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Report to the Committee on
Transportation and Infrastructure, House
of Representatives

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TRAFFIC SAFETY

Grants Generally Address Key Safety Issues, Despite State Eligibility and Management Difficulties





Highlights of [GAO-08-398](#), a report to the Committee on Transportation and Infrastructure, House of Representatives

Why GAO Did This Study

In 2005, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) included authorizations of nearly \$2.2 billion for safety incentive grant programs to assist states in their efforts to reduce traffic fatalities.

Administered by the Department of Transportation's (DOT) National Highway Traffic Safety Administration (NHTSA), five of these programs provide incentive grants to states to implement legislation governing the use of safety belts and child safety seats, and promote activities to reduce alcohol-impaired driving, improve motorcycle training and awareness, and improve traffic safety information systems. To help Congress prepare for the reauthorization of the surface transportation programs in 2009, this report provides information on (1) NHTSA's status in awarding and overseeing states' use of these five grants programs, (2) activities states have conducted using the grants and issues they have faced in applying for and implementing the grants, and (3) how NHTSA plans to evaluate the results of the grant programs and implications for reauthorizing the programs.

To conduct this work, GAO interviewed DOT and state officials, analyzed safety reports from 50 states, and analyzed grant data from DOT and 7 selected states.

DOT officials generally agreed with the findings of the report and offered technical corrections that were incorporated, as appropriate.

To view the full product, including the scope and methodology, click on [GAO-08-398](#). For more information, contact Katherine A. Siggerud at (202) 512-6570 or siggerudk@gao.gov.

TRAFFIC SAFETY

Grants Generally Address Key Safety Issues, Despite State Eligibility and Management Difficulties

What GAO Found

In fiscal years 2006 and 2007, NHTSA awarded about \$575 million to states for the five safety incentive grant programs; NHTSA uses several oversight processes to determine the extent to which states are meeting safety-related performance goals and to monitor how the states spend grant funds. The number of states receiving the grants generally remained constant or increased from fiscal year 2006 to 2007, although the extent to which states qualified for the different grant programs 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 the grant programs required, while the majority of states received the other grants. To oversee states' use of grants, NHTSA uses a performance-based approach to assess state progress toward meeting safety goals and complements this assessment with oversight processes that monitor whether states are accomplishing the tasks that will allow the state to achieve its goals. This approach allows NHTSA to be involved throughout the lifecycle of state grants. In response to a mandate to evaluate the effectiveness of NHTSA's oversight process, GAO plans to issue a report in July 2008.

States are planning and implementing safety improvement activities using grant funds, but the structure of the grant programs has created eligibility and management difficulties for states. The activities generally fall within five categories—education and training, media and public information, enforcement, data and technology, and infrastructure improvements. Safety officials GAO spoke with in seven selected states agree that the safety incentive grant programs are assisting states in implementing activities that address key safety issues and meeting goals and performance measures established in state highway safety plans. However, state safety officials also noted difficulties in passing laws to meet eligibility requirements for some grant programs, as well as managing grant applications, deadlines, and timing. For example, not all states have passed a primary safety belt law, which allows law enforcement officers to stop a driver for not wearing a safety belt and is required to qualify for a Safety Belt Use grant. The selected states have also had difficulty managing the multiple grant applications, which are all due within a 3-month period. NHTSA officials acknowledge state officials' concerns but noted they cannot address the concerns because the difficulties stem from the grant requirements established in SAFETEA-LU.

NHTSA plans to develop additional performance measures to evaluate the results of these grant programs, but state performance is generally not tied to receipt of the grants; the absence of such performance accountability mechanisms as well as issues described above that states face in using grants raise implications for reauthorization. Congress will be faced with deciding whether the grant programs could be designed differently to allow states more flexibility in using grant funds and to focus more specifically on performance accountability, as some have advocated. However, these changes would require improved safety data and a robust accountability system.

Contents

| | | |
|---------------------|---|-----------|
| Letter | | 1 |
| | Results in Brief | 2 |
| | Background | 4 |
| | NHTSA Has Awarded Grants and Uses Several Oversight Processes to Assess States' Progress toward Safety Goals and Monitor States' Use of Grant Funds | 13 |
| | States Are Planning and Implementing Safety Improvement Activities, but the Structure of the Grant Programs Has Created Eligibility and Management Difficulties | 24 |
| | NHTSA Plans to Develop More Comprehensive Performance Measures; Performance Accountability Mechanisms and Issues States Face in Using Grants Raise Implications for Reauthorization | 35 |
| | Agency Comments | 40 |
| Appendix I | Objectives, Scope, and Methodology | 42 |
| Appendix II | States Receiving Safety Belt Use Grants | 45 |
| Appendix III | States Receiving Child Safety and Child Booster Seat Use Grants | 46 |
| Appendix IV | States Awarded Alcohol-Impaired Driving Countermeasures Grants | 47 |
| Appendix V | States Awarded Motorcyclist Safety Grants | 49 |
| Appendix VI | States Awarded Traffic Safety Information Systems Grants | 51 |

| | | |
|---------------------|--|----|
| Appendix VII | DOT's 2003 Reauthorization Proposal | 53 |
|---------------------|--|----|

| | | |
|----------------------|--|----|
| Appendix VIII | GAO Contact and Staff Acknowledgments | 55 |
|----------------------|--|----|

Tables

| | |
|---|----|
| Table 1: Traffic Safety Grant Programs in SAFETEA-LU | 6 |
| Table 2: Categories of Activities Funded Using Traffic Safety Grants | 24 |
| Table 3: States' Efforts to Pass Primary Safety Belt Legislation, 2003-2007 | 29 |
| Table 4: States' Efforts to Pass Child Safety and Booster Seat Legislation, 2003-2007 | 30 |
| Table 5: States' Efforts to Meet Programmatic Criteria for the Impaired Driving Grant | 31 |
| Table 6: Awards and Expenditures of Incentive Grants | 33 |

Figures

| | |
|--|----|
| Figure 1: Trends in Traffic Fatalities and Fatality Rate (1997 to 2006) | 5 |
| Figure 2: Number of States Awarded Safety Grants and Amount of Grants Authorized and Awarded, Fiscal Years 2006 and 2007 | 14 |
| Figure 3: Application Deadlines, Award Dates, and Dates Funds Were Available, Fiscal Years 2006 and 2007 | 17 |
| Figure 4: Timeline for NHTSA to Provide Guidance to States | 18 |
| Figure 5: Application Deadlines for SAFETEA-LU Incentive Grants | 32 |
| Figure 6: DOT Performance Measures and NHTSA Intermediate Outcome Measures | 36 |

Abbreviations

| | |
|------------|---|
| AAA | American Automobile Association |
| ABATE | American Bikers Aimed Toward Education |
| BAC | blood alcohol content |
| BIA | Bureau of Indian Affairs |
| DOT | Department of Transportation |
| DOT IG | Department of Transportation Inspector General |
| DUI | driving under the influence |
| DWI | driving while intoxicated |
| FHWA | Federal Highway Administration |
| FMCSA | Federal Motor Carrier Safety Administration |
| GHSA | Governors Highway Safety Administration |
| GTS | Grants Tracking System |
| IIHS | Insurance Institute for Highway Safety |
| MADD | Mothers Against Drunk Driving |
| NCSL | National Conference of State Legislatures |
| NHTSA | National Highway Traffic Safety Administration |
| SAFETEA-LU | Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users |
| TEA-21 | Transportation Equity Act for the 21st Century |
| VMT | vehicle miles traveled |

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United States Government Accountability Office
Washington, DC 20548

March 14, 2008

The Honorable James L. Oberstar
Chairman
The Honorable John L. Mica
Ranking Member
Committee on Transportation and Infrastructure
House of Representatives

More than 42,600 people were killed in traffic accidents in 2006. Of these fatalities, nearly 40 percent were motor vehicle passengers who were not using safety belts or proper child restraints, about 35 percent involved a driver with a blood alcohol content that was over the legal limit, and about 11 percent were motorcycle riders.¹ In 2005, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) authorized nearly \$2.2 billion from fiscal year 2006 through 2009 for safety incentive grant programs to assist states in their efforts to reduce motor vehicle and other fatalities. Administered by the Department of Transportation's (DOT) National Highway Traffic Safety Administration (NHTSA), five of these programs provide grants to states as an incentive to implement legislation governing the use of safety belts and child safety seats and promote activities to reduce alcohol-impaired driving, promote motorcycle training and awareness, and improve traffic safety information systems.

To prepare for the reauthorization of the surface transportation programs in 2009 and the opportunity to consider changes in the programs' structure, you requested that we assess NHTSA's and states' implementation of the five safety incentive grant programs concerning safety belts and child safety seats, alcohol-impaired driving, motorcycle training and awareness, and traffic safety information systems. Accordingly, this report addresses (1) NHTSA's status in awarding and overseeing states' use of these five grant programs, (2) activities states have conducted using the grants and difficulties states have faced in applying for and implementing the grants, and (3) how NHTSA plans to

¹The fatality percentages are not mutually exclusive. For example, a traffic fatality may be unbelted and alcohol related.

evaluate the results of the grant programs and implications for reauthorizing the programs.

To determine the progress NHTSA has made in awarding and overseeing the five safety incentive grants, we reviewed documents and interviewed officials from NHTSA, the Federal Highway Administration (FHWA), and representatives from professional groups, including the Governors Highway Safety Association (GHSA), National Safety Council, and Advocates for Auto and Highway Safety. We also reviewed past GAO work and relied on our ongoing work on oversight to evaluate NHTSA's progress in overseeing the grants. To identify the activities states have conducted using the five safety incentive grants and the difficulties states have faced in applying for and implementing the grant programs, we interviewed state highway safety officials and reviewed documents from seven selected states: California, Illinois, New Jersey, Missouri, Montana, South Carolina, and Vermont. We selected the states based on a combination of characteristics, including fatality rates, funding, and geographic distribution. In addition, we reviewed states' 2007 highway safety plans and 2006 annual reports for all 50 states to identify activities states are funding with the grants. To determine how NHTSA plans to evaluate the results of the five safety incentive grant programs and implications for reauthorization, we reviewed DOT's and NHTSA's performance measures and other documents, including NHTSA's 2002 reauthorization proposal and GAO reports on performance measures. We conducted this performance audit from March 2007 through March 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 provides a reasonable basis for our findings and conclusions based on our audit objectives. For details of our objectives, scope, and methodology, see appendix I.

Results in Brief

In fiscal years 2006 and 2007, NHTSA awarded to eligible states about \$576 million for five safety incentive grant programs established under SAFETEA-LU—about \$11 million less than the authorized amount of \$587 million; NHTSA uses several oversight processes to determine the extent to which states are meeting safety-related performance goals that grant-funded activities are designed to address and to monitor how the states spend grant funds. These five safety incentive grants cover the areas of safety belt use, child safety and booster seat use, impaired driving, motorcycle safety, and traffic safety information systems. In terms of

awards, the number of states receiving the grants generally remained constant or increased from fiscal year 2006 to 2007, although the extent to which states qualified for the different grants 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 the grant programs required. However, the majority of states received the other grants. State officials with whom we spoke generally found that the guidance NHTSA provided for completing the grant applications was helpful. However, state and NHTSA officials noted that the guidance from NHTSA headquarters and the regions for the traffic safety information systems grant was inconsistent, which resulted in some states having to provide additional information or revise their applications. NHTSA officials told us they were taking steps to remedy that inconsistency. In terms of overseeing states' use of grants, NHTSA uses a performance-based approach to assess state progress toward meeting safety goals and complements this assessment with oversight processes that monitor whether states are accomplishing the tasks that will allow the state to achieve its goals. By reviewing state performance plans, highway safety plans, and annual reports as well as by conducting special management reviews and monitoring state spending, NHTSA is involved throughout the lifecycle of state grants, allowing the agency to provide input on the development of state safety goals and performance measures and to oversee the implementation of safety programs and use of federal funds. In response to a legislative mandate to evaluate NHTSA's oversight process, GAO plans to issue a separate report on this issue in July 2008.

States are planning and implementing safety improvement activities using grant funds, but the structure of the grants has created eligibility and management difficulties for states. State highway safety officials are planning and implementing activities to address key traffic safety issues. These activities generally fall within five categories of activities—education and training, media and public information, enforcement, data and technology, and infrastructure improvements. Safety officials we spoke with in seven selected states agree that the safety incentive grant programs are assisting states in implementing activities that address key safety issues. State and local chapters of associations such as Mothers Against Drunk Driving, as well as state sheriffs and chiefs of police, also indicated that the issues the grants target are critical safety problems in their states. Furthermore, states are using the grants to address goals and performance measures established in state highway safety plans. While state safety officials agreed that the grants are helping states address key safety issues, they also noted difficulties in passing laws to meet eligibility requirements for some grants, as well as managing grant applications,

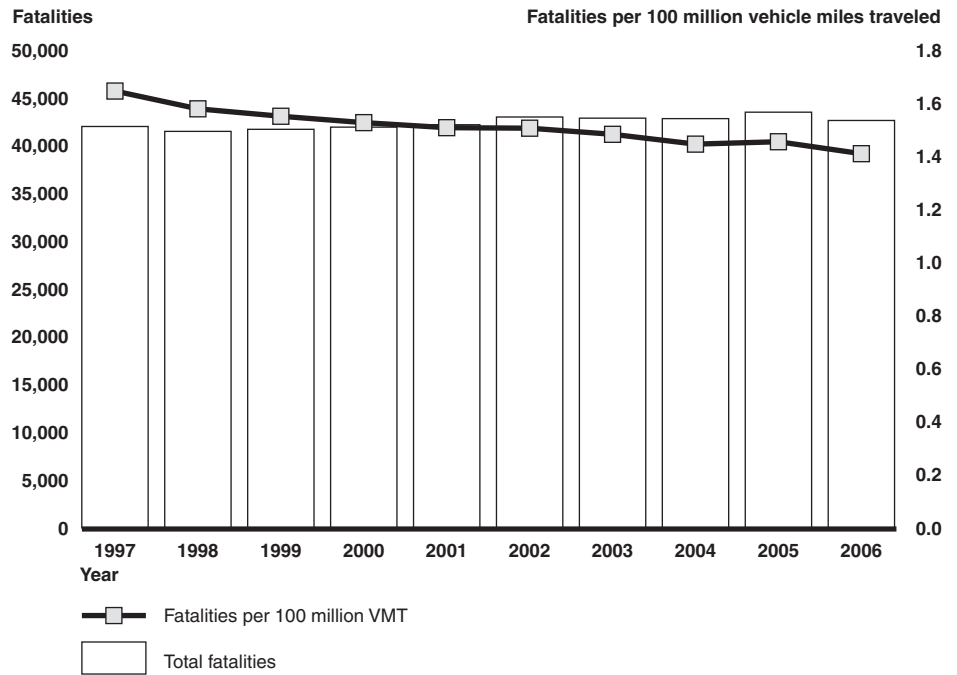
deadlines, and timing. For example, not all states have passed a primary safety belt law, which allows law enforcement officers to stop a driver for not wearing a safety belt and is required to qualify for a Safety Belt Use grant. States have also had difficulty managing the multiple grant applications that state officials must submit in order to be considered for the grants; these applications are all due within 1-1/2 months. NHTSA officials acknowledge state officials' concerns but noted they cannot address them because the difficulties stem from the grant requirements built into the law itself.

