



#### AUG 3 1 2010

David Manning, Ph.D.
Regional Administrator
National Highway Traffic Safety Administration
Western Region
201 Mission Street, Suite 1600
San Francisco, CA 94105

Dear Dr. Manning:

Hafa Adai! Transmitted for your review and approval is Territory of Guam's 2011 Highway Safety Plan.

We wish to express our sincerest appreciation for every effort you and your staff have personally directed in assisting us address the highway safety needs of our island.

Should you require additional information, please do not hesitate in calling Ms. Cil Javier, Highway Safety Coordinator or me at (671) 647-4343 or 646-3131 or fax at (671) 646-3733.

8/31/10

Si Yu'os Ma'ase.

Sincerely,

Andrew S. Leon Guerrero

Director/Governor's Highway Safety Representative

**Enclosures** 

## ISLAND OF GUAM HIGHWAY SAFETY PERFORMANCE PLAN

FEDERAL FISCAL YEAR 2011



PREPARED FOR:

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

DEVELOPED AND PRESENTED BY:

GOVERNMENT OF GUAM
DEPARTMENT OF PUBLIC WORKS
OFFICE OF HIGHWAY SAFETY
542 NORTH MARINE CORPS DRIVE
TAMUNING, GU 96913

HONORABLE FELIX P. CAMACHO, GOVERNOR ANDREW S LEON GUERRERO, DIRECTOR DEPARTMENT OF PUBLIC WORKS

SEPTEMBER 1, 2010

## Guam Highway Safety Performance Plan Federal Fiscal Year 2011

#### Prepared for:

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

Developed and presented by:

Government of Guam Department of Public Works Office of Highway Safety 542 North Marine Corps Drive Tamuning, GU 96913

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## Acronym Guide

GUCRS Guam Crash Reporting System

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

GFD Guam Fire Department

GMH Guam Memorial Hospital

HS-1 Highway Safety Grant application

HSP Highway Safety Plan

HVE High Visibility Enforcement

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 Safe, Accountable, Flexible, and Efficient

Transportation Equity Act: A Legacy for Users

SFST Standardized Field Sobriety Testing

YD&YDL You Drink & Drive You Lose

# 1.0 Introduction to the Guam Highway Safety Planning Process

## ■ 1.1 Executive Summary

This Guam Highway Safety Plan (HSP) for Federal Fiscal Year (FFY) 2011 serves as the Territory's application to the National Highway Traffic Safety Administration (NHTSA) for Federal funds available under Section 402 of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The Government of Guam, Department of Public Works (DPW) Office of Highway Safety's (OHS) plan to reduce death, personal injuries, and property damage resulting from roadway crashes.

Our plan focuses on programs that address the problem areas that were identified by our highway safety data analysis and the highway safety needs of the Island. The plan also addresses the priority areas outlined by the National Traffic Safety Administration (NHTSA) and the Federal Administration (FHWA) and describes activities scheduled for implementation during Fiscal Year 2011. Program areas funded with Section 420 funds include: Impaired Driving, Police Traffic Services, Occupant Protection, Emergency Medical Services, Traffic Records, Roadway Safety, Safe Communities and Pedestrian Safety. Section 408 funds will be used for Data Improvements; Section 410 funds will support Youth Education Program and Public Awareness Initiatives.

The following Highway Safety Bills were acted upon and two (2) were passed and signed in to the law by honorable Felix P. Camacho, Governor of Guam in 2010:

- Bill No. 97 "An act to amend Subsection 26101, 26102, 26103, 26104 and 26105, and to add new subsection 26106 and 26107, all of Chapter 26 of Title 16, Guam Code Annotated relative to requiring the use of a seat belt assembly and child restraint system and clarifying standards for riding in the bed of a pickup truck".
- Bill No. 255 "An act to amend Subsection 3346 of Chapter 3, Title 16, Guam Code Annotated, and to add a new Subsection 3346.1 of Chapter 3, Title 16, Guam Code Annotated, relative to restricting the use of mobile phones and mobile service devices while operating a vehicle and

providing for public education requirements regarding such restrictions". FAILED PASSAGE

- Bill No. 262 An act to add a new article 8 to Chapter 3 16GCA relative to creating move over requirements to make Guam's roads safer". PENDING
- Bill No. 389 An act to amend Article 3 of Subsection 3303, Article 4 of Subsection 3419 and Subsection 3420 and Article 6 of Subsection 3619, of Chapter 3 Title 11, and Article 1 of Subsection 18102, and Subsection 18121 of Chapter 18, Title 16 of the Guam Code Annotated; relative to increasing the minimum legal drinking age.
- **Bill No. 225** An act to amend Subsection 3305 of Chapter 3, Title 16, Guam Code Annotated; relative to motorcycle safety helmets. **TABLED**

#### Bills Passed into Law

- Bill No. 97 Passed now Public Law 30-33
- B. Bill No. 389 Passed now Public Law 30 156

Guam is a multi-cultural society with high number of tourist visiting the Island from various countries throughout the South Pacific and Asia. The Island population has been steadily increasing and now has influx of military personnel visiting the Island. There is currently a plan to relocate up to 75,000 military personnel and their families to the Island from Japan.

Currently, there are over 45,000 licensed drivers and chauffeurs operating more than 100,000 motorized vehicles of all classes and types within the Territorial Highway and Local Street System. The current population on the Island is estimated at 154,805.

To identify the issues to be addressed in the FFY 2011 highway safety program, analysis was conducted using a five-year period of data. When assessing safety needs and programming potential, it is important to understand how Guam differs from the nation and other territories. Based on this analysis, the following problem areas will be addressed during Fiscal year 2011:

 Occupant Protection - Guam observed seat belt use by adult and drivers fell from 85% in 2008 to 80% in 2009 and child restraint usage also drop by 6% from 71% in 2005 to 65% in 2009. However, there has been an increase in the number of seat belt citations issued during grant-funded enforcement activities during each of the last three years.

- Impaired Driving Alcohol impaired driving continues to rise in the territory of Guam. There were 47 impaired driving arrest made in FFY 2008, compared to 110 in FFY 2009.
- **Pedestrian & Bicycle Safety** There were four pedestrian fatalities in 2009 compared to three in 2008.
- Other Road Users Although crashes in Guam are dominated by personal automobiles, other modes of transportation require consideration. The increase in the number of pedestrian fatalities from three in 2008 to four in 2009 still requires attention.
- Traffic Records Highway safety stakeholders currently are unable to exchange information in a timely, accurate, complete, uniform, and integrated way. Traffic Records Coordinating Committee (TRCC) has been and will continue to work on the multiyear Highway Safety Data and Traffic Records System Improvement Plan.
- Planning and Administration The OHS serves as the primary agency responsible for insuring that highway safety concerns for Guam are identified and addressed through the development and implementation of appropriate countermeasures.

#### ■ 1.2 Mission Statement

The Guam Office of Highway Safety is the focal point for highway safety issues in Guam. The Governor of Guam along with the Governor's Highway Safety Representative work closely with the Office of Highway Safety in providing leadership by developing, promoting, and coordinating programs; influencing

public and private policy; and increasing public awareness of highway safety. OHS will continue to prepare and administer a comprehensive annual Highway Safety Plan for the purpose of reducing the incidence and severity of vehicular crashes on Guam's highways and local street system by implementing innovative traffic safety projects on a variety of

contributory and associated factors related to traffic crashes.



Figure 1. Jane Almandres, Pacita Florig, and Ana Senato of OHS during 3-D Outreach Program

The Guam Office of Highway Safety remains steadfast in its vital mission of saving lives by means of a well-planned public awareness and education campaign aimed at all roadway users, through selective enforcement countermeasures developed during a problem identification process, and while networking closely with other public agencies participating in Section 402 Grant activities or other community-oriented safety and health programs.

*Highway Safety* means the reduction of traffic crashes, deaths, injuries, and property damage resulting there from on public roads.

