

AMERICAN SAMOA PRE HIGHWAY SAFETY PLAN

FEDERAL FISCAL YEAR 2014

“People saving People”

MAP-21 *FOCUS*



PREPARED FOR:

U.S. DEPARTMENT OF TRANSPORTATION
NATIONAL HIGHWAY
TRAFFIC SAFETY ADMINISTRATION

DEVELOPED AND PRESENTED BY:

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DEPARTMENT OF PUBLIC SAFETY
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American Samoa Highway Safety Plan

Federal Fiscal Year 2014

Prepared for:

U.S. Department of Transportation
National Highway Traffic Safety Administration

Developed and presented by:

American Samoa Government
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Acronym List

ASCERS	American Samoa Crash Reporting System
ASOHS	American Samoa Office of Highway Safety
BAC	Blood Alcohol Concentration
CIOT	Click It Or Ticket
CPS	Child Passenger Safety
DPW	Department of Public Works
DUI	Driving Under the Influence
FARS	Fatality Analysis Reporting System
FFY	Federal Fiscal Year
GDL	Graduated Drivers Licensing
GHSA	Governor's Highway Safety Association
HS-1	Highway Safety Grant application
HSP	Highway Safety Plan
HVE	High Visibility Enforcement
LBJ	Lyndon B Johnson Memorial Hospital
MOU	Memorandum of Understanding
NHTSA	National Highway Traffic Safety Administration
NOPUS	National Occupant Protection Use Survey
OHS	Office on Highway Safety
RFP	Request for Proposals
SAFETEA-LU	SAFETY-LU Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users
SFST	Standardized Field Sobriety Testing

1.0 Introduction to the American Samoa Highway Safety Planning Process

■ 1.1 Executive Summary

This American Samoa Highway Safety Performance Plan (HSPP) for Federal Fiscal Year (FFY) 2014 serves as the Territory's application to the National Highway Traffic Safety Administration (NHTSA) for Federal funds available Section 402 State and Community Highway Safety grants program and the Section 405 National Priority Safety Program of Moving Ahead of Progress in the 21st Century (MAP-21). The Government of American Samoa, Department of Public Safety (DPS) Office of Highway Safety's (OHS) goals, performance measures, and strategies related to the program areas are described in this plan.

To identify the issues to be addressed in the FFY 2013 highway safety program, OHS relied primarily on 2007 to 2011 trend data and whenever possible, 2012 data points are also provided. When assessing safety needs and programming potential, it is important to understand how American Samoa differs from the nation and other territories. The Territory annual motor vehicle population, annual crashes, and number of fatalities are significantly lower compared to other territories and states. As such, one fatality is significant and can impact the analysis results. Increase or decrease in percentages, particularly from one year to the next must be carefully analyzed for true impact.

Therefore, whenever possible, raw numbers, percentages, and rates, as well as fatality and serious injury (defined for the purposes of this plan as Incapacitating Injury) data (when available) are presented.

Based on this analysis, the following problem areas will be addressed through the HSP:

- **Occupant Protection** - American Samoa percentage of observed seat belt use shows 75% in May 2012 compared to 77% in 2011, a 2% **decrease** in usage. American Samoa remains below the nation for restraint use, this is an area that OHS continued to monitor and emphasized through enforcement and media campaign. In addition to enforcement, public awareness of the Child Safety Restrain law on the Island continued through paid media. Safe Community Program also continued which included village police and churches to promote highway safety on the Island.

- **Impaired Driving** - Alcohol impaired driving decreased slightly on the Island. 3% (13 crashes) out of 437 total crashes on the Island in 2012 are alcohol related.
- **Speed** - Even though speed related fatalities decreased in 2010, speed still comprised a large share of the territory's motor vehicle crashes. Overtime, enforcement continued to deter speed related crashes.
- **Traffic Records** - The traffic records system allows for collection and reporting of data elements necessary for problem identification, problem analysis, and countermeasure evaluation in all areas of traffic safety in the State. The Traffic Records Coordinating Committee (TRCC) started working on the American Samoa Traffic Records Coordinating Committee Five-Year Strategic Plan (FY 2013-FY 20168). OHS safety stakeholders have continued to improve the exchange of information but need improvement in the areas of a timely, accurate, complete, uniform, and integrated system. Traffic Records Assessment was completed in March 2012. As a result of recommendations received from the assessment team, a revised Data and Traffic Records System Improvement Plan is being developed.
- **Planning and Administration** - The OHS will continue to serve as the primary agency responsible for insuring that highway safety concerns for American Samoa are identified and addressed through the development and implementation of appropriate programs and countermeasures.

American Samoa expects to receive an estimated \$1.1M in highway safety grants in Federal Fiscal Year 2014 (October 1, 2013 through September 30, 2014).