NHTSA plans to develop additional performance measures to evaluate the results of these grant programs, but state performance is generally not tied to the receipt of the grants; the absence of such performance accountability mechanisms, as well as issues described above that states face in using grants, raise implications for reauthorization. Although many states have enacted laws and implemented activities to meet the grants' criteria, the grants have not been in place long enough to assess their impact on fatalities, injuries, and crashes. NHTSA officials indicated they intend to rely on nationwide measures, such as passenger vehicle occupancy fatality rates, that the agency uses to assess the performance of its overall traffic safety program. However, these measures are not comprehensive. For example, the measures do not track behaviors that influence alcohol-related fatalities. NHTSA has an effort under way to develop more comprehensive measures that can be used at the federal and state levels. In addition, three of the five grants do not include performance accountability mechanisms that would link the receipt of grant funds to states' ability to meet those performance goals. These issues, as well as the difficulties states have faced in applying for and funding activities with the grants, raise implications for Congress to consider in reauthorizing the surface transportation program. For example, Congress will be faced with deciding whether to design the grant programs to allow states more flexibility in using grant funds and to focus more specifically on performance accountability, as some have advocated. However, these changes would require improved safety data and a robust accountability system.

Background

In 2006, more than 42,600 people were killed in motor vehicle crashes. Overall, this represents a 1.5 percent increase in the number of fatalities from 1997 to 2006, although the fatality rate—fatalities per 100 million vehicle miles traveled (VMT)—declined by approximately 14 percent, from 1.65 in 1997 to 1.41 in 2006 (see fig. 1).

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



Source: GAO analysis of NHTSA and FHWA data.

Through SAFETEA-LU, Congress authorized nearly \$2.2 billion for 4 years, from fiscal years 2006 through 2009, for seven programs to provide safety grants to assist states in their efforts to reduce traffic fatalities (see table 1).² This represents an increase of \$172 million annually from the authorization levels under the Transportation Equity Act for the 21st Century (TEA-21).³ States' highway safety offices use these funds to reimburse selected state and local organizations—nonprofit organizations, universities, hospitals, and law enforcement agencies—for conducting traffic safety improvement activities that have been approved by the state.

²In addition to NHTSA, FHWA and the Federal Motor Carrier Safety Administration (FMCSA) also provide funds to improve highway safety and reduce traffic fatalities. FHWA provides funds for infrastructure and operations-related enhancements, while FMCSA provides funds for truck- and bus-related safety improvements.

³Under 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.

Table 1: Traffic Safety Grant Programs in SAFETEA-LU

| Grant programs | Authorized FY 2006-2009 funding (dollars in millions) |
|--|--|
| State and Community Highway Safety | \$897 |
| Occupant Protection | 100 |
| Safety Belt Use | 498 |
| Child Safety and Child Booster Seat Use | 25 |
| Alcohol-Impaired Driving Countermeasures | 515 |
| Motorcyclist Safety | 25 |
| State Traffic Safety Information Systems Improvement | 138 |
| Total | \$2,198 |

Source: SAFETEA-LU.

Two of these grant programs—State and Community Highway Safety and Occupant Protection—were largely unchanged by SAFETEA-LU.⁴ The State and Community Highway Safety grant provides highway safety funds for states through a formula based on each state’s population and public road miles. All states are eligible to receive this grant after submitting a performance plan that establishes goals and performance measures to improve highway safety in the state, as well as a highway safety plan that describes activities to achieve those goals. The Occupant Protection grant provides incentive funds for states to adopt and implement programs to reduce deaths and injuries from riding “unrestrained” or “improperly restrained.” To be eligible for this grant, states must meet four out of six criteria, some of which are also criteria for other safety incentive grants. One of these criteria is to pass a safety belt law providing for primary enforcement,⁵ which allows law enforcement officers to stop a driver for not wearing a safety belt. Transportation safety experts generally consider primary safety belt laws to be the most effective countermeasure to prevent traffic fatalities and injuries to vehicle occupants, and states with

⁴These two grants were not included in the scope of this review.

⁵The remaining five criteria are to (1) pass a safety belt use law applying to passengers in any seat in the vehicle, (2) establish minimum fines or penalty points for safety belt and child safety seat violations, (3) establish a statewide special traffic enforcement program for occupant protection, (4) establish a statewide child passenger protection program that includes educational programs on proper safety seat use, and (5) pass a child passenger protection law that requires minors to be properly secured.

primary enforcement laws generally have lower fatality rates than states that do not have such laws.⁶ States are required to provide matching funds for both grants; the state share required for the State and Community Highway Safety grant is at least 20 percent of the total program cost, while the state share for the Occupant Protection grant is at least 25 percent for the first and second years (beginning in 2003), 50 percent for the third and fourth years, and 75 percent for the fifth and sixth years.

The remaining five grant programs—Safety Belt Use, Child Safety and Child Booster Seat Use, Alcohol Impaired Driving Countermeasures, Motorcyclist Safety, and State Traffic Safety Information Systems Improvement—were modified or added by SAFETEA-LU.⁷ States' ability to qualify for grants is exclusively determined by whether they meet the statutory grant qualification criteria established by SAFETEA-LU.

Safety Belt Use: This one-time grant encourages states to enact and directly enforce safety belt use laws. States can use grant funds for a range of highway safety activities, including public education programs or construction to improve a hazardous roadway. To be awarded a grant, a state can qualify in one of three ways:

- Enact a primary safety belt law after January 1, 2003, and certify that the law is enacted and will be enforced; these “new law states” receive priority in the award process and are awarded a one-time grant equal to 475 percent of the amount they were apportioned for their fiscal year 2003 State and Community Highway Safety grant.
- Beginning in fiscal year 2008, certify that the state has achieved at least an 85 percent safety belt use rate in the two preceding calendar years.
- If a state does not meet either of the first two criteria, and if funds remain after grants have been awarded to all states meeting those criteria, states that had a primary safety belt law in effect prior to 2003,

⁶Most states without primary safety belt laws have secondary laws. With a secondary law, law enforcement officers may issue a ticket for not wearing a safety belt only if they have stopped and in some cases cited the driver for another offense. According to NHTSA officials, New Hampshire is the only state without either a primary or a secondary safety belt law for persons 18 years of age or over.

⁷NHTSA commonly refers to these grant programs as Section 402 (Safety Belt Use), Section 2011 (Child Safety and Child Booster Seat Use), Section 410 (Alcohol Impaired Driving Countermeasures), Section 2010 (Motorcyclist Safety), and Section 408 (State Traffic Safety Information Systems Improvement).

and certify the law is enacted and being enforced are eligible to receive a one-time grant equal to 200 percent of the amount they were apportioned for their fiscal year 2003 State and Community Highway Safety grant.

In addition, NHTSA will allocate any grant funds remaining available on July 1, 2009, among all states that have in effect and are enforcing a primary safety belt law for all passenger motor vehicles as of that date. These funds will be allocated among the states in accordance with the formula used to determine the amount of the State and Community Highway Safety grant.

The Safety Belt Use grant program authorized in SAFETEA-LU includes more stringent criteria than the corresponding TEA-21 incentive grant, which awarded grants to states based solely on improvements in safety belt use rates. Congress authorized \$500 million over 5 years for the safety belt incentive grant authorized in TEA-21 and \$498 million over 4 years for the program authorized in SAFETEA-LU. There are no requirements for state matching funds.

Child Safety and Child Booster Seat Use (Child Safety and Booster Seat): This grant is designed to encourage states to enact and enforce booster seat laws.⁸ These grant funds may be used only for child restraint programs, including programs to enforce laws or train child safety professionals and parents on the proper use of child safety and booster seats. Up to 50 percent of the funds that a state receives under this grant may be used to purchase and distribute child restraints—both child safety and booster seats—for low-income families. To qualify for this grant, states must enact and enforce a law requiring any child riding in a passenger motor vehicle who is 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. Similar to the Safety Belt Use grant program, the criteria for the Child Safety and Booster Seat grant program adopted in the wake of SAFETEA-LU are more stringent than the corresponding pre-SAFETEA-LU grant program; states had to apply and then use the grant for child passenger protection education activities. Congress authorized \$15 million for the child passenger protection education grant under TEA-21 and \$25 million for the Child Safety and

⁸Booster seats are intended to be used by children weighing more than 40 pounds who have outgrown a child safety seat. It serves as a transition to wearing a safety belt.

Booster Seat grant under SAFETEA-LU. States are also required to provide matching funds of at least 25 percent during the first 3 years and 50 percent during the fourth year.

Alcohol Impaired Driving Countermeasures (Impaired Driving):

This grant is designed to encourage states to implement enforcement, education, training, and other countermeasure activities to reduce alcohol-impaired driving. States can use the grant to implement these activities, such as training for law enforcement officers and advertising and educational campaigns that publicize sobriety checkpoints. States may also purchase equipment—such as blood alcohol content (BAC) testing devices—to assist officers in enforcement activities. States can qualify to receive this grant in three ways: (1) achieving an 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 a minimum number of the eight programmatic criteria—three in fiscal year 2006, four in fiscal year 2007, and five in fiscal years 2008 and 2009.⁹ The programmatic criteria are as follows:

- Implement a program to conduct high-visibility enforcement campaigns using checkpoints or saturation patrols, along with paid and earned media;
- Implement a program to educate judges and prosecutors about prosecuting and adjudicating offenders;
- Implement a program to increase the rate of BAC testing of drivers involved in fatal crashes;
- Enact legislation imposing stronger sanctions or additional penalties for high-risk drivers whose BAC is 0.15 or more;
- Implement a program to rehabilitate repeat or high-risk offenders or refer them to a state-sanctioned DWI court;

⁹A state can qualify in one of three ways for an Impaired Driving grant: as a “low fatality” rate state, a programmatic state, or a “high fatality” rate state (being among the 10 states with the highest fatality rates). It is possible for a high-fatality state to be awarded both a programmatic grant and a high-fatality-rate grant in the same year.

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- Develop a strategy to prevent underage drivers from obtaining alcoholic beverages and to prevent persons of any age from making alcoholic beverages available to persons under 21;
 - Implement a program to suspend or revoke licenses for drivers who were apprehended while driving under the influence; or
 - Implement a “self-sustaining impaired driving prevention program” in which a significant portion of DWI fines or surcharges collected are returned to communities for activities to reduce alcohol-impaired driving.

While the Impaired Driving grants authorized by SAFETEA-LU are similar to the impaired driving grants authorized in TEA-21, the number of criteria a state must meet differs. Specifically, states had to meet more criteria for the TEA-21 grants, but the SAFETEA-LU grant criteria are more stringent.¹⁰ For example, the TEA-21 criteria required states to implement programs, whereas the SAFETEA-LU criteria may include legislative requirements. SAFETEA-LU more than doubled the funding—from \$219.5 million to \$515 million—authorized for the Impaired Driving grant program. States are also required to provide matching funds of at least 25 percent the first and second years and 50 percent the third and fourth years.

Motorcyclist Safety: SAFETEA-LU established a new incentive grant program to encourage states to adopt and implement programs to reduce the number of crashes involving motorcyclists. To be eligible to receive this grant, a state must meet one of six criteria in the first fiscal year and two of the criteria in the second and subsequent years. The criteria are as follows:

- Implement a statewide training program for motorcycle riders;

¹⁰In addition to the Impaired Driving grant, TEA-21 authorized spending for programs that imposed penalties by withholding certain highway construction funds from states that did not pass legislation designed to reduce impaired driving. One of these was a \$500 million program to prevent the operation of motor vehicles by intoxicated persons and to motivate states to enact and enforce a law establishing a BAC of 0.08 as the legal limit for determining whether a driver is intoxicated. Congress also adopted provisions to penalize states for not enacting laws to prohibit the possession of open alcoholic beverages and the consumption of alcoholic beverages in the passenger area of any motor vehicle. According to GHSA, 42 states currently have laws prohibiting open alcoholic beverages, 43 states have repeat offender laws; 36 states have both laws. These programs did not require new funds and continued post-SAFETEA-LU without reauthorization.

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- Implement a program to promote motorcyclist awareness;
 - Achieve a reduction in fatalities and crashes involving motorcycles in the preceding year;
 - Implement a statewide impaired-driving program, including measures to reduce impaired motorcycle operation;
 - Achieve a reduction in fatalities and crashes involving impaired motorcyclists in the preceding year; or
 - Use all fees collected from motorcyclists—such as motorcycle licensing and registration—for motorcycle programs.

Funds under this grant program may be used for motorcyclist safety training and motorist awareness programs, including improvement of training curricula, delivery of training, recruitment or retention of motorcyclist safety instructors, and public awareness and outreach programs. States are not required to provide matching funds.

