



Commonwealth of Puerto Rico  
Traffic Safety Commission



PROGRAMA DE SEGURIDAD  
DEL NO OCUPANTE



**GUÍAR BORRACHO**  
ES UN CRIMEN. SERÁS ARRESTADO.



**SEGURIDAD**  
SIEMPRE



# Highway Safety Plan

Fiscal Year 2009

Hon. Anibal Acevedo Vilá  
Governor

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# Table of Contents

Introduction .....	3
Problem Identification Process .....	4
Executive Summary .....	5-9
Program Areas	
Impaired Driving .....	10-14
Youth Alcohol .....	15-19
Police Traffic Services .....	20-25
Planning and Administration .....	26-27
Occupant Protection .....	28-30
Community Programs .....	31-35
Traffic Records .....	34-36
Non Occupant Safety .....	37-40
Driver Education .....	41
Emergency Medical Services .....	42
Traffic Engineering .....	43-44
Paid Media .....	45
Motorcycle Safety .....	46-49
State Certifications and Assurances .....	50-58
Cost Summary .....	59

## Introduction:

**Puerto Rico** is the smallest and the easternmost island of the Greater Antilles (Cuba, Hispaniola, Jamaica) in the Caribbean, consisting of the main island of Puerto Rico and several smaller islands including Vieques and Culebra. The mainland measures 100



miles long and 35 miles wide (170km by 60km). There are about four million citizens distributed over 78 municipalities, this is 1,000 people per square mile, a ratio higher than within any of the 50 states in the United States and is among the world's highest. One-third of the population is concentrated in the San Juan - Carolina - Bayamón metropolitan area. Spanish and English are the official languages, but Spanish is without a doubt the dominant language used by the residents.

The territory is mostly mountains with coastal plain belt in north; mountains precipitous to sea on west coast; sandy beaches along most coastal areas. The climate is Tropical Marine with regular temperature of 80°F (26°C) year round. Average annual precipitation in Puerto Rico ranges from less than 40 in on the southern coastal plain, to greater than 200 in the mountains. Along the coasts, average annual precipitation ranges from about 30 in on the lee side of the island along the southwestern coast to about 75 in on the windward north coast. This precipitation can be a problem to the driving public. The hurricane season is from June to November and damages caused by storms and hurricanes, including power outages and blocked roads are also of concern.

There are 16,398 miles of roads in Puerto Rico including 188.62 miles of toll roads. In 2007 there were 2,078,841 licensed drivers and 3,165,543 registered vehicles.

Print and media outlets include 20 Television broadcast stations, 67 AM and 59 FM Radio broadcast stations, 4 Daily newspapers and 24 Regional newspapers (weeklies). Cable TV is also available to 35% of the population.

Over 300,000 traffic crashes occur every year in Puerto Rico resulting in over 40,000 injuries and approximately 500 fatalities. Data driven solutions are needed in order to successfully address this serious problem.

## Problem Identification Process



Traffic crash data is being reviewed by the PRTSC staff throughout the year to identify problems that are unique to Puerto Rico. The primary and most reliable source of data is the FARS file, and with approximately 500 fatalities a year, trends can be established using this file. Also, crash data is obtained from the Accident Information System of the Analysis of Accidents Office within the Department of Transportation and Public Works but even though improvements have been made to this system over the past several years, 2005 is the most recent complete crash file available for analysis. At this time, 2006 is being processed. To continue the improvements to the crash and other files, the PRTSC has submitted a subsequent year Section 408 proposal that, when fully implemented in two years, will provide complete, accurate and reliable data in a timely manner for problem identification including crash location data that currently is not available due to deficiencies in the system. Details of the planned improvements are included in the Traffic Records section of this plan.

Data on licensed drivers and registered vehicles are obtained from the Driver Services Directory (our DMV) and vehicle miles traveled is obtained from the Department of Transportation and Public Works.

The Information Systems unit of the PRTSC is responsible for compiling the data and providing it to the PRTSC Planner. Reviewing the federal priority areas and our data to determine the impact our programs are having in reducing crashes, injuries and fatalities is an ongoing process that involves the Executive Director, Planner, Program Coordinators, Monitors and the Public Relations Office which needs the data to satisfy media inquiries.

Additional data is obtained through observational surveys of safety belt and child restraint use, and of knowledge and attitude surveys that help in the development of mass media and educational campaigns. As the data reflects changes during the year, in as much a slightly decrease in safety belt use, a significant reduction in fatalities was experienced, particularly in motorcycle fatalities; reverting the increase tendency of the past years. These changes are discussed in regular or other meetings with project directors and their staffs. This allows for a discussion of effort (citations, convictions, man hours, etc.) or new efforts which translate into project revisions or new projects.

By the time the development of the HSP begins, the PRTSC Executive Director, Planner and project directors are familiar with the data and proposed projects for the coming year. When data indicates a new problem (e.g. motorcycle), the stakeholders are invited to review the data and propose solutions that become projects. Traffic crash trends for the past five years are included in Table 1.

**Table I TRAFFIC CRASH TRENDS 2003–2007**

<b>INDICATORS</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
Registered Vehicles	2,537,783	2,695,757	2,801,217	3,015,227	3,165,543
Licensed Drivers* <sup>[1]</sup>	2,672,585	2,041,460	2,050,350	2,045,120	2,078,841
Roadway Miles <sup>[2]</sup>	15,831	15,936	15,994	16,275	16,398
VMT • <sup>[3]</sup>	186.6	194.4	194.3	196.4	192.2
Total Crashes <sup>[4]</sup>	300,469	320,912	329,896	313,342	288,947
Total Injuries <sup>[5]</sup>	43,092	45,364	42,838	41,311	41,341
Fatal Crashes	472	466	438	482	430
Total Fatalities	495	495	457	507	452
Fatality Index	2.66	2.54	2.35	2.58	2.35

• Vehicle Miles Traveled per 100 million miles traveled. \* Active licensed drivers

<sup>[1]</sup> Data provided by Driver Services Directory. <sup>[2]</sup> Data provided by the Highway System Office <sup>[3]</sup> Data provided by the Highway System Office <sup>[4]</sup> Data provided by Police Department. <sup>[5]</sup> Data provided by Automobile Accident Compensation Administration (ACAA).

## Executive Summary

Puerto Rico’s highway safety program has had many successes since it began in 1972. Fatalities for the years from 2004 to 2007 have been the lowest for any four year period since traffic crash data has been collected with an average of 477.7 for the period. The PRTSC has its sights on breaking the 400 barrier in fatalities as the next milestone.

Many factors have helped achieve these results. Puerto Rico was the first jurisdiction to pass a mandatory safety belt law in 1974. Puerto Rico’s law is a primary law that covers all seating positions and surveys showed a 92.1% usage rate for 2007. Participation in the national Mobilizations with aggressive enforcement, including the integration of municipal police, targeted public information and education, have been key in the success of the occupant restraint program. In 2007, legislation was approved requiring written and read testing for motorcycle license.

Until 1977, the Puerto Rico Police was the only police force in Puerto Rico. That year, Municipal Guards, unarmed and with limited powers, began operations in several towns. Laws governing the Municipal Guards changed over the years and by 1996 they had become Municipal Police with all the powers and authority as the Puerto Rico Police. Traffic enforcement, however, was not one of their routine duties.

The PRTSC has worked aggressively to convince municipal police agencies to establish traffic patrols and has supported these efforts with funding for vehicles, equipment, training and overtime. Of the 75 municipalities that have Municipal Police, over 40 have established traffic units and have joined the Puerto Rico Police in the impaired driving crackdowns.

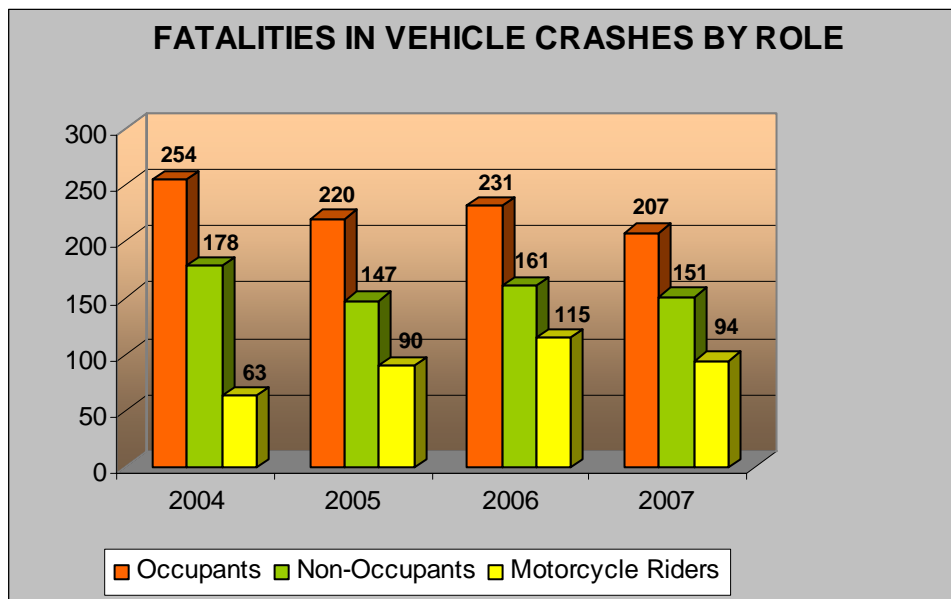
Participation in the national crackdowns has helped lower the percentage of alcohol related fatalities to 41% although it continues to be slightly higher than the national average. To continue the integration of the municipal police in the enforcement efforts to reduce impaired driving and to increase Commonwealth Police efforts, the PRTSC has submitted a subsequent year Section 410 proposal. These additional funds will allow for increased training, equipment and overtime to carry out five crackdowns against impaired driving during 2008.

Puerto Rico has a .08 per se law, open container, and repeat offender law. Although there is a Zero Tolerance law, it applies only to under 18 since there is no Age 21 MDA law.

Even when total pedestrian fatalities rose slightly in 2007 from 144 to 145, it only accounted for 32% of total fatalities (145 of 452), the second lowest percentage in decades. Successful efforts in reducing speeds and DWI will help reduce these fatalities even more.

Motorcycle fatalities have increased from about 4% of all fatalities in 1997 to 21% in 2007. Initiatives began in 2005 to address this growing problem: two motorcycle safety summits have been held and recommendations from the summits have resulted among others, motorcycle safety law became effective on October 10, 2007 which key elements strengthen the roadway, licensing and protective gear requirements of the current primary helmet law. By July 2008, motorcycle fatalities were 18.8% of all fatalities showing a reduction in this area when compared to the same date last year.

**Figure I**



DATA SOURCE: FARS 2004-2007

**Table II**

<b>MOTORISTS AND NONMOTORISTS KILLED IN TRAFFIC CRASHES</b>				
<b>Description</b>	<b>2006</b>	<b>2007</b>	<b>Change</b>	<b>% Change</b>
Total	507	452	-55	-12%
<b>Motorists killed in</b>				
Passenger vehicles	227	205	-19	-9%
Passenger Cars	167	165	-2	-1%
Light Trucks	60	40	-20	-5%
Large Trucks	4	2	-2	-1%
Motorcycles	115	94	-21	-22%
<b>Nonmotorists killed</b>				
Pedestrians	139	144	5	3%
Pedacyclists	20	6	-14	-2%
Other/Unknown	2	1	-1	-100%

Source: FARS 2006 - 2007

A summary of the programs to be funded to address the problems identified follows:

## **Impaired Driving**

Forty seven percent of fatal crashes are alcohol related continuing to be among the highest in the nation involving mainly young drivers. Passage of an Age 21 law will continue to be promoted. Special DWI Units will continue in each of the 13 Commonwealth Police Areas and new traffic units will be established in select municipal police. A Special Prosecutors Unit will be strengthened to better identify recidivists in coordination with the data bank included in the Intoxilyzer 5000EN units used by the police and an aggressive PI&E campaign will attempt to reach all sectors involved in this problem

With funds from the Section 410 grant, at least five impaired driving crackdowns will be conducted during 2009.

## **Youth Alcohol**

To complement the enforcement, PI&E and other efforts included in the Impaired Driving area, the successful peer educational FIESTA programs will be continued. It is expected that increasing awareness of the dangers of DWI among youth will provide political and public permission for needed legislation and strict enforcement.