The OHS will establish and implement a comprehensive program to accomplish its goals effectively. This Plan for Federal Fiscal Year 2011 outlines the process used to identify specific highway safety problem areas, develop countermeasures to correct those problems, and monitor the performance of those countermeasures. Section 3.0 presents the prioritized focus areas, including proposed strategies and programming to meet the office's safety goals.

## 1.3 Proposed Timeline and Process

In the interest of reducing the incidence and severity of vehicular collisions in the Territorial Highway and Local Street System, and in order to identify highway safety problems, remedial countermeasures, strategies, and project performance measurements for inclusion of the Fiscal Year 2011 Highway Safety Plan, the Guam Office of Highway Safety networked with, conferred with, and consulted with the Highway Safety Coalition, which comprises those government officials, public offices/agencies, and private organizations.

The Guam Office of Highway Safety conducts transportation safety planning year round. Emerging trends and safety needs are identified through data monitoring and outreach to key safety stakeholders. Table 1.1 describes the OHS planning cycle.

Table 1. Guam 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.                 |
| August          | Submit the final Performance Plan to NHTSA.              |
|                 | Held meetings with potential grantees.                   |
| September       | Issue Request for Proposals (RFP) and applications for   |

|            | Grant Funding (HS-1) based on availability of Federal funding. FFY 2011 Year grants and contracts are finalized. |
|------------|--|
| October    | Implement grants and contracts. Begin work on the FY 2009 Annual Report.   |
| November - | OHS closeout the prior fiscal year. OHS collects and   |
| December   | reviews year-end reports from its grantees.  |

#### **Strategic Partners**

In the interest of reducing the incidence and severity of vehicular collisions on the Island roadway, OHS networked with various stakeholders, conducted safety sessions to gather input on safety problems and effective countermeasures being implemented by other agencies. Partnerships and collaboration opportunities were identified with the Highway Safety Coalition, which comprises those government officials, public offices/agencies, and private organizations. The Highway Safety Coalition members are provided below:

| Honorable Felix P. Camacho<br>Governor of Guam  | Honorable Michael W. Cruz, M.D.<br>Lt. Governor of Guam                                 |
|---|---|
| Andrew S Leon Guerrero, Director<br>Governor's Highway Safety Rep<br>Department of Public Works                                       | Cecilia D. Javier, MA IV<br>Highway Safety Coordinator<br>Office of Highway Safety, DPW |
| Honorable Aldopho Palacios<br>Senator, 30 <sup>th</sup> Guam Legislature<br>Chairman, Committee on Public Safety<br>& Senior Citizens | Therese C. D. Matanane<br>Program Coordinator IV<br>Office of Highway Safety, DPW       |
| AnaMarie Senato<br>Program Coordinator II<br>Office of Highway Safety, DPW  | Pacita Florig<br>Program Coordinator III<br>Office of Highway Safety, DPW               |
| Frank Ishizaki<br>Acting Chief of Police  | Jane Almandres<br>Program Coordinator I   |

Guam Police Department

Office of Highway Safety, DPW

#### Guam Office Of Highway Safety Performance Plan FFY 2011

Captain Stephen C. Ignacio Officer-in-Charge Highway Patrol Division Guam Police Department

MaryLou M. Loualhati Chairperson Guam Emergency Medical Services Commission

Frank Blaz, Administrator Motor Vehicle Department of Revenue & Taxation

David Q. Peredo Fire Chief Guam Fire Department

Mayor Carol S. Tayama, President Mayor's Council of Guam Phillip J. Tydingco Chief Prosecutor Office of the Attorney General

Madeleine C. Manibusan Officer-in-Charge Planning Research & Development Guam Police Department

Jenbel C. Manibusan Clerk of Traffic Violations Bureau Superior Court of Guam

David Leddy, President Guam Chamber of Commerce

Romuldo Domingo Acting Supervisor Traffic Engineering & Control Section; Department of Public Works

#### **Grant Funding Process**

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

The first option is for a potential grantee to submit a Highway Safety Grant application 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



Figure 2. GPD District II Speed Enforcement

managers for the following programs: Alcohol; Occupant Protection; Pedestrian/Bicycle; EMS; Roadway; 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 oversight 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.

## ■ 1.4 Organization

OHS brought onboard new staff in the past couple years which has enable the full implementation of some of our Highway Safety Programs. The additional staff has been particularly beneficial to OHS outreach and coordination with law enforcement at the district level, both for enforcement and training programs. Figure 3 illustrates the OHS organizational structure.

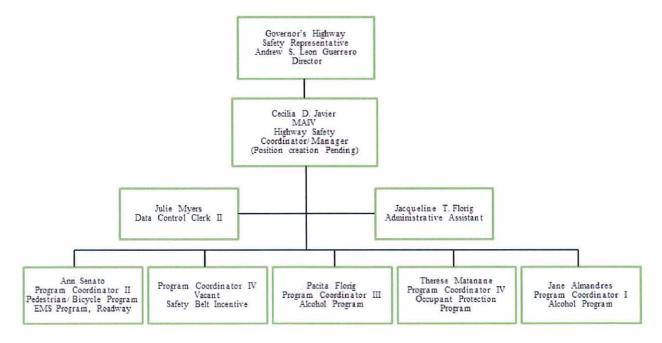


Figure 3. Department of Public Works, Office on Highway Safety Organization

In addition to operational and administrative tasks, each OHS Program Manager is responsible for developing, implementing, and/or overseeing specific program/s assigned.

## 2.0 Highway Safety Performance Plan

## 2.1 Highway Safety Problem Identification Process

The Guam 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:

- Guam Crash Reporting System (GUCRS)
- Guam Police Department
- Guam Attorney General's Office
- Guam Superior Court
- National Highway Traffic Safety Administration (NHTSA)
- National Occupant Protection Use Survey (NOPUS)

## 2.2 Demographic Trends

Guam contains more than 143 lineal miles of certified primary roadway, and 390 lineal miles of paved and unpaved local roads.

Guam's population consists of Chamorro (native) (37%), Filipinos (26%), Mixed (12%), White (7%), and others (25%) based on the 2000 census. As shown in Figure 4, Chamorro comprise 37% of the Territory's population, 28% of the population lives in Dededo, followed by 13% in Yigo and 12% in Tamuning. The rest of the population is evenly dispersed throughout the remaining 16 municipalities on the Island.

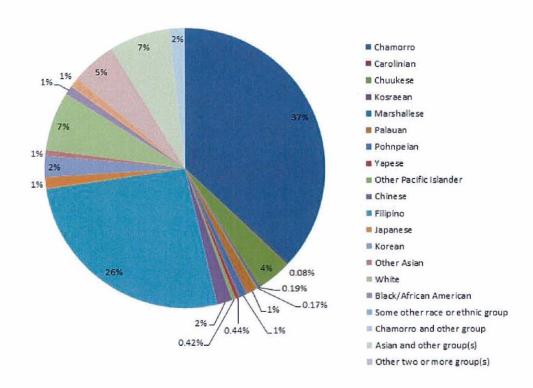


Figure 4. Guam Population Estimate

Since crashes are measured in relation to population, licensed drivers, and vehicles miles traveled (VMT), Table 2 below provides the population distribution among municipalities on the Island and the population growth as projected from years 2000 to 2011. There are over 45,000 licensed drivers and chauffeurs operating more than 100,000 motorized vehicles of all classes and types on the Island.