State Traffic Safety Information Systems Improvement (Traffic Safety Information Systems): This grant program provides funding for states to adopt and implement programs to improve the timeliness, accuracy, completeness, uniformity, integration, and accessibility of state data needed to identify priorities for national, state, and local highway and traffic safety programs. The purpose of the grant program is to improve the compatibility and interoperability of states' data systems with each other and with national data systems, and enhance NHTSA's ability to analyze national trends in traffic safety. To qualify for a grant for the first year, a state must

- establish a multidisciplinary highway safety data and traffic records coordinating committee;

-
- develop a multiyear safety data and traffic records strategic plan, approved by the coordinating committee and containing performance-based measures;¹¹ and
 - certify that it has adopted and is using the model data elements included in the Model Minimum Uniform Crash Criteria and National Emergency Medical Service Information System determined by the Secretary to be useful, or certify that grant funds will be used toward adopting and using the most elements practicable.

To qualify for a grant in subsequent years, a state must

- certify that an assessment or audit of the state traffic records system has been conducted or updated within the preceding 5 years,
- certify that the coordinating committee continues to operate and supports the plan,
- specify how the grant funds and any other state funds will support the plan,
- demonstrate measurable progress toward achieving the goals and objectives identified in the plan, and
- submit a report showing measurable progress in implementing the plan.

The eligibility requirements for this grant program are more stringent than under prior law. For example, states must demonstrate measurable progress to qualify for subsequent-year funding, whereas previously they only had to certify they had a traffic records committee and activities were funded with the grant regardless of the impact of the projects. Congress authorized \$32 million in TEA-21 compared with \$138 million in SAFETEA-LU, a significant increase in funding. States are also required to provide matching funds of at least 20 percent of the total federal and state program costs.

¹¹The strategic plan shall, at a minimum: (1) be approved by the state's traffic records coordinating committee; (2) identify and address existing deficiencies in a state's highway safety data and traffic records system; (3) specify how such deficiencies were identified; (4) prioritize the needs and set goals for improving the state highway safety data and traffic records system; (5) identify performance-based measures, including baseline or benchmark data, by which progress toward those goals will be determined; and (6) specify in terms of specific projects and systems how the state will use 408 grant funds and other state funds to address the needs and goals identified in its strategic plan.

NHTSA Has Awarded Grants and Uses Several Oversight Processes to Assess States' Progress toward Safety Goals and Monitor States' Use of Grant Funds

In fiscal years 2006 and 2007, NHTSA awarded to eligible states about \$576 million for the five safety grants—about \$11 million less than the authorized amount of \$587 million. According to NHTSA officials, the total amount of funds authorized was not awarded because fewer states were able to pass laws to become eligible for certain grants than anticipated. With the exception of the safety belt grant program, the number of states receiving the grants remained constant or increased from fiscal year 2006 to 2007, although the extent to which states qualified for the different grants varied, with fewer states receiving grants that require passing a law. NHTSA uses several oversight processes to determine the extent to which states are meeting safety-related performance goals that grant-funded activities are designed to address and monitor how the states spend grant funds. NHTSA's oversight processes have evolved over time in response to state concerns about restrictive NHTSA oversight¹² and our prior recommendations that NHTSA ensure more consistent use of management and oversight tools, provide guidance to its regions on use of those tools, and provide a more consistent means of measuring progress toward highway safety goals.¹³ The DOT Office of Inspector General and we currently have reviews under way to evaluate the effectiveness of NHTSA's performance-based oversight approach.

NHTSA Has Awarded Grants to States That Met Eligibility Criteria

In fiscal years 2006 and 2007, NHTSA awarded about \$576 million for the five safety grant programs—about \$11 million less than the authorized amount of \$587 million—to states meeting statutory grant criteria (see fig. 2). The unawarded funds were primarily for the Child Safety and Booster Seat grants in fiscal year 2006—\$3.4 million, or over one-half of the authorized amount of \$6 million—and for the Safety Belt Use grant in fiscal year 2007—\$4.2 million.¹⁴ NHTSA officials determined that a number of states did not meet the statutory criteria contained in SAFETEA-LU for the Child Safety and Booster Seat grant. Consequently, the amount of awards for the Child Safety and Booster Seat grant in fiscal year 2006 was

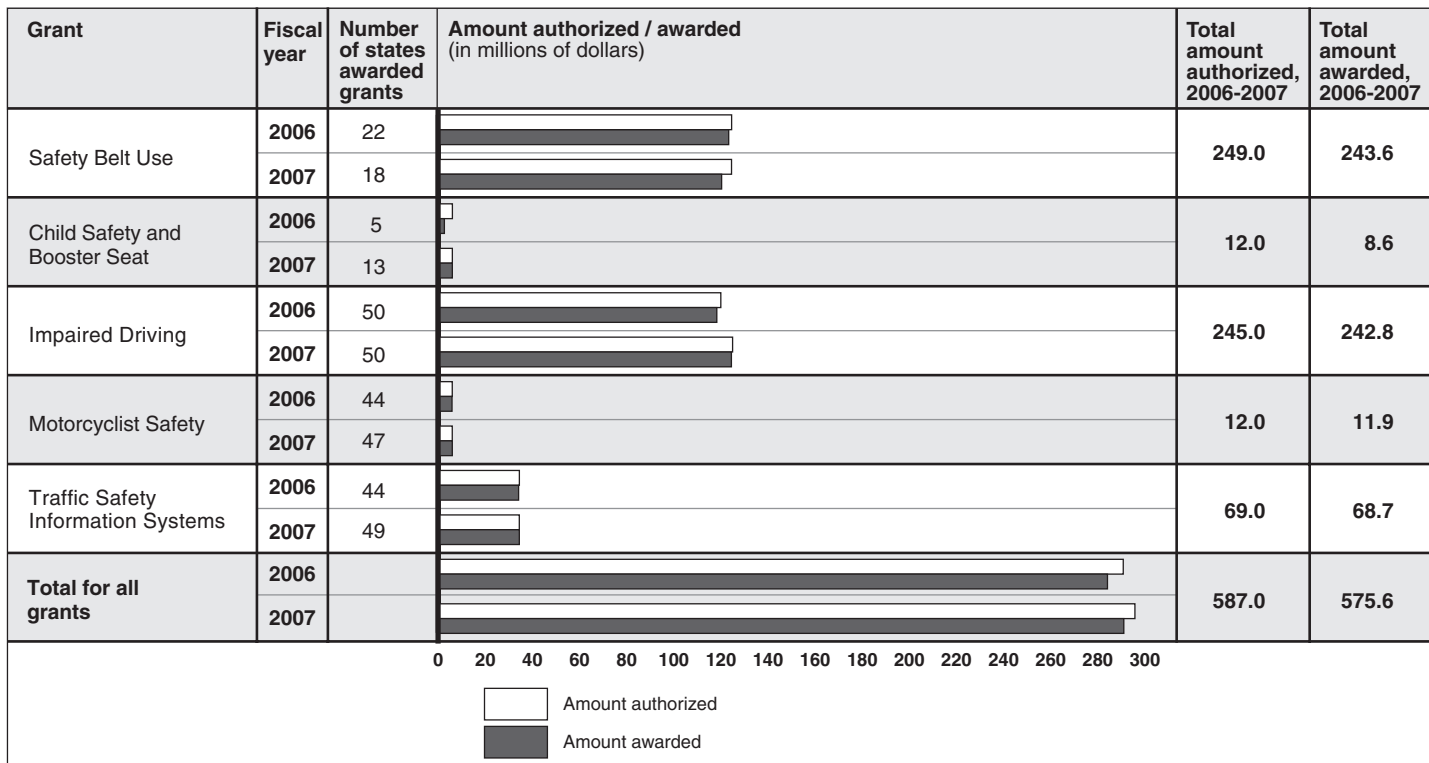
¹²U.S. Department of Transportation, National Highway Traffic Safety Administration, *Report to Congress on Guidance and Oversight of State Highway Safety Grant Programs* (Washington, D.C., April 2004).

¹³GAO, *Highway Safety: Better Guidance Could Improve Oversight of State Highway Safety Programs*, [GAO-03-474](#) (Washington, D.C.: Apr. 21, 2003).

¹⁴Under SAFETEA-LU, NHTSA can carry forward any authorized Safety Belt Use grant funding that has not been awarded from one fiscal year to the next. No comparable statutory provision exists for the Child Safety and Booster Seat grant.

less than the amount authorized. The remainder of the \$11 million was due to an across-the-board 1 percent rescission in fiscal year 2006.

Figure 2: Number of States Awarded Safety Grants and Amount of Grants Authorized and Awarded, Fiscal Years 2006 and 2007



Sources: NHTSA and SAFETEA-LU.

From fiscal year 2006 to 2007, the number of states that received the five grants generally remained constant or increased, although the number of states¹⁵ varied by grant. With the exception of the Safety Belt Use grant, states maintained or increased participation in the grant programs. Specifically, the number of states eligible for the Child Safety and Booster

¹⁵All 50 states, the District of Columbia, and Puerto Rico are eligible for each of the safety incentive grants. Also, 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. The Bureau of Indian Affairs (BIA) is eligible for the Impaired Driving and Traffic Safety Information Systems grants. Dollar amounts in our figures include the 50 states, District of Columbia, Puerto Rico, the territories and BIA, but the focus of this report is the 50 states.

Seat grant more than doubled from 5 to 13 states, the number awarded the Impaired Driving grant held steady at 50 states, and states awarded the Motorcyclist Safety grant and the Traffic Safety Information Systems grant increased from 44 states to 47 and 49 states, respectively. Overall, 8 states have enacted and are enforcing a primary safety belt law to qualify for Safety Belt Use grants since December 31, 2002—the date specified in SAFETEA-LU.¹⁶ The 8 states represent a 50 percent increase in the number of states that previously had primary safety belt laws. The decline in the number of states receiving Safety Belt Use grants¹⁷—from 22 states in fiscal year 2006 to 18 states in fiscal year 2007—reflects the fact that states passing a primary safety belt law for the first time received grants in a single year, while 16 states that had the law in place prior to 2003, received the grant over 2 years:

- In fiscal year 2006, 6 states qualified for grants by enacting laws to implement and enforce primary safety belt laws, in addition to the 16 states that had primary safety belt laws prior to 2003; these 6 states received the full amount of their grants in fiscal year 2006, while the 16 states received a first installment of their grants.
- In fiscal year 2007, 2 states enacted laws and received the full amount of their grants, and the 16 states received a second and final installment of their grants.¹⁸

The extent to which states received the different grants varied, with fewer states receiving grants that require passing a law. For example, as shown in appendixes II and III, fewer than half of the states qualified for grants that require legislation—the Safety Belt Use and the Child Safety and Booster Seat grants, while all states qualified for Impaired Driving grants

¹⁶Since January 1, 2003, seven states have enacted and are enforcing primary safety belt laws. An eighth state, Indiana, had a primary safety belt law in effect prior to 2003 but was not eligible for the grant in fiscal year 2006 because the law excluded pickup trucks. Indiana has since modified its law and qualified for the grant in fiscal year 2007. A ninth state, Maine, also enacted a primary safety belt law, but it was not enforced in time to qualify for the grant in 2007.

¹⁷A Safety Belt Use grant is a one-time grant, which allows a state to qualify under only one category for the duration of the program.

¹⁸The six states that enacted safety belt laws January 1, 2003, and before July 1, 2006, received their one-time grants in fiscal year 2006. However, the 16 states that enacted laws before 2003 received a little over a third of their grant in 2006 and received the final installment of their grants in 2007. We counted them as receiving grants in both 2006 and 2007.

and the majority qualified for the Motorcyclist Safety and Traffic Safety Information Systems grants (see apps. IV through VI). In contrast to the Safety Belt Use and Child Safety and Booster Seat grants, states could qualify for the Impaired Driving, Motorcyclist Safety, and Traffic Safety Information Systems grants by submitting plans for varied highway safety activities to be funded under those grants, such as motorcyclist training, alcohol enforcement activities, or new or enhanced information communication systems, without having to enact new legislation.

NHTSA awards grants annually under the five safety incentive programs between June and September because the various grant programs require that states meet criteria by completing activities or enacting laws by a specified date in order to be eligible (see fig. 3). NHTSA assists states with applications—including reviewing applications—to meet application deadlines throughout the year. The application deadlines for all five grants are scheduled from June through August of the fiscal year to allow states sufficient time to meet eligibility requirements and receive awards in that fiscal year. For example, the Child Safety and Booster Seat Use grant program requires states to enact a law or revise an existing statute to require that children be restrained in a child safety seat meeting requirements established by the Secretary, which in turn requires that children under 8 years old be restrained properly. To qualify, states must have enacted a qualifying booster seat law by June 30. Consequently, NHTSA set a July 1 application deadline for these grants, at which time states applying for this grant had to certify that the law met NHTSA's requirements and submit a copy of the law for NHTSA's review. For the Motorcyclist Safety grant program, NHTSA established an August 1 application deadline and required states to submit an application in the first year and in subsequent years provide certifications that its program meets the grant criteria, such as having a statewide motorcyclist training course or a statewide motorcyclist awareness program. NHTSA officials indicated they needed to give states time to meet the additional criteria in subsequent years and noted that most of these activities would be completed by June 30 of a given year.

Figure 3: Application Deadlines, Award Dates, and Dates Funds Were Available, Fiscal Years 2006 and 2007

| Grant | Fiscal year 2006 | | | | Fiscal year 2007 | | | | | | | | | | | |
|---|------------------|--------|------|-------|------------------|------|------|------|------|------|------|-----|------|------|------|-------|
| | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. |
| Safety Belt Use | | ! 📄 \$ | | | | | | | | | | | | ! | | 📄 \$ |
| Child Safety and Booster Seat | | ! | | 📄 \$ | | | | | | | | | | ! | | 📄 \$ |
| Impaired Driving | | | ! | 📄 \$ | | | | | | | | | | | ! | 📄 \$ |
| Motorcyclist Safety | | | ! | 📄 \$ | | | | | | | | | | | ! | 📄 \$ |
| Traffic Safety Information Systems | ! | | | 📄 \$ | | | | | | | | | | ! | | 📄 \$ |
| <p>! Application deadline</p> <p>📄 Award letter</p> <p>\$ Funding available</p> | | | | | | | | | | | | | | | | |

Sources: NHTSA regulations and implementing guidelines, as well as state officials.