## **Police Traffic Services**

Strengthening police enforcement of traffic laws is necessary to reduce DWI and other infractions such as speeding which is a factor in 50% of fatal crashes. Enforcement strategies such as “wolf packs”, saturation patrols, overtime patrols and checkpoints

will be implemented. Municipal and Commonwealth Police will be trained, equipment purchased, overtime funded and a PI&E campaign will complement these efforts.

## **Planning and Administration**

By law, the Puerto Rico Traffic Safety Commission is the agency responsible for coordinating traffic safety programs and for administering federal and Commonwealth funds assigned for this purpose. An Executive Director and staff of 40 carry out the day to day activities of the Commission.

## **Occupant Protection**

At 92.1%, Puerto Rico has one of the highest safety belt usage rates in the nation. Child restraint usage, reached 94% exceeding the seatbelt usage, for first time, since Child Restraint Law (1989) was enacted. Participation in the national Mobilizations and sustained enforcement of the mandatory usage law will continue by the Commonwealth and municipal police agencies. Strengthening the permanent child restraint fitting stations established by law in Puerto Rico's firehouses will help increase use of child restraints. The necessary PI&E will be implemented.

## **Community Programs**

Community Traffic Safety Programs (CTSP) have long been an integral part of highway safety programs around the nation. Since 1989, CTSP's have also been a part of Puerto Rico's program. Community programs, through a regional strategy, now service 72 of the 78 municipalities in Puerto Rico. This effort will be continued improving the quality of life with traffic laws as the focal point.

## **Traffic Records**

Data driven programs are more effective in achieving results and more efficient in the use of limited resources. Accurate and timely data, therefore, are necessary. Puerto Rico has submitted a multi year strategic plan to comply with the requirements of Section 408 and, with these grants and other resources, expects to steadily improve available data during the next five years. A Traffic Records Coordinating Committee developed the plan and will participate and monitor implementation.

## **Non Occupant Safety**

Pedestrian and other non occupants have been a major traffic safety problem since the creation of the PRTSC in 1972. Efforts will be made to increase the awareness of non occupants, young and old, to the dangers of becoming a victim of a traffic crash. We believe, however, that pedestrians and drivers must learn how to share the road, and that speed and DWI enforcement will help reduce non occupant fatalities.



## **Emergency Medical Services**

As EMS systems became institutionalized around the nation and Puerto Rico, traffic safety funding for this area has decreased. The EMS system in Puerto Rico has identified some long standing problems and the PRTSC will fund the development of EMT training to help assure the quality of skills of our EMT's. An effective and efficient EMS system continues to be part of a comprehensive traffic safety program.

## **Traffic Engineering**

For the past several years, the PRTSC has been administering funds assigned to it under sections 154/164 because Puerto Rico does not have qualifying repeat offender or open container laws. Projects to eliminate hazards will be implemented including guardrails, attenuator drums, pavement markings, rumble strips, signage and others.

## **Paid Media**

All paid media activities that support efforts in other program areas are grouped in this section.

## **Motorcycle Safety**

After three years in a row, the numbers show an increase in motorcycle fatalities in Puerto Rico and in 2007, there was a reduction of 30% in motorcyclist fatalities. Legislation submitted during 2006 has been recently passed and became effective on October 9, 2007 which key elements strengthen the roadway, licensing and protective gear requirements of the current primary helmet law. Enforcement of the helmet law and other traffic violations will be improved and traffic engineering measures to improve motorcycle safety will be identified and implemented.

# Impaired Driving AL-01

## Overview

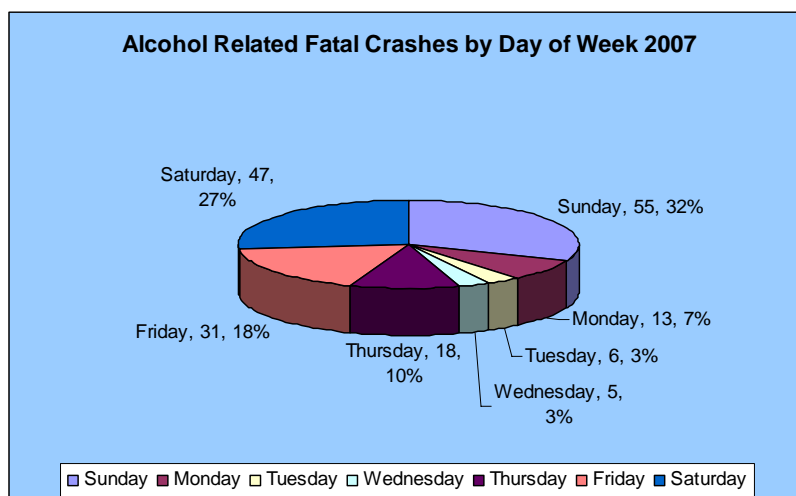
Driving While Intoxicated continues to be the number one cause of fatal crashes in Puerto Rico and its rate is among the highest in the Nation. During 2007, 42% of the total 452 fatalities were alcohol related and Puerto Rico's alcohol related fatality rate continues to be twice the national average and three times that of New York and New Jersey, even though Puerto Rico's rate of improvement is significantly greater than the National average. As a result, Puerto Rico was identified by NHTSA as one of the ten high fatality rate states and qualifies for a Section 410 grant. Although the percentage of traffic fatalities that are alcohol related has remained about 50% for decades, there has been a notable improvement in absolute numbers since there were 648 total fatalities in 1987, 507 fatalities in 2006, and 452 fatalities in 2007.

**Table III Alcohol Related Fatal Crash Counts 2003-2007**

<i>Year</i>	<i>Alcohol Related</i>	<i>Total</i>	<i>Percent (%)</i>
<b>2003</b>	235	495	47%
<b>2004</b>	250	495	51%
<b>2005</b>	234	457	51%
<b>2006</b>	215	507	42%
<b>2007</b>	188	452	42%
<b>Total</b>	<b>1,122</b>	<b>2,406</b>	<b>47%</b>

DATA SOURCE: FARS 2003-2007

**Figure II**



DATA SOURCE: FARS 2007

During 2007, the day of week with the most alcohol related fatalities was Sunday with a total of 55 fatalities, followed by Friday with a total of 31 fatalities.



**Table IV MUNICIPAL POLICE ENFORCEMENT ACTIVITIES 2003-2007**

FY	Speeding Violations	Seat Belt Violations	Child Rest Violations	DWI Interventions
2003	15,637	17,421	N/A	258
2004	9,753	10,488	N/A	544
2005	18,778	18,482	719	1,783
2006	18,650	11,497	657	1,498
2007	12,976	18,350	588	1,474

DATA SOURCE: PR TSC DATA COLLECTOR

**Table V COMMONWEALTH DWI INTERVENTIONS 2003-2007**

FISCAL YEAR	DWI	
	INTERVENTIONS	ARRESTS
2003	19,792	14,767
2004	19,023	14,453
2005	19,837	15,540
2006	23,843	19,566
2007	21,595	17,528

DATA SOURCE: PR TSC DATA COLLECTOR



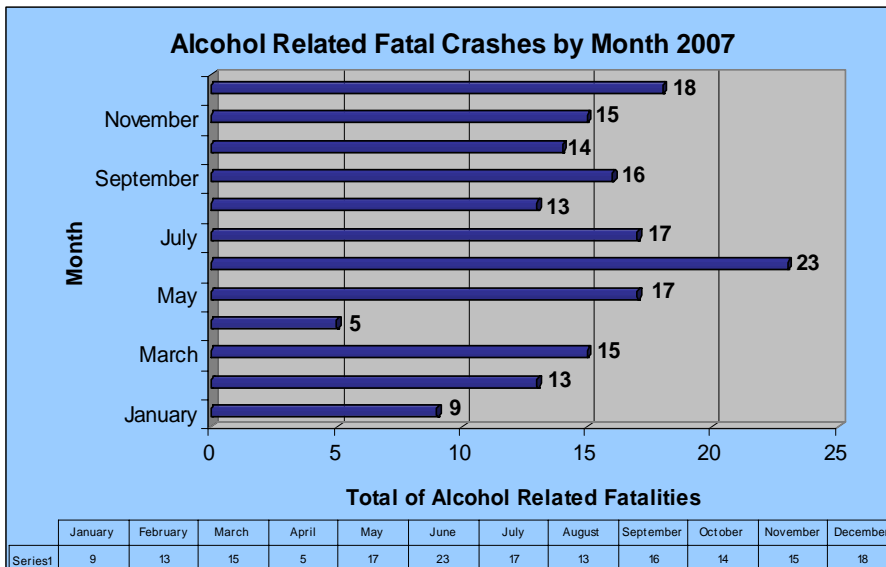
Several bills became law during 2004 and 2005 to strengthen the DWI statutes in Puerto Rico. In September of 2004, zero tolerance law for under 18 became law, a repeat offender law went into effect that provides for vehicle confiscation and mandatory jail of 48 hours and an intoxicated driver with a minor under 15 years of age as a passenger receives a mandatory forty eight hours of jail. Also, suspected DWI offenders could not refuse to give a BAC sample. In January of 2005, an open container law became effective. Puerto Rico does not have, however, an Age 21 MDA law nor a Zero Tolerance law, which has proven effective in reducing alcohol, related fatalities in the United States. Although there are tougher sanctions for recidivists, identifying recidivists prior to trial is still a problem.

During 2007, the Special DWI Prosecutors Unit alleged recidivism in 20% of the DWI cases submitted. Identifying recidivists prior to trial must be improved in order to impose the stiffer sanctions required by law. Enforcement continues to be improved. Motor vehicle fatalities have been reduced over the past five years; yet, the percentage of fatalities that are alcohol related has remained around 50%. Special Alcohol Units in the 13 Commonwealth Police Areas, with emphasis on weekend, nighttime patrols and sobriety checkpoints need additional resources to increase enforcement. The integration of municipal police agencies into the safety belt enforcement effort has proven successful and Special Alcohol Units at the municipal police level is now collaborating in the high visibility enforcement effort against all impaired drivers, including motorcycle operators. Saturation patrols, overtime patrols and checkpoints are part of the strategies employed by the Municipal and PR Police. During 2007, the combination of DWI interventions for both Municipal and PR Police were 23,069 interventions as shown above.

In addition to local mobilizations, the participation in the national Crackdowns has helped motivate police and raise awareness in the driving public. The following High Visibility Enforcement Activities have been planned for FY2009:

Date	Description
<b>Thanksgiving Crackdown</b> 11/25/08 to 11/30/08	These dates represent the beginning of festivities associated with Christmas Season.
<b>Holiday Crackdown</b> 12/23/08 to 01/06/09	These dates represent the Christmas Season, which extends in Puerto Rico into early January and is characterized by an increase in alcohol consumption and an increase in impaired driving.
<b>Easter Crackdown</b> 04/08/09 to 04/13/09	Holy Week Festivity (schools and colleges are mostly off during the week).
<b>Summer Crackdown</b> 07/16/09 to 07/29/09	There are three prominent local holidays in July, which provide long weekends of drinking at the beach.
<b>National Labor Day Crackdown</b> 08/21/09 to 09/07/09	This includes Labor Day Holiday on 09/07/09.

**Figure III**



DATA SOURCE: FARS 2007

During 2007, June was the month with the highest Alcohol Related Fatalities, with a total of 23.

## Performance Goals

- Reduce alcohol related fatalities by 9% from 188 in 2007 to 171 in 2008
- Reduce the alcohol related fatality rate from 1.20 in 2006 to 1.10 by 2009
- Conduct training for judges and prosecutors during 2009



## **Legislative Goals**

- Achieve Age 21 and Zero Tolerance Legislation

## **Performance Measures**

- Number of alcohol related fatalities
- Number of DWI interventions and arrests
- Number of sobriety checkpoints
- Number and percent of recidivists identified prior to trial
- Number of judges and prosecutors trained



## **Strategies**

### **AL-01-01 DWI Patrol Units - Commonwealth Police**

Specialized DWI Patrol Units exist in all 13 Commonwealth Police Areas and they will be strengthened with the acquisition of: 30 additional vehicles to increase enforcement on weekends(4 nights) and during the 5 HVE activities mentioned earlier; 2 Utility Vehicles needed for carrying sobriety checkpoints materials and towing some of the equipment; 2 BAT Mobiles to be used for sobriety checkpoints by the Department's 13 Police Areas; and breath test equipment (Intoxilyzer 5000EN) to be placed in the Department's different units for the DWI detection. Since these patrols are weekend/nighttime patrols, stipends will be funded for the agents, breath test equipment technicians and Supervisors. Overtime funding for participation in the mobilizations, national crackdowns and other HVE activities is also included.