■ 1.2 American Samoa Traffic Safety Trend

C-1: TRAFFIC FATALITIES IN AMERICAN SAMOA, 2007-2012

Table 1. Traffic Fatality Trends

2007	2008	2009	2010	2011	2012
1	2	3	5	0	1

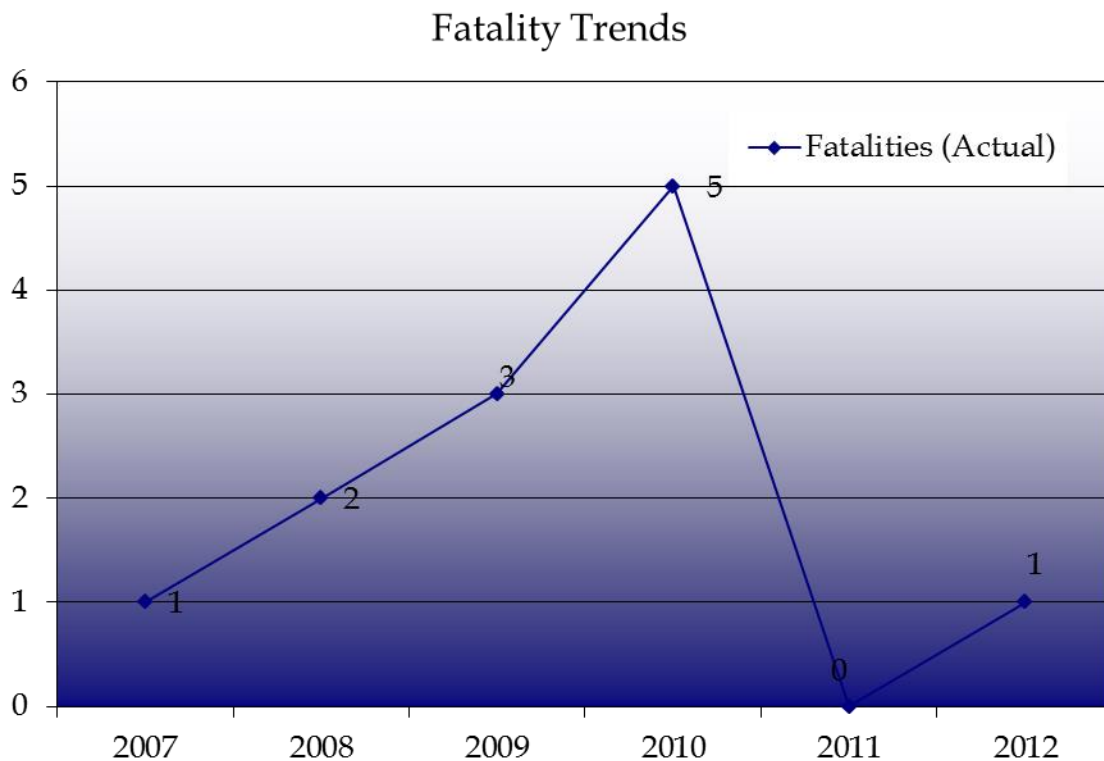


Figure 1. Traffic Fatality Trends (2007 – 2012) in American Samoa

American Samoa goal is “Zero” deaths on the Island roadways which was attained in 2011 but there was one fatality in 2012.

C-2: SERIOUS INJURIES IN TRAFFIC CRASHES IN AMERICAN SAMOA, 2007-2012

Table 2. Serious Injuries in Traffic Crashes Trends

2007	2008	2009	2010	2011	2012
73	87	63	20	18	17



Figure 2. Injury Trends (2007 -2012)

Motor vehicle related injury crashes have been steadily decreasing in American Samoa. A significant decrease of 68% in 2010 from 2009, 2% decrease in 2100 and .05% decrease in 2012. American Samoa’s goal is to decrease serious traffic injuries further by 5% from the 2012 number by December 31, 2013

C-3: FATALITIES/VMT IN AMERICAN SAMOA, 2005-2010

VMT are not collected in American Samoa

C-8: DRIVERS AGE 20 OR YOUNGER INVOLVED IN FATAL CRASHES 2008 - 2010

Table 3. Driver Age 20/Younger in Fatal Crashes Trends

2007	2008	2009	2010	2011	2012
NC	1	2	1	0	1

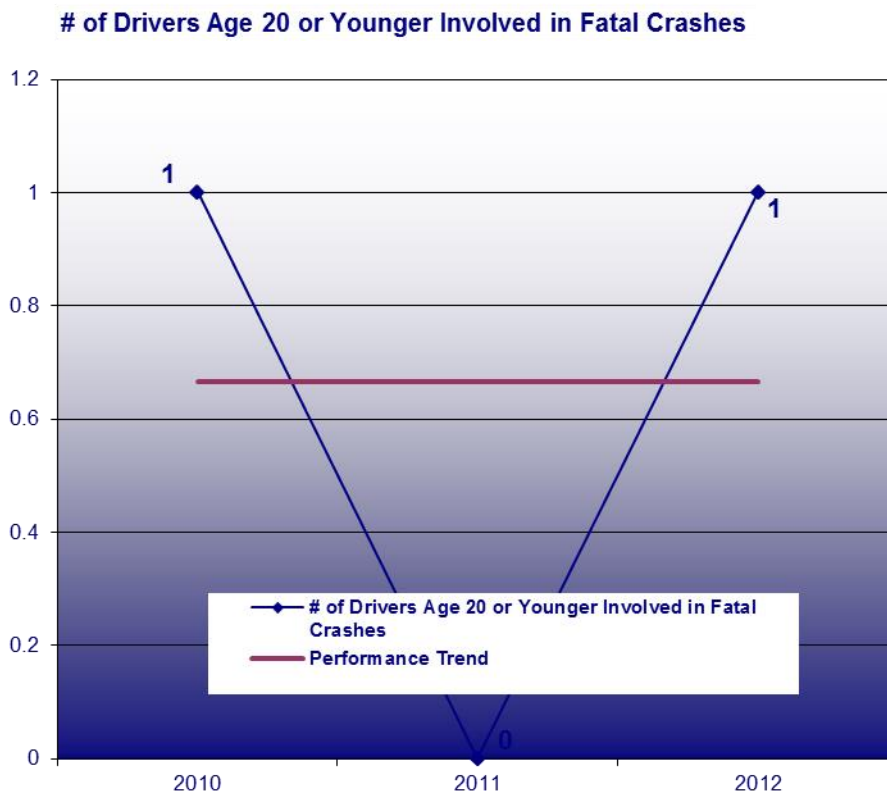


Figure 3. Drivers Age 20/Younger Involved in Fatal Crashes (2007 - 2012)

Prior to 2008, the number of drivers age 20 or younger involved in fatal crashes was not tracked.

American Samoa’s crash system was paper driven and even though the numbers of fatalities are known, the age of persons involved was not noted.

The goal of the American Samoa Highway Safety Office is to maintain the low number of young adults involved in fatal crash on the Island.

2014 PERFORMANCE GOALS

Table 4. Performance Goals

Program Areas	Performance Measures	Base Level	Base Date	Goal	By Year
Total Program					
C-1: Total Fatalities	Fatalities	3	2006	Decrease to 0	2014
C-2: Total Serious Injuries	Serious Injuries	83	2006	Decrease to 0	2014
Occupant Protection					
C-4: Number of Unrestrained Passenger Vehicle Occupant Fatalities, all seats positions	All Occupants	0	2006	Decrease to 0	2014
B-1: Observed Seat Belt Use for Passenger Vehicles, front seat outboard occupant (Islandwide observational surveys)	Front seat Occupant	75%	2012	Increase to 81%	2014
B-2: Child Passenger Restraints Use	All Children	23%	2009	Increase to 30%	2014
All Occupant Fatalities	Restraints	2	2006	Decrease to 0	2014
Alcohol					
C-5: Alcohol Impaired Driving Fatalities (fatalities involving driver or a motorcycle operator with BAC of .08 or above)	Drivers or motorcycle operator with .08 & above BAC	0	2006	Maintain 0	2012
C-6: Alcohol Related Crashes	Alcohol related crashes	63	2009	Decrease to 10	2014
Speed Control					
C-7: Speed Related Fatalities	Speed related fatalities	2	2008	Decrease to 0	2014

Motorcycle

C-8: Motorcycle Fatalities -Unhelmeted Motorcyclist Fatalities	Not Collected	NC	2008	Decrease to 0	2014
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Drivers Under 20

C-9: Drivers age 20 or younger involved in fatal crashes	Not Collected	NC	2008	Decrease to 0	2014
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Pedestrian

C-10: Pedestrian Fatalities	Speed related	1	2008	Decrease to 0	2014
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2.0 Highway Safety Performance Plan

The Department of Public Safety (DPS), Office of Highway Safety (OHS) is the agency responsible for implementing federally funded highway safety projects in the Territory. As a critical part of improving the quality of life for its citizens and visitors of the territory, the mission of the DPS/OHS consist of two goals:

1. To reduce the traffic crashes, traffic fatalities, injuries and property damage on American Samoa roadways, and
2. Create a safer environment for motorists, passengers, and pedestrians.