Table 2. Guam Population Year 2000 and Population Projection for Years 2001 to 2011 by Municipality

| Municipality      | 2000    | 2001    | 2002    | 2003    | 2004    | 2005    | 2006    | 2007    | 2008    | 2009    | 2010    | 2011    |
|-------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Agana Heights     | 3,940   | 4,030   | 4,099   | 4,164   | 4,227   | 4,290   | 4,353   | 4,415   | 4,476   | 4,538   | 4,599   | 4,660   |
| Agat              | 5,656   | 5,785   | 5,884   | 5,977   | 6,068   | 6,159   | 6,248   | 6,337   | 6,426   | 6,514   | 6,602   | 6,689   |
| Asan-Maina        | 2,090   | 2,138   | 2,174   | 2,209   | 2,242   | 2,276   | 2,309   | 2,342   | 2,374   | 2,407   | 2,439   | 2,472   |
| Barrigada         | 8,652   | 8,849   | 9,001   | 9,143   | 9,283   | 9,421   | 9,558   | 9,694   | 9,830   | 9,964   | 10,099  | 10,232  |
| Chalan Pago-Ordot | 5,923   | 6,058   | 6,162   | 6,259   | 6,355   | 6,449   | 6,543   | 6,637   | 6,729   | 6,821   | 6,913   | 7,005   |
| Dededo            | 42,980  | 43,959  | 44,716  | 45,420  | 46,113  | 46,800  | 47,482  | 48,158  | 48,830  | 49,500  | 50,167  | 50,830  |
| Hagatna (Agana)   | 1,100   | 1,125   | 1,145   | 1,162   | 1,180   | 1,198   | 1,215   | 1,233   | 1,250   | 1,267   | 1,284   | 1,301   |
| Inarajan          | 3,052   | 3,121   | 3,175   | 3,225   | 3,274   | 3,323   | 3,372   | 3,420   | 3,467   | 3,515   | 3,562   | 3,609   |
| Mangilao          | 13,313  | 13,616  | 13,851  | 14,069  | 14,283  | 14,496  | 14,707  | 14,917  | 15,125  | 15,332  | 15,539  | 15,745  |
| Merizo            | 2,163   | 2,212   | 2,250   | 2,286   | 2,321   | 2,355   | 2,390   | 2,424   | 2,457   | 2,491   | 2,525   | 2,558   |
| Momgmong-Toto-    | 5,845   | 5,978   | 6,081   | 6,177   | 6,271   | 6,365   | 6,457   | 6,549   | 6,641   | 6,732   | 6,822   | 6,913   |
| Maite             |         |         |         |         |         |         |         |         |         |         |         |         |
| Piti              | 1,666   | 1,704   | 1,733   | 1,761   | 1,787   | 1,814   | 1,840   | 1,867   | 1,893   | 1,919   | 1,945   | 1,970   |
| Santa Rita        | 7,500   | 7,671   | 7,803   | 7,926   | 8,047   | 8,167   | 8,286   | 8,404   | 8,521   | 8,638   | 8,754   | 8,870   |
| Sinajana          | 2,853   | 2,918   | 2,968   | 3,015   | 3,061   | 3,107   | 3,152   | 3,197   | 3,241   | 3,286   | 3,330   | 3,374   |
| Talofofo          | 3,215   | 3,288   | 3,345   | 3,398   | 3,449   | 3,501   | 3,552   | 3,602   | 3,653   | 3,703   | 3,753   | 3,802   |
| Tamuning          | 18,012  | 18,422  | 18,740  | 19,035  | 19,325  | 19,613  | 19,899  | 20,182  | 20,464  | 20,744  | 21,024  | 21,302  |
| Umatac            | 887     | 907     | 923     | 937     | 952     | 966     | 980     | 994     | 1,008   | 1,022   | 1,035   | 1,049   |
| Yigo              | 19,474  | 19,917  | 20,261  | 20,580  | 20,894  | 21,205  | 21,514  | 21,820  | 22,125  | 22,428  | 22,731  | 23,031  |
| Yona              | 6,484   | 6,632   | 6,746   | 6,852   | 6,957   | 7,060   | 7,163   | 7,265   | 7,367   | 7,468   | 7,568   | 7,668   |
| Total             | 154,805 | 158,330 | 161,057 | 163,593 | 166,090 | 168,564 | 171,019 | 173,456 | 175,877 | 178,287 | 180,692 | 183,080 |

Source: 2000 Census of Population and Housing: Guam; International Programs Center, U.S. Census Bureau

#### 2.3 Performance Trends and Goals

The goals identified in this plan were determined using the problem identification process. The goals are established for the various programs priority areas of the Island of Guam (e.g., Alcohol, Occupant Protection, Police Traffic Services, Speed, etc.); the specific thresholds and target dates are based on past trends and our experience in Guam.

Guam HSP goals are accompanied by appropriate performance measures and a description of the data source used. Performance measures include one or more of the following:

 Absolute numbers (e.g., the number of persons killed or injures in alcohol involved crashes)

Graphs and charts are used to present historical trends and goals. For the most part, five year averages were utilized in setting goal based periods.

The National Highway Traffic Safety Administration and the Governors Highway Safety Association have agreed to a minimum set of performance measures to be used by the states and federal agencies in the development and implementation of behavioral highway safety plans and programs. The initial minimum set contains 14 measures: ten core outcome measures; one core behavior measure, and three activity measures. The measures cover the major areas common to state highway safety plans and use existing data systems.

Figure 5. Traffic Safety Trends in Guam

|                                   |      | Cale | ndar Yea | rs   |      |
|-----------------------------------|------|------|----------|------|------|
| Core Outcomes Measures            | 2005 | 2006 | 2007     | 2008 | 2009 |
| C-1: Traffic Fatalities (Actual   | 17   | 13   | 25       | 8    | 13   |
| C-2: Serious Traffic Injuries     | NC   | 344  | 452      | 448  | NA   |
| C3- # of Fatalities Involving     | 0    | 0    | 1        | 0    | 2    |
| Driver or Motorcycle Operator     |      |      |          |      |      |
| w/≥.08 BAC                        |      |      |          |      |      |
| C-4: Unrestrained Passenger       |      |      |          |      |      |
| Vehicle Occupant Fatalities       | NC   | NC   | NC       | NC   | NC   |
| C-5: # of Motorcyclist Fatalities | 0    | 2    | 3        | 0    | 3    |
| C-6: # of Unhelmeted              | 0    | 0    | 0        | 0    | 1    |
| Motorcyclist Fatalities           |      |      |          |      |      |

| C-7: Speed Related Fatalities  | 11 | 6 | 7 | 4 | 8  |
|--------------------------------|----|---|---|---|----|
| C-8: Drivers Age 20 or Younger |    |   |   |   |    |
| Involved in Fatal Crashes      | 0  | 2 | 1 | 0 | 1  |
| C-9: Pedestrian Fatalities     | 0  | 4 | 9 | 3 | NA |

- NA Not Available
- NC Not collected

|  |      | Cale | endar Year | rs   |      |  |  |  |  |
|--|------|------|------------|------|------|--|--|--|--|
| Core Behavior Measure                                  | 2005 | 2006 | 2007       | 2008 | 2009 |  |  |  |  |
| B-1: Seat Belt Rate (Islandwide observational surveys) |      | 85%  | 81%        | 85%  | 80%  |  |  |  |  |
| B-2 Child Passenger Restraints<br>Use                  |      | 75%  | 70%        | 71%  | 65%  |  |  |  |  |

|                                  |      | Cale | ndar Years |      |      |
|----------------------------------|------|------|------------|------|------|
| Activity Measure                 | 2005 | 2006 | 2007       | 2008 | 2009 |
| A-1: Seat Belt Citations Issued  |      |      |            |      |      |
| During Grant Funded              | NC   | 489  | NC         | 554  | 618  |
| Enforcement                      |      |      |            |      |      |
| A-2: Impaired Driving Arrests    |      |      |            |      |      |
| Made During Grant Funded         | NC   | 51   | NC         | 47   | 110  |
| Enforcement Activities           |      |      |            |      |      |
| A-3: # Speeding Citations Issued |      |      |            |      |      |
| During Grant-Funded              | NC   | 4371 | NC         | 6956 | 5461 |
| Enforcement Activities           |      |      |            |      |      |

- NC Not collected
- NA Not Available

|                                 |       | Cale  | endar Yea | rs     |      |  |  |  |  |  |
|---------------------------------|-------|-------|-----------|--------|------|--|--|--|--|--|
| Additional Measures             | 2005  | 2006  | 2007      | 2008   | 2009 |  |  |  |  |  |
| Islandwide DUI Arrest           | 817   | 836   | 691       | 507    | NA   |  |  |  |  |  |
| Islandwide Seat Belt Violations | 1,138 | 1,139 | 821       | NA     | NA   |  |  |  |  |  |
| Speed Violations                |       | 9,410 | 12,662    | 13,616 | NA   |  |  |  |  |  |
| Child Restraints Use Violations | 276   | 288   | 254       |        |      |  |  |  |  |  |

Figures 6 through 11 illustrate selected data shown in the table above in greater detail and include data points and associated trend lines.