### **AL-01-02 Breath Testing Unit - Commonwealth Police**

This unit provides training to Commonwealth and municipal police in DWI detection strategies and the use of breath test equipment. It also maintains and repairs breathe test equipment around the island and personnel are called on to testify in court. Additional preliminary breath test equipment (Alco-Sensors), replacement parts and supplies will be funded.

### **AL-01-05 Judicial Training Program - Courts Administration**

With the many changes to the law, judges are in need of continuing education. A course has been developed on the changes in the law, breath test equipment and raising awareness among the judges of the importance of impaired driving cases. Costs associated with the two trainings to be offered during 2008-09 will be funded. Also, there are stateside training courses on dealing with DWI offenders that judges are encouraged to attend. This project will cover these costs.

**AL-01-06 Special DWI Prosecutor Unit - Department of Justice**

In order to improve the processing of DWI cases and increase the identification of recidivists, a special investigator, administrative coordinator and one secretary will be funded at the Justice Department headquarters. Also, stipends for thirteen technicians (data collectors) that will provide follow up and assistance to the Prosecutors in the compilation of the required data to prepare and defend the cases will be funded. With the many changes to the law, judges are in need of continuing education. As with the Judicial Program, a seminar has been developed on the changes in the law, breathe test equipment and raising awareness among the prosecutors of the importance of impaired driving cases. Costs for training, materials, local and stateside travel and per diem, and stipends are included.

**AL-01-12 Impaired Driving Mass Media Campaign - PRTSC**

This campaign includes production for the paid media associated with the Crackdowns and the production costs for radio and TV spots, print materials and exhibition booth. The campaign will target males in the 16-35 age groups, which represents 40% of all drivers involved in fatal crashes and 59% of alcohol related crashes.

**AL-01-13 Impaired Driver Coordinator-PRTSC**

Reducing impaired driving is one of the PRTSC's priorities and many Commonwealth and municipal agencies, advocacy groups, community groups and industry are involved in the effort. A coordinator, specialized in DWI programs, is needed to follow progress in the many projects and offer expert advice based on knowledge received from training and literature review.

**AL-01-22 Paid Media Evaluation-Consultant**

A consultant will be contracted to conduct knowledge, attitude and behavioral studies using, telephone and roadside surveys, focus groups and other tools to help develop and measure the effectiveness of the impaired driving media campaigns on the target audience and others.

**AL-01-23 Luis A. Señeriz Foundation/MADD Puerto Rico**

It is important to involve advocacy and community groups in the effort to combat impaired driving. MADD is a well-known advocacy group and the PRTSC has helped the Puerto Rico Chapter with administrative expenses and for educational materials and activities. In addition, funding will be provided to continue the implementation the nationally recognized "Protecting You, Protecting Me" program for school children. In coordination with the Puerto Rico Department of Education, the pilot test began and will continue to be conducted in the Carolina school district with plans to establish a second pilot either in the Caguas or Mayagüez school district.





# Youth Alcohol YA-02

## Overview

In Puerto Rico, the number of young drivers involved in fatal crashes is high. A person may legally possess a driver's license at the short age of 16, contrary to other states which it is 18. The same situation happens for the legal drinking age; the legal drinking age in Puerto Rico is 18. Table VI shows the total fatalities among 16-25 year old drivers from 2003 - 2007.

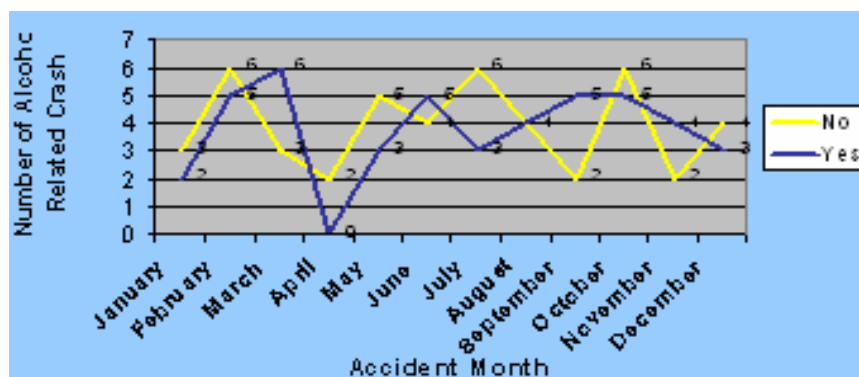
**Table VI**                      **16-25 YEAR OLD DRIVER FATALITIES**  
(2003 – 2007)

YEAR	TOTAL DRIVER FATALITIES	DRIVERS 16-25 YEARS KILLED		BAC – POSITIVE		LEGALLY IMPAIRED		POSITIVE DRUGS	
		Num.	(%) of Total	Num.	(%)	Num.	(%)	Num.	(%)
2003	224	56	25%	22	39%	15	27%	11	20%
2004	222	113	51%	54	48%	43	38%	6	5%
2005	237	79	33%	31	39%	25	36%	5	7%
2006	270	90	33%	27	30%	21	23%	9	10%
2007	237	92	39%	37	40%	28	30%	7	8%
<b>Aver.</b>	<b>238</b>	<b>86</b>	<b>36%</b>	<b>34</b>	<b>39%</b>	<b>26</b>	<b>31%</b>	<b>8</b>	<b>10%</b>

DATA SOURCE: FARS 2007

The graph below shows the months with the highest fatalities among 16-25 year old drivers during 2007; these were February and October. The month with the highest number for alcohol related fatalities was March. Ironically, no big Holidays were present during these high-accident months.

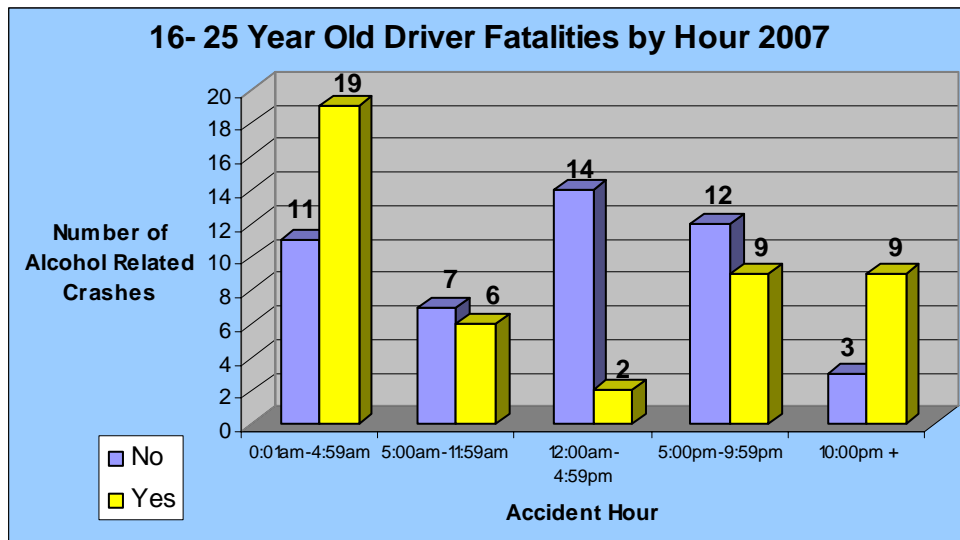
**Figure IV**                      **16-25 YEAR OLD DRIVER**  
**ALCOHOL-RELATED FATALITIES BY MONTH 2007**



DATA SOURCE: FARS 2007

Lacking an Age 21 MDA law and a Zero Tolerance law for under 21, the PRTSC has targeted youth with various awareness programs, most notably the FIESTA program. The awareness of the risks of youth impairment helped in passing a Zero Tolerance law for under 18 in 2004. As a complement to the enforcement and PI&E efforts contained in the Alcohol section of this plan, the PRTSC will continue and expand efforts to reach youth using peers. It is expected that this awareness will provide the political and public permission for needed legislation and strict enforcement.

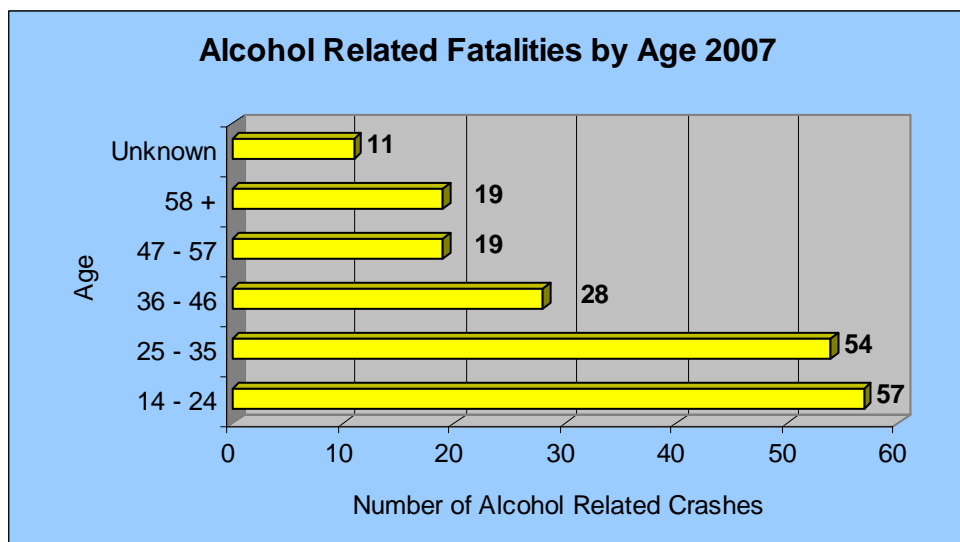
**Figure V**



DATA SOURCE: FARS 2007

The FIESTA programs have been embraced by students, teachers and school administrators and have continued to grow. The FIESTA concept is to train college students in traffic safety, alcohol and as instructors. These young instructors will then give traffic safety presentations at their campuses and neighboring schools.

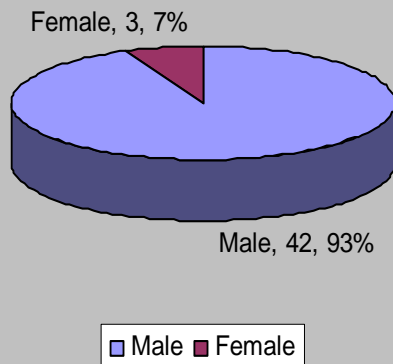
**Figure VI**



DATA SOURCE: FARS 2007



### 16-25 Year Old Alcohol Related Driver Fatalities By Sex 2007



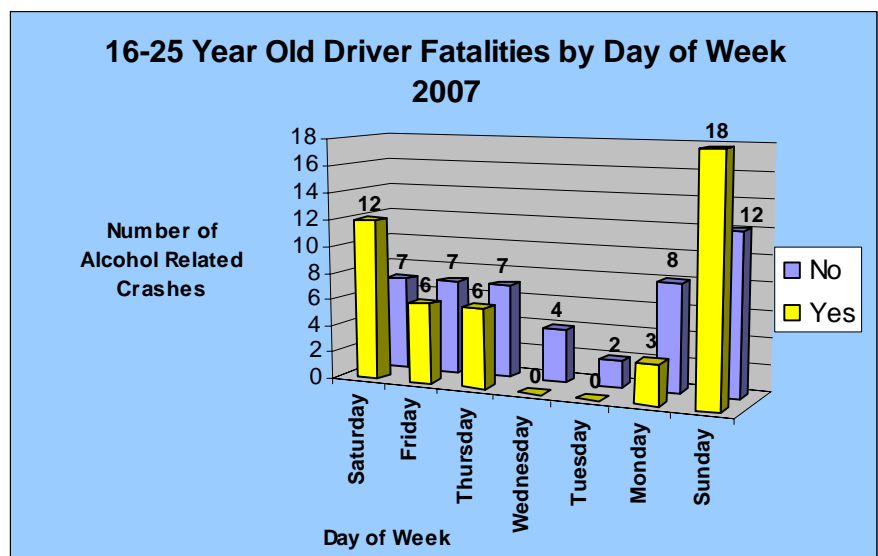
**Figure VII**

Males had a total of 42 fatalities, 93% among 16-25 year old Alcohol Related Fatalities during 2007.

DATA SOURCE: FARS 2007

**Figure VIII**

During 2007, the two days of week that had the most fatalities were Saturday and Sunday. Saturday had a total of 12 alcohol related fatalities and 7 non-alcohol related fatalities. Sunday had 18 alcohol related fatalities and 12 non-alcohol related fatalities.