The OHS will provide the required resources to plan and carry out activities to fulfill this mission. To ensure effectiveness, relationships will be developed and maintained with advocacy groups, citizens, community safety groups, complementary government and Federal agencies, and village, and law enforcement. The OHS will also conduct data analysis to monitor crash trends in the territory and to ensure that Federal resources target the areas of greatest need. The OHS works closely with DPW to ensure coordination between the Highway Safety Plan (HSP) and the Transportation Improvement Plan, ideally resulting in one comprehensive and strategic highway safety program for the Territory.

The OHS establishes and implements a comprehensive program to accomplish its goals effectively. This Plan for Federal Fiscal Year 2014 outlines the process used to identify specific highway safety problem areas, develop countermeasures to correct those problems, and monitor the performance of those countermeasures.

■ 2.1 Proposed Timeline and Process

Under the new American Samoa Office of Highway Safety management staff, the following timeline and process described in Table 5 will be used for the OHS planning cycle. The OHS will conduct transportation safety planning year round. Emerging trends and safety needs will be identified through data monitoring and outreach to key safety stakeholders.

Table 5. American Samoa Office of Highway Safety Annual Safety Planning Calendar.

Month	Activities
January - March	Staff conducts grant oversight and monitoring visits. Review progress of prior year programs with OHS staff as well as analyze data to identify upcoming fiscal year key program areas. Review spending and determine revenue estimates. Obtain input from partner agencies and stakeholders on program direction.
April - May	Conduct strategic planning sessions with staff to create specific plans and projects within each program area. Staff develops the kick-off event and activities to support the national "Click It Or Ticket (CIOT)" campaign in May.
June - July	Conduct strategic planning with key stakeholders to review recent highway safety trends and issues to create project proposals for staff review. Draft the Performance Plan for review and approval. Attend Pre-HSP meeting in Hawaii. Prepare section 408 (Traffic Records) grant application. Submit the final Performance Plan to NHTSA. Held meetings with potential grantees.
August -September	Issue Request for Proposals (RFP) and applications for Grant Funding (HS-1) based on availability of Federal funding. FFY 2013 Year grants and contracts are finalized.
October	Implement grants and contracts. Begin work on the FY 2013 Annual Report.
November - December	OHS closeout the prior fiscal year. OHS collects and reviews year-end reports from its grantees.

Strategic Partners

OHS conducted a safety stakeholders meeting annually to brief the partners on the agency's safety initiatives and to listen and gather input on safety problems on the Island. Opportunities to enhance and improve partnerships and collaboration are also identified. The list of invited stakeholders is provided below:

- Department of Public Safety
- Department of Health and Social Services
- American Samoa Community College
- Teen Challenge Organization
- Village Police Association
- CID Alcohol Enforcement
- American Samoa Airport and Port Police
- American Samoa Fire Division
- Emergency Medical Services
- LBJ Hospital

Grant Funding Process

Currently, there are two methods for awarding grantee funding for projects that supports the American Samoa Office of Highway Safety (OHS) efforts to reduce the number of fatalities and serious injuries on American Samoa roadways.

The first option is for a potential grantee to submit a Highway Safety Grant application (HS-1) to OHS for review. Each applicant is required to provide a Problem Identification statement (Problem I.D.); Project Description; strategy(s); performance measures; and a description of how the goals and performance will be measured. Grantees also must provide a detailed budget, including the source of all funding and any local funds if any that may be required.

Applications are reviewed for approval/rejection by the OHS Coordinator and the appropriate Program Manager. OHS has managers for the following programs: Impaired Driving; Occupant Protection; Young Drivers; Traffic (Speed); Other Road Users; and Traffic Records.

When the Problem I.D./budget has been approved, the next step is to determine if the goods or services can be provided by any other entity. If these services cannot be

provided by others (excluding government agencies), then a grant can be issued after a Grants and Assurances document has been signed by the grantee. If the goods or services can be provided by others, OHS must submit a Request for Proposal (RFP) to Procurement for advertisement for a minimum of 30 days to ensure a quality product is being provided at a competitive price. This process takes approximately one to three months.

All grantees will be required to provide quarterly reports to the Program Manager, including invoices, timesheets, and any other documentation necessary for monitoring, reporting, and overseeing of program areas. Field visits also may be required for evaluation of the effectiveness of the program and to ensure that the appropriate territory procedures/guidelines are being followed.

The OHS grant partners are an essential component of the success of any program as they implement the programs that address the highlighted issues of concern included within the Highway Safety Program.

■ 2.2 Organization

In addition to operational and administrative tasks, each OHS Program Manager is responsible for developing, implementing, and/or overseeing specific programs. The program areas addressed by OHS are assigned to the Program Managers based on their individual safety expertise, as noted below.

