up

**Project Title:** Bicycle Coalition of Maine – Share the Road

**Project Description:** The Bicycle Coalition of Maine will partner with the MeBHS to educate the public in a Share The Road media campaign (print/radio or television).

**Budget:** \$0.00 in FY07 402 funds. Funding with carry-over 402 funds.

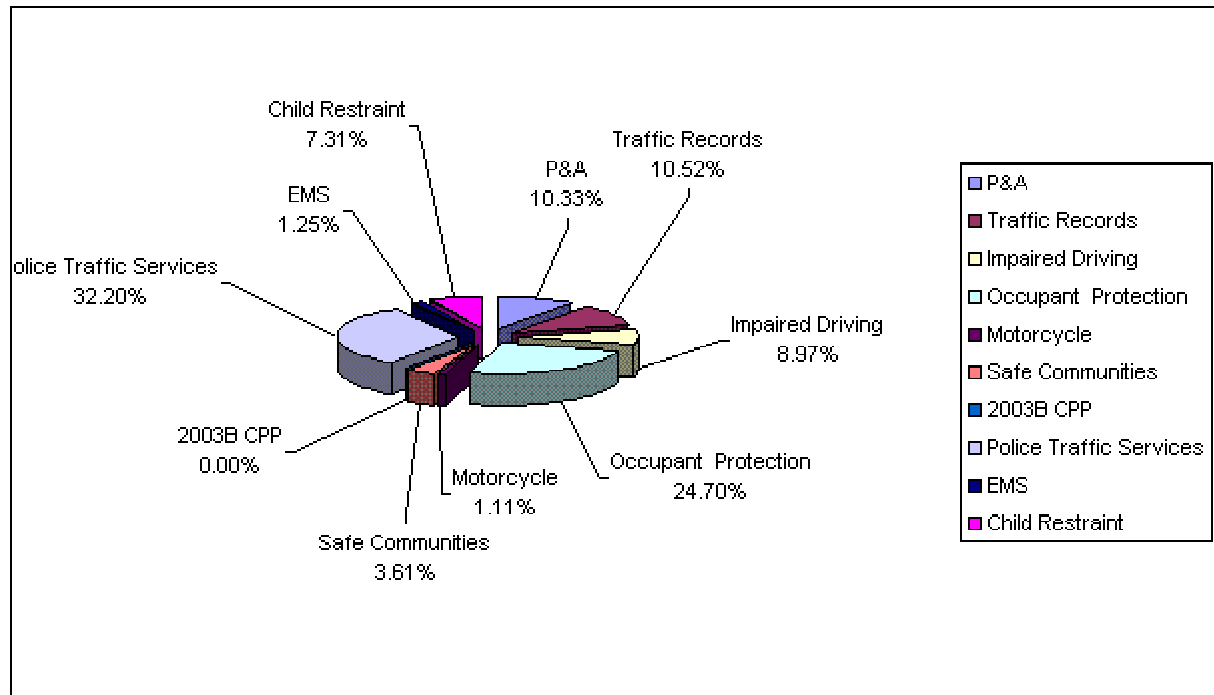
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**Budget Summary**

Project	FY07 402 Requested	Estimated Carry-over	Carry-over funding source
Community Grants	\$0.00	Tbd	402
MTSC project	\$10,000.00	Tbd	402
Share the Road	0.00	Tbd	402
	<b>\$10,000.00</b>		

Financial Summary

	402	402 Carryover	405 Carryover	406 Carryover	163	Total	% of Total
P&A	\$107,350	147,350				\$254,700	10.0%
Traffic Records	\$73,000	186,450				\$259,450	10.2%
Impaired Driving	\$107,657	113,574				\$221,231	8.7%
Occupant Protection	\$273,000	336,356				\$609,356	23.9%
Motorcycle	\$27,500					\$27,500	1.1%
Safe Communities	\$10,000	79,000				\$89,000	3.5%
2003B CPP	\$0					\$0	0.0%
Police Traffic Services	\$460,000	334,219				\$794,219	31.1%
EMS	\$5,000	25,730				\$30,730	1.2%
Child Restraint	\$10,000	170,404				\$180,404	7.1%
<b>TOTAL</b>	<b>\$1,073,507</b>	<b>\$1,393,083</b>	<b>\$ 214,714</b>	<b>\$ 161,728</b>	<b>\$ 84,000</b>	<b>\$2,550,590</b>	<b>100.000%</b>





Program Area	Approved Program Costs	State/Local Funds	Federally Funded Programs			Federal Share to Local	Current Balance
				Previous Balance	Increase/ (Decrease)		
OP	273,000.00	91,000.00		552,408.54		400,000.00	552,408.54
CR	10,000.00	3,334.00		259,307.29		81,822.90	259,307.29
AL	107,657.00	35,886.00		373,418.93		149,367.57	373,418.93
PT	460,000.00	153,334.00		888,337.92		327,852.86	888,337.92
TR	73,000.00	24,334.00		273,094.65		109,237.86	273,094.65
PA	107,350.00	107,350.00		226,735.63		0.00	226,735.63
EM	5000.00	1,667.00		34,730.00		13892.00	34,730.00
MC	27,500.00	9,167.00		0.00		0.00	0.00
SA	10,000.00	3,334.00		85,000.00		62,297.71	85,000.00
J2				380,472.39		350,287.71	380,472.39
K2				161,728.00		161,728.00	161,728.00
J9				42,963.21		42,963.21	42,963.21
J3				24,465.00		24,465.00	24,465.00
IN5				178,088.11		178,088.11	178,088.11
Total NHTSA	<b>1,073,507.00</b>	429,406.00		<b>3,480,749.67</b>		<b>1,902,002.93</b>	<b>3,480,749.67</b>
Total FHWA	0.00	0.00		611,595.36		524,116.32	611,595.36
Total NHTSA & FHWA	1,073,507.00	429,406.00		4,092,345.03		2,426,119.25	4,092,345.03

State Official Authorized Signature:

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
DATE: \_\_\_\_\_

Federal Official Authorized Signature:  
NHTSA

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
DATE: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

## **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 percent 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;

**The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State as identified by the State highway safety planning process, including:**

**National law enforcement mobilizations,**

**Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits,**

**An annual statewide safety belt use survey in accordance with criteria established by the Secretary for the measurement of State safety belt use rates to ensure that the measurements are accurate and representative,**

**Development of statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources.**

**The State shall actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect.**

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 draw downs 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):

1. The STATE OF MAINE certifies that it will provide a drug-free workplace by:

Publishing a statement notifying employees that the unlawful manufacture,

Distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violations of such prohibition;

Establishing an on-going drug-free awareness program to inform employees

About:

the dangers of drug abuse in the workplace;

the Applicant's policy of maintaining a drug-free workplace;

any available drug counseling, rehabilitation, and employee assistance programs; and

the penalties that may be imposed upon employees for drug abuse violation occurring in the workplace;

Making it a requirement that employee be engaged in the performance of the

Grant/project be given a copy of the statement required by paragraph (a);

Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant/project, the employee will:

abide by the terms of the statement; and

notify the employer in writing of his/her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction;

Notifying the federal agency in writing, within ten (10) calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every project office or other designee on whose grant/project activity the convicted employees were working, unless the federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant/project.

Taking one of the following actions, within thirty(30) calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

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;

Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

### 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".

### Certifications 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.

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 **2006** 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).

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**Michael P. Cantara, Commissioner, DPS and  
Governor's Representative for Highway Safety**

August 28, 2006