DATA SOURCE: FARS 2007

### Performance Goal

- Reduce young driver fatalities by 10% from a five year (2003-2007) average of 86 to 76 by 2009
- Reduce alcohol related young driver fatalities by 10% from a five year average of 34 to 24 by 2009

## Legislative Goals

- Age 21 MDA
- Zero Tolerance
- Graduated Driver Licensing

## Performance Measures

- Number of young driver involved in alcohol related crashes
- Number of peer presentations
- Number of youth reached



## Strategies

### **YA-02-02 FIESTA - University of Puerto Rico**

All 10 campuses of the University of Puerto Rico now have FIESTA programs. At the University level, these programs conduct awareness campaigns, develop materials, and conduct workshops and research projects. Stipends for student instructors, coordinator and research assistants are funded and materials and travel costs.

### **YA-02-03 FIESTA III - San Juan Municipal Police**

This FIESTA program develops instructors in the Police Athletic League and reaches San Juan's high-risk communities through sporting events, workshops in community centers, development and distribution of materials and other activities. Stipends for Coordinators, instructors and materials are funded.

### **YA-02-15 Creative FIESTA - Hogares Crea, Inc**

Hogares Crea is a drug rehabilitation program, which accepts people who voluntarily desire rehabilitation that is also used by the courts for young offenders of Puerto Rico drug laws. The main goal of Crea is to return their clients to their respective communities as useful members of society. Many of these communities are high risk and respond more to their peers. Funding will help develop ten instructors, pay their stipends, travel, materials and a project coordinator.

### **YA-02-07 Youth Diversion Program - Department of Transportation**

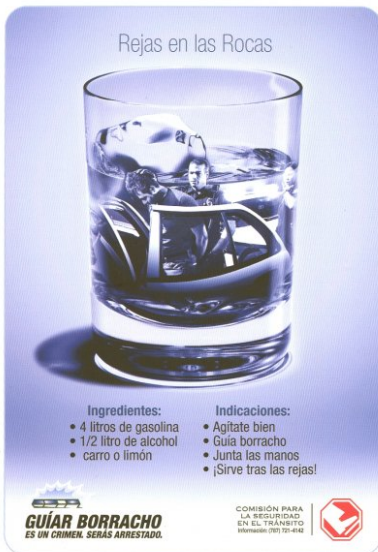
Juvenile (16 and 17 year old) offenders of the DWI law are being referred to the DOT educators that give the DWI Improvement Course required as part of the sentence by judges. However, in the case of these minors, they must attend the course with their parents. Personnel costs, materials and equipment will be funded.

**YA-02-18 Youth Mass Media Campaign - PRTSC**

TV, radio spots and print material directed at youth will be developed to be delivered through the media and events that youth frequent.

**YA-02-25 PISTA UMET - Metropolitan University of Puerto Rico**

FIESTA programs at the university level began in 1990 at the University of Puerto Rico, a state university. UMET is a private, non-profit institution, which has developed its own FIESTA like program called PISTA (Programa Instruccion sobre Seguridad en el Tránsito or Instructional Traffic Safety Program). In this attempt to reach more university students, a project coordinator and other costs associated with FIESTA programs will be funded.



# Police Traffic Services

## PT-03

### Overview

Speeding and aggressive driving continue to be factors that cause traffic crashes in Puerto Rico. In 2007, speeding was a contributing factor in 212 or 49% of the 430 fatal crashes.

**Table VII**

#### 2006-2007 COMPARISON FATALITIES – SPEEDING A FACTOR

Criteria	2006	2007	Change	% Change
Speeding	220	228	8	4%
Not Speeding	287	224	-63	-28%
<b>Total Fatalities</b>	<b>507</b>	<b>452</b>	<b>-55</b>	<b>-12%</b>

DATA SOURCE: FARS 2006 - 2007

In 2000, speed limits on certain roads were increased to 65 miles per hour increasing the risk of death and injury on Puerto Rico's roads. The roads of highest crash incidence are included in Table VIII.

**Table VIII**

#### 15 HIGHEST CRASHES ROADS

	Road	Crashes	Vehicles	Pedestrians	Injuries	Fatalities	% of Crashes
1	PR 2	18,673	36,539	180	5,098	49	7.08%
2	PR 3	10,828	20,895	90	3,007	21	4.11%
3	PR 1	7,960	14,726	84	2,017	19	3.02%
4	PR 22	5,828	10,736	54	1,387	28	2.21%
5	PR 52	5,150	8,835	17	1,610	16	1.95%
6	PR 167	3,459	6,861	42	459	5	1.31%
7	PR 14	2,921	5,022	39	593	6	1.11%
8	PR 111	2,848	5,173	32	965	7	1.08%
9	PR 181	2,443	4,527	31	424	4	0.93%
10	PR 18	2,287	4,436	6	469	0	0.87%
11	PR 199	2,302	4,474	12	304	3	0.87%
12	PR 165	2,284	4,176	12	373	5	0.87%
13	PR 17	2,111	4,210	22	289	4	0.84%
14	PR 30	2,120	3,816	14	581	7	0.80%
15	PR 25	1,944	3,518	53	323	3	0.74%

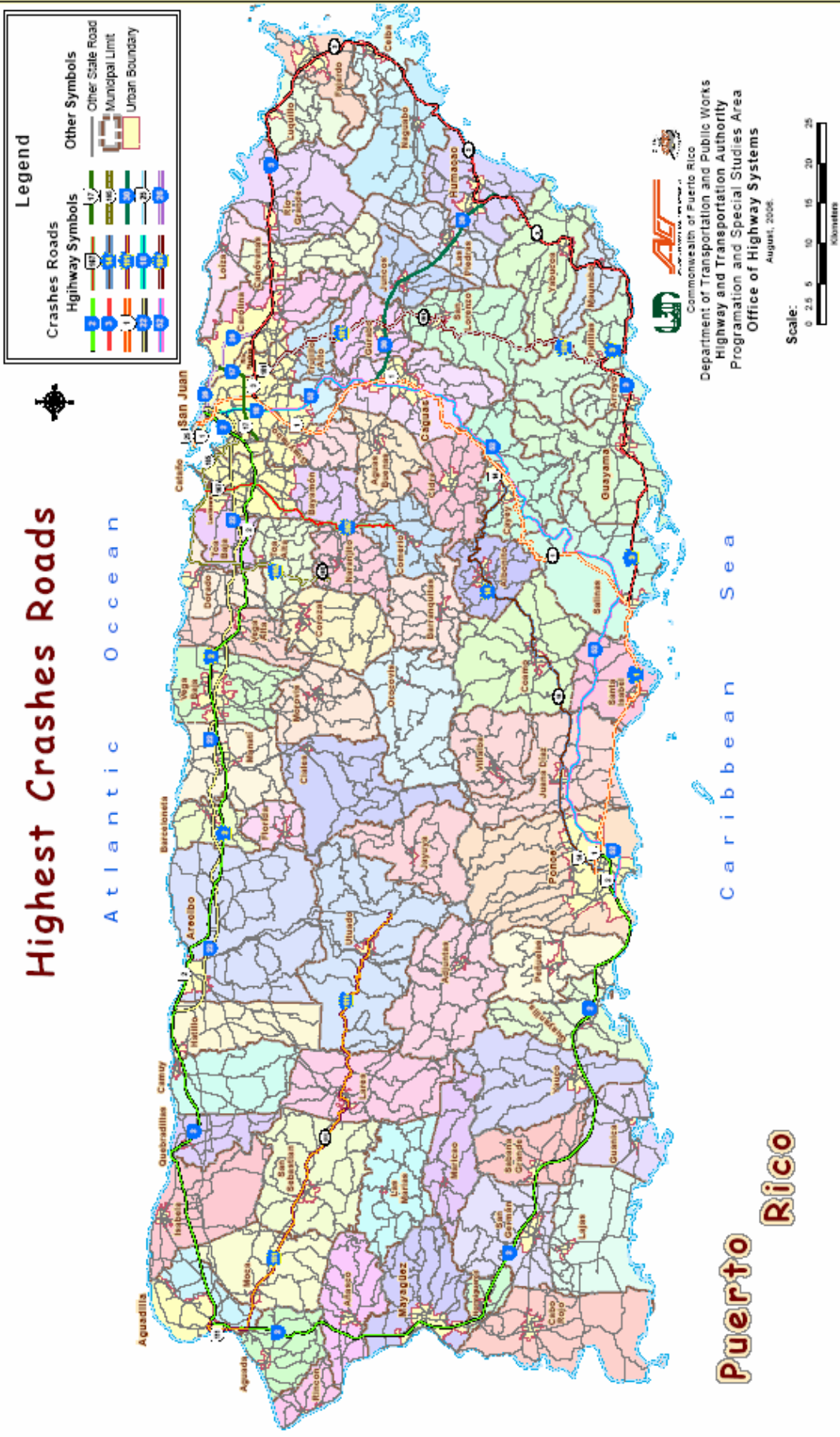
DATA SOURCE: DOT 2006

# Highest Crashes Roads

Atlantic Ocean

Caribbean Sea

**Puerto Rico**



In 2001, however, Law 22 was passed, effective January 7, 2001, and, among other provisions, fines for speeding were increased from \$15.00 to \$50.00 and \$5.00 for every mile over the speed limit. This was a significant increase and had an immediate result in reducing traffic fatalities, as a matter of fact; more than 230,000 speeding tickets were issued by police agencies in 2007. During the late 1980's and mid 1990's, traffic fatalities were greater than 600 in some years. From 2003 to 2007 fatalities were less than 500 in four of the five years.

Also, Law 22 also increased the fines for safety belt and child restraint violations from \$10.00 to \$50.00 and \$100.00 respectively. Safety belt usage is now 92.1% in Puerto Rico thanks to the stiffer penalties and enforcement. In addition, an amendment to Law 22 became effective in January 2007, increasing the fine from \$50 to \$250 for running a red light and from \$25 to \$150 the yellow light.

Of course, highly visible and publicized enforcement with a targeted PI&E effort has proven to be effective in raising the perception of risk in the motoring public and reducing traffic fatalities. Many strategies can be used to make enforcement more effective including selective traffic enforcement, checkpoints, saturation patrols, etc.

Just 20 years ago, there were few municipal police departments in Puerto Rico. Up until recently, they were not involved in traffic enforcement and the responsibility fell solely on the Commonwealth Police. One of the PRTSC's greatest achievements in the Police Traffic Services area is the integration of about 60% of the 75 municipal police agencies around the island into the traffic enforcement effort by establishing municipal traffic patrols and participating in the national waves and crackdowns along with the Commonwealth Police. Over 840,000 traffic tickets were issued between the Commonwealth and Municipal Police during 2007.

Beginning in 2005, the PRTSC, the Commonwealth Police and the Department of Justice have teamed to give "Looking beyond the Ticket" training to Commonwealth and Municipal Police in order to motivate them to increase interventions. This training has met with the approval of the Commonwealth Police Superintendent and municipal police commissioners. Demand for the training is high. The following tables present data on the Commonwealth and Municipal Police Agencies for the past five years.

**Table IX**

**COMMONWEALTH'S POLICE EFFORTS (2003-2007)**

<b>FY</b>	<b>SPEED Citations</b>	<b>DWI Interventions</b>	<b>DWI Arrests</b>	<b>SEAT BELT Citations</b>	<b>OTHER Moving Violations</b>
<b>2003</b>	308,348	19,792	14,767	266,325	212,860
<b>2004</b>	274,996	19,023	14,453	268,667	320,737
<b>2005</b>	277,018	19,837	15,540	219,680	309,187
<b>2006</b>	229,820	23,843	19,566	208,180	291,828
<b>2007</b>	215,915	20,954	16,686	208,574	308,979

DATA SOURCE: PRTSC DATA COLLECTOR



vehicles will be added along with stipends for a supervisor, patrolmen and overtime. Radar equipment and vehicle maintenance will also be funded.

**PT-03-02 Traffic Police Training - Commonwealth Police**

Training of Commonwealth Police and municipal police in radar, breath test equipment and other traffic enforcement strategies is done at a traffic enforcement training center established by the Commonwealth Police in 2003. Costs of materials, stateside training, consultant training and stipends are included in this project.

**PT-03-03 Police Programs Coordinator – PRTSC**

Housed in the Commonwealth Police’s headquarters, this coordinator, a retired ranking officer, helps determine the police’s needs, helps prepare proposals, helps monitor progress, gathers police data including wave enforcement data and is a point of contact at police headquarters. This project will fund coordinator’s costs.