Fred Scanlan Jr., Program Coordinator

Olive Leulu, Fiscal Manager / Paid Media Project Coordinator

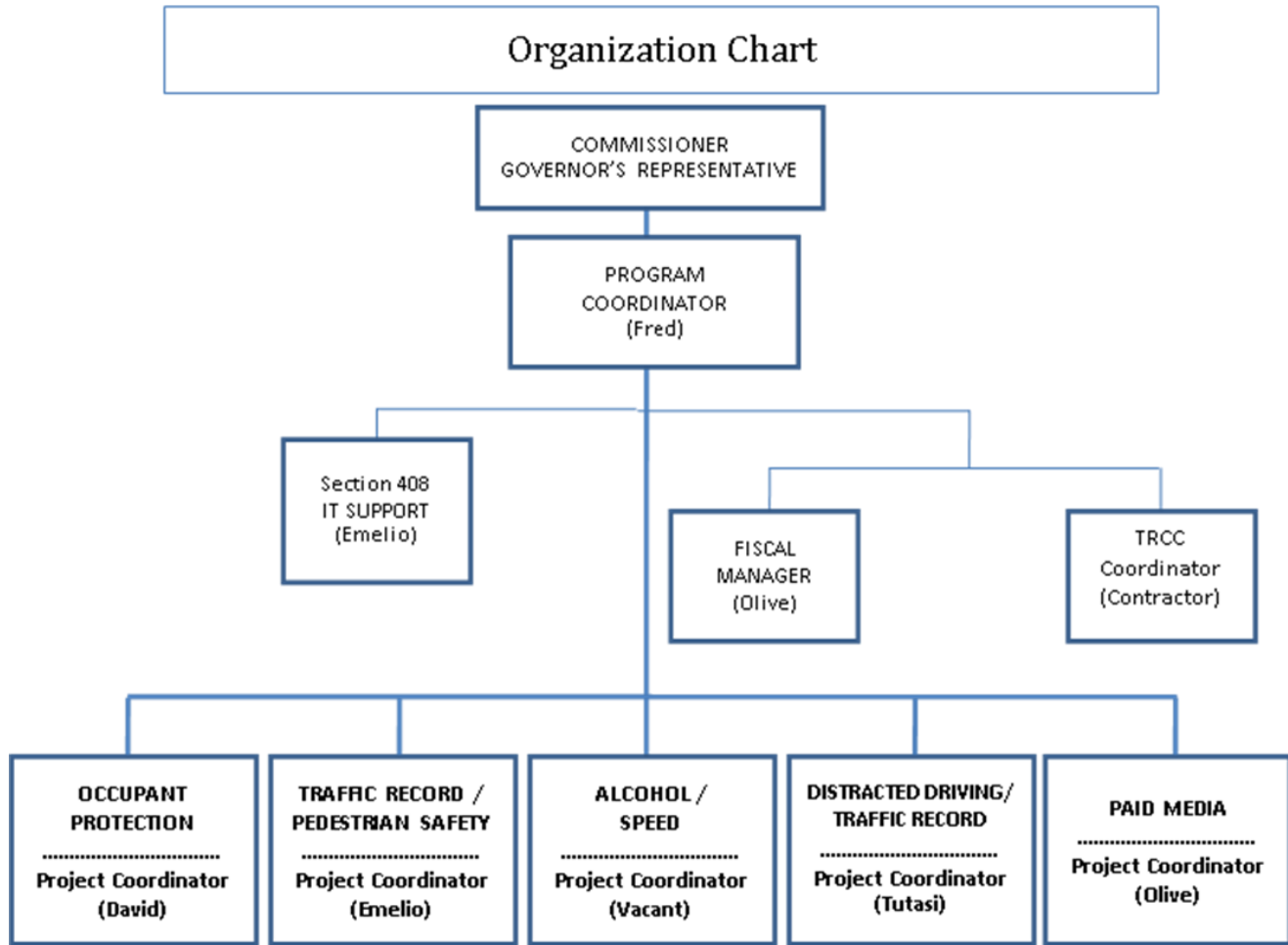
Tutasi Ripley, Traffic Record / Distracted Driving, Project Coordinator

David G. Bird, Occupant Protection Project Coordinator

Vacant, Alcohol/Speed, Project Coordinator

Emelio Fruean, Pedestrian Safety / Police Traffic, Project Coordinator

Emelio Fruean, 405 IT Support



■ 2.3 Process Description

In fiscal year 2014, American Samoa will continue to focus on maintaining a zero fatal crash on our roadways. The Island will concentrate on public awareness, education, and enforcement.

The following have been identified as the most critical problem areas in highway safety in American Samoa and grants to selected projects in these areas will receive priority:

- ❖ Programs to enforce traffic laws in the areas of speed, occupant protection, and alcohol
- ❖ Programs to reduce pedestrian injuries and fatalities for persons of all ages

- ❖ Programs to reduce excessive speeding by persons ages 16-45
- ❖ Programs to increase the use of seat belts for persons 16-45 years
- ❖ Programs to increase use of child safety seats, including booster seats
- ❖ Program to involve businesses in traffic safety program and public awareness

All of our safety projects for FY 2014 will be targeted to these key program areas.

The American Samoa Office of Highway Safety used a variety of data sources to determine areas of concern. OHS emphasizes activities that use available resources most effectively to save lives and improve highway safety. Specific goals, strategies, and performance measures are determined by:

- Using data and prior experience to identify problem areas;
- Soliciting input and project proposals from government and local organizations that have expertise in areas relevant to highway safety; and
- Analyzing trends in serious injury and fatality rates and comparing them to national trends.

Sources of highway safety data used by the OHS include:

- * American Samoa Crash Reporting System (ASCRS)
- * American Samoa Department of Public Safety, Police Division
- * American Samoa Department of Public Safety, Office of Motor Vehicles
- * American Samoa Attorney General's Office
- * American Samoa High Court
- * National Highway Traffic Safety Administration (NHTSA)
- * National Occupant Protection Use Survey (NOPUS)

With the overall goal of reducing motor vehicle crashes and the resulting deaths, injuries, and property damage, the problem identification process focuses on the national and territory priority areas. These areas include: Occupant Protection, Impaired Driving, Police Traffic Services & Speed Control, Traffic Records, Traffic Safety Programs/Safe Communities and Roadway Safety activities.

FEDERAL FISCAL YEAR 2014 HIGHWAY SAFETY PLAN COST SUMMARY

Table 6. FY 2014 Cost Summary

Project Title	Carry Fwd	Propose	Total
Planning & Administration	14,000.00	66,000.00	\$80,000.00
Occupant Protection	22,000.00	146,751.00	\$168,751.00
Alcohol Countermeasures	45,000.00	108,000.00	\$153,000.00
Police Traffic Services	24,000.00	140,800.00	\$164,800.00
Speed Control	9,401.00	35,599.00	\$45,000.00
Traffic Records	500,000.00	0.00	\$500,000.00
Paid Media	30,000.00	90,000.00	\$120,000.00
Total Program Cost	644,401.00	587,150.00	\$1,231,551.00

3.0 Program Areas for FFY 2014

In the 2014 Highway Safety Plan, American Samoa OHS will fund projects on the condition that federal appropriations are received for FY 2014.

■ 3.1 Planning and Administration

The American Samoa Office of Highway Safety will serve as the primary agency responsible for insuring that highway safety concerns for the Territory are identified and addressed through the development and implementation of appropriate countermeasures.

The Planning and administration program area includes those activities and costs necessary for the overall management and operations of the American Samoa Office of Highway Safety. These activities include:

- Identifying the Island's traffic safety problems
- Use traffic safety data (crash, citation, roadway, injury, alcohol, etc.) for the problem identifications
- Work with Highways Safety Strategic Partners to develop countermeasures
- Develop the annual Highway Safety Plan (HSP)
- Develop annual Highway Safety Report
- Solicit and review grant application submitted by potential sub grantees for funding
- Monitor all grants
- Prepare program performance measures
- Use performance measures to evaluate accomplishments
- Conduct Grantee performance reviews
- Propose traffic safety legislation
- Increase public awareness of traffic safety laws and programs
- Participate on various traffic safety and community programs
- Promote and coordinate traffic safety in American Samoa
- Create public awareness campaign and provide support for all annual national campaign, e.g., Child Passenger Week, Drunk and Drugged Driving Awareness Month, Click it or Tick It, etc.

Goal and Performance Measures

OHS's goal of the Planning and Administration program is to provide management, supervision and support for all the activities of the island traffic safety program. To administer a fiscally responsible, effective highway safety program that targets the

Island's most significant safety problems in an effort to save lives and reduce serious injuries.

