

EXECUTIVE SUMMARY

On behalf of the Governor of the State of Delaware and the Secretary of the Department of Safety and Homeland Security, the Office of Highway Safety is pleased to present the Fiscal Year 2006 Highway Safety Plan. This plan provides an outline for improving the safety of all motorists on Delaware roadways and details the priority areas, performance goals and measures, and the initiatives to be undertaken to decrease the loss of life and injuries resulting from motor vehicle crashes.

For FY 2006, the following highway safety priority areas for the State of Delaware have been identified:

- Occupant Protection
- Impaired Driving
- Aggressive Driving
- Traffic Records
- Pedestrian Safety

Extensive data driven problem identification was conducted to determine the most appropriate priority areas to fund to improve the state's crash, fatality and injury picture.

In addition to detailing the problem identification process utilized to identify the priority areas and accompanying goals for the coming year, the Highway Safety Plan includes an organizational overview of the Office of Highway Safety, demographic information of the state's population, a description of the process undertaken to select sub grantees for FY 2006, and the Highway Safety Cost Summary and Certifications and Assurances.

The Highway Safety Plan is Delaware's blueprint for improving safety on Delaware roadways and we look forward to tackling the challenges that this document presents.

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DELAWARE OFFICE OF HIGHWAY SAFETY

Mission Statement

The Office of Highway Safety is committed to improving safety and security on Delaware roadways through the administration of federal funds, the development of countermeasures to combat unsafe driving behaviors, and the collection and analysis of crash data.

The Office of Highway Safety, established in 1976 via Delaware Code, Title 29, Part IV, Chapter 49, §4901-4904, promotes public safety through the administration and distribution of federal highway safety funds for a variety of state and local highway safety programs and initiatives. The office is committed to coordinating highway safety initiatives designed to impact our priority areas in accordance with National Highway Traffic Safety Administration guidelines.

As a division of the Department of Safety and Homeland Security, the Office of Highway Safety fulfills its mission through a variety of public information and enforcement efforts. OHS serves as a clearinghouse for highway safety information in the state. Office staff members are committed to further developing partnerships with agencies statewide, including law enforcement, emergency medical services, health care professionals, businesses, educators, and private citizen organizations. These vital statewide links are essential to the successful promotion of safe driving practices in our state.

By focusing our efforts on the state's identified highway safety priority areas, developing statewide partnerships, and increasing the public's awareness of safe driving habits, the Office of Highway Safety, under the leadership and direction of Mrs. Tricia Roberts, is striving to make Delaware's roadways the safest in the country.

Highway safety programming is focused on public outreach and education; high-visibility enforcement; utilization of new safety technology; collaboration with safety and business organizations; and cooperation with other state agencies and local governments. Programming resources are directed to the following identified State of Delaware highway safety priority areas: Occupant Protection, Impaired Driving, Aggressive Driving, Traffic Records, and Pedestrian Safety.

The primary functions of the Office of Highway Safety include:

- ◆ **Problem Identification:** Includes identification of actual and potential traffic hazards and the development of effective countermeasures.
- ◆ **Administration:** Includes the management of federal highway safety funds, distribution of these funds to agencies and the preparation of the Annual Highway Safety Plan and Annual Evaluation Report.
- ◆ **Monitoring & Evaluation:** Includes monitoring legislative initiatives that impact highway safety and evaluating the effectiveness of approved highway safety projects.

- ◆ **Public Information & Education:** Includes development and coordination of numerous media events and public awareness activities with emphasis on the identified priority areas.

Highway Safety Staff and Responsibilities

The Office of Highway Safety currently consists of seven full-time positions, and four part-time assistance positions, as follows:

Director: Responsible for planning, organizing and directing the operations and programs of the Office of Highway Safety in accordance with Federal and State rules regulations and guidelines. Monitors state and federal legislation that impacts highway safety and the State of Delaware.

Management Analyst III: Responsibilities include monitoring and evaluation of approved highway safety projects, distribution of federal funds to state, local and private agencies and preparation of the Highway Safety Plan. Performs duties as necessary as the **Occupant Protection Coordinator, Aggressive Driving Coordinator and Traffic Records Coordinator.**

Management Analyst III: Responsible for coordinating and organizing impaired driving initiatives across the state, managing the statewide DUI Provider Program, and the administration of the TEA-21/Section 154 Transfer Program. Prepares the Annual Evaluation Report and coordinates the state's OJJDP program. Performs duties as necessary as the **DUI Coordinator and Pedestrian Safety Coordinator.**

Community Relations Officer: Responsibilities include dissemination of information regarding agency programs and events, coordination of public awareness campaigns and media events, and presentation of safety education programs for schools, state agencies, and businesses.

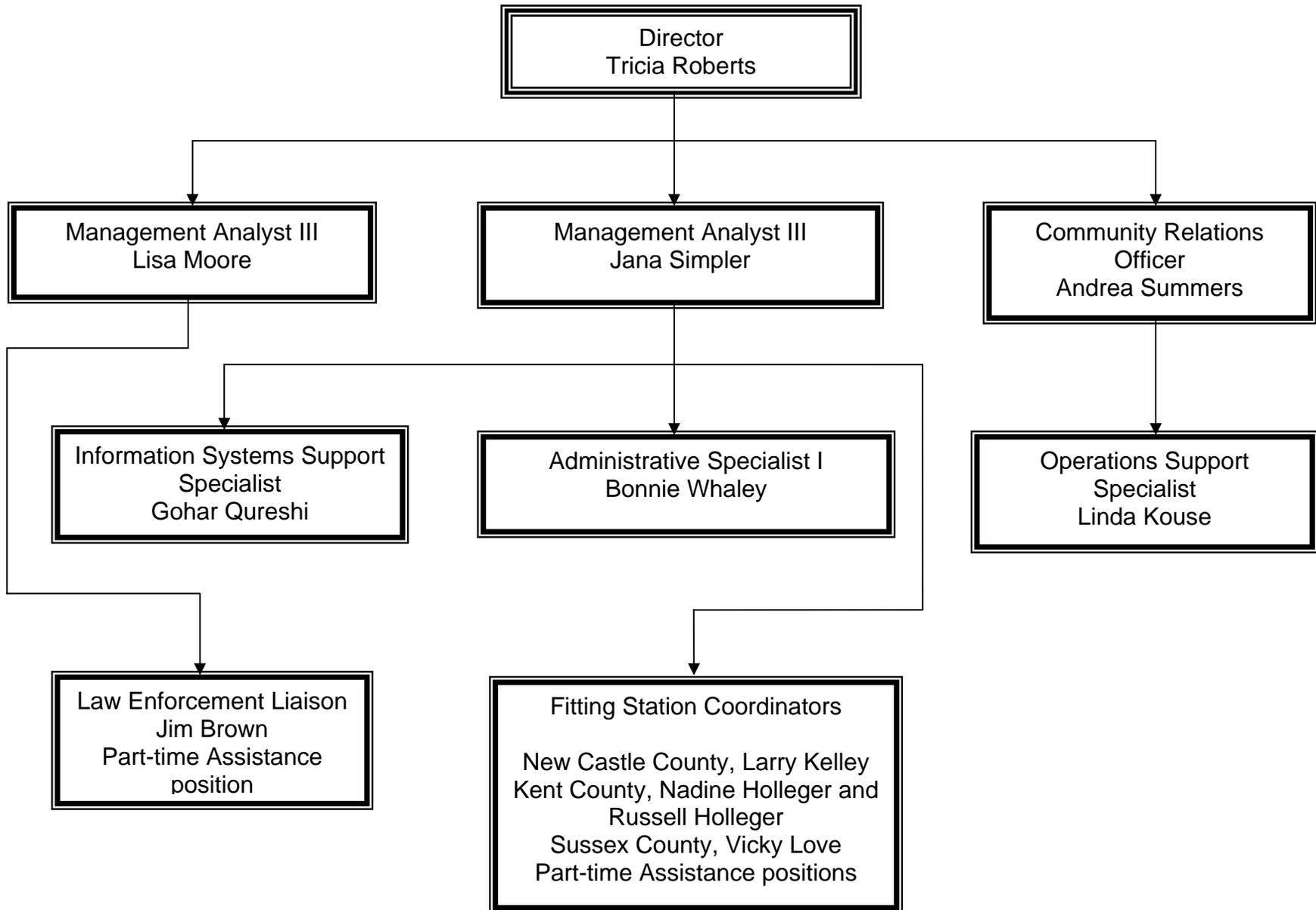
Information Systems Support Specialist: Responsible for the administration of the network computer system, modification of existing programs and implementation of new programs as needed, and maintenance of the OHS website. Maintains internal and external equipment inventory.