^aThe award letter notifies the state it has been awarded a grant. Grant funds are usually available to states shortly after they receive their award letter.

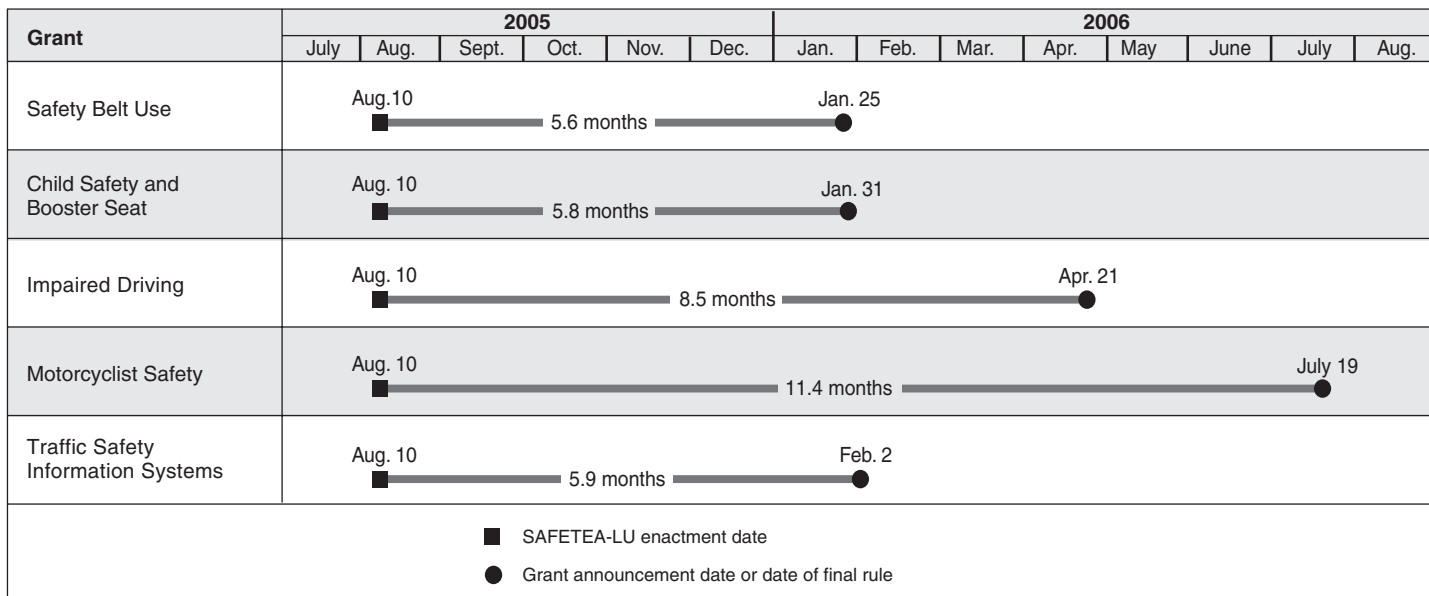
^bIf safety incentive grant funds are not used in the fiscal year in which they are awarded, they can be carried over and used in the following fiscal year.

Within 2 to 3 months following the receipt of the applications, NHTSA reviewed grant applications and awarded the grants to the states. For 5 of the 10 application periods over both fiscal years, NHTSA reviewed grant applications and awarded the grants to the states within 2 months following the application deadline. For example, in fiscal years 2006 and 2007, NHTSA reviewed applications for the Impaired Driving and Motorcyclist Safety grants, issued letters notifying the states of the amounts awarded under each grant, and made funds available by September 22 of each year following the application deadline of August 1. However, NHTSA took 3 months to review applications and award grants for the Safety Belt Use grants in fiscal year 2007 and the Child Safety and Booster Seat grant in both years. According to NHTSA officials, reviewing the individual state laws took more time than expected because of the large number of applications and the need to determine whether states met the statutory criteria. In some instances, the same NHTSA staff were involved in preparing documentation and reviewing application approval

packages for multiple grant programs. Additionally, while applications for the Traffic Safety Information Systems grant program were due June 15, NHTSA awarded these grants in September. According to NHTSA officials, the NHTSA team reviewing the applications for these grants had to request additional or clarifying information from states based on their applications in an effort to assist as many states as possible to qualify.

As part of the award process, NHTSA also assists states in applying for grants and meeting application deadlines. NHTSA issued guidance for three of the grant programs within 6 months of the passage of SAFETEA-LU in August 2005, while it issued the implementing regulations for the Impaired Driving and Motorcyclist Safety grant programs within 8 to 11 months (see fig. 4). NHTSA officials explained that they chose the most expedient route for issuing guidance to the states in order to get the guidance out to the states as quickly as possible within relatively tight time frames. Because it takes longer to publish regulations, NHTSA issued implementing guidelines for three of the grant programs.

Figure 4: Timeline for NHTSA to Provide Guidance to States



Source: NHTSA regulations and implementing guidelines.

State officials we spoke with generally found NHTSA’s guidance helpful. They told us that NHTSA headquarters and the regions provided information to help the states prepare applications. For example, NHTSA’s

regional offices provided the states with information on national priorities and letters indicating traffic safety areas on which states could focus their efforts to support the national goals. Some NHTSA regions also shared grant application review checklists with the states to help them complete their applications as much as possible before sending them to the region for review. In addition, for the Traffic Safety Information Systems grant, NHTSA hired contractors to meet with state officials to help them understand what NHTSA expected in a grant application.

However, for the Traffic Safety Information Systems grant program, the guidance from NHTSA headquarters and regions was inconsistent, which resulted in some states having to provide additional information or revise their applications. Some state officials explained they were frustrated by the application process because NHTSA headquarters frequently requested they provide additional or clarifying information to demonstrate measurable progress. However, according to officials from NHTSA headquarters and regions, the team in headquarters that reviewed the applications had different expectations from the NHTSA regions and states. When state officials worked closely with NHTSA regional officials to develop their applications, they believed that the applications were complete and that they qualified for the grants. After the review from NHTSA headquarters, they learned that additional work was needed on their application to qualify. According to NHTSA headquarters officials, in many instances, the states were asked to submit additional information and clarification because their initial applications lacked valid or accurately calculated performance measures or, in some cases, included no performance measures. NHTSA officials initially attributed these problems to the grant's criteria and more stringent requirements than under prior law; this grant requires that states clearly incorporate how they will measure progress and demonstrate quantifiable results in order to qualify for the grant in subsequent years. However, similar problems also occurred in the application process for fiscal year 2007 when states again received questions from NHTSA and had to clarify information or provide additional information to the review team. To address this issue, NHTSA has begun providing training to NHTSA regional officials so that they provide consistent guidance. In addition, several regions have established regional grant review teams similar to NHTSA headquarters grant review teams to ensure grants receive more complete reviews at the regional level.

NHTSA Uses Several Oversight Processes to Assess States' Progress toward Safety Goals and Monitor States' Use of Grant Funds

NHTSA uses several processes to determine the extent to which states are meeting safety-related performance goals that grant-funded activities are designed to address and monitor how the states spend grant funds. Specifically, NHTSA uses a performance-based approach to assess state progress toward meeting safety goals and complements this assessment with oversight processes that monitor whether states are accomplishing the tasks that will allow the state to achieve its goals. NHTSA's performance-based approach primarily involves assessing states' progress in meeting safety-related performance goals by comparing state planning documents with annual reports on the state's performance and conducting special reviews of states not making adequate progress toward their goals. These activities create the opportunity for NHTSA to be involved throughout the lifecycle of state grants, allowing the agency to provide input on the development of state safety goals and performance measures and to oversee the implementation of safety programs and use of federal funds.

- **Establishing state safety goals and conducting activities to achieve the goals:** Early in the calendar year, each state initiates a planning process to prioritize safety goals and develop a performance plan and highway safety plan for the upcoming fiscal year. These plans establish performance goals and objectives based on safety problems identified in each state and include activities the state funds with NHTSA's traffic safety grants that will help the state reach its goals. For example, Nevada's fiscal year 2008 plan identified impaired driving as the most common cause of fatal crashes and established a performance goal of reducing the number of fatalities to 5.75 per 100,000 people by 2008 (which would be down from 6.31 in 2005). To achieve this goal, Nevada plans to devote about 28 percent of its federal funding to impaired-driving activities such as conducting highly publicized driving under the influence (DUI) enforcement activities and training prosecutors on DUI cases. To help states identify safety priorities and develop performance goals for the year, NHTSA provides each state with an analysis of state-level traffic safety data, such as fatality rates, seat belt use, and alcohol-related fatalities. The agency also shares information on countermeasures that address safety problems that are specific to the state. For example, NHTSA regional offices may recommend that states develop a statewide media plan regarding seat belt use, with specific emphasis on heightening media exposure in high-risk counties. NHTSA also informs states of countermeasures that other states have used through activities like regional conferences. NHTSA regional staff meet regularly with state highway safety staff during the planning process, providing guidance on national priorities and other technical assistance to help the state develop a plan that

addresses key safety issues. States must submit performance plans and highway safety plans to NHTSA by September 1, and NHTSA responds with a formal letter documenting the agency's analysis of the plans and providing additional feedback.

- **Review of state progress toward state safety goals:** In December of each year, states must submit to NHTSA regional offices a report on the previous fiscal year's program activities, including the programs funded by the safety grants. The regional offices assess these reports to determine state progress toward achieving the goals and performance measures identified in the state's performance plan. These assessments allow NHTSA to track state performance in improving safety outcomes and to provide feedback to states on strengths and weaknesses in the programs.
- **Assisting states not making progress toward safety goals:** For states that are not making adequate progress in NHTSA's priority areas of reducing alcohol-related deaths or improving safety belt use, NHTSA conducts special management reviews. To identify states for impaired driving reviews, NHTSA analyzes national fatality data and compares state performance with national levels; to identify states for occupant protection reviews, NHTSA analyzes state-reported seat belt use rates from observational surveys, and compares those rates to the VMT-weighted average seat belt use of all 50 states, the District of Columbia, and Puerto Rico. States with performance consistently below the national average are candidates for a special management review. These reviews, which are currently only conducted for impaired driving and occupant protection, focus on state management of a specific program area—such as those funded by the safety grants—to identify barriers to progress and make formal recommendations on strategies that could help the state improve safety outcomes. Special management reviews involve an on-site review lasting several days and include interviews with state staff, reviews of program files, a formalized report developed by NHTSA, and potentially creating a “performance enhancement plan,” which establishes target dates for the completion of recommendations made in the review. As of September 2007, NHTSA conducted 29 special management reviews for fiscal years 2005 through 2007.
- **Oversight processes to track state use of funding:** Throughout the year, NHTSA monitors state grant management activities, including whether states are expending funds in a timely fashion and directing funds appropriately to the programs identified in the state's highway safety plan as having potential to address the state's safety goals. The

primary tool NHTSA uses to monitor state spending is its Grants Tracking System (GTS), a Web-based application that allows NHTSA to track, approve, and release to states the grant funds available for highway safety programs. At the beginning of each fiscal year, states enter accounting information into GTS reflecting the total amount of funding the state may obligate that year and how much the state indicated in its highway safety plan it would spend on different programmatic areas. Then during the year, states enter data into GTS to indicate how grant funding is being spent, and NHTSA regional offices use GTS to monitor state spending by periodically reviewing financial data to ensure states are making progress in expending funds, meeting financial requirements, and using funding for the programs indicated in their plans. NHTSA monitors whether states deviate from their planned spending—for example, by shifting funding from an impaired driving program to a program addressing a safety goal that state data suggest is a lower priority—and can request additional justification if states make changes. GTS contains the requirements of each grant—for instance, the percentage of funding that states must match—and allows states to submit vouchers for reimbursement. Because the data entered into GTS include the total spent on a given grant, NHTSA regional offices also conduct on-site reviews of vouchers to examine documentation supporting these expenditures and determine whether the expenses were allowable, reasonable, related to the project, and expended within the grant year.

- **Assessing state grant management:** In addition to monitoring throughout the year, NHTSA conducts more comprehensive on-site “management reviews” for each state once every 3 years to assess state operational practices to ensure efficient administration and effective planning, programming, implementation, and evaluation of the state’s highway safety programs.

This oversight approach has evolved over time in response to agency processes to identify areas for improvement, congressional and state concerns, and our prior recommendations. Prior to fiscal year 1998, NHTSA regulations required each state to submit a highway safety plan to NHTSA for approval. This plan detailed—down to the project level—the activities the state proposed to implement with federal grant funding. However, in response to congressional and state concerns that NHTSA’s project-by-project approval process was too restrictive, NHTSA adopted a performance-based approach in 1998. Specifically, states were required to submit a performance plan that identified key highway safety problems in the state and established goals and performance measures to address these problems. States still submitted the highway safety plan, but NHTSA

no longer approved or disapproved individual projects contained in the plan unless those projects were not allowed under statutory limitations imposed on the various grants; rather, the agency determined whether the state submitted the plan in compliance with regulations.

In a 2003 report, we identified problems with NHTSA's performance-based approach, noting inconsistencies among the NHTSA regional offices in the level of guidance to states on how to use safety grant funding.¹⁹ We recommended that NHTSA provide more specific guidance to regional offices on when to conduct reviews of state safety programs and how to measure progress toward meeting safety goals. In response to our recommendations and new direction from Congress, NHTSA clarified and revised its guidance to states on how best to craft highway safety plans, as well as the process for how the agency would conduct regular reviews of state use of grant funding.

Both the Department of Transportation Inspector General (DOT IG) and GAO are required by law to evaluate NHTSA's oversight process since the agency initiated changes in 2005. The DOT IG's review will verify whether NHTSA developed and followed policies and procedures for conducting management reviews and special management reviews in accordance with our April 2003 recommendation, determine the extent to which NHTSA's reviews addressed states' safety performance measures, and identify best practices for improving NHTSA's oversight activities. To accomplish their review, officials from the IG told us that they accompanied NHTSA regional office staff on several reviews to observe the process and analyze management review reports, as well as underlying workpapers that supported the review's findings and conclusions. Our review will describe how NHTSA oversees state safety grants and the role of the State and Community Highway Safety Grant Program in state highway safety programs. Our report will be released in July 2008, and as of mid-February 2008, the DOT IG planned to release its report in the spring of 2008.

