

STATE OF NEVADA
HIGHWAY SAFETY PLAN
FISCAL YEAR 2006

Prepared by the
OFFICE OF TRAFFIC SAFETY
DEPARTMENT OF PUBLIC SAFETY

Pursuant to
Section 402, Title 23, USC
(Highway Safety Act of 1996, as Amended)

for the
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
UNITED STATES DEPARTMENT OF TRANSPORTATION

August 30, 2005

August 30, 2005

Dear Nevada Highway Users:

On behalf of the Nevada Office of Traffic Safety, I am pleased to present our State's Federal Fiscal Year (FFY) 2006 Highway Safety Plan. This plan is submitted in compliance with the Interim Final Rule, Published June 26, 1997, supplementing Section 402 of the Highway Safety Act of 1966, Title 23 of the United States Code.

This year's plan is a continuation of a series of successful programs that date back to 1966. The current plan has been extensively revised, updated and refined in response to current highway safety trends. It represents the best efforts of a team of dedicated traffic safety professionals and a host of partners throughout the state.

The plan consists of four major components: the Performance Plan, the Highway Safety Plan, Certification Statements and the Program Cost summary.

- **The Performance Plan explains the process used by the Department's Office of Traffic Safety (OTS) to identify problems, propose solutions, establish goals and performance measures and select projects to be funded in Nevada.**
- **The Highway Safety Plan describes specific projects selected through the application review process for funding during the current FFY. Each project is linked to one or more of the problems identified and the goals established in the Performance Plan.**
- **The Certification Statement provides assurances that the State will comply with applicable laws and regulations, financial and programmatic requirements, and is in accordance with the special funding conditions of the Section 402 program.**
- **The Program Cost summary (HS Form 217) reflects the State's proposed allocation of funds, (including carry forward funds) by program area, based on the problems and goals identified in the Performance Plan and projects and activities outlined in the Highway Safety Plan.**

The primary goal of the Office of Traffic Safety is the reduction, in both number and severity of traffic crashes in Nevada. This plan provides the most effective blueprint for the achievement of that goal.

Sincerely,

**George Togliatti
Governor's Highway Safety Representative**

Table of Contents

Executive Summary	Page 4
Problem Identification	Page 6
Objectives	Page 13
Programs	Page 16
Impaired Driving	Page 17
Community Programs	Page 20
Emergency Services	Page 22
Occupant Protection	Page 23
Planning and Administration	Page 26
Pedestrian Safety	Page 27
Police Traffic Services	Page 29
Traffic Records	Page 32
Joining Forces	Page 34
State Certifications and Assurances	Page 35
Program Cost Summary (HS 217)	Page 44

Executive Summary

The Nevada Office of Traffic Safety provides funding and expertise, creates partnerships and promotes education to reduce deaths, injuries and property damage on Nevada roadways.

Mission Statement

As directed by N.R.S. 223.200, and in keeping with federal guidelines, the Department of Public Safety - Office of Traffic Safety (DPS-OTS) prepares a Highway Safety Plan for each federal fiscal year. The plan offered on the following pages includes the details and funding levels for various projects to improve traffic safety in the state during the fiscal year beginning October 1, 2005.

Impaired driving (alcohol/drugs) is the most common cause of crashes resulting in injuries and death. Nevada's percentage of impaired driving fatalities remained fairly flat from 1999 to 2002. In 1999 the percent of impaired fatalities was 44%. For the next three years (2000 – 2002) the percentage stayed at 42% - 43%. A significant increase occurred in 2003 when slightly more than 50% of the fatalities were related to impaired drivers. A decrease in 2004 still left us at 47% impaired for fatalities.

Nevada continues to rank among the worst in the nation for the percentage of alcohol involved fatal crashes. Factors compounding this problem include our explosive growth rate and alcohol availability 24/7. Safety campaigns, particularly those discouraging impaired driving, must be constantly reinforced to reach our new residents as well as those visiting Nevada for recreation or business. Nevada did pass a 0.08 BAC per se law effective September 23, 2003. The implementation of this law will present an opportunity to reinforce the message; you drink, you drive, you lose.

Even with our explosive growth, both traffic crashes and fatalities declined each year from 1999 until 2002. The 2002 year showed a dramatic increase in fatalities. This increase was apparent in all categories: motor vehicle occupants, motorcycle, pedestrian, and bicycle. In 2003 there was a decrease in total fatalities but an increase in the percentage of alcohol related fatalities. In 2004 there was an increase in total fatalities but a significant decrease in alcohol related fatalities. This volatility in the numbers and percentages complicates the short-term measurement of effectiveness of efforts to reduce the incidence of impaired driving in Nevada.

Nevada does have a primary law for child restraints (under 5 years old and 40lbs or less). The last legislative session modified this law to include children under six and under sixty pounds. This change became effective June 1, 2004. While CPS advocates requested a booster seat law for under nine and under 80 pounds the 2003 Legislature set the ages and weight limits at the lower levels.

During the past four years, 2002, 2003, 2004 and 2005, Nevada has participated in aggressive seatbelt campaigns including paid media and enhanced enforcement activities. The results are very encouraging. In 2002 the starting point was 74.5%, the law enforcement effort plus the paid media has resulted in a consistent increase in usage rates. The official usage rate for 2005 (measured post campaign in June, 2005) is 94.8%, an increase of over 27% compared to the 2002 starting point.

For the fiscal year beginning October 1, 2005, a total of \$2.1 million in federal traffic safety funds will be allocated to innovative traffic safety programs. This document details those plans. At the conclusion of this summary is a review of traffic safety problems in Nevada. This is followed by the

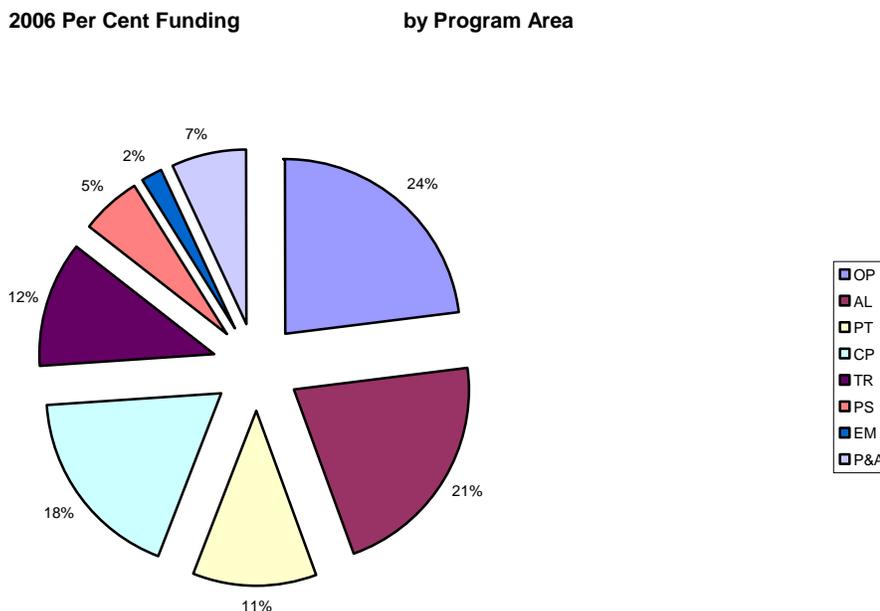
objectives, which outline the program goals and provide benchmarks for evaluation of the plan. While the primary goal of this plan is to reduce the number of people killed or injured on Nevada's highways, measurement of objectives within specific program areas will be used to assess its overall effectiveness.