#### PERFORMANCE GOALS

#### 1. TRAFFIC VICTIMS

#### Core Outcomes Measures

1. To reduce traffic fatalities 40 percent from the 2005-2009 base year average of 12.5 to 5 by December 2011.

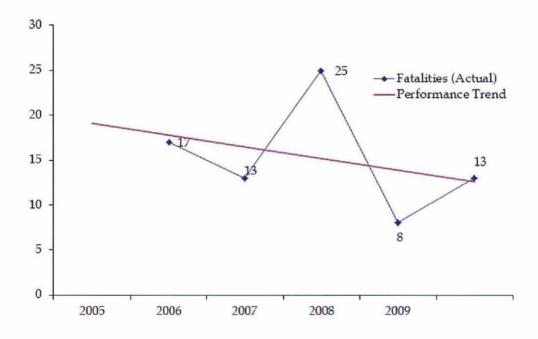


Figure 6. Fatalities (Actual)

2. To decrease serious injuries 5 percent from 2006 – 2008 calendar base year average of 415 to 394 by December 31, 2011.

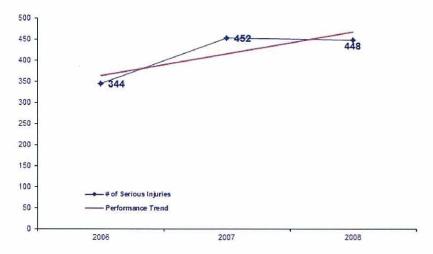


Figure 7. Serious Traffic Injuries

3. To decrease drivers age 20 or younger involved on fatal crashes to zero (0) by December 2011.

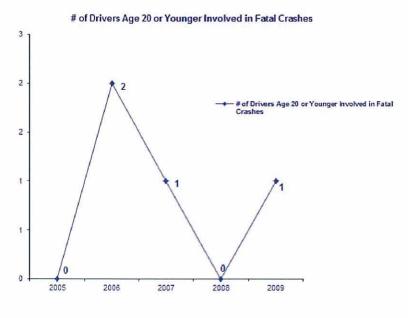


Figure 8. # of Drivers Age 20 or Younger Involved in Fatal Crashes

4. To reduce speed related fatal crashes 50 percent by December 2011.

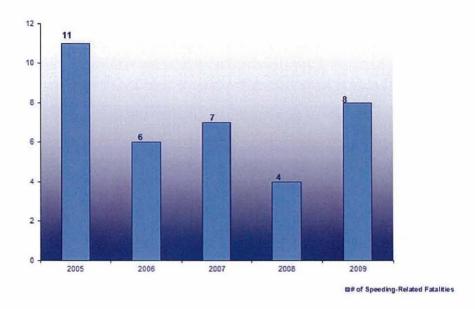


Figure 9. Speed-Related Fatalities

5. To reduce motorcyclist fatal crashes to 0 fatality by December 2011.

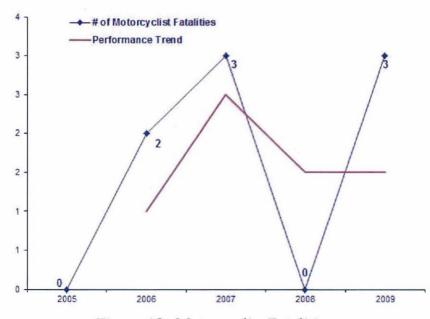


Figure 10. Motorcyclist Fatalities

#### 2. ALCOHOL AND OTHER DRUGS

6. To decrease alcohol impaired driving fatalities 70 percent from the 2005 – 2008 base year average of 7 to 2 by December 2011.

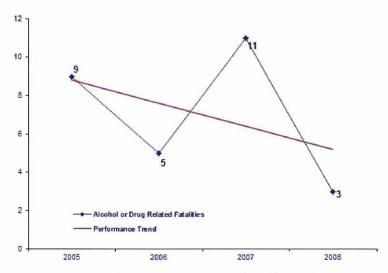


Figure 11. Alcohol or Drug Related Fatalities

7. To increase the number of arrest during Grant Funded Enforcement activities.

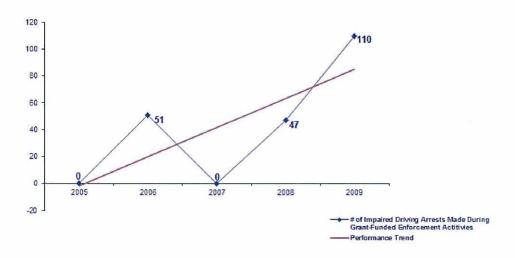


Figure 12. Impaired Driving Arrests made during Grant Funded Enforcement Activities

#### 3. OCCUPANT PROTECTION

8. To increase Islandwide seat belt compliance 5 percent points from the 2005 – 2008 calendar by base year usage rate of 85 percent to 90 percent December 2011.

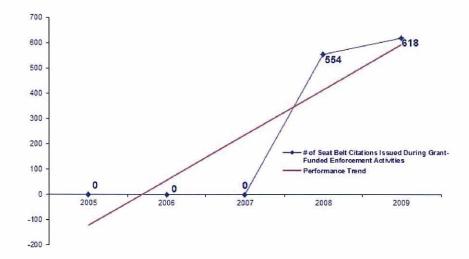


Figure 13. Seat Belt Citations Issued During Grant Funded Enforcement Activities

#### 4. SPEED AND AGGRESSIVE DRIVING

9. To reduce speeding related crashes through increase enforcement.

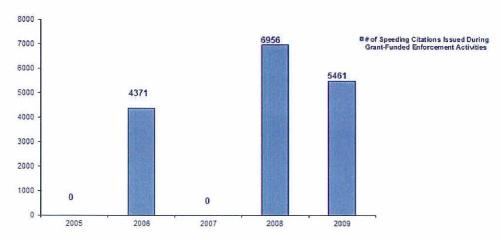


Figure 14. Speeding Citations Issued During Grant Funded Enforcement Activities

#### 5. PEDESTRIAN SAFETY

10. To reduce pedestrian fatalities 50 percent from the 2006 -2008 base year average of 5 to 2 by December 31, 2011.

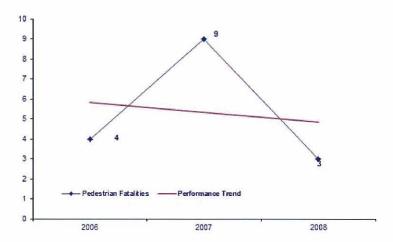


Figure 15. Pedestrian Fatalities

#### 6. EMERGENCY MEDICAL SERVICES (EMS)

11. To improve emergency medical services to traffic collision victims.

#### 7. ROADWAY SAFETY/TRAFFIC RECORDS

12. To ensure Public Works and enforcement agencies have timely access to current and complete traffic data necessary to identify, isolate and analyze critical traffic safety issues.

## 2.4 Guam Program Areas

Guam closely monitors national traffic safety trends to ensure its priorities are in line with NHTSA's, unless local specific data and analyses show the need for a different approach. Based on the performance trends and goals presented above, the Guam OHS has elected to prioritize its FFY 2011 work based on the following program areas:

- Alcohol
- Occupant Protection

- Police Traffic Safety
- Emergency Medical Service
- Traffic Records
- Safe Community
- Traffic Safety Information System

Guam will also continue its efforts on improving the Territory's traffic records systems, most especially the crash data collection and analysis programs as part of the Section 408 grant.