¹⁹[GAO-03-474](#).

States Are Planning and Implementing Safety Improvement Activities, but the Structure of the Grant Programs Has Created Eligibility and Management Difficulties

Using grant funds, states are planning and implementing safety improvement activities to address the key traffic safety issues in their states, but the structure of the grant programs has created eligibility difficulties for states, as well as management difficulties for governors' highway safety offices that administer the grants. State safety officials agreed that the grants are helping them address key safety issues but have found it challenging to meet eligibility requirements for some grant programs, particularly those requiring states to pass laws. In addition, state safety officials have faced management challenges involving multiple grant applications and deadlines. State safety officials also noted concerns about the timing of the grant awards and limitations on the amount of flexibility they have to use the funds. NHTSA officials agree with state officials' concerns, but noted that they cannot take action to address them because these issues are required by law. Any changes to the grant structure would have to be undertaken by Congress.

States Are Planning and Implementing Safety Improvement Activities Using Grant Funds

For each grant, state highway safety officials are planning and implementing activities to address key traffic safety problems in their states. These activities generally fall within five categories of activities—education and training, media and public information, enforcement, data and technology, and infrastructure improvements (see table 2). Safety officials we spoke with in seven selected states agree that the safety incentive grant programs are assisting states in implementing activities that address key safety issues. State and local chapters of associations such as Mothers Against Drunk Driving (MADD) and state sheriffs and chiefs of police also indicated that the issues the grants target are critical safety problems in their states.

Table 2: Categories of Activities Funded Using Traffic Safety Grants^a

| Grant program | Education and training | Media and public information | Enforcement | Data and technology | Infrastructure improvements ^b | Other |
|--|------------------------|------------------------------|-------------|---------------------|--|-------|
| Safety Belt Use | √ | √ | √ | √ | √ | √ |
| Child Safety and Booster Seat ^c | √ | √ | √ | | | √ |
| Impaired Driving | √ | √ | √ | √ | | √ |
| Motorcyclist Safety | √ | √ | | | | √ |
| Traffic Safety Information Systems | | | | √ | | |

Source: GAO analysis of state 2007 highway safety plans and 2006 annual reports.

^aWe reviewed the plans and reports for all 50 states to identify activities states are funding with the grants and categorized them into five key areas.

^bWhen states elect to use their Safety Belt Use grants for infrastructure improvements, funds are transferred from NHTSA to FHWA and then distributed to the appropriate state highway agency. The state highway safety offices do not have the lead in planning and implementing activities involving those infrastructure improvement funds

^cIn addition to the activities identified through the state 2007 highway safety plans and 2006 annual reports, NHTSA officials also indicated that states have used the Child Safety and Booster Seat grants to fund enforcement activities, such as checkpoints and enforcement zones for child passenger safety violations.

Furthermore, states are using their grants to address goals and performance measures established in state highway safety plans. For example, although New Jersey had a 90 percent safety belt usage rate in 2006, the state's 2007 highway safety plan indicates the state plans to continue efforts to increase safety belt usage rates by 2 percentage points, from 90 percent in 2006 to 92 percent in 2007. The state budgeted \$1.3 million for safety belt enforcement to help reach this goal.²⁰ Similarly, although California has made significant progress in reducing the frequency of impaired driving and related injuries and fatalities, alcohol remains the number one primary collision factor in fatal crashes in California. Consequently, the state has allocated \$3.6 million of the Impaired Driving grant for DUI enforcement, education, and public information activities to 22 law enforcement agencies to achieve its goal of decreasing the number of persons killed in alcohol-involved collisions by 2 percent by December 31, 2008.²¹ Also, given the rise in the rate of motorcycle fatalities, Illinois and several other states have set goals to reduce statewide motorcycle fatalities. Specifically, Illinois has allocated \$104,000 toward developing a motorcycle awareness program to address its goal of reducing motorcycle fatalities from 9.8 percent of total fatalities in 2003 to 7 percent by January 2008. Additionally, as Massachusetts faces incomplete statewide data on injuries and fatalities, it has designated a portion of the Traffic Safety Information Systems grant for the development of an ambulance record information system in its 2007 highway safety plan.

Because the structure of the Safety Belt Use grant program provides more flexibility in how the funds may be used compared with the other grants, activities that states are planning and conducting with the grant encompass all five key areas as well as other activities, such as conducting

²⁰\$530,000 is funded by the Safety Belt Use Grant.

²¹The state's goal is to decrease fatalities from 1,462 in the 2004 base period to 1,433 by December 31, 2008.

activities to reduce alcohol-impaired driving by teens or conducting statewide safety belt use surveys.²² While this is the only grant program that can be used to fund infrastructure improvements, states have allocated a large portion of these grants toward programs designed to influence safety. For example, Illinois allocated 75 percent (\$22.3 million) of the \$29.7 million grant for behavioral projects and 25 percent (\$7.4 million) for infrastructure projects. California used all of the \$19.4 million it received in fiscal year 2006 for behavioral activities. Education and training, media and public information, and enforcement activities funded by this grant program are generally linked to the national high-visibility “Click It or Ticket” campaign. Some states, such as South Carolina, have allocated most of the grant to data and technology activities to improve traffic safety information systems. These activities may include developing systems to enable electronic crash reporting and data transmission or identifying top locations for aggressive driving. Specifically, South Carolina received \$10.6 million and is using the majority of this amount—about \$8 million—for traffic records improvement. Finally, states have also used these grants for other activities, such as infrastructure safety measures, including upgrading and improving locations where pedestrian and motor vehicle collisions occur or videotaping and assessing county roadway systems.

Because the goal of the Child Safety and Booster Seat grant program is to encourage greater use of child safety and booster seats, the activities that states are planning and conducting are limited to education and training, media and public information, and other activities such as car seat purchases. States are planning to use these grants to increase training for child safety seat technicians and instructors and to support additional safety checkpoints and clinics where parents learn how to properly install safety seats. Safety advocacy groups have indicated that this funding is important because the population of first-time parents is constantly changing. For example, New Jersey funded the Safe C.A.R.G.O Program at the Monmouth County Sheriff’s Office to help educate parents, child-care services, and other caregivers on how to properly install and use child

²²We obtained this information by reviewing states’ fiscal year 2007 highway safety plans and fiscal year 2006 annual reports. The information in the plans and reports are not complete due to inconsistencies in how states prepared them. The level of detail in these plans varied by states, and we were unable to identify all of these activities. The examples we cite reflect the activities we identified in our analysis as well as in our visits to seven states.

safety seats.²³ States are planning to fund media and public information to promote awareness of child passenger safety. Vermont, for instance, plans to educate parents through public awareness campaigns. The Monmouth County Sheriff's Office also partnered with local social service agencies to determine which families are eligible for seats and provided vouchers to be redeemed at Safe C.A.R.G.O. inspection locations.

States have used the Impaired Driving grant to focus their efforts on education, training, media, and public information. For example, Georgia and other states have used the funding to promote Students Against Destructive Decisions, which educates youth on alcohol and drug education and prevention. States are planning to fund training for local law enforcement officers and promote outreach programs to prosecutors and judges. Our analysis also indicated that states have used the grants to fund awareness programs on the impact of impaired driving and target messages to teen drivers, as well as to fund a variety of high-visibility enforcement activities, such as the national "Over the Limit, Under Arrest" campaign. For example, 15 California police departments participated or plan to participate in the traditional holiday enforcement campaigns where the departments set up DUI checkpoints and conduct billboard campaigns urging residents to drive sober during this period.²⁴ The Illinois State Police uses grant funds to target establishments that sell alcoholic beverages to minors. States have also used the grant to purchase new equipment, such as breath alcohol testing vans, diesel-powered light towers, and variable message boards for law enforcement to use at checkpoints. In addition to these activities, states have used this grant for activities to enhance courts' and prosecutors' ability to prosecute impaired driving, as well as to encourage legislation imposing stronger sanctions and penalties for impaired driving. For example, Arkansas plans to use the funding to provide a traffic safety resource prosecutor who will serve as a resource to prosecutors in the state on impaired driving and other traffic cases. In addition, NHTSA officials indicated that states have used this grant to promote legislation to impose sanctions and penalties for impaired driving.

The Motorcyclist Safety grant program's focus on training for motorcyclists and increasing other motorists' awareness of motorcyclists

²³Safe C.A.R.G.O. Program stands for Children And Restraints GO together.

²⁴Traditional holiday enforcement campaigns include Christmas, New Year's, Memorial Day weekend, Fourth of July, and Labor Day weekend.

has provided states with a new source of funding for education and training, media and public information, and activities such as purchasing motorcycles for training courses. States are using the funds to train more rider education coaches and add more classes because capacity for these classes has been limited and classes have filled up quickly in many states. For example, in Alaska, the Juneau American Bikers Aimed Toward Education (ABATE) plans to expand the number of Motorcycle Safety Foundation-certified rider education coaches in southeast Alaska.²⁵ Nevada plans to allocate \$20,000 to provide training to maintain current instructor levels and add new instructors in fiscal year 2007. Additionally, states have funded or plan to fund campaigns to increase other motorists' awareness of motorcyclists and promote motorcycle training courses. For example, Utah funded motorcycle safety and "Share the Road" public awareness campaigns, while Kentucky and several other states plan or have begun to publicize and promote training courses. In addition, states purchased or plan to purchase additional motorcycles for training courses.

The Traffic Safety Information Systems grant program allows states to focus activities specifically on data and technology activities. This program assists states in identifying and addressing the quality of information concerning crashes, drivers' licenses, injury surveillance, roadways, enforcement and adjudication, and vehicles. For example, Arkansas plans to use part of its funding to improve the timeliness and uniformity of its crash data, while Indiana plans to develop an electronic citation system to allow the electronic issuance, collection, and court processing of citation data. Similarly, Michigan plans to use the grant to create a statewide emergency medical system and trauma database, while New Mexico plans to use the funds to enhance its DWI records. In addition, NHTSA officials indicated that California plans to upgrade its crash system to include GPS coordinates.

Some States Have Faced Difficulties in Passing Laws to Meet Eligibility Requirements and Manage Grants

While state safety officials we contacted during site visits agreed that the grants are helping states address key safety issues, they also noted difficulties in passing laws to meet eligibility requirements for some grants, as well as managing grant applications, deadlines, and timing.

²⁵ABATE is a not-for-profit safety, educational, charitable, and advocacy organization designed to promote motorcycle safety and protect motorcyclist rights.

Difficulties in Passing Laws

While about half of the states have passed primary safety belt laws to qualify for the Safety Belt Use grant, other states have not enacted primary safety belt laws principally because of state legislatures' or governors' opposition to mandating safety belt use laws that could infringe on individuals' personal freedom. For example, according to Montana traffic safety officials and others involved in traffic safety, the state Senate passed a primary safety belt bill that the Governor supported, but the bill failed in the state House by a narrow margin. In Vermont, a traffic safety official told us that the state House passed a primary safety belt bill, but the Governor did not support it, and it failed in the state Senate. An analysis of state legislative activity indicates states have faced challenges in enacting primary safety belt laws. Of the 29 states that introduced primary safety belt bills from 2003 through 2007, 8 passed the bills (see table 3);²⁶ 16 states had primary safety belt laws in effect before 2003.²⁷

Table 3: States' Efforts to Pass Primary Safety Belt Legislation, 2003-2007

| | States |
|---|----------------|
| Introduced primary safety belt legislation 2003-2007 | 29 |
| Enacted and put into effect safety belt legislation | |
| Before 2003 | 16 |
| 2003 | 2 |
| 2004 | 1 |
| 2005 | 1 |
| 2006 | 3 |
| 2007 | 1 ^a |
| Total eligible for Safety Belt Use grant | 24 |
| Total not eligible for Safety Belt Use grant | 26 |

Source: NCSL and NHTSA.

^aMaine passed a primary safety belt law that became effective in 2007, but did not enforce the grant in time to qualify for the grant in 2007.

²⁶According to NHTSA officials, states were expecting the Safety Belt Use grant program to be included in the reauthorization as early as 2003 and began taking steps to qualify for it before SAFETEA-LU was passed.

²⁷Indiana had a primary safety belt law in effect before 2003 but did not qualify for the Safety Belt Use grant in fiscal year 2006 because the law excluded pickup trucks. Indiana modified its law and qualified for the grant in fiscal year 2007. We include Indiana as one of the eight states passing primary safety belt laws after fiscal year 2003.

Similarly, about one-fourth of the 50 states have passed laws to qualify for Child Safety and Booster Seat grants.²⁸ As our analysis of state legislative activity indicates, from 2003, when states became aware of some of the provisions that 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, 5 states passed new laws or modified existing laws so that they qualified for the grant in fiscal year 2006. An additional 8 states passed laws to qualify for the grant in fiscal year 2007 (see table 4). Although many states already had booster seat laws in effect, these laws vary in terms of the age, height, and weight requirements. For example, some states require children to use booster seats up to ages 5, 6, or 7 but not age 8. Other states use height or weight requirements. According to traffic safety officials and safety advocates, the variations occurred because, over time, NHTSA has changed the criteria concerning age, height, and weight for determining who should be in booster seats. According to NHTSA officials, these changes were based on evolving research and understanding on how to best protect children. However, once a state has a booster seat law in effect—even one not meeting the grant’s requirement—state safety officials, safety advocates, and others familiar with traffic safety legislation are often reluctant to attempt to upgrade it because of fears that the current law could be revisited and the safety provisions could be lost, according to an NCSL official and representatives of organizations involved in child passenger safety.

Table 4: States’ Efforts to Pass Child Safety and Booster Seat Legislation, 2003-2007

| | States |
|---|---------------|
| Introduced child booster seat legislation, 2003-2007^a | 24 |
| Year qualifying for grant after enacting legislation | |
| 2006 | 5 |
| 2007 | 8 |
| Total eligible for grant | 13 |
| Total not eligible for grant | 37 |

Sources: NCSL and NHTSA.