Following the program objectives, details of specific projects constituting the traffic safety program are provided. Most projects are undertaken by community partners, which include law enforcement, engineering, medical services, and nonprofit agencies. Some of these projects are carried forward from the current year and others will be implemented for the first time this fiscal year. Projects were selected based on DPS-OTS priorities and ranking within those priorities. It is the accumulated impact of all the projects, conducted year after year, that makes the difference.

Some projects, such as the development of an innovative traffic records system, are undertaken within the Office of Traffic Safety. Some state agencies, such as the Highway Patrol and the two state universities, also conduct traffic safety programs. The majority of the programs, however, are conducted by local organizations. It is through combined efforts of all participants that make Nevada a safer place to drive, ride, bicycle, and walk.

As required by federal statutes, a detailed cost summary is included. An Annual Report to evaluate the implementation, administration, and effectiveness of this plan will be prepared in December 2006.

This chart shows the percent of total funding by program area.



Introduction

The Highway Safety Plan outlines both the current traffic safety situation in Nevada and the plan for improving traffic safety during FFY 2006. A major component of the Highway Safety Plan is the projects that will be funded during the year. These projects are implemented by local agencies, community coalitions, regional and state agencies, and cooperative efforts by multiple entities throughout Nevada.

All eligible organizations are invited to submit proposals for grant funds. A Request for Proposal is sent to all organizations that have presented proposals within the past three years (successful and unsuccessful), plus others by request. These proposals are due by the end of May of each year. These proposals must identify a problem, supported by data that is beyond the current resources of the applicant. The proposals must also identify how the funding by OTS will be used to address the problem and what degree of improvement is expected.

All of the proposals received are ranked twice, once by staff and once by an independent review committee. After this review and ranking process the overall traffic safety goals of Nevada's Office of Traffic Safety are compared to the new proposals. These areas of concern (priority program areas) are clearly identified in the RFP. If areas of concern are not adequately addressed, funding is reserved for a community partner or appropriate agency who is then solicited to implement a program in the desired area. Joining Forces is an outstanding example of a successful program developed by OTS and adopted by multiple law enforcement agencies statewide.

Other funding is also identified in the Plan such as: public information and education programs/materials, training programs, and planning and administrative costs related to the operation of the OTS. State hard and soft matches cover costs not listed in this plan.

Problem Identification

Data Sources

Data on traffic crashes is collected from two primary sources. Fatal crash data is furnished by an in-house FARS analyst. The non-fatal crash data is supplied by Nevada Department of Transportation. The most recent annual data, 2002 for the non-fatal crashes and 2004 FARS data, and the historical trends are analyzed. Because of Nevada's extraordinary growth in population, demographic data is also reviewed using the most current (2000) census data and projections from the Nevada state demographer.

Demographics

In identifying traffic safety issues, it is important to understand how the extreme demographics within Nevada contribute to the problem. There are two metropolitan areas in Nevada. Las Vegas on I-15, 40 miles from the California border and almost 400 miles to the north is Reno, just 15 miles from the California border on I-80. As more and more people move to these two areas they are finding less expensive housing within 70 miles of each city. Even at 70 miles from the "city center" the commute time is usually just over an hour.

As a result, if the two metropolitan areas are defined as a circle with a 70 mile radius, over 95% of Nevada's population lives in these two areas. The balance of Nevada (roughly 300 miles by 500 miles has less than 5% of the population.

The traffic safety problems within Nevada range from the typical problems of a large metropolitan area compounded by extraordinary growth (Las Vegas) to a mid-sized city with a relative high growth rate to a large area of the state (73%) with extremely sparse population and the resulting lack of resources. The rural areas of the state present a particular problem as two major east to west interstates cross Nevada, I-80 and I-15, while the primary north to south routes are US-95 and US-93 (both are two lane highways).

It is relative easy to visualize a large or medium city but, it is hard to imagine the true nature of Nevada's rural areas. Nevada's population density in the rural areas is 1.23 persons per square mile. At this density the population of the following states would be:

New York	58,086 people
New Jersey	9,124 people
Virginia	48,705 people
Washington D.C.	75 people

When reviewing this data, the Office of Traffic Safety classifies Clark County as an urban county, (98% of Clark County's population is in the greater Las Vegas Metropolitan Area). Washoe, Carson City, and Douglas Counties are also considered as urban in character. The balance of the state is classified as rural. We are also tracking a subset of rural counties that are developing "bedroom" communities for the urban areas and significantly increasing the commuter traffic on these two lane roads and highways.