Operations Support Specialist: Responsible for ordering public information materials, coordinates distribution of materials to increase public awareness, and assists the Community Relations Officer with public information and education initiatives.

Administrative Specialist I: Responsible for processing fiscal documents as necessary for the daily operations of the office and assists the Operations Support Specialist in events designed to increase public awareness of highway safety issues. Manages the Office of Highway Safety's timesheets for the Department's Human Resources Section.

Law Enforcement Liaison: Responsible for the coordination of law enforcement mobilizations throughout the grant year and for organizing law enforcement training opportunities (part-time assistance position).

Four Fitting Station Coordinators: Responsible for the coordination of the Office of Highway Safety's three Child Passenger Safety Fitting Stations, in cooperation with the Division of Motor Vehicles and Delaware State Police (part-time assistance positions).



Community Traffic Safety Program Coordinators

Through a contractual agreement with the University of Delaware's Cooperative Extension Office, the Office of Highway Safety also provides funding to support two Community Traffic Safety Program (CTSP) Coordinators, Cindy Genau, the New Castle County CTSP Coordinator and Michael Love, the Kent/Sussex County CTSP Coordinator.

The CTSP Coordinators are responsible for the development, implementation, and evaluation of programming initiatives in their respective counties to improve highway safety and reduce crashes, injuries and fatalities. Their comprehensive programming initiatives focus on all five of the state's priority areas including occupant protection, impaired driving, aggressive driving, traffic records, and pedestrian safety. Each of the coordinators conduct extensive county-wide problem identification to determine the most appropriate highway safety programs to impact the identified problems. Their success is directly related to their ability to establish and maintain partnerships with many agencies, including law enforcement, hospitals, businesses, fire/EMS, insurance companies, parenting groups, AARP, and safety organizations to name a few.

The CTSP coordinators are a valuable asset to the Office of Highway Safety and are committed to improving the state's traffic crash picture and to reducing injuries and fatalities on Delaware roadways.

Delegation of Authority

A written position description is updated and reviewed every year for each of the members of the Office of Highway Safety staff, including the director. These position descriptions clearly outline the expectations of each member of the staff and establish the director as the administrator and manager for the Office of Highway Safety. Specifically, the Director's position description is detailed as follows:

"The Director of the Office of Highway Safety is responsible for planning, organizing, coordinating, and directing the operation of the Office of Highway Safety to ensure effective distribution of federal highway safety funds to state and local subdivisions in accordance with federal and state rules, regulations and guidelines."

Relevant Training

As indicated below, the Office of Highway Safety staff regularly participates in National Highway Traffic Safety Administration (NHTSA) training opportunities and training offered by other federal agencies, as well as management training offered within the state.

Tricia Roberts, Director – NHTSA, Program Management; NHTSA, Financial Management; GHSA, Executive Seminar on Program Management; State of Delaware, Leadership Training; US Department of Justice, Office of Justice Programs, Financial Management Training; Regional GR/Coordinator meetings; Regional Occupant Protection Summit; and GHSA Annual Meeting and board meetings.

Jana Simpler, Management Analyst III – NHTSA, Program Management Training; NHTSA, Child Passenger Safety Technician Training; NHTSA, Instructor/Facilitator Training; NHTSA, Financial Management; State of Delaware, Supervisor and Management Trainings; Regional

GR/Coordinator meetings; Regional Occupant Protection Summit; GHSA Annual Meeting; and the Annual Traffic Records Forum.

Lisa Moore, Management Analyst II – NHTSA, Program Management Training; NHTSA, Instructor/Facilitator Training; NHTSA, Financial Management; and Regional Impaired Driving Summit.

Andrea Summers, Community Relations Officer – NHTSA, Program Management Training; NHTSA, Instructor/Facilitator Training; NHTSA, Child Passenger Safety Technician and Instructor Training; NHTSA, Media Skills Workshop; NHTSA, Financial Management; State of Delaware, Management Training; Regional Occupant Protection Summit; and the annual NIOA Conference.

Statewide Demographics

In terms of land mass, Delaware ranks 49th in the nation with a total area of 1,982 square miles. New Castle County is 438 square miles, Kent County is 594 square miles, and Sussex County is 950 square miles. Delaware is 96 miles long and varies from 9 to 35 miles in width. There are 401.1 persons per square mile and 5,700 miles of public roads in the state.

Delaware QuickFacts from the US Census Bureau reports that the 2000 population estimate was 783,600. The US Census Bureau’s population estimate for 2002 was 807,385, reflecting a 3% increase over 2000. The 2010 projected population is 866,528. Since 1990, the state’s population has increased 17.6%. Persons under the age of 5 represent 6.6% of the state’s population and persons over the age of 65 represent 13% of the population. Females slightly edge out males, 51.4% to 48.6%. Lastly, 72.5% of the population is white, 19.2% are African-American, 2.1% are Asian, and 4.8% are of Hispanic or Latino origin.

Motor Vehicle Data

	Licensed Drivers	Registered Motor Vehicles	Motor Vehicle Mileage in Millions
1999	552,055	694,330	8,534
2000	563,949	717,360	8,201
2001	569,143	733,207	8,565
2002	577,581	755,272	8,837
2003	591,713	778,016	9,013
2004	604,124	803,942	9,172

Miscellaneous State Data

There are 41 law enforcement agencies in Delaware, including the Delaware State Police. New Castle County has the only county police agency. The Sheriff’s Offices in each county do not have traditional enforcement capabilities and typically provide subpoena support to the court system.

There are seven hospitals in Delaware, including Al Dupont Hospital for Children, which serves children from infancy through 14 years of age and one Level I Trauma Center, Christiana Care Health Systems.

The capitol of the state, Dover, is home to the state's lone military base, Dover Air Force Base (DAFB). The primary mission of the DAFB is to provide airlift support for troops, cargo, and equipment. There are more than 4,080 active duty and reserve military and 1,558 civilians with a total economic impact of approximately \$341,800.00 per year, which ranks the air base as Delaware's fifth largest employer. Members from the base are actively involved in a variety of off base activities, and a strong base community program provides a forum for military and civilian cooperation at all levels.

Delaware supports numerous industries, including banking, manufacturing, automotive, poultry processing, and pharmaceuticals. The state's largest employer is the State of Delaware with 15,114 workers in 2003. MBNA Corporation (banking) ranks second, DuPont Company (chemicals) ranks third, Christiana Care Health Systems (health care) ranks fourth and Dover Air Force Base (military transport) ranks fifth.

DART First State Public Transit Service is operated by Delaware Transit Corporation, a Division of DelDOT. The statewide public transit system includes seasonal resort service and para-transit door-to-door service for the elderly and disabled. The DART fleet includes over 400 vehicles and services 9.2 million passenger trips per year.