^aBill that meets grant criteria.

²⁸To qualify for the grant, states must have a law requiring that children under age 8 be restrained in a booster seat. States can also qualify for the grant if they exclude from this requirement younger children who have attained a height of 4 feet 9 inches or taller or weigh more than 65 pounds.

Although all 50 states met the eligibility requirements for the first and second years of the Impaired Driving grant program, NHTSA regional and governors' highway safety officials have expressed concerns about states' ability to meet the eligibility criteria in the future. According to these officials, the criteria will be more difficult to meet because states may need to pass laws that impose stronger sanctions against those convicted of drunken driving, such as installing ignition interlock devices and suspending or revoking drivers' licenses. As table 5 illustrates, states have not attempted to qualify for the Impaired Driving grant using three of the grant's programmatic criteria, which may require legislation; the criteria are high-risk driver program, administrative license suspension or revocation system, and self-sustaining impaired-driving prevention programs. Federal and state officials have expressed concern that, as with efforts to pass laws related to the Safety Belt Use and Child Safety and Booster Seat grants, some states will find it more difficult than others to pass laws imposing stronger sanctions. In addition, officials are concerned that states that cannot meet the eligibility criteria would have difficulty continuing their efforts to reduce alcohol-impaired driving.

Table 5: States' Efforts to Meet Programmatic Criteria for the Impaired Driving Grant

| Type of criteria | Programmatic criteria | States that met criteria |
|--------------------------------------|---|--------------------------|
| Nonlegislative action required | High-visibility enforcement | 29 |
| | Alcohol rehabilitation and DWI court program for repeat offenders | 25 |
| | Underage drinking prevention program | 25 |
| | BAC testing program | 24 |
| | Prosecution and adjudication program | 18 |
| Possible legislative action required | High-risk drivers program | 0 |
| | Administrative license suspension or revocation system | 0 |
| | Self-sustaining impaired-driving prevention program | 0 |

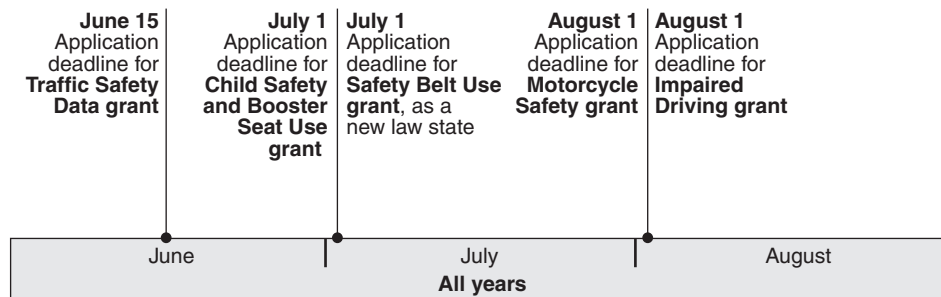
Source: NHTSA.

Difficulties in Managing Multiple Grant Applications, Timing of Awards, and Limited Flexibility

The multiple grant applications and deadlines presented challenges for the seven states we visited. As illustrated in figure 5, the five applications are due within a period of 1-1/2 months between June 15 and August 1. According to state highway safety officials, each application requires extensive amounts of staff time and resources. The application process requires states to submit to NHTSA the application, a certification of

compliance, and additional information, depending on the grant. Although the application process is similar for each grant, having to complete it several times within a few months presents administrative challenges for states. Several states expressed concerns about the demands the application process placed on their staff, even though states with larger safety programs have more staff and resources available to manage grant applications than states with smaller safety programs. For example, Illinois officials said they have had difficulty meeting NHTSA's administrative requirements to apply for the grants because the state Division of Traffic Safety has had staff shortages resulting from cutbacks and are considering an electronic grants process to enable them to meet the requirements. Similarly, Montana officials indicated they have a small staff and are burdened with grant paperwork. According to NHTSA and state highway safety officials, smaller state highway safety offices—such as that in Vermont—struggled to manage their grants. According to NHTSA, the application requirements reflect SAFETEA-LU's requirements to award the grants in the same year in which the state's legislative status and fatality-rate performance are measured.

Figure 5: Application Deadlines for SAFETEA-LU Incentive Grants



Source: NHTSA regulations and implementing guidelines.

State officials also expressed concern over the delay in receiving grant awards and the associated impact on states' ability to expend the funds to address traffic safety concerns. States received most of the grants in September—at the end of the federal fiscal year—in both fiscal years 2006 and 2007, from 1 to 3 months after the states submitted the grant applications. According to data provided by NHTSA, states received \$250 million late in fiscal year 2006, and expended 14.1 percent of the combined

funds in fiscal year 2006.²⁹ Most of the fiscal year 2006 funds carried forward to fiscal year 2007. In fiscal year 2007, states received \$274 million; the states carried forward \$261 million and expended \$157 million, or 29.4 percent of the combined funds³⁰ (see table 6).

Table 6: Awards and Expenditures of Incentive Grants

Dollars in millions

| Fiscal year grants awarded | Grant funds | Grant | | | | | Total |
|----------------------------|---------------|-----------------|-------------------------------|------------------|---------------------|------------------------------------|----------------|
| | | Safety Belt Use | Child Safety and Booster Seat | Impaired Driving | Motorcyclist Safety | Traffic Safety Information Systems | |
| 2006 | Carry forward | \$0.0 | \$0.0 | \$53.8 | \$0.0 | \$0.0 | \$53.8 |
| | Awarded | 88.8 | 2.6 | 118.3 | 5.9 | 34.2 | 249.8 |
| | Expenditure | \$0.6 | \$0.0 | \$42.1 | \$0.0 | \$0.1 | \$42.9 |
| | Liquidated | 0.7% | 0% | 24.5% | 0% | 0.3% | 14.1% |
| 2007 | Carry forward | \$88.1 | \$2.6 | \$130.0 | \$5.9 | \$34.0 | \$260.7 |
| | Awarded | 102.9 | 6.0 | 124.5 | 6.0 | 34.5 | 273.9 |
| | Expenditure | \$56.5 | \$0.9 | \$84.7 | \$2.8 | \$12.3 | \$157.2 |
| | Liquidated | 29.6% | 10.1% | 33.3% | 23.4% | 18.0% | 29.4% |

Source: NHTSA, as of January 2008.

One NHTSA official attributed the low rate of expenditures for the fiscal year 2006 grants to the fact that SAFETEA-LU was not passed until August 2005, giving state officials little time to plan how to spend the funds they received beginning in fiscal year 2006. State officials indicated that, once they received the awards, they needed time to assess applications from subgrantees and award the grants. Additionally, the amount of funding a state receives in a given year for a grant depends in part on the number of other states that also receive the grant, which can make it difficult to predict the amount a state is going to receive or can result in a state receiving more than state officials had anticipated in a given year. For example, according to NHTSA officials, Michigan received more Safety Belt Use grant funding in fiscal year 2006 than anticipated. Similarly, the states that received the Child Safety and Booster Seat grant in fiscal year

²⁹The combined funds include Impaired Driving grant funds carried forward from fiscal year 2005 to fiscal year 2006.

³⁰The combined funds include fiscal year 2006 carry-forward funds and fiscal year 2007 funds.

2006 received much more than they expected because so few received the grant. As a result, they did not have plans for using the increased level of funding. NHTSA officials indicated they were aware that the states received the funds late in the fiscal year and that this affected states' ability to use the funds, but noted that states will be able to carry the funds over to the next fiscal year. One NHTSA regional official indicated that, while state officials do not know the exact amount of the grants prior to receiving the money, after the first year of the grants, state officials should have a general idea of how much they will receive and therefore can begin planning how to use the funds.

State officials also noted they would have preferred having more flexibility in how they use the grants. For example, the Motorcyclist Safety grant program allows the federal funding to be used only for training and to increase other motorists' awareness of motorcyclists. Officials in Montana noted they would like to use the funds to expand training sites to provide more training opportunities. However, the grant does not allow the funds to be used for this purpose. Additionally, officials in New Jersey noted that the Child Safety and Booster Seat grant they received in fiscal year 2006 was much larger than they expected. They would have preferred to have used the additional funding for other areas, such as the state's traffic safety information systems.

NHTSA officials agree with state officials' concerns but noted they cannot take action to address these issues because the challenges stem from the grant requirements built into the law itself. The officials indicated they are currently in the preliminary stages of developing a proposal to reauthorize funding for these programs but have not developed it sufficiently to provide specific information on what they are considering.

NHTSA Plans to Develop More Comprehensive Performance Measures; Performance Accountability Mechanisms and Issues States Face in Using Grants Raise Implications for Reauthorization

NHTSA plans to develop more comprehensive performance measures to evaluate the results of these grant programs, but state performance is not tied to the receipt of the grants; the absence of such performance accountability mechanisms, as well as issues described above that states face in using grants, raise implications for reauthorization.

The changes made by SAFETEA-LU to the safety incentive grant programs have not been in place long enough to assess their impact on fatalities, injuries, and crashes, although the grants have resulted in states enacting laws and implementing activities to meet grant criteria. NHTSA officials indicated they plan to rely on performance measures to determine the results of the grant programs. However, these performance measures are not comprehensive. Additionally, three of the five grants do not include performance accountability mechanisms that would tie states' eligibility for the grants or the amount states receive to performance. These issues as well as those that states have faced in applying for and using the grants raise implications for Congress to consider in reauthorizing the surface transportation program.

NHTSA Plans to Develop More Comprehensive Performance Measures to Evaluate Results of Grant Programs, but State Performance Is Not Tied to Receipt of Grants

Although changes made by SAFETEA-LU to the safety incentive grant programs have not been in place long enough to allow for an evaluation of results, such as improvements in fatality rates, NHTSA officials indicated they plan to rely on performance measures to help determine the results of the programs and other safety initiatives (see figure 6). NHTSA has awarded grants for 2 fiscal years, and states are currently implementing activities using the grant funds. According to a NHTSA official, the grant awards made in late fiscal year 2006 could not have been expected to impact performance measures such as fatality rates until calendar year 2007 at the earliest. Moreover, because of the time required to start up projects that states fund with the grants, the impact of the activities might not be realized until 2008. Data on fatality rates for 2007 will be available in the fall of 2008. The measures currently used by NHTSA include DOT-wide measures that reflect the overall goal of reducing traffic fatalities, such as the passenger vehicle occupant fatality rate and motorcycle fatality rate. In addition to DOT's performance measures, NHTSA also has intermediate outcome measures to track behaviors that influence traffic safety, such as safety belt use, improperly licensed motorcycle riders in fatal crashes, and safety restraint use for children under age 8.

Figure 6: DOT Performance Measures and NHTSA Intermediate Outcome Measures

| Measure | 2008 targets (measurement criteria vary) |
|--|--|
| DOT performance measures | |
| Motorcycle rider fatality rate | Reduce to 76 fatalities per 100 million motorcycle registrations |
| Passenger vehicle occupant fatality rate | Reduce to 1.06 fatalities per 100 million vehicle miles traveled (VMT) |
| Nonoccupant fatality rate | Reduce to 0.19 fatalities per 100 million VMT |
| Large truck and bus | Reduce to 0.171 fatalities per 100 million VMT |
| NHTSA intermediate outcome measures | |
| Alcohol fatality rate (.08+ BAC) | Reduce to 0.48 fatalities per 100 million VMT |
| Seat belt use | Increase to 84% of front seat occupants using shoulder harnesses |
| Improperly licensed motorcyclists in fatal crashes | Reduce to 22.5% fatally injured motorcycle operators without valid motorcycle licenses |
| Children 0-7 restraint use | Increase to 85% of children 0-7 using child restraint devices |

Source: NHTSA.

However, the performance measures are not comprehensive for the traffic safety areas covered by the grant programs. NHTSA's intermediate outcome measures do not include measures to track behaviors that influence alcohol-related fatalities. Such measures could include the numbers of impaired-driving citations issued, arrests, and convictions.³¹ Currently, states vary in the extent to which the data to track such measures are collected. 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. The objective is to establish intermediate outcome measures for a broad range of traffic safety areas, including safety belts and child passenger safety, impaired

³¹U.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).

driving, and motorcycles, that can reliably track progress toward reducing the safety problems in each area. NHTSA plans to use these measures to track progress at the national level and encourage states to consider these measures in the highway safety planning process. The contractor's analysis of performance measures is expected to be completed in August 2008.

While more comprehensive performance measures could improve NHTSA's ability to measure national and individual state progress toward traffic safety goals, the receipt of grant funds by states are generally not directly linked to the results—or performance—of states' activities to achieve those goals. For example, one way for states to qualify for Safety Belt Use grants, and the only way for noncomplying states to qualify for the Child Safety and Booster Seat grants, has been to pass laws.³² The Motorcyclist Safety grants require states to conduct certain activities to initially receive the grants. A majority of the states also qualify for the Impaired Driving grant by conducting activities. To receive grants in the future, states must continue these activities and meet additional criteria, which could include conducting additional activities or, in the case of the Impaired Driving grant, pass additional legislation. States do not need to achieve a particular performance level—or reduction in fatality rate—in order to continue receiving the grants. In contrast, the fifth grant program—Traffic Safety Information Systems—includes a performance accountability mechanism requiring that states demonstrate measurable improvement in their systems, as well as continue to meet other eligibility criteria, in order to receive the grant in subsequent years. Additionally, the Impaired Driving grant includes a performance accountability mechanism because states that achieve an alcohol-related fatality rate of 0.5 or less per 100 million VMT receive a grant based on the amount of the State and Community Highway Safety grant. In fiscal years 2006 and 2007, 19 states qualified for grants in this manner. However, these states are not eligible to receive funds based on the programmatic criteria specified for this

³²States can also qualify for Safety Belt Use grants in fiscal years 2008 and 2009 by achieving a safety belt use rate of 85 percent. States achieving an 85 percent safety belt use rate would qualify for the same one-time grant received by states passing a primary safety belt law after December 31, 2002. According to a NHTSA official, relatively few states will receive the grant based on these criteria; five states have qualified for the grant under this criteria for 2008, and one state has a chance of qualifying in 2009.

grant and receive these grants after the states with the highest alcohol-related fatality rates receive their Impaired Driving grants.