## 3.0 Highway Safety Plan: Program Areas for FFY 2011

## ■ 3.1 Planning and Administration

The Planning and Administration program area includes those activities and costs necessary for the overall management and operations of the Guam 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 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 Guam
- 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

It is the goal of the Planning and Administration program is to provide management, supervision, and support for all the activities of the island traffic safety program. The performance measures to support the goal include:

- To develop a coordinated HSP/Performance Plan to NHTSA by September 1, 2010.
- To provide documentation of all funded programs.

- To develop, coordinate, and monitor traffic safety grants proposed in the plan.
- To submit an Annual Performance Report to NHTSA by December 1, 2010.
- To utilize all available resources to improve and promote 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.

#### **■** 3.1.1 Tasks

Cost included in this program area includes the salary of the Highway Safety Coordinator, the salaries of the management staff and clerical support personnel, and most operating costs. The portion of all other OHS personnel salaries as well as certain expenses directly related to program development, coordination, monitoring, evaluation, and auditing are charges to the appropriate program area.

#### ■ 3.1.2 Projected Cost Summary

| Project Number | Project Title                              | Budget       | Budget Source |
|----------------|--|--------------|---------------|
| PA11-01        | Program Management:                        |              |               |
|                | Salary/Fringe: \$68,261.24                 | \$93,261.24  | Section 402   |
|                | Travel (Conf/meeting)<br>\$25,000.00       |              |               |
| PA11-02        | Contractual Services for office operations | \$18,030.33  | Section 402   |
| PA11-03        | Utility costs for telephone services       | \$11,475.22  | Section 402   |
| 402            | Section 402 Funds                          | \$122,766.79 | Section 402   |
| 406            | Section 406 Funds                          | \$0.00       |               |
| Total Fund     | All Funds                                  | \$122,766.79 |               |

## 3.2 Impaired Driving

The OHS will continue a strong emphasis on high-visibility enforcement with GPD Highway Patrol, District Police Stations, and the Airport Police. OHS will also continue to utilize resources on paid media, public information and education and underage drinking prevention programs. The OHS will continue to look into new and innovative ways to conquer the impaired driving problem. The OHS will increase the awareness on the "Drunk Driving, Over the Limit, Under Arrest" campaign by conducting "before and after" survey. The OHS will continue to purchase items to support the alcohol and other drugs message, which will be distributed at various middle and high school, colleges, public hearings, presentations, and other traffic safety events during FY2011.

OHS recognizes that no one approach is effective for every community. Subgrantees are encouraged to develop program that address specific need of their municipalities and to implement programs that include multiple countermeasures.

#### ■ 3.2.1 Programs/Strategies

- Increase frequency, consistency, and publicity of sobriety checkpoint operations by GPD and GIAA in areas on the Island with highest crash rates.
- Fund a comprehensive Islandwide "Sobriety Checkpoint" program to include all law enforcement stations on the Island (District I, II, HPD, and GIAA) to conduct checkpoints during "Drunk Driving, Over the Limit Under Arrest" mobilization period.
- Support law enforcement with training and technical assistance aimed at increasing their effectiveness to combat impaired driving and underage drinking.
- Expand media messages, including participation in national High Visibility Enforcement (HVE) Mobilizations by:
  - a. Conducting HVE Media Campaign.
  - b. Implementing coordinated paid and media plan with summer program messaging ("100 Days of summer").
  - c. Develop culturally appropriate messages and outreach efforts.
- Promote youth programs to prevent underage drinking.

- Improve collection and analysis of impaired data on highway safety in Guam by:
  - a. Increasing the quantity of BAC data in the GUCRS file; and
  - b. Improving the quality and coordination of alcohol-related databases.
- To contract services from a NHTSA expert consultant to prepare and compile Guam's 2010 Annual Report and the 2011 Highway Safety Plan.
- OHS will commit resources to enforcement crackdowns (mobilization) showcasing high-visibility enforcement taking place around select holiday and summer times.
- To send program coordinators to off-island trainings, meetings, and conferences relating to alcohol and other drug countermeasures.
- To send law enforcement officers from GPD and GIAA to IPTM courses for certification and/or instructor certification relating to D.U.I. and Impaired Driving, OR contract off-island instructors from IPTM to assist GPD officers that are certified instructors to conduct a certification class as well as instructor certification courses to GPD and GIAA and other law enforcement officers. Because of reoccurring delay of the process of establishment of accounts for sub-grantees, the OHS will fund all travel for GPD and GIAA to alleviate the delay as many courses are held during the first quarter of the fiscal year.

Include program management and oversight for all activities within this priority area.

#### **3.2.2** Tasks

#### Project Number - AL-11-01

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 2011 Highway Safety Plan. Funding is also provided in this task for printing brochures and pamphlets and distributing literature developed through successful grants or obtained from other sources. Assistance is provided under this task to individuals to attend and participate in training sessions, educational meetings or conferences, and technology transfer workshops.

#### Project Number - AL-11-02

Project Title - DUI Enforcement/Education/Public Information

Project Description – This task provides for comprehensive impaired driving enforcement programs implemented through enforcement agencies. The programs under this task are comprised of multiple components including increased enforcement focus on sobriety checkpoints, the purchase of specialized equipment, and the implementation of alcohol public information and education programs.

#### Project Number - AL-11-03

Project Title - Impaired Driving Paid and Earned Media

Project Description – OHS will develop and implement an Islandwide paid and earned media campaign for the "You Drink You Drive You Lose" (YD&DYL) campaign to coincide with enforcement mobilizations scheduled for December 2010 and August/September 2011, in addition to supporting monthly sustained enforcement. Media materials are produced both in English and Chamorro.

#### Project Number - AL-11-04

Project Title - Impaired Driving Community Educational Initiatives

Project Description – Fund development, purchase, and distribution of educational and incentive materials for the DD-OL-UA Mobilizations in English as well as Chamorro. Provide law enforcement, public health, employers, and other partners with mobilization kickoff meetings and materials to encourage maximum support.

#### Project Number - AL-11-05

Project Title - Comprehensive Community Education on Alcohol & Other Drug Use

Project Description - This project is designed to reduce the number of Guam drivers who had been drinking in fatal and injury collisions. Law enforcement agencies will promote program, Sober Graduation events, and other alcohol reduction education programs by conducting informational presentations to high schools, community based organizations, health clinics; and distributing promotional and educational items emphasizing the consequences of drinking and driving.

#### Project Number - AL-11-06

Project Title - Capital Equipment for DUI Checkpoints

Project Description – Procure two (2) police package cruisers @ \$35,000 per vehicle to replace vehicles to be surveyed that were procured in previous years by Section 402 funding.

#### Project Number - AL-11-07

Project Title -Standardized Field Sobriety Test (SFST) Training/Drug Recognition Evaluator (DRE)

Project Description – This project intends to provide training to law enforcement officers to increase Drug Recognition Evaluator, Standardized Field Sobriety Tests, and fund the training of two police officers to be certified instructors and calibrators for the Intoximeter RBT IV. This funding will be used to bring IPTM training instructor on the Island. Provide funding for the training of police officers in SFST, Drugs That Impair Driving and other courses. Purchase of materials and supplies to conduct a local certification course for law enforcement officers.