Political and Legislation Status

The Governor of the State of Delaware is Ruth Ann Minner. The Lt. Governor is John C. Carney, Jr. Both are Democrats and took office for their second terms in 2004. The state's General Assembly consists of two houses, the House of Representatives and the Senate. The House of Representatives seats are currently held by 25 Republicans 15 Democrats and 1 unaffiliated. The Senate seats are currently held by 8 Republicans and 13 Democrats, plus the Lt. Governor who presides over the Senate as the President.

During the recent first session of the 143rd General Assembly, open container legislation was tabled for a second time in the House Public Safety Committee and was not brought to the floor for a vote. The lack of a compliant open container law subjects the state to Section 154 transfer penalties. Legislators have been resistant to pass an open container law as they believe that it should apply only to the driver of the vehicle and not passengers. The State did enact legislation that curtails cell phone use by teen drivers, but other measures to strengthen the state's GDL law have been postponed for consideration until the next session in January 2006.

SUMMARY OF DELAWARE'S FY 2006 HIGHWAY SAFETY GOALS

Overall Goal – To reduce fatality rate per 100 million vehicle miles traveled from 1.53 in 2004 to 1.49 in 2006.

- 1. Occupant Protection** – To increase seat belt use from 82% in 2004 to 85% in 2006. In order to achieve an 85% seat belt use rate, Delaware must convert 17% of its current non-seat belt users into seat belt users.
- 2. Impaired Driving** – To reduce alcohol-related fatalities from 34% in 2004 to 32% in 2006 and to reduce the alcohol fatality rate per hundred million vehicle miles traveled from .52 in 2004 to .49 in 2006.
- 3. Aggressive Driving** – To reduce fatal crashes resulting from aggressive driving behaviors from 55% in 2004 to 50% in 2006.
- 4. Traffic Records** – To implement a statewide-integrated data collection system to allow for comprehensive analysis of all traffic crashes and thus improve the timeliness, accuracy, and completeness of transportation safety information utilized in problem identification and program development processes.
- 5. Pedestrian Safety** – To reduce pedestrian fatalities from 12% in 2004 to 11% in 2006.

PROBLEM IDENTIFICATION PROCESS

The Office of Highway Safety conducts an extensive problem identification process to determine the most effective and efficient plan for the use of federal highway safety funds. Data driven problem identification is critical to the success of any highway safety plan or specific programming initiative. Problem identification ensures that the highway safety program addresses specific crash problems, provides the appropriate criteria for the designation of priorities, and provides a benchmark for administration and evaluation of the overall highway safety plan.

The Office of Highway Safety conducted the problem identification process for FY 2006 and utilized the NHTSA problem identification process and guidelines outlined in the NHTSA Program Management Training, as follows:

- Identify the data elements – The OHS staff identified the crash data elements that we knew from experience needed to be analyzed to determine if a problem existed or not. We compiled that list, determined which pieces of information we had access to, and prepared our specific data requests for the appropriate data manager. Some sample data elements include teen drivers, truck crashes, seat belt use crashes, ages of pedestrian fatalities, types of roadways, primary contributing circumstances, alcohol-related fatalities, and high crash locations.
- Identify the data sources – Once the OHS staff determined the data elements that we wanted to focus on, we identified the appropriate data sources from which to draw the information. These included the Delaware State Police (DSP) Traffic Section (statewide crash data repository); Delaware FARS analyst; DSP Traffic Statistician; Emergency Medical Services Data Information Network (Patient Care Reports); Delaware Department of Transportation (DelDOT), Office of Planning for location data; Annual Observational Seat Belt Use Surveys; Delaware's 2000 Traffic Records Assessment; crash report demographic data; DUI Tracking System data; child restraint misuse data; Division of Motor Vehicle registration and licensed driver data; and DelDOT Highway Safety Improvement Plan data.
- Identify data display options – In addition to utilizing the paper and electronic reports prepared by the above data sources, the Office of Highway Safety relied heavily on the mapping capabilities of the Delaware Department of Transportation. All the identified priority area crashes were mapped to determine if there were any clustering or location consistencies for various types of crashes, including unrestrained fatalities, low seat belt use areas, aggressive driving-related fatal crashes, impaired driving crashes, and pedestrian crashes. All maps compared three to five years of crash data as well.
- Analyze and interpret the data – In September of 2004, the Office of Highway Safety began utilizing a crash analysis package developed by the University of Alabama called CARE (Critical Analysis Reporting Environment). This extremely versatile software package has allowed the Office of Highway Safety to analyze crash data without having to rely on Delaware State Police for query results. In addition, the Office of Highway Safety contacted the Delaware Department of Transportation for a list of their identified Highway Safety Improvement Plan

(HSIP) locations. These locations are based on three year trend analysis and provide a basis for their highway construction, signage, and traffic line improvement plans. While the DeIDOT consultants analyze the area where the crashes are occurring to determine appropriate engineering countermeasures, the Office of Highway Safety plans appropriate enforcement and awareness initiatives based on identified HSIP locations.

- Establish decision rules – From the information gathered, the state’s top five highway safety problems were identified. As indicated above, the FY 2006 priority areas are as follows:
 - Occupant Protection
 - Impaired Driving
 - Aggressive Driving
 - Traffic Records
 - Pedestrian Safety

The agencies that are identified, based on data driven problem identification, to participate in initiatives outlined in this FY 2006 Highway Safety Plan must be shown to be able to directly impact one of the priority areas. The problem identification process is key to establishing the Highway Safety Plan and the appropriate distribution of federal funds.

- Review the data and analyze further – Following extensive review and analysis of the crash data, the Office developed goals for each of the identified priority areas. We took into account crash, fatality and injury trends, evaluation of programming initiatives, goal achievement in previous year’s Highway Safety Plans, and pending legislation. Each of the established goals are specific, measurable, action oriented, reasonable, time framed and related to the identified problem.

Problem Identification Process Strengths and Challenges

The problem identification process undertaken by the Office of Highway Safety staff revealed some of Delaware’s inherent strengths and challenges related to data collection.

Some of these strengths include the experience of the staff members involved in the process. Much can be said for intuition in determining the direction when analyzing data, selecting priority areas and setting appropriate goals. Additionally, the willingness of our highway safety partners to provide data upon request, the availability of the NHTSA Mid-Atlantic Region staff in assisting the Office with the tasks, and the participation of our Grant Advisory Committee were tremendously helpful and contributed greatly to the success of the overall problem identification process.

While there is an abundance of crash data available to the Office of Highway Safety, the biggest challenge faced throughout the problem identification process was the lack of an established link between the data. Two major projects underway to alleviate this strain include the implementation of the automated crash reporting system and the development of an integrated data collection system. The automated crash reporting system will improve the accuracy and timeliness of the crash reports and will allow for automated crash analysis and reduce duplication of effort. The integrated data collection system will link DSP, Office of EMS, DMV, DeIDOT, and Delaware Justice Information System (DeJIS) data for crash data analysis purposes.

HIGHWAY SAFETY PRIORITY AREAS PERFORMANCE GOALS, MEASURES, AND FUNDED PROJECTS

Occupant Protection

Based on the Annual Statewide Observational Seat Belt Use Survey conducted in Delaware in June 2004, Delaware's seat belt use rate is 82%, up from 75% in 2003. The nation's average seat belt use rate is 80%. In 2004, 50% (55 of 110) of those occupants killed in motor vehicle crashes on Delaware roadways were not wearing seat belts, down from 55% in 2003 (and 61% in 2002). Statistics reveal that as many as half of those killed who weren't wearing seat belts may have survived had they buckled up. In addition, in 2004, 13% (911 of 7,132) of those injured were not wearing seat belts at the time of the crash. This is a slight improvement over 2003, when 17% of motor vehicle occupants injured in crashes were not wearing seat belts. In 2004, 66% (33 of 50) of the unrestrained fatalities were males, down from 75% (48 of 64) in 2002. In 2004, teens between the ages of 15 and 19 accounted for 24% of the unrestrained motor vehicle occupants killed, even though they only account for 5% of the driving population. This was a slight increase over 2003 when 18% of the motor vehicle occupants killed were between the ages of 15 and 19. In 2004, 24% of the unrestrained fatalities were ejections, compared to 40% in 2003.