**PT-03-14 Speed and Aggressive Driving Mass Media - PRTSC**

As with all enforcement efforts, PI&E is a necessary component. This project will fund TV, radio spots and print material.

**PT-03-19 Traffic Patrol Overtime**

This resource is to be used by Area Traffic Commanders to increase traffic enforcement in their areas with emphasis on the high crash roads giving emphasis to safety belt and participation in the national waves.

**PT-03-27 Municipal Police Training-Commonwealth Police -PRTSC**

Training in traffic enforcement techniques is necessary for municipal police agencies, especially those new to traffic enforcement. The “Looking beyond the Ticket” training is part of the subject matter covered. Training materials, instructors, travel and related costs will be funded.

**PT-03-44 Crash Investigation Training - Commonwealth Police Criminal Justice University**

This project will help establish At Scene Crash Investigation training as part of the curriculum of the Police Academy. It will prepare and equip police investigators to determine causal factors of traffic crashes and prepare evidentiary information. Instructors, teaching aids, materials and equipment will be funded.





# **Planning and Administration**

## **PA-04**

### **Overview**

The Puerto Rico Traffic Safety Commission (PRTSC) was created by law in 1972 and given the responsibility to coordinate the development and implementation of traffic safety programs. Members of the Executive Board include ten members representing the Department of Transportation and Public Works, Department of Health, Puerto Rico Police, Department of Education, Department of Justice, Courts Administration, Automobile Accident Compensation Administration, Mental Health and Addiction Services Administration, Public Service Commission, a representative of the public interest and a youth representative.

By law, the Executive Board is presided over by the Governor or a Representative designated by the Governor. Traditionally the Governor has designated the Secretary of Transportation as the Representative. A Program Manager, or Executive Director, is selected by the Executive Board and is responsible for the administration of the agency and its staff.

Among the responsibilities of the PRTSC are:

1. To identify problems
2. To develop strategies and solutions to those problems
3. To prepare an annual work plan
4. To administer federal and Commonwealth funds assigned to traffic safety
5. To develop a PI&E campaign
6. To monitor progress in the implementation of programs
7. To evaluate effectiveness of the program

### **Performance Goals**

- To prepare an annual Highway Safety Plan by September 1
- To Prepare an Annual Evaluation Report by December 31
- To close out fiscal activities by December 31

## **Strategies**

### **PA-04-02 Evaluate HSP Tasks-PRTSC**

#### **PA-04-07**

Four Program Managers (monitors) will be funded with state (1) and federal(3) funds to follow up on progress in their assigned projects, provide technical assistance to the projects, promote timely vouchering, assist in revisions to project agreements and review project agreements for following year's HSP.

Local and stateside training, travel expenses, materials and equipment will be funded.

### **PA-04-03 Administer Program-PRTSC**

#### **PA-04-08**

#### **PA-04-09**

#### **PA-04-10**

In order to provide support for the general administration of the highway safety program, allowable limits of federal funds will be used for salaries, equipment, materials, accounting consultant, single audits, other consulting needs and travel expenses for the Executive Director and staff for local and stateside activities.

# Occupant Protection OP-05

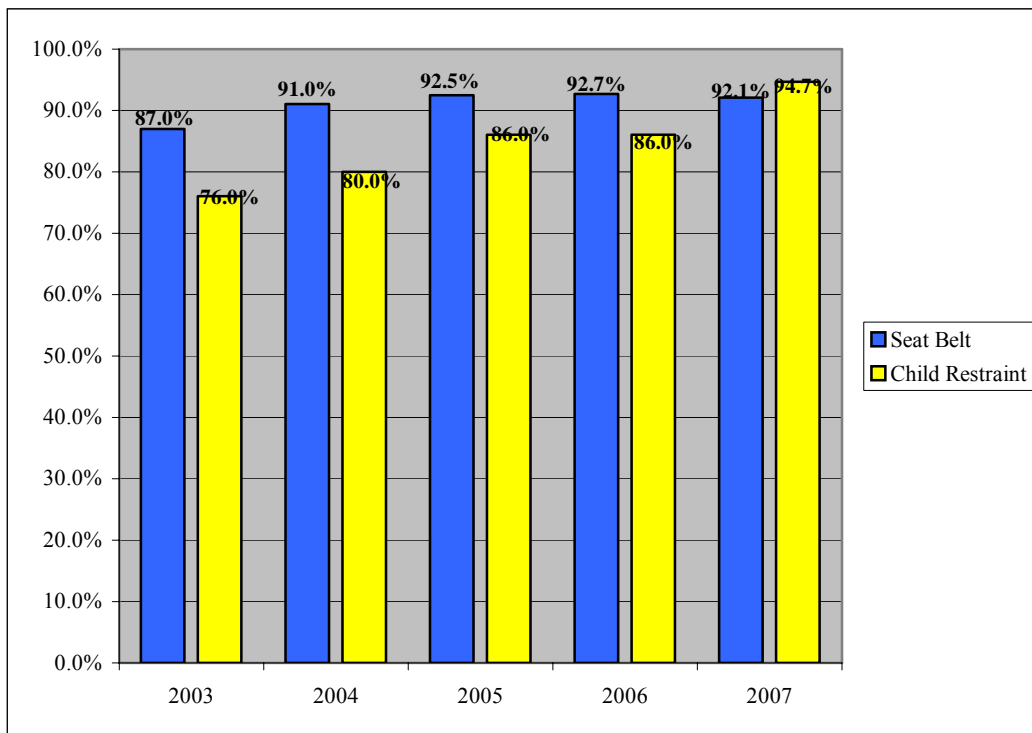


## Overview

Puerto Rico was the first jurisdiction to pass a mandatory safety belt usage law with an effective date of January 1, 1975. In addition to being the first, Puerto Rico’s law has the distinction of being a primary law that covers all seating positions.

After a decade of minimal enforcement but aggressive PI&E, strict enforcement began in the early 1980’s. By 1990, Puerto Rico received a NHTSA award for being the first jurisdiction to achieve a 70% usage rate. As the data in Table XII indicates, the usage rate in 2007 was 92.1%, one of the highest in the nation.

**Table XII**  
**SAFETY BELT AND CHILD RESTRAINT USE 2003 - 2007**



DATA SOURCE: EXTERNAL CONSULTANT MARKETING CENTER

Many initiatives have helped achieve this rate. Safety belt and child restraint use is enforced vigorously as part of standard traffic enforcement activities throughout the year. Participation in the national enforcement “waves” for the past several years, the incorporation of municipal police agencies to the effort and an aggressive PI&E campaign with a strong enforcement message have been elements of the program. Over 240,000 seat belt and child restraint tickets were issued during 2007. Private industry and

civic participation is recognized every year in the Honor Roll Ceremony that include near 100 award recipients. In order to increase usage continued participation in the national efforts, increased enforcement and awareness are needed.

A child restraint provision to the mandatory use law became effective in 1989 requiring children up to four years of age to use child restraints. In 2001, another amendment requires children 12 years and younger to ride in the back seat, properly restrained. Child restraint use, although high at 94%, requires continued special attention to increase usage.

In 2000, an Executive Order established fire stations in Puerto Rico as permanent fitting stations and firemen as Child Passenger Safety Technicians. In 2003, this Executive Order became law. To date, there are 42 firehouses (out of 92) that have established fitting stations and 90 firemen certified as CPST's. Inspection clinics are also conducted periodically with the cooperation and partial sponsorship of commercial chains such as Toys 'R' Us, Wal-Mart and K-Mart.

Efforts must be made to continue opening fitting stations, training technicians, making the public aware of the locations of the stations and increasing enforcement.



## Performance Goals

- Increase safety belt use from 92.1 in 2007 to 95 in 2009
- Increase child restraint use from 94% in 2007 to 95% in 2009
- Addition one fitting station in FY 2009

## Performance Measures

1. Number of seat belt tickets
2. Number of police agencies participating in "waves"
3. Number of child seat fitting stations
4. Number of CPST's
5. Number of paid media and earned media units



## Strategies

### **OP-05-02 Observation Surveys - PRTSC**

Observational surveys are the means to determine usage rates, establish goals and evaluate progress. This project funds a data collector to observe safety belt, child restraint and motorcycle helmet use. Travel, per diem and related costs for the final report are also funded.

### **OP-05-03 Occupant Restraint Coordinator - PRTSC**

A program that involves many government agencies, civic groups and private industry requires coordination at the PRTSC level. Personnel costs, travel and per diem and consultant costs are funded.

### **OP-05-04 Occupant Protection Mass Media and Education Campaign - PRTSC OP-05-22**

Costs related to mass media efforts including production costs for radio and TV spots to be used for earned and paid media (during enforcement waves), press conferences, photo shoots, media tours, and other materials will be funded.

### **OP-05-27 CPST Training - PRTSC**

Activities under this project include training of additional CPST's and provides funding for training equipment, training materials, travel, per diem, lodging, etc. CPST's participate in publicized inspection clinics, and this project also provides for the necessary supplies and equipment to carry out the clinics. Finally, the purchase of safety seats for the clinics and loaner programs at the fitting stations will be funded.

### **OP-05-29 Observational, Knowledge and Attitude Surveys - PRTSC**

A consultant will be contracted to conduct the official observational surveys for the enforcement "waves". Knowledge and attitude surveys will be conducted to measure the effectiveness of the campaigns, especially paid media, and help plan future campaigns.

### **OP-05-39 Fitting Stations - PR Fire Department**

With the growth of fitting stations at firehouses around the island, the PR Fire Department found it necessary to establish an administrative unit for this program. Two assistant coordinators will be federally funded and a coordinator and assistants will receive stipends. Certified CPST's will receive a stipend since at times they attend the public outside of their normal shift. Child restraints, equipment rental for inspections or clinics, materials and maintenance for the vehicles needed to carry equipment (seats) for clinics or distribution, will be funded.



# Community Programs

## CP-06

### Overview

Community Traffic Safety Programs (CTSP) have long been an integral part of highway safety programs around the nation. Local program directors are more familiar with their communities and their traffic safety problems, local leaders, local agencies, civic groups and municipal police. In larger states with diverse populations and different traffic safety problems in parts of the state, local programs are very important.

Since 1989, CTSP's have also been part of the highway safety program. Because of Puerto Rico's small size and population density, however, local differences are not that significant. Traffic safety problems tend to be island wide. Puerto Rico's CTSP's, nevertheless, are no less important as a complement to the PRTSC's efforts.

These community programs, as in other states, coordinate enforcement efforts, enlist community leaders, offer traffic safety conferences in schools, industry community groups and others, prepare and distribute educational materials, administer loaner programs and actively participate in activities organized by the PRTSC. The CTSP's are also instrumental in mobilizing police and other resources for the national "waves" and "crackdowns".

Puerto Rico's CTSP's work very closely with the PRTSC and meet monthly as a group to receive information from the PRTSC on upcoming campaigns, activities and plans and to report progress to the PRTSC. The CTSP directors also coordinate training for municipal police, child restraint clinics and other activities that involve the PRTSC and other CTSP's.

At present, there are three CTSP's that are limited to one municipality and thirteen regional programs responsible for more than one municipality. With the regional programs, administrative costs in covering several municipalities are reduced.

A bold new initiative will be implemented as a pilot project in two municipalities, Isabela and Camuy. Through education and strict enforcement of traffic laws by municipal and Puerto Rico Police, order will be established in the towns' traffic as the foundation for law and order in all facets of daily life. The mayors of these two towns are eager to begin the pilot program and have committed their resources to the project.

### Performance Goal

- Maintain PRTSC presence in 72 of the 78 municipalities through the CTSP's

## Performance Measures

- Number of municipal police participating in “waves”
- Number of traffic tickets
- Number of conferences and presentations given
- Number of people reached

## Strategies

<b><u>Local</u></b>	
CP-06-02 Local Community Program-Juncos	
CP-06-06 Local community Program-Florida	
CP-06-14 Local Community Program-Ponce	
<b><u>Regional</u></b>	
CP-06-04	Regional Community Program – Luquillo
CP-06-09	Regional Community Program - Caguas
CP-06-15	Regional Community Program - Barceloneta
CP-06-16	Regional Community Program - Comerío
CP-06-17	Regional Community Program - Toa Alta
CP-06-18	Regional Community Program - Humacao
CP-06-19	Regional Community Program - Juana Díaz
CP-06-20	Regional Community Program - Lares
CP-06-21	Regional Community Program - Isabela
CP-06-22	Regional Community Program - Sabana Grande
CP-06-23	Regional Community Program - Trujillo Alto
CP-06-28	Regional Community Program-San Germán
CP-06-29	Regional Community Program-Naranjito

Local Community Programs have been in existence for years and the municipality has absorbed most of their personnel costs (director and assistant). Materials, travel, training and other miscellaneous costs are funded. In the case of Caguas, a traffic safety park was established in 2005 and the project director also administers the park. Regional Community Programs funding include personnel costs of a coordinator and an assistant, materials, travel cost, training costs and costs of equipment rental for special events will be funded. Office supplies and equipment are also funded for these programs to carry out the functions described in the overview section.