Program Performance Measures

- Integrate recommendations from NHTSA's Special Management Review Performance Enhancement Plan (PEP) within specified timeframe.
- Conduct a Stakeholders' meeting to receive input for development of the FFY 2015 Highway Safety Performance Plan.
- Deliver the FFY 2013 Annual Report by December 31, 2014.
- Deliver the Federal Fiscal Year 2015 Highway Safety Performance Plan by July 1, 2014.

Strategic Partners

The AS OHS will continue to work with NHTSA to address and implement a new program management plan and procedures to ensure compliance with the program rules and regulations.

OHS will also continue to work with traffic safety stakeholders, including DPS and all grant recipients.

Planned Activity

- Enrollment of new Program Managers in TSI courses
- Fund travels
- Office space lease and storage
- Hire Pedestrian/Media Project Coordinator

1	Project Number - PA-14-01 Project Title - Administration of the Territory Traffic Safety Program Project Description - This program area cost include salary of the Program Coordinator, the salaries of the management staff, the salaries of the fiscal and clerical support personnel, and most operating costs. The portion of all other OHS personnel salaries, as well as certain operating expenses directly related to program development, coordination, monitoring, and evaluation are charged to the appropriate program area. Funds will also be used for travel to meetings and conferences for both staff and GR. Fiscal Manager salary: \$17,000 - 50%
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FM Travel: \$8,000 Program Coordinator salary: \$21,000 - 50% PC Travel: \$8,000 GR Travel:\$5,000 Other Direct Cost: \$21,000
Project Budget/Source - \$80,000.00 of Section 402

Project Cost Summary

Project Number	Project Title	Budget
PA-14-01	Program Management	\$80,000.00

■ **3.2 Occupant Protection**

As of May 2012, American Samoa observed seat belt use rate is 75%. It is still below the national average.

TREND

Table 7. Occupant Protection Behavior Measures

Core Behavior Measure	2007	2008	2009	2010	2011	2012
B-1: Seat Belt Rate (Islandwide observational surveys)	50%	56%	60%	73%	77%	75%
B-2: Child Passenger Restraints Use	NC	NC	NC	16%	27%	23%

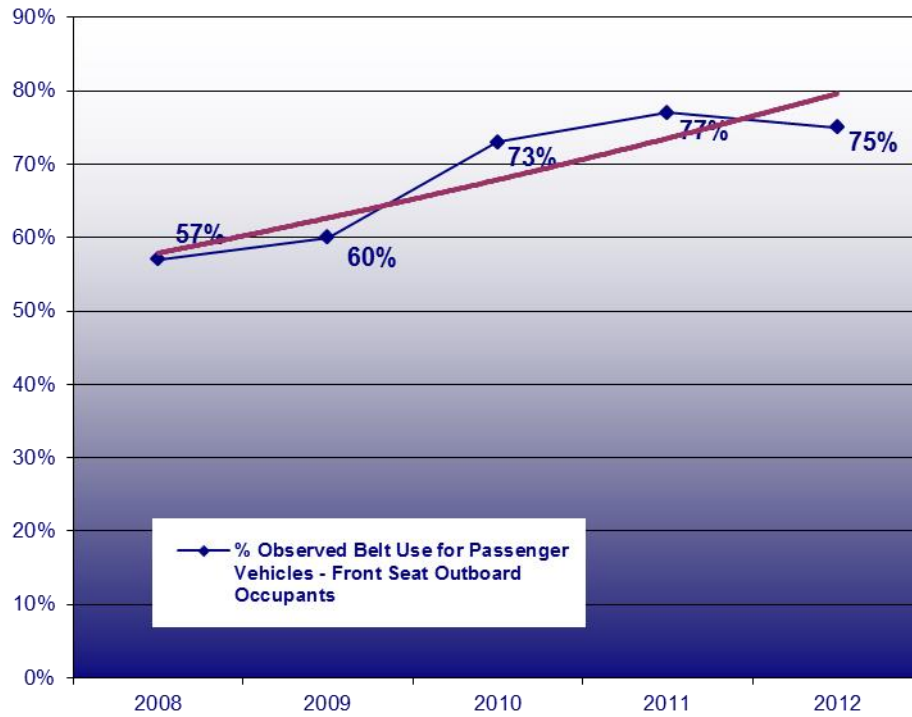


Figure 4. Observed Seat Belt Usage Rate

Table 8. Yearly Comparison for Seatbelt Usage 2006 – Jun2 2010

Year	2006	2007	2008	2009	May 2010	June 2010
Observed:					Pre	Post
Vehicles	3,695	14,719	14,359	19,894	33,445	26,746
Total	6,349	23,154	21,498	38,841	53,872	39,677
Compliance	45%	50%	56%	60%	62.4%	73%

Table 9. Observed Usage for May and June 2011

Year	May 2011	June 2011
Observed:	Pre	Post
Vehicles	30,347	26,277
Total	48,271	39,528
Compliance	70%	77%

American Samoa’s goal is to increase Islandwide observed seat belt use of front seat outboard occupants in passenger vehicles by 5% from the May 2012 75% to 82% by June 2014.

Occupant Protection Countermeasures

1	<p>Project Number - OP-14-01</p> <p>Project Title - Program Development and Management</p> <p>Project Description - Provide sufficient staff to conduct occupant protection-related programming described in this plan as well as cover training, travel, conference fees, and miscellaneous expenses such as CPS Instructor continuing certification process and community incentive outreaches. This includes OP program vehicle fuel and maintenance.</p> <p>Program Management salary: \$23,940</p> <p>PM Travel: \$17,678</p> <p>Other cost: \$15,000</p> <p>Project Cost: \$56,618.00</p>
2	<p>Project Number - OP-14-02</p> <p>Project Title - CIOT and Monthly Law Enforcement Campaign</p> <p>Project Description - Provide funds for overtime enforcement by DPS to participate in the CIOT Mobilization and monthly enforcements. Also fund CPS fitting station overtime.</p> <p>DPS will implement community outreach and enforcement measures Islandwide that are designated to increase seat belt usage for all, as well as to increase the proper use of child passenger restraint systems (CPRS) for children at or below the age of six.</p> <p>Enforcement efforts will focus on increasing compliance with occupant protection laws and will be implemented at high risk locations. The project goals are to reduce the number of fatalities and injuries in collisions in which victims were not using safety equipment.</p> <p>2-Major Enforcements: 13 Officers x 56hrs x Time 1/2 x 2 events =\$42,000</p> <p>2-Minor Enforcements: 13 Officers x 28hrs x Time 1/2 x 3 events =\$35,000</p> <p>Prorate: Finance Assistant for processing OT only during funded period.</p>