Seat belt Use Data

	1996	1997	1998	1999	2000	2001	2002	2003	2004
Use rate	62%	59%	62%	64%	66%	67%	71%	75%	82%

Motor Vehicle Occupant Injury and Fatality Data and Seat belt Use

	1996	1997	1998	1999	2000	2001	2002	2003	2004
Injuries	9477	9957	10,390	9985	9805	9396	9430	8381	7132
% not using seat belts	22%	23%	24%	22%	23%	21%	18%	17%	13%
	2085 of 9477	2290 of 9957	2493 of 10,390	2,196 of 9985	2255 of 9805	1973 of 9396	1697 of 9430	1433 of 8381	911 pf 7132
Fatalities	85	123	89	82	100	108	100	113	110
% not using seat belts	49%	65%	62%	68%	72%	64%	64%	55%	50%
	41 of 85	80 of 123	55 of 89	56 of 82	72 of 100	69 of 108	64 of 100	62 of 113	55 of 110

Performance Goal

To increase seat belt use from 82% in 2004 to 85% in 2006.

	2005	2006	2007	2008	2009	2010
% use goal	84%	85%	87%	88%	89%	90%

In order to achieve an 85% seat belt use rate, Delaware must convert 17% of its current non-seat belt users into seat belt users.

Performance Measures

- Annual **statewide observational seat belt use surveys** will continue to be utilized to measure the statewide usage rates for seat belts. In 1998, the Delaware Office of Highway Safety's Observational Survey Plan was developed and was approved by the National Highway Traffic Safety Administration. Seat belt use is surveyed at over eighty sites across the state and calculations of use are based on VMT (vehicle miles traveled).
- **Monitoring of overall seat belt use rates** in personal injury and fatal crashes will allow for a comprehensive approach to the problem identification process. The Office of Highway Safety will continue to monitor the locations of unrestrained fatal and personal injury crashes.

FY 2006 Occupant Protection Projects

Harrington Police Department	\$7,000.00
Dover Police Department	\$10,000.00
Newark Police Department	\$10,000.00
Wilmington Police Department	\$10,000.00
New Castle County Police Department	\$10,000.00
Delaware State Police	\$20,000.00
University of Delaware, NCCo CTSP	\$44,493.00
University of Delaware, Kent and Sussex County CTSP	\$52,268.00
Christiana Care Health Services	\$5,062.00
Office of Highway Safety-Project Safe Highways	\$67,000.00

TEA-21 Occupant Protection Incentive and Innovative Grants

Section 157 Incentive Grant - eligibility criteria includes:

- the state's seat belt use rate exceeds the national average for two years, or

- the state's seat belt use rate in the previous calendar year exceeds the state's base seat belt use rate.

**Note: A state may use these grant funds for any project eligible for funding under Title 23 of the US Code.

FY 2005 – (\$80,262—received to date) Delaware qualified for this incentive grant based on the increase in the state seat belt use rate from 71% in 2002 to 75% in 2003. The amount of funding was calculated based on the estimated savings to the Federal government in medical costs due to the increased usage of seat belts. Delaware plans to utilize this funding to implement occupant protection and aggressive driving initiatives.

Section 157 Occupant Protection Innovative Grant – eligibility criteria includes:

- the state must outline an innovative plan to increase seat belt use rates, to include key enforcement strategies, a public information and education plan, outreach efforts, and an evaluation of efforts plan.

FY 2004 – (\$385,000) Delaware qualified for this grant based on its application outlining the state's Click it or Ticket campaign plans. The intense four-week enforcement mobilization and high-visibility public education plan were outlined in the grant application. The funding also supports FY 2005 occupant protection enforcement initiatives and salary for the OHS Law Enforcement Liaison.

FY 2005 – (\$315,000) Delaware qualified for this grant based on its application outlining the state's 2005 Click it or Ticket campaign plans. These funds provided overtime enforcement for law enforcement agencies, plus paid media fees including air time, billboards space, and consultant fees.

Section 405 Occupant Protection Incentive Grant — eligibility criteria includes meeting 4 of the following 6 criteria:

- a law requiring seat belt use by all front seat passengers (all passengers in the vehicle in FY 2001).
- a primary enforcement seat belt law.
- minimum fine or penalty points for occupant protection law violations.
- a statewide special traffic enforcement program for occupant protection that emphasizes publicity.
- a statewide child passenger safety education program.
- a child passenger law that requires minors to be properly secured in a child safety seat.

FY 2004 – (\$174,477) Delaware qualified for this incentive grant by meeting 4 of 6 of the above eligibility criteria. A portion of the FY 2004 Section 405 funds were allocated to a seat belt enforcement mobilization in mid-late 2004. The mobilization

included a public information and education campaign with high visibility enforcement of the state's seat belt law. In addition, these funds supported the Child Passenger Safety Awareness campaign and advertising for the state's three child passenger safety fitting stations.

FY 2005 – (\$90,547) Delaware qualified for this incentive grant by meeting 4 of 6 of the above eligibility criteria. Funds were allocated to the law enforcement liaison and child passenger safety fitting station salaries, plus a car seat distribution program for low income families.

Impaired Driving

Based on the Delaware State Police Annual Traffic Statistics Report for 2004, alcohol-related fatalities accounted for 46 of the 140 total traffic crash fatalities (33%). This is down from 39% in 2003, when 57 of 148 traffic crash fatalities involved alcohol. It is important to note that overall alcohol-related crash fatalities are still well below the high of 45% in 2000. Also, in 2004 alcohol-related crash injuries dropped to 9%, 722 of 7610 total crash injuries involved alcohol. Overall, there were 1247 total alcohol-related crashes, down from 1473 in 2003. This includes fatal, personal injury, and property damage crashes. Further crash analysis revealed that 60% of all alcohol-related crashes occurred between 8pm and 4am. Also, 58% happen between Friday and Sunday. Male drivers account for 76% of all alcohol-related fatal crashes, and 77% of those males are between the ages of 22 and 54. In 2004, Delaware law enforcement made a total of 5981 impaired driving arrests, up from 5964 in 2003.

Alcohol Involvement in Traffic Crashes

	1996	1997	1998	1999	2000	2001	2002	2003	2004
Fatalities	120	148	116	104	130	139	127	148	140
Alcohol-related	48	64	43	40	59	59	46	57	46
% of Total	40%	43%	37%	38%	45%	42%	36%	39%	33%
Injuries	10188	10607	11027	10523	10421	9965	9965	8898	7610
Alcohol-related	1227	1202	1159	1038	1021	1054	1035	899	722
% of Total	12%	11%	11%	10%	10%	11%	10%	10%	9%
All Crashes	20465	20363	20558	20646	21218	20406	21215	21020	18550
Alcohol-related	1597	1614	1548	1483	1542	1621	1663	1473	1247
% of Total	8%	8%	8%	7%	7%	8%	8%	7%	7%

Alcohol-Related Fatality Rate per 100 Million Vehicle Miles Traveled

	1996	1997	1998	1999	2000	2001	2002	2003	2004
Rate	0.65	0.83	0.53	0.48	0.68	0.71	0.53	0.60	.50

Performance Goals

To decrease the percentage of alcohol-related fatalities.

	2005	2006	2007	2008	2009	2010
% alcohol	33%	32%	31%	30%	29%	28%

To decrease the alcohol-related fatality rate.