We have previously reported that such performance accountability mechanisms could improve the design and implementation of federal grants.³³ Regarding transportation-related grants, we have raised concerns about insufficient links between state performance and receipt of grants. In addition, transportation and other experts on a panel convened by GAO's Comptroller General in May 2007 stated that the nation's overall transportation goals—including safety goals—need to be linked to performance measures that measure what the respective programs and polices are designed to accomplish.³⁴

Implications for Reauthorization

Congress changed the traffic safety incentive grant programs in SAFETEA-LU to encourage states to undertake activities tied to safety areas that Congress had identified as being high priority. These programs set forth specific criteria for states to qualify for grants, as well as specific requirements for how states can use the funding provided. However, this structure does not always allow states flexibility to direct funding toward safety priorities as identified in highway safety plans. Furthermore, while the current grant structure ensures that states are directing their efforts toward congressionally established priorities, it does not necessarily ensure that the grants are in proportion to the extent of the traffic safety problems. As noted previously, the current structure also presents some eligibility and management issues for states and does not include performance accountability mechanisms for all grants.

NHTSA has not developed its proposal for the next highway safety authorization bill when the current authorization, expires in 2009, but NHTSA officials noted that DOT's 2003 reauthorization proposal included features that would address these issues. For example, NHTSA's proposal included performance-based grants within the State and Community Highway Safety grant program that could address the issues that states have faced in applying for and using the current safety incentive grants.

³³GAO, *Grants Management: Enhancing Performance Accountability Provisions Could Lead to Better Results*, [GAO-06-1046](#) (Washington, D.C.: Sept. 29, 2006).

³⁴GAO, *Highlights of a Forum Convened by the Comptroller General of the United States: Transforming Transportation Policy for the 21st Century*, [GAO-07-1210SP](#) (Washington, D.C.: Sept. 19, 2007).

The basis for awarding the grants under this proposal would have been data driven; as states improved the performance of their highway safety programs by decreasing fatalities, their grant amounts would have increased. States would not have faced the issues concerning multiple applications because they would not have had to apply for the grants. Additionally, according to the proposal, NHTSA would have awarded the grants by December 31 of each year—much earlier than states currently receive them. Finally, states would have had flexibility in using the funds because the grants would have been part of the State and Community Highway Safety grant program; this program permits flexibility in how grant funds are used.

In December 2007, the National Surface Transportation Policy and Revenue Study Commission proposed a National Safe Mobility Program with a performance-based structure similar to NHTSA's proposal.³⁵ In the proposed program, DOT would define safety performance metrics to be used by all federal, state, and local agencies, as well as work with states to define specific goals for individual states. States would then develop strategies for reaching these goals, including safety projects within the highway safety plan. The commission recommended that a national plan for safety be developed that leads to transportation investments undertaken purely for safety purposes and that the federal share of the funding for qualifying safety projects be 90 percent of the project cost. According to the report, qualifying safety projects could include projects designed to change safety behaviors, such as safety belt use and impaired driving, as well as projects to improve the safety of surface transportation infrastructure.

DOT's 2003 reauthorization proposal also included performance accountability mechanisms for traffic safety incentive grants that would link performance or progress toward achieving safety goals with grant awards. Specifically, NHTSA proposed that the amount of an individual state's grant award depend on the state's performance related to various crash fatality rates, safety belt use, and safety belt laws. Since NHTSA's current oversight approach is based on state performance in achieving safety goals states establish in their highway safety plans, establishing such performance accountability mechanisms for traffic safety incentive grants would be more consistent with NHTSA's oversight approach and is

³⁵National Surface Transportation and Revenue Study Commission, *Transportation for Tomorrow* (Washington, D.C., December 2007).

an option that could be considered when Congress reauthorizes the surface transportation program. (See app. VII for a more complete description of NHTSA's 2003 proposal.)

As Congress considers the reauthorization of funding for these programs, it will face the decision of retaining the current grant structure or moving toward a more performance-based, data-driven grant structure. While a performance-based, data-driven grant structure is more consistent with NHTSA's current oversight approach, such a structure would depend on the quality of state data systems because states would need to be able to report on fatalities, crashes, and other traffic safety characteristics in a timely and accurate manner. In 2004, we reported that states vary considerably in the extent to which their traffic safety data systems meet recommended criteria used by NHTSA to assess the quality of crash information.³⁶ We reviewed systems in nine states and found, for example, that some states entered crash information into their systems in a matter of weeks, while others took a year or more. While some systems were better than others, all had opportunities for improvement. Furthermore, a performance-based grant structure would also depend on a robust oversight approach for NHTSA to ensure that states are establishing appropriate traffic safety goals and making sufficient progress toward those goals. As previously noted, we are currently examining NHTSA's oversight approach and expect to issue a report on it in July 2008.

Agency Comments

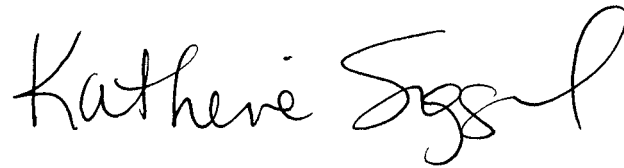
We provided a draft of this report to DOT for its review and comment. DOT officials, including the Deputy Administrator of NHTSA, generally agreed with the findings of the report and offered technical corrections that we incorporated, as appropriate.

We are sending copies of this report to interested congressional committees and the Secretary of Transportation. We will also make copies available to others upon request. In addition, the report will be available at no cost on GAO's Web site at www.gao.gov.

If you or your staffs have any questions about this report, please contact me at (202) 512-6570 or siggerudk@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last

³⁶GAO, *Highway Safety: Improved Monitoring and Oversight of Traffic Safety Data Program Are Needed*, [GAO-05-24](#) (Washington, D.C.: Nov. 4, 2004).

page of this report. GAO staff who made key contributions to this report are listed in appendix VIII.

A handwritten signature in black ink that reads "Katherine Siggerud". The signature is written in a cursive style with a large, looping initial 'K' and a stylized 'S'.

Katherine A. Siggerud
Director, Physical Infrastructure Issues

Appendix I: Objectives, Scope, and Methodology

We were asked to evaluate five safety incentive grant programs included in the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU), specifically the Safety Belt Use, Child Safety and Child Booster Seat Use, Alcohol-Impaired Driving Countermeasures, Motorcyclist Safety, and State Traffic Safety Data Systems Improvement grant programs. This report addresses (1) the National Highway Traffic Safety Administration's (NHTSA) status in awarding and overseeing states' use of these grant programs, (2) 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 the programs.

To determine the progress NHTSA has made in awarding and overseeing the use of the grants, we reviewed past GAO reports on NHTSA's oversight and analyzed applicable laws, regulations, and other guidance for awarding and overseeing grants.¹ We interviewed NHTSA officials to determine guidance it provided to states on grant applications, guidelines in overseeing the grants, and grant award data. We also interviewed Federal Highway Administration (FHWA) and Federal Motor Carrier Safety Administration officials within the U.S. Department of Transportation (DOT) and representatives from professional groups, including the Governors Highway Safety Association, National Conference of State Legislatures (NCSL), National Safety Council, American Association of State Highway Transportation Officials, and Advocates for Auto and Highway Safety on the grants process and measures NHTSA has taken to improve the process. In addition, we interviewed national safety and law enforcement associations, including Mothers Against Drunk Driving (MADD), the American Automobile Association (AAA), Safe Kids, International Association of Chiefs of Police, and National Sheriffs' Association. We also requested and received data regarding grant awards from NHTSA.² To obtain state information on NHTSA's progress in awarding and overseeing the five grants, we conducted case studies in seven states—California, Illinois, Missouri, Montana, New Jersey, South Carolina, and Vermont—to discuss NHTSA's progress in awarding and overseeing the grants with state officials. We selected the states based on a combination of characteristics, including fatality rates, funding, and geographic distribution. For fatality rates and funding, we selected states to include those with high- and low-fatality rates and high and low use of

¹GAO-03-474.

²We did not independently verify this data.

highway safety grants.³ We considered highway safety grants during our state selection process to mirror the multitude of safety factors that may be reflected in fatality rates. We also ensured our selection covered at least three states for each incentive grant to provide sufficient coverage of each grant. However, the results of our case study analyses are not generalizable to all 50 states because the states selected are not necessarily representative of the grants each state is eligible to receive and activities other states would implement.

To identify activities states are funding with the grants and issues they have faced in applying for and implementing the grants, we interviewed officials and analyzed data for the seven states we visited. In each state we visited, we interviewed governors' highway safety representatives or their designees and reviewed documentation describing those states' traffic safety programs and the activities states have funded with the grants. In addition, we reviewed the 2007 state highway safety plans and 2006 annual reports for all 50 states to identify activities states are funding with the grants and categorized them into five key areas—education and training, media and public information, enforcement, data and technology, and infrastructure improvements. For each state we visited, we also interviewed the applicable NHTSA regional and FHWA division officials. In general, we also interviewed representatives of state and local chapters of national safety associations, such as MADD, AAA, and Safe Kids. Additionally, we interviewed representatives from law enforcement, such as state associations of chiefs of police and sheriffs' associations about the activities states have funded and challenges they faced. We also examined NCSL's legislative tracking database of primary safety belt and booster seat legislative activity from 2001 to 2007 to assess states' progress in meeting legislative requirements for the Safety Belt Use and Child Safety and Booster Seat grant programs. In addition, we requested and received data regarding states' expenditures of the grant funds.⁴

To determine how NHTSA plans to evaluate the results of the grant programs and the implications for reauthorizing them, we interviewed NHTSA officials and reviewed a variety of documents related to performance measures, and reauthorization. Specifically, we reviewed DOT's and NHTSA's performance measures, as well as GAO reports on

³In addition to the five programs within our scope, we considered funding data from other highway safety grant programs.

⁴We did not independently verify this data.

performance measures and federal grant management. We also reviewed and considered the National Surface Transportation Policy and Revenue Study Commission report and NHTSA's 2002 reauthorization proposal related to safety incentive grant programs.

Appendix II: States Receiving Safety Belt Use Grants

| State | Primary safety belt law effective date | FY 2006 grant award | FY 2007 grant award |
|--------------------------|--|----------------------|----------------------|
| Alabama | Prior to 2003 ^a | \$1,911,407 | \$3,427,509 |
| Alaska | 05/01/06 ^b | 3,725,188 | 0 |
| California | Prior to 2003 | 10,796,370 | 19,359,902 |
| Connecticut | Prior to 2003 | 1,112,428 | 1,994,790 |
| Delaware | 06/30/03 | 3,725,188 | 0 |
| Hawaii | Prior to 2003 | 561,545 | 1,006,955 |
| Illinois | 07/03/03 | 29,727,619 | 0 |
| Indiana | 07/01/07 ^c | 0 | 15,738,565 |
| Iowa | Prior to 2003 | 1,608,264 | 2,883,916 |
| Kentucky | 07/20/06 | 0 | 11,210,594 |
| Louisiana | Prior to 2003 | 1,687,944 | 3,026,798 |
| Maryland | Prior to 2003 | 1,717,137 | 3,079,145 |
| Michigan | Prior to 2003 | 3,661,660 | 6,566,038 |
| Mississippi | 05/27/06 | 8,713,448 | 0 |
| New Jersey | Prior to 2003 | 2,642,724 | 4,738,896 |
| New Mexico | Prior to 2003 | 927,071 | 1,662,411 |
| New York | Prior to 2003 | 6,174,421 | 11,071,887 |
| North Carolina | Prior to 2003 | 2,982,908 | 5,348,910 |
| Oklahoma | Prior to 2003 | 1,752,468 | 3,142,500 |
| Oregon | Prior to 2003 | 1,430,417 | 2,565,005 |
| South Carolina | 12/09/05 | 10,576,645 | 0 |
| Tennessee | 07/01/04 | 14,726,112 | 0 |
| Texas | Prior to 2003 | 7,991,667 | 14,330,547 |
| Washington | Prior to 2003 | 2,231,437 | 4,001,383 |
| Total^d | | \$123,255,000 | \$120,303,863 |

Sources: NHTSA, Indiana statute, and Insurance Institute of Highway Safety (IIHS).

^aPer NHTSA implementing guidelines for all states with primary safety belt laws prior to 2003.

^bPer IIHS summary of state safety belt laws for all states passing primary state laws in 2003 and afterward, except for Indiana.

^cPer Indiana statute.

^dTotal includes the District of Columbia, Puerto Rico and the territories of American Samoa, the Commonwealth of the Northern Marianas Islands, Guam, and the Virgin Islands.

Appendix III: States Receiving Child Safety and Child Booster Seat Use Grants

| State | FY 2006 grant award | FY 2007 grant award |
|--------------------------|---------------------|---------------------|
| Delaware | \$0 | \$143,709 |
| Kansas | 0 | 431,479 |
| Maine | 196,063 | 143,709 |
| Missouri | 852,790 | 625,076 |
| New Jersey | 922,703 | 676,320 |
| North Carolina | 0 | 763,380 |
| Oregon | 0 | 366,069 |
| Tennessee | 0 | 568,101 |
| Vermont | 196,063 | 143,709 |
| Virginia | 0 | 639,405 |
| Washington | 0 | 571,065 |
| West Virginia | 268,021 | 196,453 |
| Wisconsin | 0 | 587,816 |
| Total^a | \$2,631,703 | \$6,000,000 |

Source: NHTSA.

^aTotal includes the District of Columbia.