The following table shows the municipalities covered by each program and their populations.

**Table XIII**

<b>Regional Community Programs</b>	<b>Municipalities Served</b>	<b>Population</b>
Barceloneta	Barceloneta, Arecibo, Ciales, Hatillo, Manatí, Vega Baja	274,532
Caguas	Caguas, Gurabo, Las Piedras, San Lorenzo	267,463
Comerío	Comerío, Orocovis, Aibonito, Cidra, Cayey	164,069
Humacao	Humacao, Arroyo, Culebra, Naguabo, Patillas, Vieques, Yabucoa	175,006
Isabela	Isabela, Aguada, Aguadilla, Añasco, Camuy, Quebradilla, Rincón	265,128
Juana Díaz	Juana Díaz, Coamo, Guayama, Salinas, Santa Isabel, Villalba	218,962
Lares	Lares, Adjuntas, Moca, San Sebastián, Utuado, Jayuya	178,212
Luquillo	Luquillo, Ceiba, Río Grande, Fajardo	134,866
Naranjito	Naranjito, Barranquitas, Corozal, Morovis, Vega Alta	168,494
Sabana Grande	Sabana Grande, Guánica, Guayanilla, Las Marías, Maricao, Peñuelas, Yauco	166,692
San Germán	San Germán, Cabo Rojo, Hormigueros, Lajas, Mayagüez	229,083
Trujillo Alto	Trujillo Alto, Canóvanas, Carolina, Loíza	347,076
Toa Alta	Toa Alta, Bayamón, Cataño, Dorado, Guaynabo, Toa Baja	586,429
<b>Total</b>		<b>2,679,466</b>

**CP-06-30 Pilot Program, Safe Communities, PRTSC**

A town meeting will be held in each of these towns (Isabela and Camuy) with community leaders, churches, commerce, and government agencies to present plans to establish safe and orderly communities. The mayors of each town have committed to this project and at the state level, the Puerto Rico Police, Transportation Department, PRTSC Impact Team, Adopt a Highway, Sports and Recreation Department among others have committed resources to put infrastructure improvements and programs in place. After infrastructure improvements are made and a period of PI&E is carried out, strict enforcement will begin and other programs (adopt a highway clean up, sports) will be implemented.

# Traffic Records

## TR-07

### Overview

Puerto Rico's Traffic Records Coordinating Committee's ultimate goal is on-site electronic crash data collection. Our Multi-annual Strategic Plan has established five projects directed toward achieving this goal. On 2006 Puerto Rico submitted five projects in a Strategic Plan to request funds of Section 408 Traffic Records, to make improvements in the crash database system. The project was submitted according with the prioritized project that includes revisions on the new police accident report and the databases.

The approval fund for the first year was assigned to the Police Department and Department of Transportation to improve their systems. This includes the new digitalized police accident report with OCR technology, and the new data warehouse and modifications on the existing DOT database.

At the middle of 2008 the form was revised and approved by the PR Traffic Record Coordinating Committee. It's includes four new MMUCC elements and other fields to capture data that right now is missing in the report and is coded with 99 or not stated.

At the end of 2008 we are going to prepare a pilot program with new laptop install in the transit patrol with integrate GPS to capture the exact location of the crash occurs. This element is very important to be providing to implement new resources or be proactive in terms of saving lives and properties.

According to this project, The first project titled "Digital Crash Report Redesign" has shown significant progress since it was completely redesigned in June 2007 not only for the paper format but also for the electronic device to be used. Achieving changes in the PAR requires discussion and agreement from the members of the TRCC. After such discussions, progress was made and the four new elements were included in the PAR. This redesigned form included four (4) new MMUCC data elements in addition to the existing ones been used. These 4 new data elements have also been included in the crash database. Our plan is to begin the use of this form on January 1, 2009 in order to have a complete calendar year of data in the new format.

The second project titled "Accident & Injury Surveillance Data Warehouse System" is directed towards facilitating police officers the on-site capture, search, manage, and edit and transmission of the incident data directly into the system. Progress in this direction is evident since the Police Department invested more than \$3 millions in Commonwealth funds to establish the necessary infrastructure to connect the 13 Regional Police Command Centers to the General Headquarters. These included a frame relay, microwave communications and a T1 that allows the transmission of data in a timely,

efficient and reliable manner. Discussions in the TRCC meetings were many concerning the selection of the device to be used to collect on site crash data. Progress has been made in the selection of a device to be used. As these discussions were taking place, the Police were establishing the infrastructure for the electronic transfer of the data collected on site to Police Headquarters. Pilot tests of the electronic devices (installed portable laptops with integrated GPS in patrol) to be used by officers will be done on the first quarter of the next calendar year. If the pilot test proves successful and works with the infrastructure established by the Police we expect to implement this data collection at the beginning of the third quarter of calendar year. With this new central data warehouse we are able to share information between agencies.

Because not all patrols will have the new equipments the police department will reproduce the digitalized form with OCR technology, which also permits to capture data in accurately manner to scan and enter in the database.

## **Performance Goal**

- To access the crash file and perform the problem identification process at the PRTSC
- To collect traffic data at scene and transmit to the database
- To implement the digital police accident report
- To reduce the time between crash and data availability in the database
- To make crash data available to users

## **Performance Measures**

- Number of data runs
- Number of officers using the digital police accident report
- Time between crash and data availability in DOT database
- Number of users that have access to the new database

## **Strategies**

### **TR-07-01 Traffic Records Data processing and Analysis - PRTSC**

The Information Officer will provide the PRTSC Director and other staff crash data, as needed, by accessing the crash file maintained by the Accident Analysis Unit and other primary agencies that integrate the Traffic Record Coordinating Committee (TRCC). Data needs for problem identification for the development of the HSP and for the Annual Evaluation report will also be provided. In order to coordinate the projects of the many agencies included in the TRCC a Traffic Records Coordinator will be recruited. Funding will cover personnel costs, materials, equipment, local and stateside training, consultants if needed, maintenance contracts to protect the data, and computer time. In addition, costs for a consultant for PRTSC and the Accident Analysis Unit to identify and install software that will allow for easier access to the data. Funds to contract a statistician will also be provided.

### **TR-07-03 Traffic Records Technology Update – DOT/ HA**

With the implementation of the new digital Police Accident Report form data collected at the crash scene will be transmitted to the DOT database. Parallel to this new collection mechanism, data entry of the backlog data will continue to be made until 2007 is completed. Funding will cover consultant costs, purchase of materials and equipment.

### **TR-07-04 Accident and Injury Surveillance Data Warehouse System- PR Police**

A new digital Police Accident Report form will be implemented to collect crash data at the scene with more accurate and reliable information for Police Department and Department of Transportation databases. Laptop computers adapted to the patrols with GPS integrated to identify the exact location where the crash occurs have been identified to collect data at scene. The pilot test will be conducted using real at scene data that will be transmitted to the database.

Due to budget constraints, only 100 portable computers will be equipped on the patrols this year and the other patrols will use the new digital Police Accident Report with OCR technology that permits scanning the document and transmitting it to the new database at the Police Headquarters. Determine methods to implement the new system at the beginning of 2009 will be necessary defined. Funding will cover consultant costs, materials, equipment, and training of police officers in the new PAR and electronic equipment would also be funded.

# Non-Occupant Safety PS-09



## Overview

Pedestrian and other non-occupant fatalities have been a major traffic safety problem since the creation of the PRTSC in 1972. Nationwide, pedestrian fatalities account for about 11% of all fatalities, yet, in large, congested cities such as New York, they account for over 30% of all traffic fatalities. In Puerto Rico, with its high population density, pedestrian fatalities represented 32% of the total fatalities.

As indicated in Table XIV, for the last five years, an average of 33% of all traffic fatalities in Puerto Rico were non-occupants. Also, an average of 13 bicyclists were killed annually.

**Table XIV** **DISTRIBUTION OF NON-OCCUPANT FATALITIES**  
**BY TYPE AND YEAR (2003 – 2007)**

Fatality Type	2003	2004	2005	2006	2007	Average
Cyclists	13	14	11	20	7	13
Horse Rider or other	3	0	2	2	1	2
Pedestrian	151	163	134	140	144	146
Skaters	0	0	0	0	0	0
Total Non-Occupant Fatalities	167	177	147	162	152	161
<b>Total Fatalities</b>	<b>496</b>	<b>495</b>	<b>457</b>	<b>508</b>	<b>452</b>	<b>481</b>
<b>% of Total Fatalities</b>	<b>34%</b>	<b>36%</b>	<b>32%</b>	<b>33%</b>	<b>34%</b>	<b>33%</b>

DATA SOURCE: FARS 2007

An average of 27% of the pedestrian fatalities were positive to alcohol, and 14% were positive to drugs (Table XV). For the last five years, 42% of the pedestrian fatalities by age were over 55 (Table XVI).

**Table XV** **IMPAIRMENT IN PEDESTRIAN FATALITIES (2003 – 2007)**

CY-Year	Pedestrian Fatalities	BAC Positive	Drug Positive
2003	151	22%	20%
2004	163	35%	13%
2005	134	23%	8%
2006	140	22%	20%
2007	144	31%	11%
<b>Average</b>	<b>146</b>	<b>27%</b>	<b>14%</b>

DATA SOURCE: FARS 2003-2007



Table XVI

**PEDESTRIAN FATALITIES BY 55 +  
(2003 – 2007)**

Years	Fatalities 55 +	Total	Percentage
2003	74	151	49%
2004	59	163	36%
2005	64	134	48%
2006	57	139	41%
2007	55	144	38%
<b>Total</b>	<b>309</b>	<b>731</b>	<b>42%</b>

DATA SOURCE: FARS 2003-2007

Table XVII

**PEDESTRIAN FATALITIES BY AGE GROUP  
FY - 2007**

Age Group	Fatalities	Percentage
0 - 15 years	5	4%
16 - 24 years	9	6%
25 - 34 years	19	13%
35 - 44 years	20	14%
45 - 54 years	22	15%
Over 55 years	55	38%
Unknown	14	10%
<b>Total</b>	<b>144</b>	<b>100%</b>

DATA SOURCE: FARS 2007

Awareness of the dangers of becoming another victim in a traffic crash to pedestrians and cyclists is very important. Motorists must be aware of their responsibilities towards pedestrians and cyclists as well. Puerto Rico's Vehicle and Traffic Law includes Articles on the responsibilities of the pedestrian and bicyclist as well as responsibilities of drivers towards pedestrians and bicyclists, but this information has not been widely disseminated.

Studies have shown that in order to impact a behavior, efforts must be directed to an age group several years before the onset of the behavior. Therefore, preparing elementary school children in safe driving, pedestrian and bicyclist behaviors can result in safer pedestrians and other non-occupants in the future. Raising awareness to the 50 + population can have an impact on the immediate problem.

Traffic calming measures are known to reduce pedestrian fatalities. However, concentration of pedestrian fatalities in certain areas has not yet been identified. In the Traffic Engineering module, the Impact Team will be charged with identifying any possible measures to address the pedestrian problem.

Bicyclist safety requires the support and coordinated effort of multidisciplinary agencies to carry out the message that bicyclists should follow the same rules of the road as motorists and the importance of sharing the road. Table XVIII shows that during 2007 bicyclists represented 4% of the non-occupant fatalities and 1% of the 507 total fatalities.

**Table XVIII**

**BICYCLIST AND NON-OCCUPANT FATALITIES  
(2003 - 2007)**

Year	Non-Occupant Fatalities	Bicyclist Fatalities	Bicyclist as % of Non-Occupant Fatalities
2003	167	14	8%
2004	177	16	9%
2005	144	11	8%
2006	169	20	12%
2007	144	7	4%
<b>Average</b>	<b>160</b>	<b>14</b>	<b>8%</b>

DATA SOURCE: FARS 2007

Enforcement efforts in the Alcohol module and the Police Traffic Services module will help reduce the incidence of DWI and speeding. We believe this effort will have an impact in reducing pedestrian, bicyclists and other non occupant fatalities.