	2005	2006	2007	2008	2009	2010
Fatality rate	0.56**	0.49	0.48	0.47	0.46	0.45

**Note: The goal for 2005 was 0.56 which was exceeded based on the 0.50 rate achieved in 2004.

Performance Measures

- Ongoing **analysis of state traffic crash data** will be used to measure progress towards the desired goals. Particular attention will be placed on all crashes which involve alcohol, the age and sex of the drivers involved in these crashes, the BAC level of the drivers involved in these crashes, the counties in which the crashes occur, the time of day and day of week the crashes occur, and the total number of arrests made by Delaware law enforcement agencies.
- A **comprehensive automated crash report**, utilizing the TraCS software, is currently in its pilot phase. This new reporting system, which utilizes MMUCC data elements, will allow for more comprehensive data collection with regard to all traffic crashes, including alcohol-related crashes. Full statewide implementation is planned for late 2005.
- The **DUI Tracking System** provides data related to the post-arrest processing of a DUI offender. The system tracks progress from arrest through relicensure. Improvements are being added to the system to include Court disposition data, DMV administrative hearing data, and more detailed treatment program information.

FY 2006 Impaired Driving Projects

Delaware State Police	\$32,400.00
Dover Police Department	\$10,300.00
Milford Police Department	\$4,600.00
Ocean View Police Department	\$3,200.00
Smyrna Police Department	\$2,300.00
New Castle County Police Department	\$5,300.00
Newport Police Department	\$5,000.00
Rehoboth Beach Police Department	\$3,400.00

University of Delaware, New Castle County CTSP	\$35,594.00
University of Delaware, Kent and Sussex County CTSP	\$41,814.00
Christiana Care Health Services	\$5,063.00
Office of Highway Safety-Project Safe Highways	\$96,000.00

TEA-21 Impaired Driving Incentive Grants and Transfer Funding

Section 410 Incentive Grant - eligibility criteria includes meeting 5 of the following 7 criteria. Highlighted criteria represent those that the state met in order to qualify:

- **Administrative license revocation**
- An underage drinking prevention program
- **A statewide traffic enforcement program**
- A graduated driver licensing system with three distinct driving phases
- **Graduated sanctions for drivers with high BACs**
- **A young adult drinking and driving program**
- **Testing for BAC levels equal to or greater than the national average**

FY 2004 – (\$152,759) Delaware will use these funds to provide overtime enforcement and paid media for the Checkpoint Strikeforce campaign.

FY 2005 – (\$142,005) Delaware will use these funds to support impaired driving overtime enforcement and travel costs associated with the NHTSA Mid-Atlantic Region DUI Summit.

Section 154/164 Funds – these funds represent a transfer penalty for Delaware’s failure to enact specific DUI legislation:

- Prohibiting open containers of alcohol from the passenger compartment of a vehicle (Section 154)

FY 2003 – (\$2,590,662) Delaware was penalized for failure to enact a conforming open container law (Section 154). \$1,606,210.00 was allocated to the Hazard Elimination Program, Section 152, managed by the Delaware Department of Transportation. The balance, \$984,452.00 was allocated to the Section 402 Impaired Driving Countermeasures Program. These funds are being used to support the Checkpoint Strikeforce campaign by providing overtime enforcement and paid media. In addition, funds are being used to provide the Division of Motor Vehicles additional staff to process changes to the DUI law regarding repeat DUI offenders, to support training for law enforcement, the judiciary, and other traffic safety partners, and to support the local MADD chapter’s Officer Recognition Ceremony.

FY 2004 – (2,708,295) Delaware was again penalized for failure to enact a conforming open container law (Section 154). \$1,760,392.00 was allocated to the Hazard Elimination Program managed by the Delaware Department of Transportation. The balance, 947,903.00 was allocated to the Section 402 Impaired Driving Countermeasures Program. Funds are being used to continue to support the Checkpoint Strikeforce program, to provide additional DUI detection equipment for law enforcement, to upgrade the DUI Offender Tracking System, and to provide additional equipment to the Delaware State Police crime lab to aid in the conviction of DUI offenders.

FY 2005 – (1,794,241) Delaware was again penalized for failure to enact a conforming open container law (Section 154). \$1,166,257.00 is being allocated to the Hazard Elimination Program managed by the Delaware Department of Transportation. The balance, 627,984.00 is being allocated to the Section 402 Impaired Driving Countermeasures Program. Funds are being used to continue to support the Checkpoint Strikeforce program, to provide additional DUI detection equipment for law enforcement, to provide a contract for blood collection from DUI suspects, and to support training initiatives for law enforcement and other highway safety partners.

Aggressive Driving

The State of Delaware enacted an aggressive driving law in July 1999. The legislation created a new motor vehicle violation called aggressive driving and defined it as a combination of any of the following traffic violations: disregarding a red light, passing on the shoulder, unsafe lane change, following too closely, failure to yield, failure to signal, failure to obey stop and yield signs, passing stopped school buses, and speeding. Specifically, a motorist that violates three of these laws in one single driving incident can be charged with the additional aggressive driving violation.

In an analysis of aggressive driving-related fatal crashes in 2004, males were 2:1 more likely to be involved in an aggressive driving-related crash. In 2004, 55% of the fatalities were aggressive driving-related compared to 51% in 2003. Of those fatalities, 63% were men. Aggressive driving-related fatalities involved more 16 year olds than any other age group (5 of 75). The top four primary contributing circumstances for fatal aggressive driving-related crashes in 2004 were failure to yield the right of way, speed, following too closely, and disregarding a traffic signal. Since 1995, the percentage of all crashes resulting from aggressive driving behaviors has remained around 43%, yet the percentage of fatal crashes resulting from aggressive driving behavior has risen from a low of 38% (46 of 121) in 2000 to a high of 57% (67 of 117) in 2002. See below:

Percentage of fatal crashes resulting from aggressive driving behaviors

	1997	1998	1999	2000	2001	2002	2003	2004
Total fatal crashes	125	107	94	121	118	117	136	130
Aggressive driving related	53	53	51	46	60	67	70	71
Percentage	42%	50%	54%	38%	50%	57%	51%	55%

Performance Goal

To decrease the percentage of fatal crashes resulting from aggressive driving behaviors

	2005	2006	2007	2008	2009	2010
%	53%	50%	48%	47%	45%	44%

Performance Measures

- OHS will continue on-going analysis of aggressive driving-related crash data to assist in more targeted program planning in this priority area. Continued implementation of **coordinated data collection systems** will enable a more efficient and accurate problem identification process related to the problem of aggressive driving. By identifying high crash locations and the primary contributing circumstances, special emphasis can be placed on target areas.
- Special emphasis during analysis will be placed on **local and state jurisdictions** that have been identified as problem aggressive driving areas.

FY 2006 Aggressive Driving Projects

Delaware State Police	\$33,500.00
Milford Police Department	\$7,000.00
New Castle County Police Department	\$8,000.00
Dover Police Department	\$8,000.00
Office of Highway Safety-Project Safe Highways	\$112,904.00

Traffic Records

The absence of comprehensive statewide data on injuries and fatalities resulting from motor vehicle crashes has hindered an efficient problem identification process. These deficiencies include an inability to link traffic records from one agency to another and a lack of a comprehensive system to analyze crash data from the crash scene, patient care systems, licensing, and adjudication of the violations. Currently there are efforts underway to create an integrated data collection network in order to capture crash, driver licensing, location, and medical data relating to location of crashes, demographics of those involved, occupant protection use, primary contributing circumstances in crashes, severity of injury data, and specifics with regard to fatalities. The integrated data collection system will allow for comprehensive problem identification for the purpose of improving highway safety in Delaware.

These efforts currently underway include the continued implementation of an automated crash report, restructuring of pre-hospital care reporting procedures, review, analysis, and on-going linkage of CODES data (Crash Outcome Data Evaluation System), on-going training efforts for emergency care professionals utilizing the EDIN (Emergency Medical Services Data Information Network) automated patient care reporting system, and restructuring of the DUI Tracking System. In 2002, the Office of Highway Safety contracted with a consultant for the re-engineering of the 1998 Roadmap (Strategic Plan) and System Requirements Definition for the integrated data collection system. Lastly, the Office of Highway Safety has implemented the University of Alabama's CARE (Critical Analysis Reporting Environment) software package prior to the full implementation of the integrated data collection system to assist the office in immediate problem identification and development of comprehensive solutions.