	<p>Rate: 32 hours for Enforcement @ Time 1/2 an hour x 4 = \$8,000</p> <p>Project Cost: \$85,000.00</p>
3	<p>Project Number - OP-14-03</p> <p>Project Title - Occupant Protection Paid and Earned Media</p> <p>Project Description - Develop and implement Islandwide Public Information and Education (PI&E) paid and earned media plan for the CIOT Mobilization (October, November 2013 and May-June, September 2014). Media effort will educate the public about the benefits of safety belt, booster seats, and child safety seat use, as well as the Territory's occupant protection laws. The primary target audience will be males and females ages 16 to 49, with secondary audience of diverse populations, public buses, and pick-up truck occupants. Four media Occupant Protection campaigns will be conducted during FFY 2014.</p> <p>Project Cost: \$10,000.00</p>
4	<p>Project Number - OP-14-04</p> <p>Project Title - Safety Belt Survey</p> <p>Project Description - Before and after the May - June CIOT Mobilization, a contractor will conduct an Islandwide telephone survey to determine whether there has been an improvement in American Samoa's residents knowledge and perception of occupant protection laws, enforcement of those laws, and awareness of the media campaign. Promote survey results with paid media.</p> <p>Project Cost: \$17,133.00</p>

Project Cost Summary

Project Number	Project Title	Budget
OP-14-01	Program Development and Management	\$56,618.00
OP-14-02	CIOT and Monthly Law Enforcement Campaign	\$85,000.00
OP-14-03	Occupant Protection Paid and Earn Media	\$10,000.00
OP-14-04	Safety Belt Survey	\$17,133.00
Total Fund	All Funds	\$168,751.00

■ 3.3 Impaired Driving

The American Samoa Office of Highway Safety (ASOHS) recognizes the magnitude of the impact that alcohol has on roadway safety and continues to aggressively address impaired driving through grant funded projects which use proven countermeasures to reduce impaired driving.

Trend

ASOHS will continue to fund youth prevention grants that engage parents, schools, communities, all level of government, all social systems that interface with youth and youth themselves in a coordinated effort to prevent and reduce the incidents of underage drinking and driving in American Samoa.

Figure 6, shows the number of DUI citations issued from 2005 to 2010 in American Samoa by age group. The goal of American Samoa is to maintain zero DUI related traffic fatalities and reduce DUI related crashes by 5% from FY 2008 number of 33.

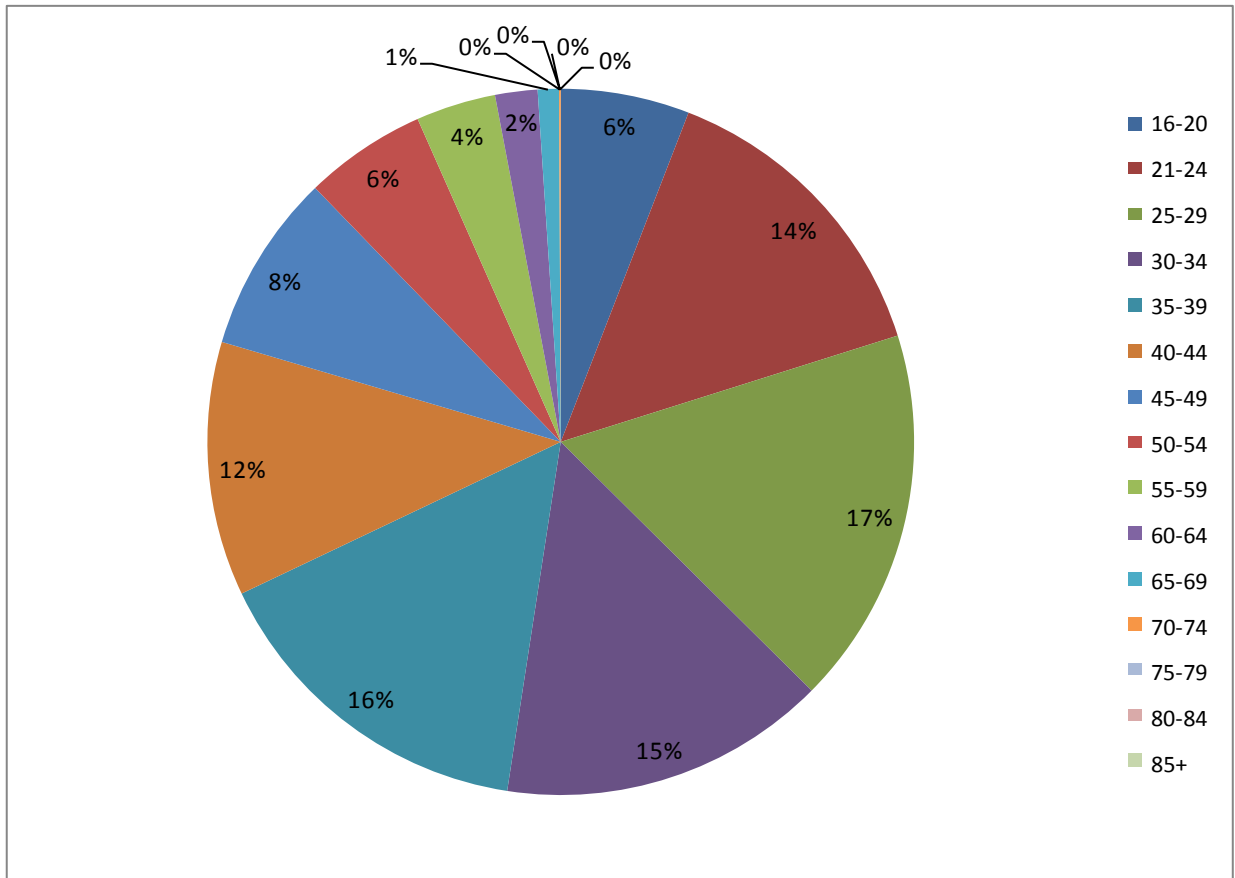


Figure 5. DUI Citations by Age Group

■ **3.4 Alcohol Countermeasures**

<p>1</p>	<p>Project Number - AL-14-01 Project Title - Program Development and Management Project Description - Provide for necessary staff time and expenses incurred by OHS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of grants within this program area and the preparation of the 2015 Highway Safety Plan. Also to hire a program coordinator cover training, travel, conference fees, and miscellaneous expenses to include office lease. This includes AL program vehicle fuel and maintenance. Program Manager salary: \$29,659 PM Travel: \$22,341 Office cost: \$15,000 Project Cost: \$67,000</p>
<p>2</p>	<p>Project Number - AL-14-02 Project Title - Drunk Driving. Drive Sober Get Pulled Over Annual Campaigns Paid Media Project Description - Develop and implement Islandwide paid and earned media plan for the following DD-OL-UA Mobilization periods: October - December 2013 - January 2014, March, June - July 2013, and August - September 2014. Also provide media support to law enforcement Sobriety Checkpoint Partnership and Breath Alcohol Testing Mobile initiatives. This effort will educate the public about the danger and a cost of impaired driving as well as the Territory's impaired driving laws. Primary audience will be males ages 16 to 34, with a secondary audience of diverse populations. Project Cost: \$17,000.00</p>
<p>3</p>	<p>Project Number - AL-14-03 Project Title - DSOGPO Law Enforcement Campaign Project Description - Provide for overtime enforcement by DPS for participation in the October-December 2013 - January 2014, March, June-July 2014, and August 2014 Mobilizations. Enforcement efforts will focus on apprehending impaired drivers and will be conducted during high-risk time and various locations on the Island. Continue to provide funding to support the efforts of the Liquor Inspectors,</p>