## Performance Goals

- Reduce pedestrian fatalities from an average of 146 (five year average) to 136 in 2009
- Reduce bicyclist fatalities from an average of 14 (five year average) to 12 in 2009
- Reduce total non occupant fatalities from a five year average of 161 to 155 in 2009
- Conduct educational campaigns on pedestrian and bicycle safety as well.

## Performance Measures

- Number of pedestrian and bicyclist fatalities
- Number of educational materials developed and distributed
- Number of students educated on pedestrian and bicycle safety
- Number of elderly reached



## Strategies

### PS-09-01 Non Occupant Coordinator - PRTSC

A comprehensive non-occupant safety program that includes public awareness, enforcement and engineering countermeasures requires coordination at the PRTSC level. Personnel costs of a coordinator, production and purchase of educational materials, travel and per diem.

### PS-09-02 Traffic Safety Education Park - PRTSC

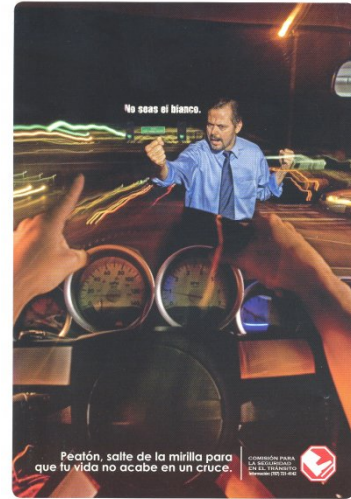
The Traffic Safety Education Park (PESET) in Arecibo provides classroom education and experience as a driver, pedestrian and bicyclist to 7 to 10 year olds on a replica of a typical Puerto Rican town and country roads. Reservations to attend the park are made by school teachers around the island. Personnel costs for a director, educators and administrative staff, material, office supplies, equipment, travel and per diem are funded.

### PS-09-03 Non Occupant Mass Media Campaign - PRTSC

Mass media materials will be developed to make pedestrians, bicyclist and drivers aware of their responsibilities as they share the roads. In addition, funds will provide for expenses related to special activities such as “Back to School”, “Walk to School Safely” and “Pedestrian Safety Month”. In addition create a new campaign addressed to the 55 + population.

### PS-09-11 Traffic Safety Education Park - Caguas

Demand for the services of the PESET in Arecibo is great and distances are long for some school children. The municipality of Caguas has decided to establish an educational park, similar to PESET in coordination with the PRTSC. The land area and construction are provided by the Caguas administration and traffic safety funds will provide for a project director, educators, materials, equipment, electric cars, and bicycles.





# Driver Education

## DE-09

### Overview

During the time period from 2003 to 2007, an average of 481 persons were killed every year due to traffic crashes. For the same period an average of 23 fatalities involved large trucks, commercial vehicles, public transportation and school buses that transport cargo, hazardous materials, general public and children. During 2007, there were 112 crashes that involved medium and heavy trucks. It is vitally important to constantly reassess existing safety measures to commercial motor carrier drivers and school bus transportation operators.

**Table XIX FATALITIES IN CRASHES INVOLVING LARGE TRUCKS FROM 2003 – 2007**

Year	Total Fatalities
2003	27
2004	26
2005	40
2006	33
2007	23
<b>TOTAL</b>	144

DATA SOURCE: FARS 2003 - 2007

### Performance Goals

- Reduce fatalities involving large trucks, commercial vehicles and school buses from an average of 30 (five year average) to 28 in 2009
- Conduct training and educational seminars on school bus and large truck safety

### Performance Measures

- Number of fatalities involving large trucks, commercial vehicles and school buses
- Number of courses given
- Number of groups reached

### Strategies

#### DE-09-03 Safety Training for Commercial Motor Carrier -Public Service Com.

Training and seminars in the group that involves school bus drivers, public transportation drivers and other commercial and heavy vehicle drivers will help create awareness among them. Materials, equipment and training related costs will be funded in this project.

# **Emergency Medical Services**

## **EM-10**

### **Overview**

In the 1970s, when Puerto Rico was developing its Emergency Medical Services system, traffic safety funds administered by the PRTSC were a significant part of total funding. As the EMS system in Puerto Rico, and EMS systems across the United States, became institutionalized, PRTSC funding of EMS projects decreased significantly.

A major problem is that coordination between the Commonwealth EMS Director, municipal EMS systems, private providers and volunteers must be improved. Lack of coordination is affecting efficiency and effectiveness in the deployment of resources. To address this problem, an EMS summit is planned where all of the stakeholders can meet, identify problems and agree on solutions. Due to the success of the Motorcycle Safety Summits held in 2005 and 2006, this course of action promises to identify activities to be included in future HSP's to address problems in the EMS system.

An effective and efficient EMS system is recognized as a necessary component of a comprehensive traffic safety program.

### **Performance Goals**

- Hold an EMS summit

### **Performance Measures**

- Number of problems and solutions identified at summit

### **Strategies**

#### **EM-10-20 EMS Summit-Emergency Medical Services**

An EMS Summit planned for previous years to bring EMS stakeholders together, identify problems and agree on solutions will be held in 2009. It is expected that as a result of the Summit, additional projects will be incorporated into the HSP. Materials, meeting rooms and other expenses related to the Summit will be funded.

# Traffic Engineering

## TE-11

### Overview

In seeking solutions to Puerto Rico's traffic safety problems, the four "E's" that comprise a comprehensive traffic safety program (Education, Enforcement, Engineering, and EMS) must be considered. Elimination of hazards on the roadway that may cause or aggravate traffic crashes is one of the engineering strategies that can help improve traffic safety.

For the past several years the PRTSC has been administering funds assigned to it under Sections 154 and 164 of the Highway Safety Act because Puerto Rico does not have a qualifying open container or repeat offender law. A portion of these funds has been retained by the Secretary of Transportation for hazard elimination projects.

Elimination of hazards can be achieved by protecting motorists with guardrails or attenuators. Pavement markings and road signs are also effective in reducing other hazards. Some hazard elimination requires larger solutions such as reconstruction or barriers. Time frames for implementing improvements depend on the nature and scope of the projects. Larger projects require compliance with Commonwealth bidding procedures.

Some projects that are low cost and can provide high impact can be implemented rapidly. For these projects, recommendations and follow up from traffic safety impact team or safety audit team can facilitate implementation by identifying the projects that may not be addressed because of larger commitments.

Projects in this module will also complement the activities included in the Non Occupant and Motorcycle modules by providing the needed signage and other markings to improve pedestrian, bicyclist and motorcyclist safety.

### Performance Goal

- Increase road safety by eliminating hazards

### Performance Measures

- Number of improvements implemented

## **Strategies**

### **TE-11-01 Impact Attenuator and Special Projects – DOT&PW**

Based on need studies and input from the Impact Team smaller projects identified in high crash locations or in hazardous roads will be implemented. Attenuators, road signs, signals and reflectors will be installed and pavement markings improved. Materials, equipment, personnel costs, local travel and per diem will be funded.

### **TE-11-02 Impact Team - PRTSC**

The Impact Team will meet regularly with members from police, engineering, public awareness and PRTSC administration to identify crash locations where low cost, high pay off improvements can be quickly implemented. A project coordinator, secretary, training and materials will be funded.

### **TE-11-03 Traffic Signs and Signal Installation - DOT&PW/HA**

Based on needs studies and input from the Impact Team road signs and signals will be installed to eliminate identified hazardous situations. Road signs for pedestrian, bicycle and motorcycle safety to complement those program areas are included.

### **TE-11-08 Pavement Markings - DOT&PW/HA**

Based on needs studies equipment, paint, reflectors, etc. will be funded to paint or install markings to improve safety including rumble strips for shoulders.

### **TE-11-10 Roadside Safety Audit Team - HA**

Similar to and working in coordination with the Impact Team, the Safety Audit Team will be conducting the needs studies to determine the hazard elimination projects to be implemented. Personnel costs, materials, training and travel will be funded.

### **TE-11-13 Special Projects-HA**

Large projects are grouped under this project number. Three large projects have been identified: New Jersey barrier for route 26, a busy six lane road, a merge lane from route 165 to route 22

# Paid Media

## PM-12

### Overview

The Puerto Rico Traffic Safety Commission Paid Media Efforts are an indispensable element in every mobilization and in our education mission in general. With the Paid Media we assure that our message is delivered to a specific public, in accordance to our education program. This is possible having in consideration two elements: (1) The selection of our target group to every program and (2) the usage of the frequency strategy (continuous repetition). The statistics data allows us identify our target group. With the frequency strategy, we assure that our message reaches the National and Regional Media.

We use the Radio as our principal media to send our message; we also use the Television, Press Media and other alternatives as Paid Media efforts.

The marketing consultant helps the PRTSC to reach the audience in the appropriate media. Surveys are conducted before and after the enforcement “waves” and throughout the year.

### Performance Goals

- Convince our target audience of our message
- Effective positive change in attitudes toward our traffic safety measures
- Increase recognition of the Puerto Rico Traffic Safety Commission message

### Performance Measures

- Amount of Paid Media time
- Amount of Earned Media time

### Strategies

A consulting firm will be contracted to place the messages (TV, Radio, Print Billboards, etc.) developed for the various campaigns. Project numbers and titles are as follows:

- PM -12-01 Impaired Driving Campaign - PRTSC
- PM -12-02 Youth Impaired Driving Campaign - PRTSC
- PM -12-03 Speed and Aggressive Driving Campaign - PRTSC
- PM -12-06 Child Restraint and Fitting Station Campaign - PRTSC
- PM -12-07 Safety Belt Campaign - PRTSC
- PM -12-10 Pedestrian Safety Campaign - PRTSC
- PM -12-12 Motorcycle Safety Campaign - PRTSC

# Motorcycle Safety MC-13



## Overview

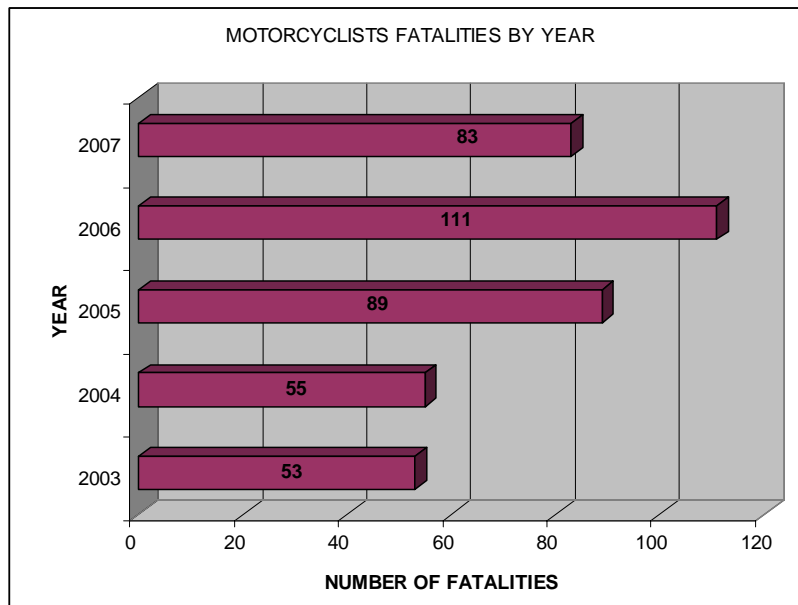
Recent data indicates that in Puerto Rico motorcycle registrations have increased dramatically and also, fatal crashes involving motorcycles, as shown in Table XX. For the five year period from 2003 to 2007, motorcycle fatalities island-wide almost doubled. During 2003, 53 motorcyclists or 10.2% of the total fatalities were killed in fatal crashes while for year 2006, 111 motorcyclists, or 21.9% were involved in the total fatalities for the year; increasing in 11.7%. During 2007, a total of 83 motorcyclists were killed or 17% of the total fatalities; with a reduction of 30%.