Performance Goal

To implement a statewide-integrated data collection system to allow for comprehensive analysis of all traffic crashes and thus improve the timeliness, accuracy, and completeness of transportation safety information.

Performance Measures

- The Traffic Records Coordinating Committee's **Strategic Plan** will be utilized as a guide to ensure that the proper steps are being taken to implement a statewide integrated data collection network available for highway safety stakeholders (including the Office of Highway Safety, Department of Transportation, Office of EMS, Division of Motor Vehicles, Delaware State Police, Delaware Justice Information System).

FY 2006 Traffic Records Projects

University of Delaware, NCCo CTSP	\$4,449.00
University of Delaware, Kent and Sussex County CTSP	\$5,228.00
Office of EMS-EMS Data Information Network	\$7,200.00
Office of Highway Safety-Project Safe Highways	\$24,000.00

TEA-21 Traffic Records Incentive Grants

Section 411 Incentive Grant - eligibility criteria includes certification that a traffic records assessment has been completed, that a Traffic Records Coordinating Committee is in place, and that the state has developed a multi-year plan for strategic implementation of efforts to improve traffic records data collection and analysis.

FY 2001 – (\$225,000) The funding has been allocated to supplement funding required for the completion of the Delaware State Police’s automated crash reporting system, for implementation of the CARE software package, and for traffic records data collection and analysis training.

FY 2002 – (\$224,151) The funding has been allocated to the TRCC strategic plan implementation, the automated crash reporting system, and a mobile printer purchase for all law enforcement agencies in the state.

Pedestrian Safety

In 2004, 226 persons were injured and 17 were killed in pedestrian crashes (12%). This remains static since 2003, but shows an overall decline since 2000, when pedestrian fatalities were at 17%. Of the 17 pedestrians killed in 2004, 8 had a positive BAC (47%). This is an increase from 44% in 2003. 8 of the fatalities occurred in New Castle County, while only 5 occurred in Kent County and 4 occurred in Sussex County. There is a high concentration of pedestrian fatalities and injuries in New Castle County along the Route 13 and Route 40 corridors. Also, 70% of all pedestrian fatalities occur among those persons age 25-54.

Percentage of Pedestrian Fatalities

	1999	2000	2001	2002	2003	2004
Total Traffic Fatalities	104	131	136	127	145	140
Pedestrian Fatalities	13	22	17	16	18	17
% Pedestrian Fatalities	13%	17%	13%	13%	12%	12%

Performance Goal

To decrease the percentage of pedestrian fatalities.

	2005	2006	2007	2008	2009	2010
% use goal	12%	11%	10%	10%	9%	9%

Performance Measures

- The Office of Highway Safety will continue ongoing analysis of pedestrian crash data, including the age of victims, crash locations, and alcohol involvement.

FY 2006 Pedestrian Safety Projects

Dover Police Department	\$2,400.00
Delaware State Police	\$7,650.00, plus \$1000 for bike safety materials
New Castle County Police Department	\$1,700.00
University of Delaware, Kent and Sussex County CTSP	\$5,226.00

University of Delaware, New Castle County CTSP	\$4,449.00
Office of Highway Safety-Project Safe Highways	\$12,500.00, plus \$2,500 for bike safety materials

FY 2006 PAID MEDIA PLAN

It has been proven that by combining intense enforcement with high visibility public awareness, states can positively impact their highway safety priority areas more than by relying on either method alone. Therefore, the Delaware Office of Highway Safety has developed a plan for supporting enforcement based campaigns throughout the year with paid media.

In the spring of 2005, the Office of Highway Safety contracted with the communications firm of Aloysius, Butler & Clark (AB & C) to assist the Community Relations Officer with year-round strategic communications planning, as well as the creation, development and implementation of statewide public awareness campaigns. These campaigns include Click It or Ticket, Checkpoint Strikeforce and the newly created "Stop Aggressive Driving" campaign. Other priority areas the firm will support include Child Passenger Safety, Pedestrian Safety and Teen Driving/Graduated Driver Licensing.

The media mix for these enforcement and non-enforcement-based campaigns depends on the target audiences determined for each. For instance, billboards, radio ads and television ads will be utilized for Click It or Ticket and Checkpoint Strikeforce. However, the use of internet ads instead of television ads for the "Stop Aggressive Driving" campaign was selected based on the younger demographic of the state's aggressive drivers.

Services provided by AB & C to the Office of Highway Safety include production of media spots and collateral materials such as fliers and posters, production of the creative, media buying and placement, and evaluation. Earned media efforts will be handled primarily by the Community Relations Officer.

Please refer to the chart on the following page to review the Office of Highway Safety's FY 2006 plans to use federal funding for the purposes of paid media advertising.

Program Area (include campaign name if applicable)	Amount of Funding Allocated	Method of Assessing Effectiveness of Paid Media/Campaign	Amount \$ for Evaluation	Funding Source
Occupant Protection 1) Click It or Ticket (May 2006)	Approximately \$260,000.00 – \$155K is for cost of paid advertising alone: radio, t.v., billboards, the rest is account management, production costs and evaluation	Phone Surveys and Observational Seat Belt surveys	\$45,000	157 Innovative
2) CPSAW (Feb 2006)	\$50,000 - radio & t.v.	Provide number of paid airings or print ads, reach, frequency and GRP's	Evaluation provided as part of contract with OHS's PR firm	405
3) Other Occupant Protection Mobilizations or OP Paid Media (Spring 2006)	\$50,000 - radio	Provide number of paid airings or print ads, reach, frequency and GRP's	Evaluation provided as part of contract with OHS's PR firm	163
Impaired Driving 1) Checkpoint Strikeforce (July 2005 – Dec. 2005, repeated again in 2006)	\$175,000 (figure includes paid media: radio, t.v., billboards, account management and production of materials)	Provide number of paid airings or print ads, reach, frequency and GRP's as well as having an independent firm conduct roadside surveys at checkpoints to determine how many individuals have gone through a checkpoint with ANY positive alcohol readings (note...the number should be low as the individuals tested had just seconds before passed through a sobriety checkpoint).	NHTSA Mid-Atlantic region is paying for contractor to do this	410 and 154 transfer
2) Other DUI Mobilizations (ie: YD & D, YL, St. Patrick's Day, Cinco de Mayo, Halloween, Superbowl Sunday) (Oct. 2005 – August 2006)	\$45,000 – radio ads, printing of posters	Provide number of paid airings or print ads, reach, frequency and GRP's	Evaluation provided as part of contract with OHS's PR firm	410, 154 and 163
Aggressive Driving 1) Stop Aggressive Driving Campaign (Oct. – Dec. 2005, July – Sept. 2006)	\$ 138,000 – radio, billboards, internet ads	Provide number of paid airings, reach, frequency and GRP's as well as the before and after approach (analysis of fatal crash data related to acts of aggressive driving)	Evaluation provided as part of contract with OHS's PR firm	163, 157 Incentive, additional donated funds from DeIDOT and State Farm Insurance
2) Maintenance Aggressive Driving Mobilizations (Jan – April 2006)	\$ 32,000 – radio ads	Provide number of paid airings, reach, frequency and GRP's	Evaluation provided as part of contract with OHS's PR firm	157 Incentive and donated funding from State Farm Insurance
Pedestrian Safety	\$12,500 – print ads	Provide number of paid print ads and size of audience reached	Evaluation provided as part of contract with OHS's PR firm	402