	<p>Police Bureau, and DPS Juvenile Division in targeting vendors selling alcohol to minors as well as fund outreach programs to help deter youths from using alcohol and driving intoxicated.</p> <p>2-Major Enforcements: 13 Officers x 84hrs x Time 1/2 x 2 events =\$50,000</p> <p>3-Minor Enforcements: 13 Officers x 28hrs x Time 1/2 x 3 events =\$35,000</p> <p>Prorate: Finance Assistant for processing OT only during funded period.</p> <p>Rate: 40 hours for Enforcement @ Time 1/2 an hour x 5 = \$11,000</p> <p>Project Cost: \$96,000.00</p>
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Project Cost Summary

Project Number	Project Title	Budget
AL-14-01	Program Development and Management	\$67,000
AL-14-02	Drunk Driving. Drive Sober Get Pulled Over Annual Campaigns Paid Media	\$17,000.00
AL-14-03	DSOGPO Law Enforcement Campaign	\$69,000.00
Total		\$153,000.00

■ 3.5 **Police Traffic Services Program Area**

Police Traffic Services (PTS) is an essential part of any traffic safety program. With few exceptions, most programs depend on the participation and cooperation of the law enforcement community. This program gives the law enforcement agency the ability to start effective selective traffic enforcement programs; provide training and appropriate enforcement of DUI, driver license, occupant restraint laws, and speed.

1	<p>Project Number - PT-14-01</p> <p>Project Title - Program Development and Management</p> <p>Project Description - Provide sufficient staff to conduct police traffic services related programs described in this plan as well as cover travel, conferences fees, and include assistance to staff to attend and participate in technology transfer workshops, training sessions, educational meetings, and seminars. To include salary of Procurement Clerk to track and electronically inventory equipment procure under the program. Also fund new certification and recertification of Police officers on enforcement equipment and SFST course.</p> <p>Project Cost: \$28,000.00</p>
2	<p>Project Number - PT-14-02</p> <p>Project Description - Traffic Enforcement Mileage Reimbursement</p> <p>Project Description - OHS will provide grant to cover mileage incurred for Alcohol and Occupant Protection enforcement as well as for the use of DPS vehicles for enforcement. Over 86 enforcement days is planned for FY2014.</p> <p>AS Rate: \$.75 a mile</p> <p>Project Cost: \$25,000.00 - Enforcement Vehicles</p>
3	<p>Project Number - PT-14-03</p> <p>Project Title - HVE Equipment</p> <p>Project Description; This project will provide needed equipment to DPS Traffic Enforcement Unit for the enforcement of the island speed, alcohol and occupant protection laws as well as the prosecution of the offenses. The following equipment will be procured:</p> <ol style="list-style-type: none"> 1. 2-Police Kawasaki Motorcycles - 14 ABS Concourses (3 year cyclic) <ul style="list-style-type: none"> • Cost= \$23,000 per / Total: \$46,000 • Shipping cost: = \$4,000 2. 2-Unmarked Alcohol Purchase Enforcement (Impalas/Crown Vics) <ul style="list-style-type: none"> • Cost:=\$29,000 per / Total: \$54,000 • Shipping cost:=\$4,000 3. Enforcement reflective vest = \$2,000 4. Supplies for Breathalyzers=\$1,800 <p>Project Cost: \$111,800.00</p>

Project Cost Summary

Project Number	Project Title	Budget
PT-14-01	Program Management	\$28,000.00
PT-14-02	Traffic Enforcement Fuel & Maintenance	\$25,000.00
PT-14-03	HVE Equipment	\$111,800.00
Total		\$164,800.00

■ **3.6 Paid Media**

The Office of Highway Safety will continue to educate and inform the general public at large on highway safety issues and concerns in areas like Alcohol and other Drugs Countermeasures, Occupant Protection/Safety Belt, Police Traffic Safety, and Pedestrian and Bicycle Safety.

1	<p>Project Number - PM-14-01</p> <p>Project Title - Paid Media</p> <p>Project Description - Funding will be used to advertise in magazines, brochures, as well as contract services for video production, screening, and air-time services on T.V. and on various radio as well as for translation of information from English to Samoan language to include all major campaigns.</p> <p>Project Cost: \$120,000.00</p>
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Project Cost Summary

Project Number	Project Title	Budget
PM-12-01	Paid Media	\$120,000.00
Total		\$120,000.00

■ 3.7 Speed Control

Crashes related to speed continue to be a problem in American Samoa. The only recorded fatality in 2012 was speed related. The significant of speed-related crashes have been over shadowed in recent years by the attention given to impaired driving and occupant protection. There were 765 speeding violations issued in 2010 by DPS.

Table 10. Speed Data, 2005 -2010

Core Behavior Measures	2007	2008	2009	2010	2011	2012
C-7: Speed Related Fatalities	1	2	3	1	0	1
Speed Violations	297	481	194	132	210	765

American Samoa’s goal is to reduce the role of speeding in highway injuries and fatalities by 100% from the 2012 calendar base year of one to zero by December 2013.

■ 3.8 Speed Countermeasures

1	<p>Project Number - SC-14-01</p> <p>Project Title - Program Management</p> <p>Project Description - Provide sufficient staff to conduct speed-related programs described in this plan as well as cover travel, conference fees, and miscellaneous expenses.</p> <p>Project Cost Summary: \$15,000.00</p>
2	<p>Project Number - SC-14-02</p> <p>Project Title - Speed Enforcement Campaign</p> <p>Project Description - Provide funds for overtime enforcement of the Territory’s speed law. DPS Traffic Division will use crash, fatal and injury data too focus their enforcement efforts in those areas that shows speeding and aggressive driving and will be done at high risk locations and times on the Island. DPS hopes to conduct several checkpoints specifically in locations prone to excessive speed violations.</p> <p>3-Major Enforcements: 13 Officers x 60hrs x Time 1/2 x 3 events =\$30,000</p> <p>Project Cost: \$30,000.00</p>

3	

Project Cost Summary

Project Number	Project Title	Budget
SC-14-01	Speed Enforcement Campaign	\$15,000.00
SC-14_02	Program Management	\$30,000.00
Total		\$45,000.00

■ 3.11 Traffic Records

Traffic Records Systems include data elements necessary for problem identification, problem analysis, and countermeasure evaluation in all areas of traffic safety. Traffic records program include data related to collisions and to every aspect of the program infrastructure. Data pertaining to people, vehicles, and roadways are all part of the traffic records system.