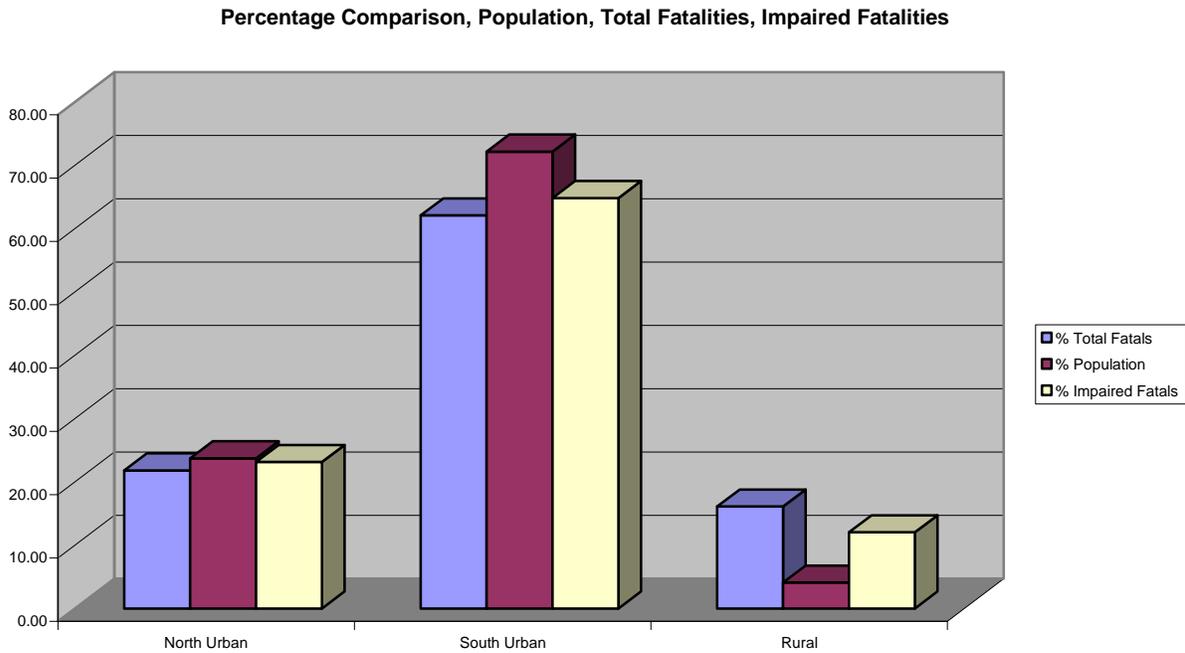
Fatalities

Nevada has made significant progress in reducing the number of fatalities as a result of motor vehicle crashes. The number of fatalities has been decreasing since 1998, which had 361 fatalities. In 2001 the number of fatalities was 313. However in 2002 there was a major increase in the number of fatalities. The final count for 2002 was 381. When analyzing the data, it was discovered that, for motor vehicle occupants (MVO), all of the increase was in 5 counties. The two most populated counties actually had decreased MVO fatalities. These 5 counties are adjacent to the two "urban" counties/areas of the state. These are the areas that are becoming the "bedroom" communities for the urban areas. They are also among the fastest growing areas of the state. The combination of extreme growth in resource poor areas with chronic infrastructure problems appears to be an ongoing challenge in reducing injury/fatal crashes. For 2003 the fatalities declined to 368 and the distribution was more "even" throughout the state. In 2004 there was an increase in total fatalities to 395, again more in line with historic levels of annual vehicle miles (AVM).

While MVO fatalities were decreasing in the urban areas, the other categories of; motorcycle, pedestrian, and bicycle fatalities were up in the urban areas. The pedestrian and motorcycle fatalities have historically been extremely volatile, percentage wise. For 2002, 57 pedestrian deaths equaled a 24% increase, while the 33 motorcycle fatalities equaled a 57% increase. In 2003 pedestrians increased 16% and motorcycles decreased 24 %. In 2004 the MVO fatalities was almost unchanged with motorcycles almost doubling (from 25 in '03 to 48 in '04), pedestrians decreased by 4, and bicyclists increases by 4.

Year	MV Occupants	Motorcycle	Pedestrians	Bicyclists	Other	Total
1991	237	18	40	3	*	298
1992	200	19	31	4	*	254
1993	195	14	45	9	*	263
1994	209	18	55	10	2	294
1995	226	21	61	3	2	313
1996	254	19	68	6	1	348
1997	255	23	60	8	1	347
1998	297	13	46	5	0	361
1999	253	14	70	8	5	350
2000	250	21	46	5	1	323
2001	241	21	46	4	1	313
2002	284	33	57	6	1	381
2003	267	25	66	10	0	368
2004	270	48	62	14	0	395

The following chart helps show the problem areas by basic geographical regions.

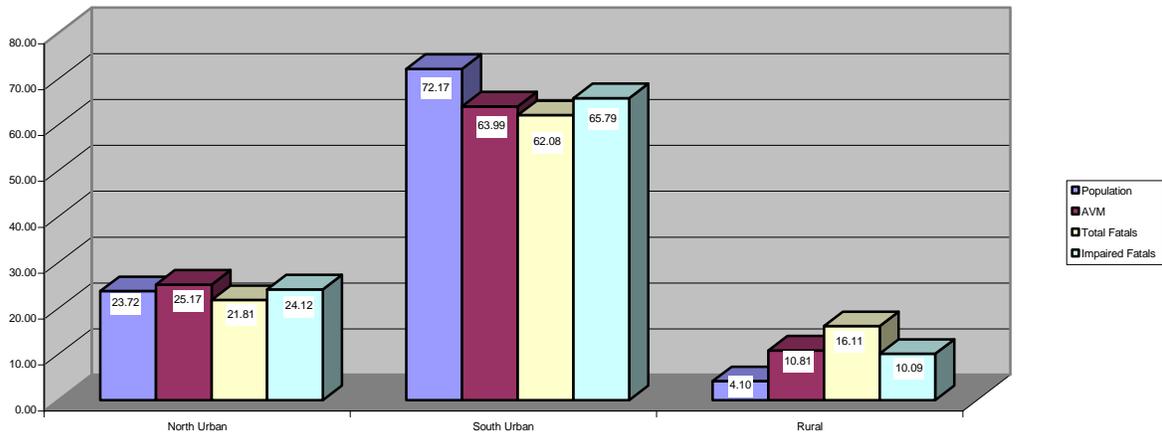


Alcohol/Impaired Driving

Impaired driving (alcohol and/or drugs) continues to be a serious problem in Nevada. Impaired driving was responsible for 47% of all fatalities during 2004. Nevada passed a 0.08 BAC law during the 2003 session (effective September 23rd, 2003). Additional legislation was passed in 2005 that included felony offences for all subsequent convictions after the first felony conviction (no look-back limitation).

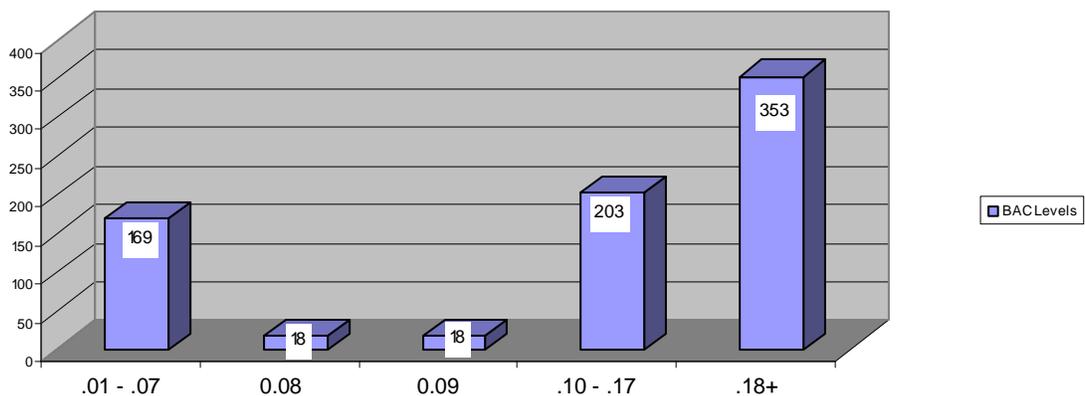
Over the past several years, the impaired fatalities have been fairly constant by region when compared to the Annual Vehicle Miles. It should be noted that the rural impaired fatalities are approximately 2 ½ times the relative population but are fairly close to the AVM for the rural areas. This reflects the high traffic found on the four main highways that cross the state.