## ■ 3.2.3 Projected Cost Summary

| Project Number | Project Title   | Budget       | Budget Source   |
|----------------|---|--------------|---|
| AL-11-01       | Program Management  |              |   |
|                | Salary/Fringe: \$119,398.00   | \$179,123.00 | Section 402   |
|                | Travel (Conf) \$25,000.00   |              |   |
|                | Training (\$34,725.00)  |              | handeline water of the second |
| AL-11-02       | DUI Enforcement Information<br>Stationery and Saturation<br>Patrols     | \$117,061.95 | Section 402   |
| AL-11-03       | Impaired Driving Paid<br>and Earned Media                               | \$25,000.00  | Section 402   |
| AL11-04        | Impaired Driving Community<br>Educational Initiatives                   | \$3,575.00   | Section 402   |
| AL11-05        | Comprehensive Community on<br>Alcohol & Other Drugs<br>Counter-measures | \$25,000.00  | Section 402   |
| AL11-06        | Capital Equipment for DUI<br>Checkpoints:                               | \$105,000.00 | Section 402   |
|                | Three (3) Police Package<br>Vehicles @ \$35,000.00 each                 |              |   |
| AL11-07        | On-Island DUI Training<br>(To bring off-island instructor<br>from IPTM) | \$12,000.00  | Section 402   |
| 402            | Section 402 Funds   | \$471,459.95 | Section 402   |
| 406            | Section 406 Funds   |              |   |
| Total Fund     | All Funds   | \$471,459.95 |   |

## ■ 3.3 Occupant Protection

Occupant protection includes the use of safety belts, child safety seats, and booster seats by motorists. Safety belts remain the single most effective means of preventing death or injury in the result of a crash, and Guam motor vehicle drivers and passenger's belt use rate continues to decline according to the results of the observed surveys. OHS will continue to make occupant protection a major highway safety program area in FFY 2011.

With the passage of Public Law 30-33 which amended P.L. 18-45, the Guam Seat Belt Law, the observational survey on occupant restraints may result in a significant increase compared to the percentage in 2009. More emphasis is needed on high publicized enforcement campaigns to maximize restraint use during day and night.

OHS will continue to expand the "Click It Or Ticket" (CIOT) model through FFY 2011 and increase public education by partnering with the law enforcement agencies and community-based organizations.

OHS will continue to support law enforcement with training and technical assistance aimed at increasing their effectiveness to increase the use of occupant protection apparatus in a vehicle. In addition, to continue to fund personnel services, employee-related expenses, professional and outside services, travel, materials and supplies, and other related operating expenses. It is the goal of the Office of Highway Safety, along with our Partners for Highway Safety, to make every effort to strengthen belt and child restraint use laws combined with well-publicized intensive enforcement campaigns to further increase belt use rates in FY2011.

#### ■ 3.3.1 Programs/Strategies

#### Occupant Protection - General

- Increase occupant restraints enforcement operations and include information on correct usage, as well as media publicity to raise public awareness of the law and its enforcement by GPD and GIAA.
- Continue to conduct Islandwide surveys of seat belt usage rate of front-seat occupants and infant/toddlers in any vehicle position.
- Develop occupant protection educational programs for multicultural and diverse ethnic populations.

 Solicit the traffic court judge support in strict enforcement of occupant protection laws and encourage the judge to attend judge's conferences and traffic adjudication workshops.

## **Seat Belt Safety**

- Fund focusing on law enforcement to provide Islandwide enforcement and outreach program that will promote seat belt use.
- Fund the "Click it or Ticket" campaign by conducting two well
  publicized seat belt enforcement mobilizations in November 2010 and
  May 2011. To promote sustained enforcement, GPD Highway Patrol,
  District Stations, and Airport Police will carry out one four days and/or
  nights of intensified seat belt enforcement bi-monthly.
- Enhance and evaluate the impact of the series of "Click It or Ticket" (CIOT) mobilizations and Paid Media Campaign.
- Enhance and evaluate the impact of efforts to increase safety belt use by younger drivers.

## Child Passenger Safety

- Educate parents, caregivers, law enforcement, emergency services personnel, health care providers on the child safety seat, booster seat, and back seat law including seating positions for children in air bag equipped vehicle, and raise the awareness of vehicle/child safety seat compatibility.
- Continue to promote child safety seat "checkups" to educate parents and caregivers on correct child safety seat usage.
- Support law enforcement with training and technical assistance aimed at increasing their effectiveness to increase occupant protection use.
- Establish new child safety seat "fitting stations" to ensure proper installation and instructions of occupant restraints in vehicles.

Include program management and oversight for all activities within this priority area.

## ■ 3.3.2 Tasks

Project Number - OP-11-01 (Seat Belt Program)

Project Title - Program Development and Management

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. This includes salary for Program Manager vacant position.

## Project Number - OP-11-02

Project Title - CIOT and Bi-Monthly Seat Belt Enforcement Activities

Project Description – Provide funds for overtime enforcement by GPD and GIAA to participate in the CIOT Mobilization and bi-monthly enforcements.

Law enforcement 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 eleven.

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.

### Project Number - OP-11-03

Project Title - Occupant Protection Paid and Earned Media

Project Description - Develop and implement Islandwide Public Information and Education (PI&E) paid and earned media plan for the CIOT Mobilization (October, November 2010 and May–June, September 2011). Media efforts 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 2011.

### **CPS**

## Project Number - OP-11-04

Project Title - Child Passenger Safety (CPS) Program Administration and Training Overtime

Project Description – Fund CPS program training to establish certified training instructors on the Island and to provide recertification course. Send highway safety personnel to off-island conferences, workshops related to transportation safety issues, i.e., Moving Kids Safely, Lifesavers and Child Passenger Safety Technical Conference.

## Project Number - OP-11-05

Project Title - Comprehensive Community Occupant Protection Grants

Project Description – Provide funding for the development of a community-based network to promote safety community programs that addresses the Island Occupant Protection problems. This grant includes activities with schools, churches, medical facilities, law enforcement, courts, media, village police, government agencies, etc. This grant develops child safety seat programs that educate and train on the correct use of safety belt and child safety seats. Activities include: conducting media events, public information campaigns, child safety check ups, child safety seat and seat belt surveys, educational presentations, providing NHTSA Certified Child Passenger Safety Technician training, disseminating educational literature, distributing low cost or no cost child safety seats to low income families, and serving as fitting stations.

## Project Number - OP-11-06

Project Title - CPS Equipment Grants

Project Description – Continue the CPS grant program to fund government agencies, health care providers, and other agencies providing services to families and children to purchase CPS equipment.

# ■ 3.3.3 Projected Cost Summary

| Project Number | Project Title   | Budget       | Budget<br>Source   |  |
|----------------|---|--------------|--|--|
| OP-11-01       | Program Management  | \$154,487.00 | Section 402  |  |
|                | Salary/Fringe: \$114,487.00   |              |  |  |
|                | Travel (Conference) \$40,000.00   |              |  |  |
| OP-11-02       | CIOT & Seat Belt Enforcement  | \$90,911.58  | Section 402  |  |
|                | Activities/Overtime   | \$55,414.00  | Section 405  |  |
| OP-11-03       | Occupant Protection Paid and<br>Earned Media                                | \$20,000.00  | Section 405  |  |
| OP-11-04       | Child Passenger Safety (CPS) Program Administration and Training Overtime – | \$53,231.20  | Section 406  |  |
| 1              | Program Management  | ψοο,Ζο1.Ζο   | Section 400  |  |
|                | Salary/Fringe: \$33,231.20  |              |  |  |
|                | Travel (Conference) \$20,000.00   |              |  |  |
| OP-11-05       | Comprehensive Community Occupant Protection Grants                          | \$30,000.00  | Section 406  |  |
| OP-11-06       | CPS Equipment Grants  |              |  |  |
|                | 300 Child Restraints @\$80 each = \$24,000.00                               | \$33,540.43  | Section 406  |  |
|                | Vehicle Toppers including repairs for car seat inspection @ \$9,540.43      |              |  |  |
|                | Total 402   | \$245,398.58 | Section 402  |  |
|                | Total 405   | \$75,414.00  | Section 405  |  |
|                | Total 406   | \$116,771.63 | Section 406  |  |
| Total Fund     | All Funds   | \$437,584.21 | and the state of t |  |

## ■ 3.4 Emergency Medical Services

Emergency Medical Services (EMS) that ensure prompt and effective response and medical services to victims of motor vehicles crashes is an essential component of Guam's plan to reduce the number of fatalities and injuries from motor vehicle collisions.

OHS goal is to improve emergency medical services to traffic crashes on the Island by identifying and supporting programs that facilitate the delivery of quality emergency services within the "critical hours".