TOTAL OBLIGATIONS SUMMARY

	402	157 Incentive	157 Innovative	405	2003b	410	411
FY 99	\$712,500	*	N/A	\$55,223	N/A	\$179,040	\$126,260
FY 00	\$725,800	\$6,900	\$121,500	\$56,356	\$37,500	\$178,934	\$173,600
FY 01	\$734,545	\$42,200	*	*	\$37,850	*	\$225,000
FY 02	\$760,000	\$42,500	\$365,000	*	\$37,954	\$209,390	\$224,151
FY 03	\$776,938	\$33,800	\$356,928	\$176,749	\$37,709	\$233,048	N/A
FY 04	\$576,600**	\$109,493	\$385,000	\$174,477	N/A	\$212,084	N/A
FY 05	\$776,000***	\$80,262**	\$315,000	\$90,547**	N/A	\$159,756**	N/A

N/A = funds not available that fiscal year

* = DE didn't qualify for the funds

** = funds received to date

***=total funds expected

GRANT SELECTION PROCESS

The Office of Highway Safety is committed to implementing a comprehensive highway safety plan to reduce the number and severity of crashes and injuries on Delaware roadways. The Office is charged with the appropriate allocation of federal funds to impact highway safety and reach as many motorists as possible. The foundation of Delaware's grant selection process and the allocation of funds rests on extensive problem identification. The agencies included in the highway safety plan to receive federal funds have been identified based on crash data and their ability to impact Delaware's crash, fatality and injury picture.

The grant selection process has evolved extensively over the last several years. In 1993, the Office of Highway Safety implemented a Grant Review Committee to assist with the selection of grantees for the coming grant year. In the spring of 2004, OHS revised the role of the Grant Review Committee from simply rating and scoring potential subgrantee grant applications. The newly renamed Grant Advisory Committee (GAC) will assist the Office in the coming years with problem identification and in establishing and ranking our priority areas, as well as grant selection.

The FY 2006 Grant Advisory Committee (GAC) included the following members:

<u>Agency</u>	<u>Representative</u>
Office of Highway Safety	Tricia Roberts
National Highway Traffic Safety Administration	Kristen Allen
Federal Highway Administration	Patrick Kennedy
University of Delaware	Michael Love
New Castle County Police Department	Captain Mark Hitch
Delaware Office of EMS	Steven Blessing
Department of Transportation	Donna Hardy
Delaware State Police	Captain Barbara Conley

Overall, the FY 2006 process followed the following timelines:

- February 2005—Meeting with Grant Advisory Committee to begin the problem identification process for FY 2006
- March 2005—OHS staff conducted extensive problem identification process, ranked the priority areas and identified agencies to allocate funds to impact the identified problems
- Late March 2005—Grant application mailed to non-law enforcement agencies
- Early May 2005—Annual GAC meeting to rate grant applications received and to review and approve the draft highway safety plan
- Late May 2005—Subgrantee award notices mailed
- Early September 2005—FY 2006 Pre-Award meetings

The Office of Highway Safety's problem identification process included a review of three to five years of crash data, crash location information, driver registration totals, seat belt survey results, demographic information, primary contributing circumstances, DE FARS reports, and county-level highway safety problem identification. Once the priority areas were identified based on this information, the Office of Highway Safety staff requested pinpoint maps from the Department of Transportation for occupant protection, impaired driving, aggressive driving, and pedestrian crashes. From these maps, we were able to identify the law enforcement agencies to allocate funds to in order to improve the highway safety problem in their jurisdiction. Non-law enforcement grantees were asked to submit a grant application for the Grant Advisory Committee to review and rate. Their rating and subsequent scores determined the applicant's inclusion in the Highway Safety Plan.

Each non-law enforcement application is reviewed and scored based on the following criteria:

1. CLEAR, REALISTIC PROBLEM STATEMENT: 20 POINTS

A highway safety problem is clearly identified in brief and concise language and relates to the priority areas set forth by the Office of Highway Safety.

- a. Need for the project is established by using relevant and supporting data.
- b. Program is based on local and state historic/current data.
- c. Problem clearly identified for each priority area for which funds are being requested.

2. CLEAR, MEASURABLE AND REALISTIC GOALS: 20 POINTS

Goals must be relevant to the Highway Safety goals as outlined in the top 5 priority areas.

- a. Achievement of the previous year's program goals will be a major consideration under this rating component.

3. COMPREHENSIVE PROBLEM SOLUTION PLAN: 20 POINTS

A project action plan must be developed and discussed in clear and specific terms.

Programs that include the community, have both public information and education elements and address several of the specified priority areas will be given major consideration when rating this component.

- a. The applicant must define:
 1. the systematic steps necessary to solve the identified problem.
 2. a time frame for conducting the activities involved in the action plan.
 3. solutions which correlate with the identified project goals as outlined in the proposal.

4. APPROPRIATENESS OF PLAN FOR MONTHLY MONITORING OF SUCCESS, INCLUDING GOALS AND TIMEFRAMES: 20 points

The project proposal must include timelines for administering and monitoring the program in terms of activities, goal-achievement, and fiscal expenditures.

- a. Past history in relationship to timely reporting, comprehensive evaluation component, funding allocations, and grant monitoring play a significant part in the overall rating of this component.

5. BUDGET PREPARATION - SELF-SUFFICIENCY/ MATCHING PLAN: 20 Points
Grantee must provide a project budget proposal which reflects a realistic and specific funding plan related to the identified problem.

- a. Budget must be itemized as it pertains to the priority areas and must reflect costs associated with performing tasks as described.
- b. Proposal must include a written plan for becoming self-sustaining within a three-year period.
- c. Proposal must include an in-kind matching plan for requested federal funds.

SCORING SCALE (based on availability of funds)

Numerical Scores and Percentage Funded

Acceptable Levels

90 to 100= **100% Funding**

80 to 89= **90% Funding**

70 to 79= **80% Funding**

60 to 69= **70% Funding**

Marginal Levels

50 to 59 = **50% Funding**

40 to 49 = **25% Funding**

Unacceptable Level

0 to 39 = **NOT FUNDED**

For each agency that receives federal funding, the Project Director will be required to attend a pre-award session held during the month of September. At the session, the Project Director will be notified of the approved amount of funding and advised of their individual fiscal and administrative reporting requirements. In addition, the project objectives, performance measures and problem solution plan are reviewed for clarification.

Reporting requirements are established based on the individual project proposal. Project directors are required to review and sign off on the monthly reporting requirement stipulations at the pre-award meeting.

All projects are monitored by the Office of Highway Safety on a regular basis to include on site monitoring in the FY 2006 grant year. Project directors are required to submit a monthly administrative report indicating project progress. If project goals are not being achieved, the Office of Highway Safety reserves the right to terminate the project or require changes to the project action plan.

The project director shall, by the fifteenth of each month, submit an Administrative Report which outlines activities from the previous month as detailed in the reporting requirements obtained at the pre-award meeting. See reporting schedule below:

Reporting Month	Report Due Date
October	November 15
November	December 15
December	January 15
January	February 15
February	March 15
March	April 15
April	May 15
May	June 15
June	July 15
July	August 15
August	September 15
September	October 15

All OHS grants are reimbursable in nature, meaning that the agency must first spend the funds and then request reimbursement from OHS. In order to be reimbursed for funds spent as part of the grant, grantees must submit a reimbursement voucher. This form indicates the amount of federal funding spent each month. Backup documentation must be attached to the reimbursement voucher. This documentation would include receipts, timesheets, etc. In addition, in order to be reimbursed monthly, the reimbursement voucher must accompany the monthly administrative report. A final administrative report is required to be submitted at the end of the project period. This report is an in-depth cumulative summary of the tasks performed and goals achieved during the project period. This report is due no later than November 30 of each year.