**Table XX** **MOTORCYCLE REGISTRATIONS**  
**2003 - 2007**

YEAR	REGISTRATIONS
2003	6,057
2004	19,973
2005	44,778
2006	24,480
2007	9,081

DATA SOURCE: DOT 2003 - 2007

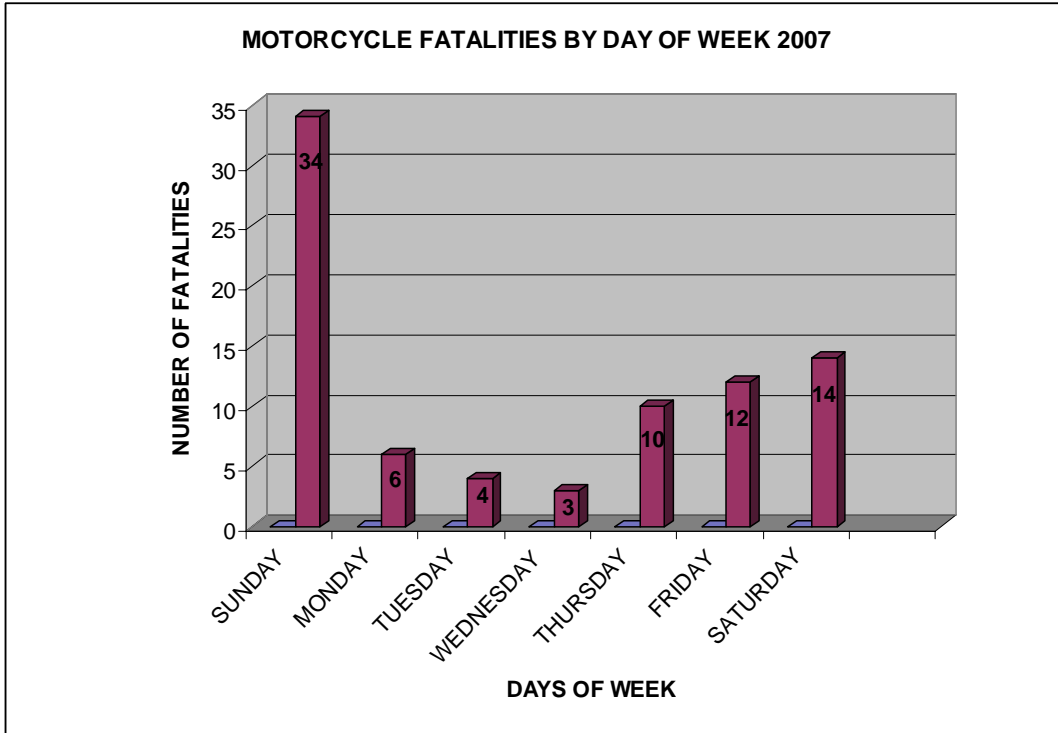
**Figure X**



DATA SOURCE: FARS 2003 – 2007

Also, shown in Figure XI data reveals that 48% of these fatal crashes occur during weekends and Table XXI reveals that our major problem is the age group between 17 and 34.

**Figure XI**



DATA SOURCE: FARS 2007

**Table XXI**

**MOTORCYCLE OCCUPANT FATALITIES  
BY AGE AND SEX  
2005-2007**

2005				2006				2007			
Age	Male	Female	Total	Age	Male	Female	Total	Age	Male	Female	Total
10-15	3	0	3	10-15	0	0	0	10-15	0	0	0
16-20	9	0	9	16-20	18	1	19	16-20	13	1	14
21-24	21	0	21	21-24	23	0	23	21-24	14	0	14
25-34	32	0	32	25-34	31	1	32	25-34	32	0	32
35-44	10	0	10	35-44	22	1	23	35-44	11	0	11
45-54	10	0	10	45-54	10	0	10	45-54	6	0	6
55-64	3	0	3	55-64	3	0	3	55-64	4	0	4
65-74	1	0	1	65-74	0	0	0	65-74	0	0	0
Unknown or 75+	0	0	0	Unknown or 75+	1	0	1	Unknown or 75+	2	0	2
<b>Totals</b>	<b>89</b>	<b>0</b>	<b>89</b>	<b>Totals</b>	<b>108</b>	<b>3</b>	<b>111</b>	<b>Totals</b>	<b>82</b>	<b>1</b>	<b>83</b>

DATA SOURCE: FARS 2005 - 2007

In reviewing the data and literature, it became evident that this is an emerging problem in the United States and Puerto Rico. The *National Agenda for Motorcycle Safety*, NHTSA's *Motorcycle Safety Program* and the recommendations from the *Hurd Study*, part of the literature reviewed, clearly established the elements necessary for a comprehensive motorcycle safety program: Licensing, Rider Education, Helmets and other safety gear, Enforcement, Vehicle design (braking), Infrastructure and Emergency Response.

Motorcycle safety in Puerto Rico suffered from many deficiencies. First, there was not a motorcycle license or endorsement requiring a written and road test. During 2007, legislation was resubmitted and was recently signed by the Governor requiring a motorcycle endorsement, eliminating the learner's permit, requiring a written and road test and providing for rider training. Use of a DOT helmet and proper clothing, among other provisions are included. The new law became effective October 10, 2007.

Motorcyclists were not being considered in road design or maintenance, but PRTSC have already identify the road hazards and we going to start develop sings and hazards elimination project. Public information and education campaign materials directed at motorists and motorcyclists on how to share the road, as well as motorcyclist safety, were developed in 2007 and will continue to be distributed.

To implement an effective program not only motorcyclists but also, Commonwealth and Municipal Police must be trained. Funding will help establish training sites with equipment, materials, supplies and training expenses for the rider coaches.

Also, training of EMTs and motorcycle clubs in the "First There, First Care", with emphasis on the new section on safely removing an injured motorcyclists helmet, will continue as a means of saving lives of injured motorcyclists.

## Performance Goals

- Reduce Motorcycle fatalities by 25% from 83 in 2006 to 60 in 2008

## Performance Measures

- Number of motorcycle fatalities
- Number of instructors trained
- Number of motorcycle operators trained and licensed
- Number of campaign materials developed and distributed
- Number of EMT's and motorcyclists trained in "First There, First Care"
- Number of road signs installed





## Legislative Goals

- Legislation became law requiring a motorcycle license or endorsement, written and road test

## Strategies



### MC-13-03 Motorcycle Safety Training - PRTSC

Training for instructors using the MSF curriculum will be provided. Funding for training and travel is included.

### MC-13-04 Motorcycle Enforcement and Training - PR Police

In order to increase enforcement of motorcycle violations, training for traffic officers will be developed and offered. Since stopping a motorcyclist is more dangerous than stopping a car, proper techniques will be taught along with the appropriate articles of law. Enforcement efforts will focus on coastal areas, where motorcycle crashes are occurring, during weekends, especially Sunday.

### MC-13-06 Motorcycle Safety Coordinator and Public Information Campaign - PRTSC

A comprehensive motorcycle program that includes public awareness, enforcement and engineering countermeasures requires coordination at the PRTSC level. Personnel costs of a coordinator; travel; per diem and production and purchase of equipment and educational materials on sharing the road by cars and motorcycles, proper gear, and other safety issues will be funded. These materials will target the 17-34 year old riders and include print, videos and others for use by PRTSC, DMV, dealers, motorcycle groups and insurance companies. Also, the emergency response training “First There, First Care”, with emphasis on the new section on removing the helmet of an injured motorcyclist will continue to be conducted. Training of members of motorcycle groups and public in general will be continued.

### MC-13-08 MSF Training - DMV

Recently approved legislation requiring written and road testing for a motorcycle license endorsement will also provide for rider training. In order to gear up for the demand, Rider Coaches must be developed and certified ranges must be established. Only one certified range exists in Puerto Rico, but DMV and Municipalities have identified potential sites and are being evaluated for certification. There are presently four Rider Coaches, trained in New York, and they have trained DMV examiners and have given training to rider groups. Efforts will be made to have them become Chief Instructors with the ability to train and certify Rider Coaches in Puerto Rico. Funding will help establish the training sites with equipment, materials and supplies and training expenses for the Rider Coaches.

## **STATE CERTIFICATIONS AND ASSURANCES**

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

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

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

### **Certifications and Assurances**

The Governor is responsible for the administration of the State highway safety program through a State highway safety agency which has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program (23 USC 402(b) (1) (A));

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

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

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

- National law enforcement mobilizations,
- Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits,
- An annual statewide safety belt use survey in accordance with criteria established by the Secretary for the measurement of State safety belt use rates to ensure that the measurements are accurate and representative,
- Development of statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources.

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

This State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks (23 USC 402(b) (1) (D));

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

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs);

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

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

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin (and 49

CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970(P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse of alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

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

The State will provide a drug-free workplace by:

- a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b) Establishing a drug-free awareness program to inform employees about:
  - 1) The dangers of drug abuse in the workplace.
  - 2) The grantee's policy of maintaining a drug-free workplace.
  - 3) Any available drug counseling, rehabilitation, and employee assistance programs.
  - 4) The penalties that may be imposed upon employees for drug violations occurring in the workplace.
- c) Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
  - 1) Abide by the terms of the statement.

- 2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- e) Notifying the agency within ten days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction.
- f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted -
  - 1) Taking appropriate personnel action against such an employee, up to and including termination.
  - 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f) above.

### **BUY AMERICA ACT**

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

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest; that such materials are not reasonably available and of a satisfactory quality; or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

### **POLITICAL ACTIVITY (HATCH ACT).**

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

### **CERTIFICATION REGARDING FEDERAL LOBBYING**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

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

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub grants, and contracts under grant, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

## **RESTRICTION ON STATE LOBBYING**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

## **CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

### **Instructions for Primary Certification**

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

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

(1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.



5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal debarment or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**ENVIRONMENTAL IMPACT**

The Governor's representative for Highway Safety has reviewed the State's Fiscal Year 2009 Highway Safety Planning Document and hereby declares that no significant environmental impact will result from implementing this Highway Safety Plan. If, under a future revision, this plan will be modified in such a manner that a project will be instituted that could affect environmental quality to the extent that a review and statement will be necessary, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969 (42 USC 4321 et seq.) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517).

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José A. Delgado-Ortiz  
**Executive Director**

August 29, 2008  
**Date**



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**STATE CERTIFICATIONS AND ASSURANCES**

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

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

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

**Certifications and Assurances**

The Governor is responsible for the administration of the State highway safety program through a State highway safety agency which has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program (23 USC 402(b) (1) (A));

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

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

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

- National law enforcement mobilizations,
- Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits,
- An annual statewide safety belt use survey in accordance with criteria established by the Secretary for the measurement of State safety belt use rates to ensure that the measurements are accurate and representative,
- Development of statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources.

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

This State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks (23 USC 402(b) (1) (D));

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

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs);

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

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

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin (and 49

CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970(P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse of alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

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

The State will provide a drug-free workplace by:

- a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b) Establishing a drug-free awareness program to inform employees about:
  - 1) The dangers of drug abuse in the workplace.
  - 2) The grantee's policy of maintaining a drug-free workplace.
  - 3) Any available drug counseling, rehabilitation, and employee assistance programs.
  - 4) The penalties that may be imposed upon employees for drug violations occurring in the workplace.
- c) Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
  - 1) Abide by the terms of the statement.

- 2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- e) Notifying the agency within ten days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction.
  - f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted -
    - 1) Taking appropriate personnel action against such an employee, up to and including termination.
    - 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
  - g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f) above.

### **BUY AMERICA ACT**

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

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest; that such materials are not reasonably available and of a satisfactory quality; or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

### **POLITICAL ACTIVITY (HATCH ACT).**

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

### **CERTIFICATION REGARDING FEDERAL LOBBYING**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

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

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub grants, and contracts under grant, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### **RESTRICTION ON STATE LOBBYING**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

### **CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

#### **Instructions for Primary Certification**

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.



3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

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

(1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

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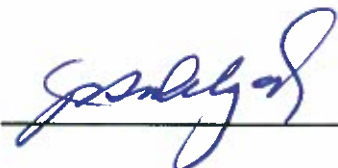
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal debarment or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**ENVIRONMENTAL IMPACT**

The Governor's representative for Highway Safety has reviewed the State's Fiscal Year 2009 Highway Safety Planning Document and hereby declares that no significant environmental impact will result from implementing this Highway Safety Plan. If, under a future revision, this plan will be modified in such a manner that a project will be instituted that could affect environmental quality to the extent that a review and statement will be necessary, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969 (42 USC 4321 et seq.) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517).



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José A. Delgado-Ortiz  
**Executive Director**

August 29, 2008

**Date**

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**ENVIRONMENTAL IMPACT**

The Governor's Representative for Highway Safety has reviewed the State's Fiscal Year 2009 highway safety planning document and hereby declares that no significant environmental impact will result from implementing this Highway Safety Plan. If, under a future revision, this Plan will be modified in such a manner that a project would be instituted that could affect environmental quality to the extent that a review and statement would be necessary, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969 (42 USC 4321 et seq.) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517).

  
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Carlos J. González-Miranda  
Governor's Representative for Highway Safety

\_\_\_\_\_  
Date