Percent by Region: Population, AVM, Total Fatalities, Impaired Fatalities



The hardcore, high BAC driver continues to be the major problem in Nevada. The following is representative of the BAC levels found in fatal crashes. This pattern hold true for individual age groups (including underage drinkers). As these drivers are the hardest to reach, consistent methods must be maintained to identify and remove these individuals from the roadways. In addition, these people are typically alcohol dependent and once identified special emphasis needs to be placed on correcting the alcohol problem or the impaired driving will continue.

BAC Levels for All Drivers Testing Positive for Alcohol
Nevada Fatal Crashes, 1995 to 2002

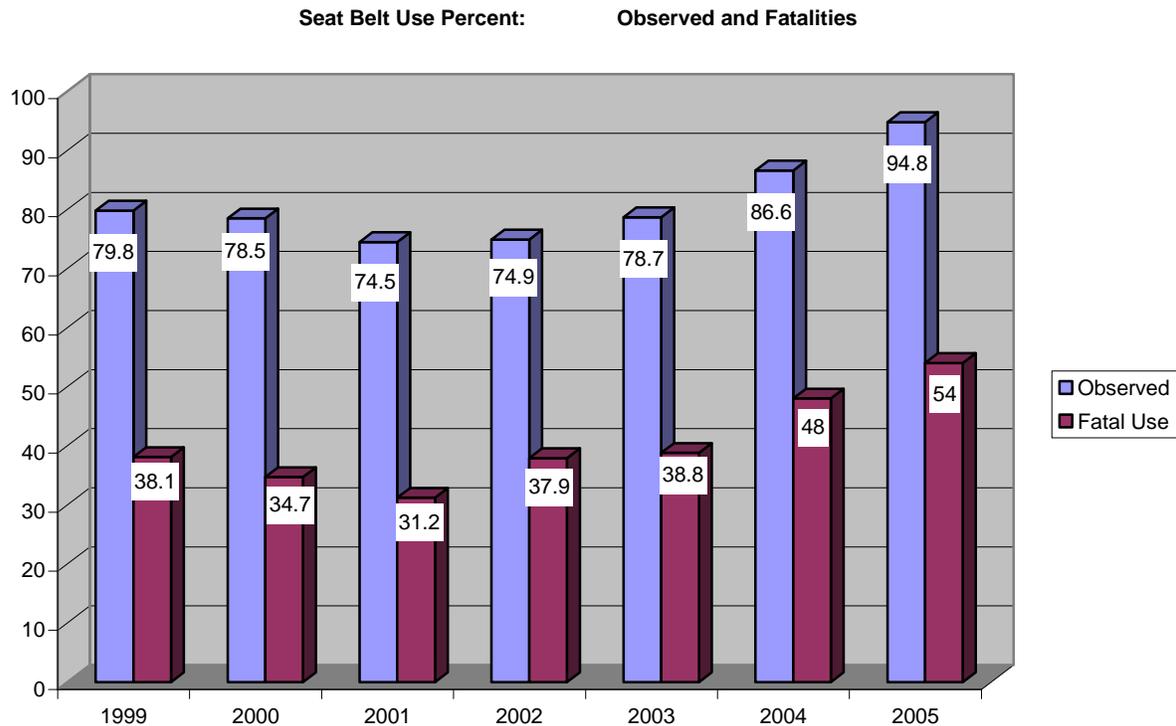


Occupant Protection

Nevada is a secondary seat belt law state. The rate for 2002 was 74.5%. The preliminary findings for the 2005 usage survey indicate that Nevada is now at 94.8%. The consistent enforcement and paid media has resulted in a 27% increase in the usage rate since 2002.

While the overall usage (shoulder belt survey) is above the national average, the rate for child seat usage is only 62%. Much more work is needed in this area. Nevada does have a primary law for age 5 and under and 40 pounds or under (this was enhanced in June of 2004, the law now includes under 6 and under 60 pounds).

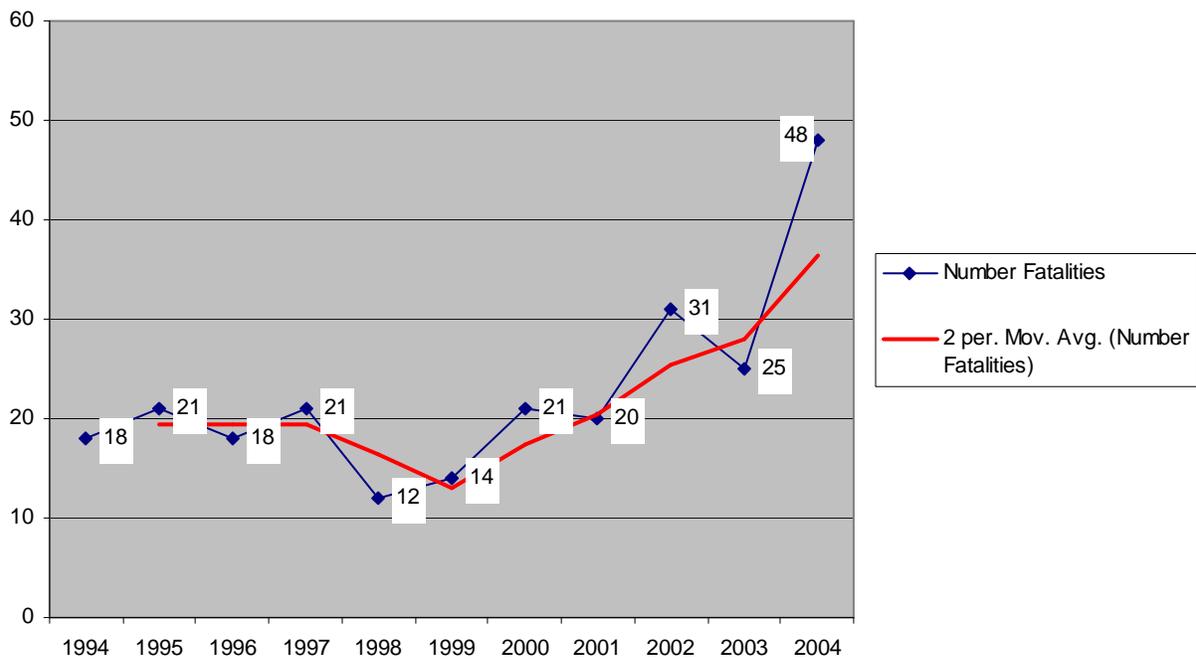
The restraint use by fatal occupants in motor vehicle crashes is still far too low. For 2002 the overall seat belt use rate was 44.7%. For ages 0-4 the use rate is 37.5% and for ages 5-9 the use rate was 40.0%. The preliminary use rate for MVO fatalities is 54.4% for 2004, while still very low this represents a 21.7% improvement.