Appendix IV: States Awarded Alcohol-Impaired Driving Countermeasures Grants

| State | FY 2006 low-fatality rate grant ^a | FY 2006 high-fatality rate grant | FY 2006 programmatic grant | Total FY 2006 grants | FY 2007 low-fatality rate grant ^b | FY 2007 high-fatality rate grant ^c | FY 2007 programmatic grant ^d | Total FY 2007 grants |
|----------------|--|----------------------------------|----------------------------|----------------------|--|---|---|----------------------|
| Alabama | | | X | \$1,783,252 | | | X | \$1,877,996 |
| Alaska | | | X | 530,578 | | | X | 558,348 |
| Arizona | | X | X | 4,400,140 | | X | | 4,813,097 |
| Arkansas | | X | X | 3,390,955 | | | X | 1,399,957 |
| California | | | X | 10,061,948 | | | X | 10,585,374 |
| Colorado | | | X | 1,691,543 | | | X | 1,781,364 |
| Connecticut | X | | | 1,037,369 | X | | | 1,091,503 |
| Delaware | | | X | 530,578 | | | X | 558,348 |
| Florida | | | X | 4,996,558 | | | X | 5,262,137 |
| Georgia | X | | | 2,910,999 | X | | | 3,065,461 |
| Hawaii | | | X | 530,578 | | | X | 558,348 |
| Idaho | | | X | 640,837 | | | X | 673,465 |
| Illinois | | | X | 4,171,559 | | | X | 4,388,048 |
| Indiana | X | | | 2,213,451 | X | | | 2,331,134 |
| Iowa | X | | | 1,495,480 | X | | | 1,572,020 |
| Kansas | X | | | 1,566,081 | X | | | 1,647,835 |
| Kentucky | | | X | 1,561,227 | | | X | 1,645,481 |
| Louisiana | | X | X | 3,998,741 | | X | | 4,346,950 |
| Maine | X | | | 530,578 | X | | | 558,348 |
| Maryland | X | | | 1,600,270 | X | | | 1,684,342 |
| Massachusetts | X | | | 1,911,049 | X | | | 2,010,994 |
| Michigan | X | | | 3,410,506 | X | | | 3,580,033 |
| Minnesota | X | | | 2,138,732 | X | | | 2,248,378 |
| Mississippi | | X | | 1,890,134 | | X | | 3,385,160 |
| Missouri | | | X | 2,287,629 | | | X | 2,404,916 |
| Montana | | X | | 1,725,735 | | X | | 1,871,410 |
| Nebraska | X | | | 1,042,962 | X | | | 1,095,807 |
| Nevada | | X | X | 1,896,194 | | X | | 2,072,154 |
| New Hampshire | X | | | 530,578 | X | | | 558,348 |
| New Jersey | X | | | 2,473,961 | X | | | 2,605,406 |
| New Mexico | | X | X | 2,257,636 | | X | | 2,448,131 |
| New York | X | | | 5,752,196 | X | | | 6,051,622 |
| North Carolina | | | X | 2,784,438 | | | X | 2,930,961 |

**Appendix IV: States Awarded Alcohol-
Impaired Driving Countermeasures Grants**

| State | FY 2006 low-fatality rate grant ^a | FY 2006 high-fatality rate grant | FY 2006 programmatic grant | Total FY 2006 grants | FY 2007 low-fatality rate grant ^b | FY 2007 high-fatality rate grant ^c | FY 2007 programmatic grant ^d | Total FY 2007 grants |
|--------------------------|--|----------------------------------|----------------------------|----------------------|--|---|---|----------------------|
| North Dakota | | | X | 718,414 | | X | | 1,984,509 |
| Ohio | X | | | 3,800,937 | X | | | 3,997,545 |
| Oklahoma | | | X | 1,627,544 | | | X | 1,711,585 |
| Oregon | | | X | 1,323,935 | X | | | 1,382,967 |
| Pennsylvania | | | X | 4,021,148 | | | X | 4,229,093 |
| Rhode Island | | | X | 530,578 | | | X | 558,348 |
| South Carolina | | X | X | 3,775,228 | | X | | 4,103,281 |
| South Dakota | | X | X | 1,852,794 | | X | | 1,250,623 |
| Tennessee | | | X | 2,071,876 | | | X | 2,187,937 |
| Texas | | | X | 7,448,592 | | | X | 7,837,977 |
| Utah | X | | | 862,348 | X | | | 912,044 |
| Vermont | X | | | 530,578 | X | | | 558,348 |
| Virginia | X | | | 2,330,393 | X | | | 2,453,524 |
| Washington | X | | | 2,077,186 | | | X | 2,198,328 |
| West Virginia | | | X | 713,655 | | | X | 750,251 |
| Wisconsin | | | X | 2,141,502 | | | X | 2,253,864 |
| Wyoming | | | X | 530,578 | | | X | 558,348 |
| Total^e | | | | \$118,350,000 | | | | \$124,500,000 |

Source: NHTSA.

^aA state can qualify in one of three ways for an Impaired Driving grant: as a “low-fatality” rate state, a programmatic state, or as a “high-fatality” rate state (being among the 10 states with the highest fatality rates). It is possible for a high-fatality state to be awarded both a programmatic grant and a high-fatality rate grant in the same year.

^bA low-fatality rate state has an alcohol-related fatality rate of 0.5 or less per 100 million vehicle miles traveled annually.

^cHigh-fatality rate states are the 10 states with the highest alcohol-impaired fatality rates per 100 million vehicle miles traveled annually.

^dTo qualify as a programmatic state, a state must adopt and demonstrate compliance with three of the eight Impaired Driving grant criteria in the first year it applies, four in the second year, and five in the third year.

^eFY 2007 total includes Puerto Rico, and FY 2006 total includes the District of Columbia and Puerto Rico.

Appendix V: States Awarded Motorcyclist Safety Grants

| State | FY 2006 grants (44 states) | FY 2007 grants (47 states) |
|----------------|----------------------------|----------------------------|
| Alaska | \$100,000 | \$100,000 |
| Arizona | 104,577 | 102,607 |
| Arkansas | 0 | 100,000 |
| California | 412,672 | 365,542 |
| Colorado | 103,649 | 101,815 |
| Connecticut | 100,000 | 100,000 |
| Delaware | 100,000 | 100,000 |
| Florida | 225,414 | 205,733 |
| Georgia | 148,666 | 140,234 |
| Hawaii | 100,000 | 100,000 |
| Idaho | 100,000 | 100,000 |
| Illinois | 195,477 | 180,184 |
| Indiana | 122,952 | 118,289 |
| Iowa | 100,000 | 100,000 |
| Kansas | 0 | 100,000 |
| Kentucky | 100,000 | 100,000 |
| Louisiana | 100,000 | 100,000 |
| Maine | 100,000 | 100,000 |
| Maryland | 100,413 | 100,000 |
| Massachusetts | 111,845 | 108,810 |
| Michigan | 167,290 | 156,129 |
| Minnesota | 120,614 | 116,293 |
| Missouri | 125,360 | 120,344 |
| Montana | 100,000 | 100,000 |
| Nebraska | 100,000 | 100,000 |
| Nevada | 100,000 | 100,000 |
| New Hampshire | 100,000 | 100,000 |
| New Jersey | 132,247 | 126,221 |
| New Mexico | 100,000 | 100,000 |
| New York | 253,711 | 229,882 |
| North Carolina | 143,946 | 136,206 |
| North Dakota | 100,000 | 100,000 |
| Ohio | 180,080 | 167,043 |
| Oklahoma | 101,629 | 100,090 |
| Oregon | 100,000 | 100,000 |
| Pennsylvania | 189,804 | 175,342 |

Appendix V: States Awarded Motorcyclist Safety Grants

| State | FY 2006 grants (44 states) | FY 2007 grants (47 states) |
|--------------------------|-----------------------------------|-----------------------------------|
| Rhode Island | 100,000 | 100,000 |
| South Dakota | 100,000 | 100,000 |
| Tennessee | 117,703 | 113,809 |
| Texas | 316,210 | 283,221 |
| Utah | 100,000 | 100,000 |
| Vermont | 0 | 100,000 |
| Virginia | 127,286 | 121,987 |
| Washington | 118,102 | 114,149 |
| West Virginia | 100,000 | 100,000 |
| Wisconsin | 120,353 | 116,070 |
| Wyoming | 100,000 | 100,000 |
| Total^a | \$5,940,000 | \$6,000,000 |

Source: NHTSA.

^aTotals include Puerto Rico.

Appendix VI: States Awarded Traffic Safety Information Systems Grants

| State | FY 2006 grants (44 states) | FY 2007 grants (49 states) |
|----------------|----------------------------|----------------------------|
| Alabama | \$654,199 | \$500,000 |
| Alaska | 0 | 300,000 |
| Arizona | 629,140 | 500,000 |
| Arkansas | 490,007 | 500,000 |
| California | 3,695,172 | 2,552,026 |
| Colorado | 619,908 | 500,000 |
| Connecticut | 380,740 | 500,000 |
| Delaware | 0 | 300,000 |
| Florida | 1,831,666 | 1,265,019 |
| Georgia | 1,067,897 | 737,530 |
| Hawaii | 300,000 | 500,000 |
| Idaho | 300,000 | 500,000 |
| Illinois | 0 | 1,059,263 |
| Indiana | 812,005 | 560,801 |
| Iowa | 550,445 | 500,000 |
| Kansas | 577,052 | 500,000 |
| Kentucky | 578,392 | 500,000 |
| Louisiana | 577,717 | 500,000 |
| Maine | 300,000 | 500,000 |
| Maryland | 587,708 | 500,000 |
| Massachusetts | 701,471 | 500,000 |
| Michigan | 1,253,242 | 865,536 |
| Minnesota | 788,733 | 544,729 |
| Mississippi | 449,556 | 500,000 |
| Missouri | 835,966 | 577,350 |
| Montana | 300,000 | 500,000 |
| Nebraska | 383,709 | 500,000 |
| Nevada | 300,000 | 500,000 |
| New Hampshire | 0 | 300,000 |
| New Jersey | 904,500 | 624,682 |
| New Mexico | 317,300 | 500,000 |
| New York | 2,113,261 | 1,459,498 |
| North Carolina | 1,020,932 | 705,094 |
| North Dakota | 300,000 | 500,000 |
| Ohio | 1,380,514 | 953,435 |
| Oklahoma | 599,801 | 500,000 |

Appendix VI: States Awarded Traffic Safety Information Systems Grants

| State | FY 2006 grants (44 states) | FY 2007 grants (49 states) |
|--------------------------|-----------------------------------|-----------------------------------|
| Oregon | 489,575 | 500,000 |
| Pennsylvania | 1,477,289 | 1,020,272 |
| Rhode Island | 300,000 | 500,000 |
| South Dakota | 300,000 | 500,000 |
| Tennessee | 759,769 | 524,726 |
| Texas | 0 | 1,889,056 |
| Utah | 316,314 | 500,000 |
| Vermont | 300,000 | 500,000 |
| Virginia | 855,130 | 590,585 |
| Washington | 763,733 | 527,463 |
| West Virginia | 300,000 | 500,000 |
| Wisconsin | 786,135 | 542,935 |
| Wyoming | 300,000 | 500,000 |
| Total^a | \$34,155,000 | \$34,500,000 |

Source: NHTSA.

^aFY 2006 total includes Puerto Rico and the territories of American Samoa, Guam, Virgin Islands, and the Bureau of Indian Affairs. FY 2007 total includes the District of Columbia, Puerto Rico, and the territories of American Samoa, Commonwealth of the Northern Marianas Islands, Guam, and the Virgin Islands.

Appendix VII: DOT's 2003 Reauthorization Proposal

In 2003, DOT submitted to Congress its reauthorization proposal for the surface transportation program, which included NHTSA's grant programs. The proposal, as it related to traffic safety, included grant programs that had both similarities to and differences from the structural changes that Congress included in SAFETEA-LU.

Several of the programs included in that proposal are relevant to the five safety incentive grant programs included in our review.¹ Specifically, the relevant programs included in the proposal are as follows:

- A program to award performance grants based on states' performance in three categories: motor vehicle crash fatalities; alcohol-related crash fatalities; and motorcycle, bicycle, and pedestrian crash fatalities. The proposal would have required NHTSA to determine measures using fatality data and vehicle miles traveled (VMT) and establish goals based on those measures. States would have received awards by December 31 of each year in amounts based on the extent to which they achieved the goals or made progress toward them, creating a performance accountability mechanism that tied the grant amount to states' performance. The proposal included these grants within the State and Community Highway Safety grant program. This program was not adopted.
- A program to award safety belt performance grants designed to encourage states to adopt and enforce primary safety belt laws and increase the rate of safety belt use. Each state that had already enacted and was enforcing a primary enforcement safety belt law would have received a one-time grant. Additionally, states passing primary enforcement safety belt laws after the reauthorization bill became law, or demonstrating a safety belt use rate of 90 percent or more, would have subsequently been eligible for a one-time grant. This proposal was similar to the safety belt use grant program requirement, as adopted by SAFETEA-LU, with the difference being that, as adopted, the law provides different grant amounts for states depending on when their primary safety belt laws became effective. In addition, under DOT's proposal, each state would have received an annual award based on the state's prior year's safety belt use rate, regardless of whether the states passed a primary safety belt law. This feature would have created a performance accountability mechanism by tying a portion of the grant

¹The five programs that were included in our review were the Safety Belt Use, Child Safety and Child Booster Seat Use, Alcohol Impaired Driving Countermeasures, Motorcyclist Safety, and State Traffic Safety Information Systems Improvement grant programs.

amount to states' performance. States would have received these grants by December 31 of each year. These grant proposals were also within the State and Community Highway Safety grant program. The proposal for annual grants based on safety belt use rates was not adopted.

- An amended Traffic Safety Information Systems grant program that was similar to the Traffic Safety Information Systems grant program adopted by SAFETEA-LU.
- A discretionary impaired driving program designed to reduce impaired driving in states with a high number of alcohol-related fatalities and a high rate of alcohol-related fatalities relative to VMT and population. This program would have required NHTSA to develop, demonstrate, and evaluate comprehensive state programs to reduce impaired driving in states with high alcohol-related fatality rates. NHTSA would have chosen participating states based on an application specifically developed for this grant. This proposal was not adopted.

Appendix VIII: GAO Contact and Staff Acknowledgments

GAO Contact

Katherine A. Siggerud, (202) 512-6570 or siggerudk@gao.gov

Staff Acknowledgments

In addition to the contact named above, other key contributors to this report were Sara Vermillion (Assistant Director), Elizabeth Curda, Colin Fallon, Lynn Filla-Clark, Chir Jen Huang, Bert Japikse, Tom James, Terry Richardson, Beverly Ross, and Don Watson.

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