## ■ 3.4.1 Programs/Strategies

- To provide funds for the purchase of hydraulic and pneumatic extrication equipment
- To promote certified training programs
- To promote community involvement in traffic safety

#### **3.4.2** Tasks

### Project Number - EM-11-01

Project Title - Specialized Materials for Extrication

Project Description – Timely access to appropriate equipment and medical supplies is essential to the EMS. This grant will provide funds for the purchase of specialized materials for the removal of a victim trapped in the vehicle. The removal of a victim trapped in the vehicle can average more than an hour without appropriate tools and materials; with the use of hydraulic tools and proper materials, the extrication time is 15 minutes.

#### Project Number – EM-11-02

Project Title - Specialized Equipment

Project Description -This grant will provide funds for the purchase of Extrication Tool sets and Multi-Rescue tool sets to facilitate extraction of trapped motor vehicle crash victims.

## ■ 3.4.3 Projected Cost Summary

| Project Number | Project Title Budge   |             | Budget<br>Source |
|----------------|---|-------------|------------------|
| EM-11-01       | Specialized Materials for<br>Extrication  | \$16,523.96 | Section 402      |
| EM-11-02       | Specialized Equipment:  | \$27,000.00 | Section 402      |
|                | a) Extrication Tool Sets (10 each) @\$1,200 = \$12,000                                      |             |                  |
|                | b) Multi-rescue tool set to facilitate extrication operations (15 each) @\$1,000 = \$15,000 |             |                  |
| 402            | Section 402 Funds   |             | Section 402      |
| 406            | Section 406 Funds   |             |                  |
| Total Fund     | All Funds   | \$43,523.96 |                  |

## ■ 3.5 Police Traffic Services

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. It will provide training and appropriate enforcement of DUI, driver license, occupant restraint laws, and speed.

## ■ 3.5.1 Programs/Strategies

- To address aggressive driving through enforcement targeting aggressive behavior that leads to motor vehicle crashes.
- To provide funds for overtime, laser and radar units, automated citation devices, and computer equipment.
- To encourage the involvement of community based organizations in program planning and participation in activities to promote traffic safety.
- To promote traffic enforcement training for patrol officers.

- To increase occupant restraint enforcement operations and include information on correct usage as well as publicity to raise public awareness of the law and its enforcement.
- Support law enforcement with training and technical assistance aimed at increasing their effectiveness to reduce speeding and other aggressive driving behaviors.
- To increase public awareness of the speed law and its enforcement.
- Target speed enforcement patrols in school zone while school is in session.
- Continue overtime speed patrols with the GPD and GIAA.
- Employ speed-activated roadside displays showing speed limit and actual speed traveled.

#### ■ 3.5.2 Tasks

### Project Number - PT-11-01

Project Title - Program Development and Management

Project Description - This task provides assistance to staff to attend and participate in technology transfer workshops, training sessions, educational meetings, seminars, and conferences.

## Project Number – PT-11-01

Project Title - Law Enforcement Training and Equipment/Supply Purchase

Project Description – Provide funding for police officer training in Crash Investigation and for an instructor from the Institute of Police Technology and Management (IPTM), TSI, and other NHTSA approved institutions to certify local police officers as Certified Radar Instructors and for other devices.

## Project Number - PT-11-02

Project Title - Selective Traffic Enforcement and Education Program (STEEP)

Project Description – Funding in this task provides personnel, equipment, and operating costs to conduct traffic safety enforcement and education. The primary goal includes reduction of the number of persons killed in alcoholinvolved, speed-related, and night time collisions. A successful PTS program must also have a community-based effort. The purpose of the community effort approach is to organize an effective community response to collision-related

problems by involving public agencies, private organizations, and community-based organizations. Under such programs, a community uses both public and private resources to understand and attack all of its significant traffic safety problems.

Funds in this task provide for the purchase of sobriety checkpoint and visible display radar trailers; changeable message signs, radar and laser speed monitoring devices, other traffic safety equipment, educational items, personnel positions, and overtime.

### Project Number - PT-11-03

Project Title - Law Enforcement Specialized Equipment

Project Description – OHS will procure one (1) Light and Siren system along with one (1) speed and crash mapping laser, plus two (2) hand-held lasers in support of traffic enforcement.

## Project Number - PT-11-04

Project Title - Law Enforcement Capital Equipment

Project Description – OHS will procure two (2) Police Equipped Vehicles and one (1) Motorcycle to replace previously purchased highway safety funded vehicles and motorcycle that are soon to be surveyed and out of use.

# ■ 3.5.3 Projected Cost Summary

| Project Number | Project Title  | Budget       | Budget Source |
|----------------|--|--------------|---------------|
| PT-11-01       | Program Management                                       |              |               |
|                | Travel (Training)  | \$26,867.21  | Section 402   |
| PT-11-02       | Speed Enforcement Activities                             |              |               |
|                | Overtime   | \$135,000.00 | Section 402   |
| PT-11-03       | Specialized<br>Equipment:                                |              | Section 402   |
|                | One (1) Lights & Siren<br>System: \$3,500.00             | \$17,015.00  |               |
|                | One (1) Speed &<br>Accident Mapping<br>Laser: \$4,115.00 |              |               |
|                | Two (2) Hand-held<br>Laser @ \$4,700.00                  |              |               |
| PT-11-04       | Capital Equipment:                                       |              |               |
|                | Two (2) Police Package<br>Cruisers @ \$35,000.00         | \$95,375.00  | Section 402   |
|                | One (1) Police Package<br>Motorcycle @ \$25,375.00       |              |               |
| Total Fund     | All Funds  | \$274,257.21 |               |

## ■ 3.6 Other Road Users

Other transportation modes consist of everything except personal automobiles and motorcycles and are generally classified as motorized (school buses) and non-motorized (pedestrian and bicycle) modes. The large fluctuation in the number of pedestrian fatalities over the past four years requires attention. Twenty pedestrians have been killed in motor vehicle crashes in Guam from 2006 through 2009.

## ■ 3.6.1 Programs/Strategies

- Fund Islandwide community pedestrian safety training project to increase knowledge of pedestrian best practices by identifying the top 10 pedestrian crash locations; training will be conducted and pedestrian safety action plan will be developed in communities with high pedestrian risk locations.
- Increase awareness of traffic safety through specially tailored programs for the promotion of safe behavior as drivers and pedestrians.
- OHS will continue to work with DPW to identify areas needing safety devices and crosswalks.

#### ■ 3.6.2 Tasks

## Project Number - PS-11-01

Project Title - Pedestrian/Bicycle Safety Resource Center

Project Description – OHS will maintain appropriate resource materials/promotional materials and equipment for use at bicycle/pedestrian safety events on the Island.

Project Number – RS-11-01

Project Title - Roadway Safety Materials

Project Description – OHS will maintain appropriate resource materials/promotional materials in support of roadway safety events on the Island.

## ■ 3.6.3 Projected Cost Summary

| Project Number | Project Title                                    | Budget      | <b>Budget Source</b> |  |
|----------------|--|-------------|----------------------|--|
| PS-11-01       | Rodeo Equipment on bicycle and pedestrian safety | \$17,852.72 | Section 402          |  |
| Total Fund     | All Funds  | \$17,852.72 |                      |  |

| Project Number       | Project Title              | Budget      | Budget Source |  |
|----------------------|----------------------------|-------------|---------------|--|
| RS-11-01             | 1-01 Reflective Materials: |             | Section 402   |  |
| Total Fund All Funds |                            | \$26,645.17 |               |  |

## ■ 3.7 Traffic Records

OHS plans to conduct a Traffic Records Assessment in April 2011. At that time, a revised plan will be developed that address the current improvement made to-date and recommends new improvements and enhancements that are necessary to keep moving the Guam Traffic Records System forward. OHS and other stakeholders have continued to improve their systems to enable exchange of information, but improvements are still needed in the areas of timeliness, accuracy, completeness, uniformity, and integration. The traffic records system includes data elements necessary for problem identification, problem analysis, and countermeasure evaluation in all areas of traffic safety in the Territory.

