



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Washington, DC 20240

IN REPLY REFER TO:

Office of Justice Services - COW
Indian Highway Safety Program

Mary Gunnels
Regional Administrator, National Highway
Traffic Safety Administration Region 6
819 Taylor Street, Room 8A38
Fort Worth, Texas 76102

Dear Ms. Gunnels:

The Bureau of Indian Affairs (BIA) Indian Highway Safety Program's FY 2023 Highway Safety Plan, approved by my office is enclosed.

If you have any questions or need additional information, please call me at (202) 208-5039.

Sincerely,

STEVEN
JUNEAU

Steven Juneau
Governors Representative

Digitally signed by
STEVEN JUNEAU
Date: 2022.07.01
10:40:00 -04'00'

Enclosure



Highway Safety Plan
FY 2023
Indian Nations

Table of Contents

Highway Safety Plan	3
Highway Safety Planning Process	4
Methods for Project Selection	6
Performance Report.....	9
Performance Plan.....	14
Program Areas	21
Program Area: Occupant Protection (Adult and Child Passenger Safety).....	21
Program Area: Planning & Administration	25
Program Area: Police Traffic Services	26
Evidence-based Traffic Safety Enforcement Program (TSEP).....	30
Certifications, Assurances, and Highway Safety Plan (PDF).....	33

Highway Safety Plan

NATIONAL PRIORITY SAFETY PROGRAM INCENTIVE GRANTS – The State applied for the following incentive grants:

- S. 405(b) Occupant Protection: **No**
- S. 405(e) Distracted Driving: **No**
- S. 405(c) State Traffic Safety Information System Improvements: **No**
- S. 405(f) Motorcyclist Safety Grants: **No**
- S. 405(d) Impaired Driving Countermeasures: **No**
- S. 405(g) State Graduated Driver Licensing Incentive: **No**
- S. 405(d) Alcohol-Ignition Interlock Law: **No**
- S. 405(h) Non-motorized Safety: **No**
- S. 405(d) 24-7 Sobriety Programs: **No**
- S. 1906 Racial Profiling Data Collection: **No**

Highway Safety Planning Process

Data Sources Processes

Data Sources

Traffic safety crash and injury data for NA/AN is often difficult to obtain and incomplete. To develop the Highway Safety Plan (HSP), the Indian Highway Safety Program (IHSP) utilizes crash/fatality data and information contained in the NHTSA Fatal Analysis Reporting System (FARS), state data bases, tribal crash records, U.S. Census Data, list of federally recognized tribes, Federal Highway Administration (FHWA) and Bureau of Indian Affairs (BIA) road data and the Annual Indian Country seatbelt observational survey.

Tribes are sovereign nations and are not required to report motor vehicle crash information to other entities. Tribes either do not report or the information provided is not complete, obtaining accurate crash and injury data to identify traffic safety trends is difficult. The IHSP uses multiple sources which include:

1. NHTSA Fatal Analysis Reporting System (FARS)
2. Center for Disease Control (WISQARS) population-based fatalities
3. United States Census Bureau – demographic data
4. Traffic analysis reports and publications – vehicle, driver, and roadway
5. Annual seat belt observational survey
6. Vehicle Miles Traveled (VMT) data is not available
7. Individual tribal data (injury data is only available at the tribal level from participating tribes)

PERFORMANCE MEASURES PROCESS

Data Sources

Data sources used to determine targets for the Core Performance Measures are the same as identified in the 2nd paragraph under Data Sources above. Data for some Core Performance Measures is not available from national sources but are addressed directly from individual tribal projects as appropriate. Individual tribes provide activity data that is essential in setting reasonable performance measure targets.

Steps in Performance Measure Process

The overall goal of the IHSP is to reduce crashes and traffic safety related injuries and fatalities in Indian Country,

1. The IHSP performance measure process begins with a review of crash data sources from FARS and individual tribal projects for either three year or five-year periods to address Core performance measures. In addition, each tribal project contains performance measures which must include information to support the Performance Measure targets for the individual project.