STATE CERTIFICATIONS AND ASSURANCES

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

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

- 23 U.S.C. Chapter 4 - Highway Safety Act of 1966, as amended;

- 49 CFR Part 18 - Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments

- 49 CFR Part 19 - Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Nonprofit Organizations

- 23 CFR Chapter II - (§§1200, 1205, 1206, 1250, 1251, & 1252) Regulations governing highway safety programs

- NHTSA Order 462-6C - Matching Rates for State and Community Highway Safety Programs

- Highway Safety Grant Funding Policy for Field-Administered Grants

Certifications and Assurances

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

The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by

the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation (23 USC 402(b) (1) (B));

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

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

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

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

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

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

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970(P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse of alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific

statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

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

The State will provide a drug-free workplace by:

- a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b) Establishing a drug-free awareness program to inform employees about:
 - 1) The dangers of drug abuse in the workplace.
 - 2) The grantee's policy of maintaining a drug-free workplace.
 - 3) Any available drug counseling, rehabilitation, and employee assistance programs.
 - 4) The penalties that may be imposed upon employees for drug violations occurring in the workplace.
- c) Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
 - 1) Abide by the terms of the statement.
 - 2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- e) Notifying the agency within ten days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction.
- f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted -
 - 1) Taking appropriate personnel action against such an employee, up to and including termination.

- 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f) above.

BUY AMERICA ACT

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

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

POLITICAL ACTIVITY (HATCH ACT).

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

CERTIFICATION REGARDING FEDERAL LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

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

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

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

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

RESTRICTION ON STATE LOBBYING

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

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

Instructions for Primary Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification,

in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Instructions for Lower Tier Certification

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

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

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

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

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

covered transaction, unless authorized by the department or agency with which this transaction originated.

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

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

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

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

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

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ENVIRONMENTAL IMPACT

The Governor's Representative for Highway Safety has reviewed the State's Fiscal Year 2005 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.)

et seq.) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517).


Governor's Representative for Highway Safety

18 July 05
Date

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

State: Delaware

Highway Safety Plan Cost Summary

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2006-HSP-1

Report Date: 07/20/2005

Program Area	Project	Description	Prior Approved Program Funds	State Funds	Previous Bal.	Incre/(Decre)	Current Balance	Share to Local
NHTSA 402								
Planning and Administration								
	PA-2006-00-00-00		\$.00	\$43,500.00	\$.00	\$43,500.00	\$43,500.00	\$.00
	Planning and Administration Total		\$.00	\$43,500.00	\$.00	\$43,500.00	\$43,500.00	\$.00
Alcohol								
	AL-2006-00-00-00		\$.00	\$48,994.20	\$.00	\$244,971.00	\$244,971.00	\$115,388.40
	Alcohol Total		\$.00	\$48,994.20	\$.00	\$244,971.00	\$244,971.00	\$115,388.40
Occupant Protection								
	OP-2006-00-00-00		\$.00	\$47,164.60	\$.00	\$235,823.00	\$235,823.00	\$94,329.20
	Occupant Protection Total		\$.00	\$47,164.60	\$.00	\$235,823.00	\$235,823.00	\$94,329.20
Pedestrian/Bicycle Safety								
	PS-2006-00-00-00		\$.00	\$7,485.00	\$.00	\$37,425.00	\$37,425.00	\$14,970.00
	Pedestrian/Bicycle Safety Total		\$.00	\$7,485.00	\$.00	\$37,425.00	\$37,425.00	\$14,970.00
Police Traffic Services								
	PT-2006-00-00-00		\$.00	\$59,568.00	\$.00	\$297,841.00	\$297,841.00	\$297,841.00
	Police Traffic Services Total		\$.00	\$59,568.00	\$.00	\$297,841.00	\$297,841.00	\$297,841.00
Traffic Records								
	TR-2006-00-00-00		\$.00	\$8,175.40	\$.00	\$40,877.00	\$40,877.00	\$16,350.80
	Traffic Records Total		\$.00	\$8,175.40	\$.00	\$40,877.00	\$40,877.00	\$16,350.80
	NHTSA 402 Total		\$.00	\$214,887.20	\$.00	\$900,437.00	\$900,437.00	\$538,879.40

405 Occupant Protection

J2-2006-00-04-00	\$.00	\$ 8,200.00	\$.00	\$ 32,500.00	\$ 32,500.00	\$ 32,500.00
J2-2006-05-05-00	\$.00	\$ 18,109.40	\$.00	\$ 90,547.00	\$ 90,547.00	\$ 90,547.00

Program Area	Project	Description	Prior Approved Program Funds	State Funds	Previous Bal.	Incre/(Decre)	Current Balance	Share to Local
	405 Occupant Protection Total		\$.00	\$ 26,309.40	\$.00	\$ 123,047.00	\$ 123,047.00	\$ 123,047.00
	New 410 Alcohol							
	J8-2006-05-04-00		\$.00	\$ 384,825.00	\$.00	\$ 128,275.00	\$ 128,275.00	\$ 128,275.00
	J8-2006-05-05-00		\$.00	\$ 479,268.00	\$.00	\$ 159,756.00	\$ 159,756.00	\$ 159,756.00
	New 410 Alcohol Total		\$.00	\$ 864,093.00	\$.00	\$ 288,031.00	\$ 288,031.00	\$ 288,031.00
	411 Data Program							
	J9-2006-01-02-00		\$.00	\$ 258,294.00	\$.00	\$ 86,098.00	\$ 86,098.00	\$ 86,098.00
	411 Data Program Total		\$.00	\$ 258,294.00	\$.00	\$ 86,098.00	\$ 86,098.00	\$ 86,098.00
	157 Incentive Funds							
	157OP-2006-05-05-00		\$.00	\$ 240,786.00	\$.00	\$ 80,262.00	\$ 80,262.00	\$ 80,262.00
	157 Occupant Protection Total		\$.00	\$ 240,786.00	\$.00	\$ 80,262.00	\$ 80,262.00	\$ 80,262.00
	157 Incentive Funds Total		\$.00	\$ 240,786.00	\$.00	\$ 80,262.00	\$ 80,262.00	\$ 80,262.00
	157 Innovative Funds 2004							
	IN4-2006-04-00-00		\$.00	\$ 97,638.00	\$.00	\$ 32,546.00	\$ 32,546.00	\$ 32,546.00
	157 Innovative FY 2004 Total		\$.00	\$ 97,638.00	\$.00	\$ 32,546.00	\$ 32,546.00	\$ 32,546.00
	157 Innovative Funds 2004 Total		\$.00	\$ 97,638.00	\$.00	\$ 32,546.00	\$ 32,546.00	\$ 32,546.00
	157 Innovative Funds 2005							
	IN5-2006-05-05-00		\$.00	\$ 135,000.00	\$.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00
	157 Innovative FY 2005 Total		\$.00	\$ 135,000.00	\$.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00
	157 Innovative Funds 2005 Total		\$.00	\$ 135,000.00	\$.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00
	154 Transfer Funds							
	154PA-2006-05-02-00		\$.00	\$.00	\$.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00
	154 Planning and Administration Total		\$.00	\$.00	\$.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00

FY 2006 SUMMARY COUNTERMEASURE PROGRAMS AND TOTAL OBLIGATIONS

PERCENTAGE OF FY 2005 and 2006 FUNDS BY PROJECT AREA

	2005	2006
PLANNING & ADMINISTRATION	5%	6%
OCCUPANT PROTECTION	26%	30%
IMPAIRED DRIVING	31%	32%
AGGRESSIVE DRIVING	19%	22%
TRAFFIC RECORDS	7%	5%
PEDESTRIAN SAFETY	4%	4%
BICYCLE SAFETY	<1%	<1%
CONTIGENCY FUND	7%	0%

The proposed Countermeasure Programs for FY 2006 total an obligation of \$900,437. The obligation is broken down as follows:

FY 2006 402 \$776,000
 FY 2005 402 C/O \$124,437