American Samoa has embarked on an Islandwide Traffic Records System Development, Improvement and Enhancements program with the inception of the Section 408 program. An Electronic Crash Reporting System has been developed and deployed, an ECitation System in undergoing testing, and a Roadway Inventory Management System which include the development of a roadway network system for the island which is GIS based and will be used for crash location identification project has begun.

The following tasks are continuing from previous year.

1	<p>Project Number - TR-14-01</p> <p>Project Title - Traffic Records Coordinating Committee (TRCC)</p> <p>Project Description - The funds will be used to pay for expenses in coordinating the functions of the TRCC by the Highway Safety approved contractor dedicated as the highway safety specialist. The contractor will oversee the TRCC activities and 405 (c) grants for the Highway Safety Office. Grant funds may be used for related training and equipment purchases if approved by the Highway Safety Office.</p> <p>Project Cost: \$30,000.00</p>
2	<p>Project Number - TR-14-02</p> <p>Project Title - Traffic Records Management & Section 405 (c) Application</p> <p>Prepare for TRCC approval of FFY 2015 section 405 (c) Application, including a 2013 update to the American Samoa Strategic Plan for Traffic Records by April 2014.</p> <p>Project Cost: \$25,000.00</p>
3	<p>Project Number - TR-14-03</p> <p>Project Title - Electronic Traffic Safety Data Collection and Data Analysis Tools</p>

	<p>Project Description - With the assistance of the ASOHS's current traffic records contractor, this funds will be used to continue to upgrade the electronic crash reporting system and implement electronic data collection and transfer from the car to the substations and to a centralized database at DPS headquarter. Continue the implementation and training DPS, Court, and Law Enforcement personnel in the use of the data analysis tools. Create system access and data analysis capability for OHS as well as all authorized users and stakeholders' maximum support. These tasks include the maintenance and support of all traffic records system in operation as well as enhancements and technology upgrades as required.</p> <p>Project Cost: \$60,000.00</p>
4	<p>Project Number - TR-14-04</p> <p>Project Title - Section 405 (c) Data Program - Electronic Citation</p> <p>Project Description - These funds will be used by the American Samoa District Court to continue the development and field testing of an Electronic Citation program with DPS. The District Court will continue their system analysis and system upgrade plan for the use of electronic citations.</p> <p>Continue the implementation of the Driver History File in the current Driver License Database to provide the ability to post driver involvement in crashes, convictions of traffic offenses and disposition in the driver records. This project identify any reporting problems from court conviction to update on the Driver License Database in two ways; checking the accuracy and completeness of driving under the influence (DUI) conviction reporting and improving the court reporting time for DUI convictions.</p> <p>This project will also include the development and implementation of DUI tracking as part of the Electronic Citation System.</p> <p>Project Cost: \$150,000.00</p>
5	<p>Project Number - TR-14-05</p> <p>Project Title - Program Development and Management</p> <p>Project Description - This task provides for the necessary staff time and expenses incurred by OHS that are directly related to the planning, development, coordination, monitoring, and evaluation of grants within this program area, and the preparation of the section 408 grant applications. This plan includes grants that will be continued from prior fiscal years. Funding is also provided under this task to assist individuals to attend and participate in technology transfer workshops, training sessions, or educational meetings or conferences. Also provide cost for local tech support for TRCC systems</p>

<p>which cannot be supported by off island contractor.</p> <p>Program Manger salary: \$19,285.00 - 100%</p> <p>PM Travel: \$10,725</p> <p>Program Coordinator salary: \$24,073.00 - 50%</p> <p>PC Travel: \$14,143.00</p> <p>Other Direct Cost: \$51,774.00</p> <p>Local Tech Support (RFP) contract=\$115,000.00</p> <p>Section 405 (c) - \$120,000.00</p> <p>Section 402 - \$115,000.00</p> <p>Total Project Cost: \$500,000</p>

Project Cost Summary

Project Number	Project Title	Budget
TR-14-01	Traffic Records Coordinating Committee (TRCC)	\$30,000.00
TR-14-02	Traffic Records Management & Section 405 (c) Application	\$25,000.00
TR-14-03	Electronic Traffic Safety Data Collection and Data Analysis Tools	\$60,000.00
TR-12-04	Section 405 (c) Data Program - Electronic Citation	\$150,000.00
TR-12-05	Program Development and Management (Contractual)	\$235,000.00
Total		\$500,000.00

4.0 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
- 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

■ 4.1 Certifications and Assurances

Section 402 Requirements

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

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

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

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));

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. (23 USC 402 (b)(1)(E).

Other Federal Requirements

Cash drawdowns will be initiated only when actually needed for disbursement. 49 CFR 18.20.

Cash disbursements and balances will be reported in a timely manner as required by NHTSA. 49 CFR 18.21.

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 18.41.

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;

Federal Funding Accountability and Transparency Act

The State will report for each **sub-grant** awarded:

- Name of the entity receiving the award;
- Amount of the award;
- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; , and an award title descriptive of the purpose of each funding action;
- A unique identifier (DUNS);
- The names and total compensation of the five most highly compensated officers of the entity if-- of the entity receiving the award and of the parent entity of the recipient, should the entity be owned by another entity;

(i) the entity in the preceding fiscal year received –

(I) 80 percent or more of its annual gross revenues in Federal awards; and(II) \$25,000,000 or more in annual gross revenues from Federal awards; and(ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic

reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;

- Other relevant information specified by the Office of Management and Budget in subsequent guidance or regulation.

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) and the Americans with Disabilities Act of 1990 (42 USC § 12101, *et seq.*; PL 101-336), which prohibits discrimination on the basis of disabilities (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; The Civil Rights Restoration Act of 1987, which provides that any portion of a state or local entity receiving federal funds will obligate all programs or activities of that entity to comply with these civil rights laws; and, (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

■ **4.2 The Drug-Free Workplace Act of 1988 (41 U.S.C. 702 ;)**

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 convictions 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.

- g. Taking appropriate personnel action against such an employee, up to and including termination.
- h. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or local health, law enforcement, or other appropriate agency.
- i. 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.

■ 4.3 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 nondomestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

■ 4.4 Political Activity (Hatch Act)

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

■ 4.5 Certification Regarding Federal Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements.

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

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to

influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

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

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.

■ 4.6 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.

■ 4.7 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.

■ **4.8 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.

■ 4.9 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.

■ **4.10 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 participants shall attach an explanation to this proposal.

■ **4.11 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).



William E. Haleck, Commissioner
Department of Public Safety
Governor's Representative for Highway Safety

07/01/2013
Date