2. The data driven trends are evaluated to determine if linear targets appear to be realistic and consistent. The process utilized supports the overall Core Performance Measure targets of the IHSP, HSP as well as provides the standard for the tribal projects which are selected.
3. Representatives from the BIA Roads, BIA OJS, HHS Indian Health Service (IHS), and Federal Highway Administration (FHA) may evaluate each tribal grant application. Applications are evaluated for appropriate performance measures with realistic targets that support the overall core performance measures and the identified traffic safety issues.
4. The IHSP staff reviews trend data from each tribal proposal and the narrative problem identification information. The grant evaluation review includes IHSP staff discussions of known environmental factors which may impact progress, such as oil exploration and increased truck traffic which occurred in the North Dakota oil boom. Newly built casinos, high volume traffic highways/interstates transecting tribal lands, tribal enrolled population and population growth attributed to transient activities. Change in seasons or high-volume traffic from casinos or other events, economic conditions, and identified local issue impact progress and are concerns provided by the tribe.

Performance Measurement Development Process

The Core Performance Measures that can be found under Performance Plans was developed from information provided on the FARS STSI site. National targets are set based on 3 to 5 year moving average. FARS 2019 shows Arizona, Oklahoma, New Mexico, Montana, and California with the highest motor vehicle crash (MVC) fatality rates among Native Americans (NA) in the United States. Arizona reported 394 NA fatalities in 2019. The BIA IHSP will offer 3 PTS straight time and 1 overtime law enforcement grants to tribes in Arizona: Navajo Nation, San Carlos Apache Tribe, White Mountain Apache Tribe, and an overtime grant to Fort McDowell Yavapai Nation in FY2023. Oklahoma reported 350 MVC fatalities in 2019. The BIA IHSP will offer Cheyenne and Arapaho tribe 1 PST straight time law enforcement grant. New Mexico reported 310 MVC fatalities to FARS in 2019. In 2023, 5 tribes from New Mexico will receive straight time PTS grants: Jicarilla Apache Nation, Pueblo of Isleta, Pueblo of Jemez, Pueblo of Laguna, and Pueblo of Zia. One overtime grant will be offered to the Pueblo of Pojoaque and 1 occupant protection grant will be awarded to the Pueblo of Laguna. Montana reported 144 Native American fatalities in FARS in 2019. Two tribes from Montana applied; the Chippewa Cree Tribe of the Rocky Boy's Reservation and Northern Cheyenne Tribe will be awarded a straight time PTS grant. The state of California reported 216 MVC fatalities in 2019. Tribes in this state did not apply for Indian Highway Safety grant funding in FY23

Processes Participants

Participants in the process include representatives from the Bureau of Indian Affairs (BIA) Office of Justice Services (OJS), BIA Roads, Health and Human Services (HHS) Indian Health Service (IHS), and State of New Mexico. Federal Highways (FHWA) may evaluate

each tribal grant application. The BIA IHSP also participates in the Safety Management System Committee (SMS) with other federal partners and tribes. Applications are evaluated for appropriate performance measures with realistic targets that support the overall core performance measures and the identified traffic safety issues.

Description of Highway Safety Problems

IHSP staff review monthly sub-grantee reports to obtain the most current traffic safety information available to evaluate areas needing improvement.

The Indian Highway Safety Program problem identification process consists of reviewing and analyzing a broad range of data either submitted by tribes in grant applications or available from the data sources shown above. The IHSP staff begins the process of problem identification by obtaining the most current data from FARS and evaluating tribal reports submitted monthly. The tribal grantee reports contain information related to driving under the influence (DUI), speeding, crashes, fatalities, and other traffic safety related data not available from FARS. FARS data is reviewed to determine trend lines that identify problem areas. Poor tribal crash reporting and Native American (NA) FARS data more than three years old makes it difficult to obtain data relevant to the current HSP planning process. When available FARS Annual file data will be used in the analysis process however official target setting is based on the most current FARS data available on the State Traffic Safety Information (STSI).

Federally recognized tribes are sovereign, and they are not required to report motor vehicle crash information to other entities. Since many either do not report or the information provided is not complete, obtaining accurate crash and injury data to identify traffic safety trends is difficult. BIA IHSP relies on grant funded tribes to provide reporting on a monthly and annual basis to assist with justification for grant funding and compares it with the numbers in FARS. According to FARS 2019 data Indian Country has 541 MVC fatalities nationwide and 313 of those fatalities have occurred within federally recognized tribal boundaries.