A Highway Safety and Traffic Records Coordinating Committee (TRCC) have been working on the multiyear Highway Safety Data and Traffic Records System Improvement Plan.

Guam has embarked on an Islandwide Traffic Records System Development, Improvement and Enhancements program with the inception of the Section 411 followed by the 408 program. An Electronic Crash Reporting System has been developed and deployed and has been in use for over a year. An ECitation System in undergoing testing, and should be in field testing by October 2010 with a full deployment planned for January 2011.

## ■ 3.7.1 Programs/Strategies

- To implement and deploy an ECitation System by October 2010.
- Expand and improve Traffic Records System databases to enable timely data exchange among highway safety systems.
- Improve data integration and coordination with highway safety stakeholders.
- Complete implementation and deployment of hardware, software, and training to support the electronic collection and transmission of traffic safety information (E-citation, Crash, and EMS).
- Increase the data linkage of traffic records with other data systems within the government agencies involved in traffic safety programs.
- Improve the maintenance, coordination, accuracy, and analysis of current transportation safety data.
- Utilize NHTSA 408 Grant Funding to partner with other state agencies in data coordination, management, and analysis.
- Increase the availability of safety data and traffic records to highway safety stakeholders.
- Use the new Online System for Crash Analysis and Reporting (OSCAR) to generate island-wide safety data analysis. This analysis will be made available to highway safety stakeholders.
- Provide information on highway safety problem identification, process, program planning, and evaluation to potential grantees.
- Develop a Web site for OHS to include a public page for public access to highway safety information and static data.

Include program management and oversight for all activities within this priority area.

#### ■ 3.7.2 Tasks

## Project Number – TR-11-01

Project Title - Program Development and Management

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 application. 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.

## Project Number - K9TR-11-02

Project Title - Contractual Services for the Islandwide Traffic Safety Information System

Project Description - With the assistance of the OHS current traffic records contractor, Ledge Light Technologies, who is under contract with the Government of Guam, Department of Public Works, Office of Highway Safety, OHS will continue the design, development, implementation and deployment of the Islandwide Traffic Safety Information Systems.

## Project Number - TR-11-03

Project Title - Supplies and Materials for Computer and Laptops

Project Description – OHS will procure supplies and materials for the computers and laptops that were procure for field testing and deployment of the ECitation System, Crash System and the Online System for Crash Analysis and Reporting.

# ■ 3.7.3 Projected Cost Summary

| Project Number | Project Title  | Budget       | <b>Budget Source</b> |  |
|----------------|--|--------------|----------------------|--|
| TR-11-01       | Program Management:  | \$57,698.12  | Section 402          |  |
|                | Salary/Fringe: \$32,698.12   |              |                      |  |
|                | Travel (conf.) \$25,000.00   |              |                      |  |
| K9TR-11-02     | Contractual Services for the<br>Traffic Safety Information<br>System | \$896,250.00 | Section 408          |  |
| TR-11-03       | Supplies and Materials for computers and laptops                     | \$4,288.69   | Section 402          |  |
|                | Section 402  | \$61,986.81  |                      |  |
|                | Section 408  | \$896,250.00 |                      |  |
| Total Fund     | All Funds  | \$958,236.81 |                      |  |

# 5.0 Program Cost Summary

## HIGHWAY SAFETY PROGRAM COST SUMMARY

O.M.B. No. 2127-003

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

|        | State:                                      | Guam                                    |       | Number: HSP                  | 2011-00                             | Date: August 30 | , 2010         |                   |
|--------|---|---|-------|------------------------------|-------------------------------------|-----------------|----------------|-------------------|
| Prior  |   | Basis For % State/Local Change Funds    |       | Federally Funded Programs    |                                     |                 | Federal        |                   |
| Fun    | Approved<br>Program<br>Funds<br>2010 Budget | m<br>s                                  | Funds | Previous Balance Current GTS | Increase/(Decrease) 2011 Allocation | % Change        | 1              | Share to<br>Local |
| AL11   | \$478,130.00                                | Mine Year of the Control of the Control |       | \$396,069.03                 | \$261,319.46                        |                 | \$657,388.49   |                   |
| OP11   | \$219,145.00                                |   |       | \$218,655.91                 | \$150,039.73                        |                 | \$368,695.64   |                   |
| PT11   | \$264,752.00                                |   |       | \$264,751.76                 | \$92,098.31                         |                 | \$356,850.07   |                   |
| EM11   | \$105,870.00                                |   |       | \$45,990.96                  | 0.00                                |                 | \$45,990.96    |                   |
| TR11   | \$103,725.00                                |   |       | \$103,724.90                 | \$10,000.00                         |                 | \$113,724.90   |                   |
| RS11   | \$23,293.00                                 |   |       | \$30,278.77                  | 0.00                                |                 | \$30,278.77    |                   |
| PA11   | \$105,745.00                                |   |       | \$103,930.18                 | \$58,717.50                         |                 | \$162,647.68   |                   |
| SA11   | \$15,980.00                                 |   |       | 0.00                         | 0.00                                |                 | 0.00           |                   |
| PM11   | \$19,000.00                                 |   |       | \$19,000.00                  | \$15,000.00                         |                 | \$34,000.00    |                   |
| PS11   | \$80,921.00                                 |   |       | \$75,564.78                  | 0.00                                |                 | \$75,564.78    |                   |
| K911   | \$1,379,713.00                              |   |       | \$1,181,000.00               | 0.00                                |                 | \$1,181,000.00 |                   |
| K411   | \$315,404.00                                |   |       | \$354,919.31                 | 0.00                                |                 | \$354,919.31   |                   |
| K211   | \$55,414.00                                 |   |       | \$55,414.00                  | 0.00                                |                 | \$55,414.00    |                   |
| K2PM11 | \$20,000.00                                 |   | 2000  | \$20,000.00                  | 0.00                                |                 | \$20,000.00    |                   |
| J911   | \$396.00                                    |   |       | \$2.64                       | 0.00                                |                 | \$2.64         |                   |
| FRS11  | \$16.00                                     |   |       | \$15.56                      | 0.00                                |                 | \$15.56        |                   |

# Guam Office Of Highway Safety Performance Plan FFY 2011

| Total NHTSA  | \$3,187,488.00 | \$2,869,302.24 | \$587,175.00 | \$3,456,477.24 |
|--------------|----------------|----------------|--------------|----------------|
| Total FHWA   | \$16.00        | \$15.56        | 0.00         | \$15.56        |
| NHTSA & FHWA | \$3,187,504.00 | \$2,869,317.80 | \$587,175.00 | \$3,456,492.80 |

#### 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

#### **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 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;

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.

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

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(1)).

#### **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.

#### The Drug-free Workplace Act of 1988(41 U.S.C. 702;):

The State will provide a drug-free workplace by:

- Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the 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 (49 U.S.C. 5323(j)) 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, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

## 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.

## 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.

# <u>Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions</u>

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
  - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

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

## Instructions for Lower Tier Certification

- 1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
- 2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
- 3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- 4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- 5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
- 6. The prospective lower tier participant further agrees by submitting this proposal that is 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.

### <u>Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion --</u> 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.

#### POLICY TO BAN TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to:

- (1) Adopt and enforce workplace safety policies to decrease crashed caused by distracted driving including policies to ban text messaging while driving—
  - a. Company-owned or –rented vehicles, or Government-owned, leased or rented vehicles; or
  - b. Privately-owned when on official Government business or when performing any work on or behalf of the Government.
- (2) Conduct workplace safety iniatives in a manner commensurate with the size of the business, such as
  - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and

b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

## **ENVIRONMENTAL IMPACT**

The Governor's Representative for Highway Safety has reviewed the State's Fiscal Year 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).

indrew S. Leon Guerrero

Governor's Representative for Highway Safety

**GUAM** 

State or Commonwealth

2011

For Fiscal Year

11/03/2011

Date