Motorcycle

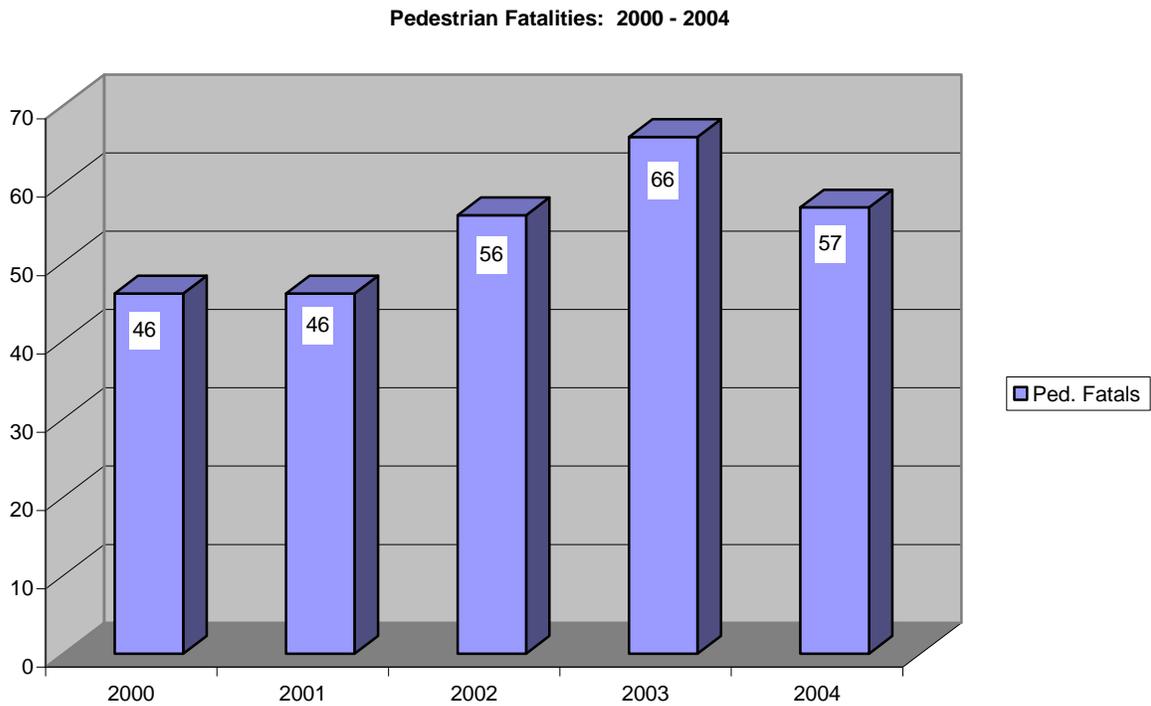
The fatalities for motorcycle crashes are still subject to large percentage swings but the trend is upward for the past few years. Nevada is experiencing the same problems as many other regions of the country. Older riders returning to motorcycling are finding the performance of current machines far different than they are use to and traffic is much heavier leading to increased crashes in this age group. The second group experiencing problems is the younger rider that is buying the high performance motorcycle which exceeds their riding skill.

Nevada: Number of Motorcycle Fatalities: 1994 - 2004



Pedestrians

The majority of the pedestrian fatalities occur in the Las Vegas metropolitan area. Even with approximately 40 million visitors per year the pedestrian fatalities are not the visitors but the residents of Las Vegas. The 24/7 nature of the gaming/hospitality industry means individuals who work in this industry are going to or coming home from work at all hours of the day/night. An additional complication to the pedestrian fatality problem is the infrastructure (wide, multilane streets; high speeds; poor lighting in areas, minimal sidewalks; etc.) which creates an “unfriendly” environment for pedestrians.



Objectives

Objectives are specific, measurable benchmarks that reveal the overall, long-term success of the traffic safety programs implemented. When complete data is unavailable, the development of meaningful objectives in some areas is constrained. For example, an objective to reduce the incidence of aggressive driving cannot be established because data is not collected specific to aggressive driving. Setting objectives based on numbers, rather than rates, is also problematic because of variables such as population growth, the number of visitors, the miles walked, bicycled and driven. Annual vehicle mileage is estimated by the Department of Transportation, but no comparable rate is available for other roadway users. A decrease in pedestrian fatalities can indicate a decrease in the number of walkers just as easily as an improvement in safety. As much as possible the objectives below represent specific measures the Nevada Office of Traffic Safety plan to undertake that have a demonstrated positive effect on reducing fatalities and injuries on our highways and streets.

Overall Goals

Reduce the Fatality Rate per 100,000 population from 16.77 recorded in 2003 to 15.27 fatalities / 100,000 population by September 2006.

Strategy:

Re-focus the Department of Public Safety – Office of Traffic Safety emphasis on public education through enforcement to address impaired driving, occupant protection, and speeding issues.

Alcohol and Other Drugs

Reduce the percentage of persons killed in alcohol/drug-involved collisions by 5% from 50.0% recorded in 2003 to no more than 45% in 2006.

Strategy:

Emphasize public education through enforcement.

Continue expanding support to the judicial system, encouraging the development of new DUI courts and prosecutor training.

Continue development of the Statewide DUI taskforce

Occupant Protection

Maintain an observed safety belt use rate of 90% or higher in 2006.

Reduce the number of unrestrained fatalities by 5% from 49.1% recorded in 2004.

Strategy:

Continued emphasis on the Click it or Ticket high visibility enforcement combined with a hard hitting media message.

Continue to emphasis public education of Nevada Safety Belt laws through enforcement.

Place additional emphasis on the Statewide Family Vehicle Safety Program.

Motorcycle

Reduce the number of motorcycle fatalities in 2006 by 5% (not to exceed 45 in total) from the total number of motorcycle fatalities recorded in 2004 (48).

Strategy:

Conduct classes for law enforcement on how to effectively enforce helmet laws and how to identify an impaired motorcycle operator.

Develop a coalition of motorcycle safety advocates for the purpose of identifying new strategies to educate the driving public (motor vehicle and motorcyclists) on how to share the road.

Expand the Basic Rider Beginning Motorcycle training courses now being taught in Nevada through the Department of Public Safety.

Pedestrian/Bicycle Safety

Reduce the total number of pedestrians and bicyclists killed by 15% from the calendar year 2004 total of 74 fatalities to no more than 63 in Calendar Year 2006.

Strategy:

Continue to develop community based programs for educating the public on pedestrian and bicycle safety

Continue to support the University of Nevada Las Vegas Transportation Research Center FHWA demonstration project on the remediation of pedestrian issues in metropolitan areas.

Conduct one public awareness campaign in Clark County on pedestrian safety.

Police Traffic Services

Reduce speeding as a contributing factor in 34% of all Nevada fatalities in 2003 to no more than 31% in 2006.

Strategy:

Conduct a special, Statewide, speed enforcement program (Speed Week) in march 2006 that includes high visibility media and stepped up enforcement of speed laws.

Enhance the ability of law enforcement to conduct public education through localized programs that provide equipment and overtime.

Continue to develop a coalition with law enforcement that promotes stepped up public education through enforcement by contracting a Law Enforcement Liaison for the Department of Public Safety – Office of Traffic Safety (provided additional funding becomes available).

Community Programs

Effectively utilize the UNLV-TRC Southern Nevada Injury Prevention coalition to reduce the fatality rate in Clark County by 1% from 14.82 fatalities / 100,000 population in 2004 to 13.82 fatalities / 100,000 population in 2006.

Strategy:

Assist Community Based Organizations to build capacity through mini-grants by conducting grant writing and running your grant workshops on traffic safety training.

Complete a State Wide Comprehensive Safety Plan, in partnership with the Nevada Department of Transportation and Community Based Organizations, that will provide a centralized management tool.

Traffic Records

Capture 65% of traffic crashes, statewide, in a Department of Public Safety data base.

Strategy:

Continue development of the statewide Nevada Citation and Accident Tracking system.

PROGRAMS

FFY2006

ALCOHOL IMPAIRED DRIVING

Alcohol continues to be a significant problem for Nevada. The percentage of alcohol and drug related crashes and fatalities increased for 2003 then decreased in 2004 . After appearing to plateau in the mid 40%, 2003 impaired fatalities were above 50% and decreased to 47% in 2004.

**25-J8-18-5 Carson City High School PTA – Safe Grad Night
\$ 4,000**

This grant will provide partial funding for the Carson PTA’s annual Safe Grad Night activities. The event is intended to offer fun activities instead of un-sponsored parties where alcohol may be available.

**26-J8-18-1 Office of Traffic Safety – Program Management
\$41,400**

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of projects within this program area that are funded by Section 410. Funding is also provided in this task for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources.

**26-J8-18-2 Office of Traffic Safety – Mini-Grant Program
\$8,000**

This will provide funding for small or single event efforts to reduce impaired driving within Nevada. They can also be use for training/conferences, etc. These mini-grants are not to exceed \$2,000.

**26-J8-18-3 Office of Traffic Safety – State Alcohol Summit
\$9,000**

This will enable the Office of Traffic Safety to host a summit for all stake-holders relating the problems and potential solutions to reduce impaired driving within the state.

**26-J8-18-4 Office of Traffic Safety – Statewide Task Force
\$4,000**

This will provide funding for travel and meeting expenses for members to attend three or four meetings per year designed to coordinate and inform attendees on the status of the effort to reduce the incidence of impaired driving.

24-163AL-4/ Elko County Sheriff's Office – In-Car Video/DUI Prosecution
26-J8-18-5 \$18,000

This grant provides in-car video for the Sheriff Deputies in Elko County. Purchase of this equipment will help increase the conviction rate and decrease the court time for the officers for DUI and other traffic offenses.

25-AL-1/ Las Vegas Municipal Court – DUI Treatment
26-J8-18-6 \$80,000

This will be the second year of a three year project to develop and implement a treatment program for DUI offenders. The intent is to reduce the recidivism rate for these offenders. The program has most of the elements of the successful Serious Offender Program currently used by the District Court.

26-J8-18-7 Las Vegas Metro PD– DUI Van
\$34,500

This grant will allow Metro to staff a DUI van for Saturation Patrols and DUI Checkpoints every other weekend throughout the year. This will help ensure a high visibility presence during the year, concentrating on impaired drivers.

26-J8-18-8 Henderson Police Department – Preliminary Breath Testing \$13,100

This project provides Henderson Police Department Officers with Preliminary Breath testing devices to conduct DUI checkpoints and Saturation Patrols targeting the impaired driver.

25-163AL-1 Sparks Police Department – DRE Training
\$13,089

This is the second year of a three year to Sparks Police Department for DRE training to conduct Drug Recognition Expert Training. This proposal will conduct up to three courses per year and greatly increase the number of DRE trained traffic officers in Nevada.

**26-163AL-1 Office of Traffic Safety – Program Management
\$34,500**

These funds cover staff and operational costs for expenses directly relating to the planning, development, coordination, monitoring, evaluating and auditing of all federally funded alcohol programs utilizing Section 163 Funding.

**26-JF-1 Joining Forces Enforcement
\$200,000**

The Joining Forces law enforcement program provides for continuous, sustained enforcement of Nevada’s Safety Belt, Impaired Driving and Speed laws.

COMMUNITY PROGRAMS

Community Programs are conducted by a wide variety of agencies and coalitions. By their nature, these programs cover several areas of traffic safety and the projects funded are examples of the priorities for traffic safety for each coalition.

24-CP-10 **UNLV TRC – Southern Nevada Injury Prevention**
\$106,000

This is the third year of a three year grant. This project will enable the Safe Community Partnership to combine with the Southern Nevada Injury Prevention Program to better serve the greater Las Vegas Metropolitan area without duplicating effort.

25-CP-9 **Department of Motor Vehicles – Beginning Driver Program**
\$ 23,430

This is the second year of a three year grant that will allow the DMV to prepare, print, and distribute information relevant to the beginning driver throughout the state. This grant has taken on new emphasis with the passage of Nevada's GDL bill in October 2005.

26-CP-1 **Office of Traffic Safety – Program Management**
\$ 50,590

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of projects within this program area and funded by Section 402 funding. Included in this project is funding for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources.

26-CP-2 **Office of Traffic Safety – Printer/Software**
\$ 1,800

This will provide funding for an additional printer and specific software that will allow OTS to develop and design "in-house" brochures, web site editing, etc.

**26-CP-3 Office of Traffic Safety – Professional Development
\$ 25,000**

This project will provide OTS a funding source for courses, conferences, and seminars which may enhance the professional development of internal staff and external partners for which funding has not previously been allocated.

**26-CP-4 Office of Traffic Safety – Public Affairs - Media Support
\$ 19,000**

This will allow the Office of Traffic Safety to support appropriate public events by providing travel and suitable material to support the event.

**24-163CP-2 Driver’s Edge – Teen Driving
\$100,000**

This the third year of a three year project to demonstrate the effectiveness of training young drivers in the safe handling of their vehicles. Driver’s Edge includes hands on experience in handling emergency maneuvers, and the anticipation of unsafe conditions.

**26-163CP-1 Program Management – Section 163
\$ 14,222**

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of projects within this program area and funded by Section 163 funding. Included in this project is funding for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources.

**26-163CP-2 Washoe County Sheriff – School Zone Enforcement
\$ 30,000**

This new project combines stepped up enforcement at school zones with occupant and speed enforcement.

EMERGENCY MEDICAL SERVICES

Support is provided which helps reduce delays in providing medical services to victims of motor vehicle crashes. Primary emphasis is placed on distributing extrication equipment throughout the state and promoting extrication, first responder, EMT, and paramedic training programs.

**26-EM-2 Elko Co. Fire Protection Dist. – Extrication Equipment and Training
\$ 26,183**

This will fund extrication equipment for the third rural fire department in Elko County. This is the third year a three year program to upgrade the equipment in the more remote areas of Elko County.

**26-EM-1 Office of Traffic Safety - Program Management
\$ 7,000**

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of projects within this program area and funded through Section 402. Funding is also provided in this task for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources.

**26-163EM-1 Program Management
\$ 6,000**

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of projects within this program area and funded through Section 163. Funding is also provided in this task for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources.

**26-163EM-2 Yomba Tribe
\$ 6,000**

Provides funding for emergency radio relay for the Yomba Indian Tribe of Central Nevada.

OCCUPANT PROTECTION

The observed seat belt use rate for Nevada (2005: 94.8%) is one of the highest in the nation for states without a primary seat belt law. Of seventeen states with primary seat belt laws, nine of these had usage rates less than Nevada in 2000. However, 46% of our fatalities in 2004 (occupants in motor vehicles) were not wearing a seat belt. With Nevada's exponential population growth, more effort is needed to both increase seat belt use rates with the habitual non-users, and to educate our new residents about how occupant restraints save lives.

**24-OP-4 Ron Wood Family Resource Center – Rural CPS Program
\$ 39,000**

Year three of a three year program, this program will encompass three counties, Carson City, Lyon, and Mineral Counties to provide CPS installation and education. Ron Wood is located in Carson City County and will partner with the two rural county's family resource centers to bring the program to Lyon and Mineral Counties.

**25-OP-6 Douglas County Sheriff's Office – CPS Checkpoints
\$ 7,000**

Child safety seat checkpoints will be held in high visibility, high population density areas to educate parents and insure children's safety. Funding will be used to purchase safety seats and related supplies, educational materials and public information releases.

**25-OP-7 University Medical Center – Reduce Motor Vehicle Injuries
\$ 10,000**

This will allow the Medical Center personnel to develop and present safety messages to the public on the importance of traffic safety including seat belt use and driving impaired.

**25-OP-9 St. Mary's– CPS Program
\$ 39,000**

Year two of a three year program, this local hospital will develop and present a comprehensive child passenger safety program as well as provide inspection and fitting stations.

**26-OP-1 Office of Traffic Safety – Program Management
\$ 68,000**

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of projects within this program area and funded through Section 402. Funding is also provided in this task for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources.

**26-OP-2 Office of Traffic Safety – CPS/FVSP Task Force \$
7,500**

An Occupant Protection Assessment conducted in 2004 recommended DPS-OTS establish a CPS/FVSP Task Force. Funding in this program enable the Office of Traffic Safety to support the task force for up to 4 meeting per year. The support will include travel, etc.

**26-OP-3 Office of Traffic Safety – OP/OPC Mini-Grant Programs
\$ 17,000**

This enables the Office of Traffic Safety to purchase car seats and other supplies necessary for installation of child passenger safety seats. This includes PI&E material.

**26-OP-4 Office of Traffic Safety – Southern Nevada Instructors \$
40,000**

This grant will enable the Office of Traffic Safety to develop instructors and help them present training for both child seat installers and technicians.

**26-OP-05 UNLV Transportation Research Center– Observational Surveys
\$ 46,000**

These traffic safety device usage surveys are required by NHTSA and will be utilized by DPS-OTS to determine the effectiveness of Occupant Programs throughout Nevada.

**26-163OP-1 Program Management
\$ 21,000**

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring,

auditing, and evaluation of projects within this program area and funded through Section 163. Funding is also provided in this task for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources.

**26-163OP-2 PEACE – Rural Nevada CPS Education Program
\$51,000**

The first of a three year grant, PEACE will conduct CPS education throughout central and rural Nevada subsequent to the recent change in law requiring booster seats.

**26-163OP-3 Mason Valley Fire Department CPS Education Program
\$ 3,474**

This program provide resources and supplies to establish an education program for child passenger safety.

**26-JF-1 Joining Forces
\$200,000**

The Joining Forces law enforcement program provides for continuous, sustained enforcement of Nevada’s Safety Belt, Impaired Driving and Speed laws.

PLANNING AND ADMINISTRATION

A maximum of ten per cent of 402 funding is allowed for overall planning and administration of the traffic safety office. These funds cover expenses not directly related to specific projects listed in this plan.

**26-PA-1 Office of Traffic Safety - Planning and Administration
\$144,990**

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of projects within this program area. Funding is also provided in this task for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources.

PEDESTRIAN SAFETY

With the number of pedestrian deaths varying from 37 to 70 per year for the last 10 years it is difficult to establish clear trends with respect to pedestrian fatalities. The extreme growth in population in our large metropolitan areas is resulting in an increase in both pedestrian and vehicle traffic bringing increased risk to the pedestrian.

**24-PS-3 UNLV – TRC – Alternative Modes Program
\$ 80,000**

The third year of a three year program, this program will continue to expand the Pedestrian and Bicycle Safety Program into a comprehensive non-motorized transportation plan to include development of safer designs, improving education, and solicitation of support from other agencies and the local media.

**26-PS-1 Office of Traffic Safety - Program Management
\$ 9,000**

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of projects within this program area and funded through Section 402. Funding is also provided in this task for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources.

**26-163PS-1 Office of Traffic Safety - Program Management
\$ 6,000**

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of projects within this program area and funded through Section 163. Funding is also provided in this task for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources.

**26-163PS-2 North Las Vegas Police Bicycle Safety
\$5,000**

This grant will provide the education element to a bicycle enforcement program sponsored by the large metropolitan police department. As one of the larger police departments in Clark County, North Las Vegas PD is one of the leaders in community education and enforcement.

26-163PS-3 Washoe County Kiwanis Club – Bicycle Safety Education \$11,500

This 502(c)3 organization will conduct bicycle rodeo's and distribute helmets to Northern Nevada communities while conducting education on bicycle safety.

POLICE TRAFFIC SERVICES

The following law enforcement projects are listed, in several program areas, including alcohol, occupant protection, and community programs. The projects listed in this section are generally for equipment and overtime to fund activities that are over and above the normal work done by the agency. Traffic enforcement resources have not kept pace with the population explosion in Nevada during the past ten years, making this funding essential to proactive traffic program implementation. Projects requesting overtime funding are limited to one year.

**26-PT-1 Office of Traffic Safety - Program Management
\$ 80,000**

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of projects within this program area that are funded by Section 402. Funding is also provided in this task for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources. Management of the Joining Forces multi-jurisdictional enforcement is included in this project.

**26-PT-2 Nevada Highway Patrol – DUI & Speed Enforcement
\$ 39,000**

With higher than average crash rates, law enforcement in Northeastern Nevada is often limited in providing the enforcement needed to educate the public. This grant will provide overtime funds for the Patrol to conduct periodic stepped up enforcement of DUI, Speed, and Safety Belt laws.

**26-PT-3 Pershing County Sheriff In-Car Video Camera
\$ 3,700**

This grant provides in-car video for the Sheriff Deputies in Pershing County. Purchase of this equipment will help increase the conviction rate and decrease the court time for the officers for DUI and other traffic offenses.

**26-PT-4 Carson City Sheriff – Laser Radar
\$8,500**

This grant will provide laser radar equipment for the Carson City Sheriff Department to enhance their performance during Joining Forces stepped up enforcement periods.

**26-PT-5 Las Vegas Metro PD Laughlin – Speed Enforcement
\$14,000**

Laughlin Nevada is a small rural Nevada community that is experiencing problems with speeding residents and tourists. This grant will provide speed signs and enforcement to reduce these hazards.

**26-PT-6 University of Nevada Reno PD – Speed & DUI Enforcement
\$ 8,100**

UNR PD has one of the highest DUI arrest rates of all law enforcement agencies in Nevada. Providing this small department with speed signs and overtime for stepped up enforcement will have an impact on pedestrian safety, safety belt use rates and impaired driving.

**26-PT-7 Eureka County Sheriff – Radar Speed Enforcement
\$ 3,890**

Providing this small rural Nevada County with speed enforcement tools will allow them to participate in National Click it or Ticket and You Drink You Drive You Lose campaigns.

**25-163PT-1 Department of Public Safety Training Division TARS II
\$15,000**

The second year of a two year grant, this grant will provide Nevada Highway Patrol and local law enforcement with the training and tools to conduct traffic crash investigations. These skills are closely associated with the Traffic Records efforts that are now in progress.

**26-163PT-1 Office of Traffic Safety - Program Management
\$13,000**

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of projects within this program area that are funded by Section 163. Funding is also provided in this task for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources. Management of the Joining Forces multi-jurisdictional enforcement is included in this project.

**26-163PT-2 Winnemucca Police – Community Police Education
\$27,176**

Speeding in and around school zones has been identified as a major problem for the City of Winnemucca, Nevada. This grant will provide the Department with a Traffic Motorcycle and training for one officer to conduct stepped up enforcement and education in critical areas throughout the city.

**26-163PT-3 Nevada Highway Patrol – Speed Control
\$10,700**

Rural Central Nevada consists of miles of high speed 2 lane highways with speed reductions in and around populated areas. These high speeds and extreme distances frequently contribute to drivers traveling through populated areas at unsafe speeds. This innovative grant will allow the NHP to test the use of radar speed signs at critical areas.

**26-163PT-4 Douglas County Sheriff – Speed Enforcement
\$5,360**

Understaffed and unable to conduct effective enforcement of speed and safety belt laws, the Douglas County Sheriff Office will purchase mobile radar units to use during daily enforcement of speed laws.

**26-163PT-5 Sparks Police Department Speed Enforcement
\$6,250**

Sparks PD will try an innovative project to curtail speeding in critical areas throughout their community by utilizing portable speed control devices, including speed bumps, warning signs, and etc.

Traffic Records

The Traffic Records Manager was hired in FY 2000 to begin work on the Traffic Records Data Improvement Project. In FY 00 and FY 01, a Traffic Records Committee was formed and the planning and design of the Traffic Records System was developed. The committee also began working on standardizing the State-wide citation and accident report form. In FY 02 and 03, a database to track statewide crashes was developed and 2 Law Enforcement Agencies initiated an automated system. Currently, 13 law enforcement agencies are using electronic citations for traffic offences and have a complete database for their agency. FFY05 activities have included additional law enforcement agencies and starting the linkage between the agency databases to a central repository and to begin sending the citation information to the first court system. Much of the work has been training each agency in the use of the new forms, installing software, and writing the interface programs necessary.

**26-TR-1 Office of Traffic Safety - Program Management
\$ 16,000**

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of projects within this program area that are funded by Section 402. Funding is also provided in this task for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources.

**26-TR-2 Office of Traffic Safety – Traffic Records Assessment
\$25,000**

After several years of developing an automated traffic records system, DPS-OTS will conduct a NHTSA sponsored assessment of traffic records programs in Nevada.

**26-163TR-1 Office of Traffic Safety - Program Management
\$16,000**

Provides funding for necessary staff time and expenses incurred by OTS that are directly related to the planning, development, coordination, monitoring, auditing, and evaluation of projects within this program area that are funded by Section 163. Funding is also provided in this task for the printing of brochures and pamphlets, distributing literature and media materials developed through successful projects, or obtained from other sources.

**25-163TR-4 Department of Public Safety – Office of Traffic Safety
\$140,421**

Nevada Citation and Accident Reporting System (NCATS). This grant provides funding for the technical manpower needed to complete the interface between collecting agencies and the statewide citation and crash data base.

Joining Forces Multi-Jurisdictional Traffic Enforcement

Aggressive enforcement of traffic laws is a proven deterrent to crashes on our roadways. The Office of Traffic Safety program that incorporates multi jurisdictional traffic enforcement is called Joining Forces. Under this program law enforcement agencies will participate in a minimum of enforcement events throughout the year. Enforcement periods will coincide with national events such as Click it or Ticket and You Drink You Drive You Lose.

In 2006, Joining Forces will add a new element to this enforcement program, Speed Week. Speed Week will be conducted during the NASCAR National event held in Las Vegas in March and will include stepped up enforcement and an aggressive earned media campaign stressing speed reduction.

Participating agencies in FFY 06 include:

AGENCY

Carson City Sheriff

Elko Sheriff

Elko Police

Henderson Police

Las Vegas Metro Police

North Las Vegas Police

Nye County Sheriff

Reno Police

Washoe County Sheriff

Sparks Police

Nevada Highway Patrol

***NHP Jurisdiction is exclusive of the agencies listed.**

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 11 - (' ' 1200, 1205, 1206, 1250, 125 1, & 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) (Q), 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 draw downs will be initiated only when actually needed for disbursement, cash disbursements and balances will be reported in a timely manner as required by NHTSA, and the same standards of timing and amount, including the reporting of cash disbursement and balances, will be imposed upon any secondary recipient organizations (49 CFR 18.20, 18.2 1, and 18.4 1). 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 2 1); (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 15.1, concerning "Political Activity of State or Local Offices, or Employees".

CERTIFICATION REGARDING FEDERAL LOBBYING:

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

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

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

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

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

RESTRICTION ON STATE LOBBYING:

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

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION:

Instructions for Primary Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *proposal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and

coverage sections of 49 CFR Part 29. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

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

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

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

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

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

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Prima 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 other-wise 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 participants shall attach an explanation to this proposal.

ENVIRONMENTAL IMPACT

The Governor's Representative for Highway Safety has reviewed the State's Fiscal Year 2003 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).

George Togliatti

Governor's Representative for Highway Safety