Indian Country faces many traffic problems which include motor vehicle crash and pedestrian fatalities, excessive speeding, impaired driving, and seatbelt violations. In FY21, 28 grant funded tribes reported 75 MVC fatalities on their reservations, 30 of the fatalities involved alcohol, 22 were due to excessive speed, and 26 involved people not wearing seat belts. During the same grant year 28 grant funded tribes reported 3,964 MVC, in which 995 were injury crashes. 458 of the total crashes reported involved alcohol and 469 were speed related.

Methods for Project Selection

Evidence Based Strategy and Project Selection Process

Participants

The IHSP utilizes a grant application review team which may consist of representatives from NHTSA, Indian Health Service, Bureau of Indian Affairs-Office of Justice Services and Bureau of Indian Affairs-Roads, and a Federal Highway Administration representative to evaluate and score the proposals.

Solicitation of Proposals and Project Selection Process. A solicitation letter and an electronic fill-in-the-blank application form, with instructions, are mailed to all federally recognized tribal leaders each year. Announcements regarding the solicitation for IHSP proposals are posted on the Tribal Technical Assistance Programs (TTAPs) websites, Indian Health Service websites and published in the Federal Register. Starting in 2017 applications and request for proposals were also made available to the tribes on grants.gov and the Bureau of Indian Affairs, Office of Justice Services Facebook page.

The IHSP began utilizing an electronic fill-in-the-blank application form in FY2011. The application was developed to help streamline the application process and assist in the collection of data and evaluation of proposed projects. The electronic fill-in-the-blank application is updated annually and requires specific data related to the project which requires the tribes to focus on traffic safety issues identified by their data.

Prospective tribal applicants are required to submit their application for funding to the Indian Highway Safety Program office no later than May 1 of each year. The tribes are required to include traffic crash data to support the problem(s) they plan to address as well as provide supportive data that includes previous years arrest records, citation records and conviction rates.

All applications are scored by a review team. PTS applications were eligible for scores up to 100 based on the following:

1. General Information - 10 points
2. Data (Problem Identification) - 45 points
3. Targets, Performance Measures & Strategies - 35 points
4. Budget - 10 points

After all scores are totaled and averaged, projects were selected for funding based on their ranking. The IHSP Director reserves the right to fund modify or not fund grant applications regardless of scores. The projects selected must provide sufficient traffic records data to identify a traffic safety problem and activities to address the problem.

23 C.F.R. Section 402 establishes only 402 funds are available for the BIA IHSP. Each year the IHSP evaluates the obligations and status of carryforward funds to determine the available funding for obligation to the tribes. No matching funds are required for the IHSP or the tribes. During the coordination process with other federal agencies involved in traffic safety other federal fund sources that contribute to the accomplishment of the IHSP HSP projects performance targets are identified.

NHTSA Region 6 coordinates with the various NHTSA regional offices to identify if other state highway safety funds will contribute to performance measure targets of IHSP participating tribes. This coordination takes place after the HSP approval processes concludes, however when identified a revision to the HSP will identify additional fund sources within the project description.

While there is no formal Strategic Highway Safety Plan (SHSP) as required for States, the IHSP Director coordinates with various Federal and Tribal partners as part of the planning and implementation of the IHSP Highway Safety Plan (HSP) such as with the Safety Management Steering (SMS) committee. In addition, the IHSP Director participates in meetings with the BIA Central Office Transportation Division; the IHSP also participates in state planning meetings which include tribal organizations within their respective states. BIA Central Office Transportation Staff concur with the targets and strategies in the HSP. The final version of the HSP will also be provided to the SMS Committee to better serve Indian Country highway safety.

List of Information and Data Sources

Data Sources

Because tribes are sovereign, they are not required to report motor vehicle crash information to other entities. Since many either do not report or the information provided is not complete, obtaining accurate crash and injury data to identify traffic safety trends is difficult. The IHSP uses multiple sources which include:

1. NHTSA Fatal Analysis Reporting System (FARS)
2. Center for Disease Control (WISQARS) population-based fatalities
3. United States Census Bureau demographic data
4. Traffic analysis reports and publications vehicle driver and roadway
5. Annual Indian Country seat belt observational survey
6. Vehicle Miles Traveled (VMT) data is not available
7. Individual tribal data (injury data is only available at the tribal level from participating tribes)

Description of Outcomes

Indian Country does not have a State Strategic Highway Safety Plan.

Performance Report

Progress towards meeting State performance targets from the previous fiscal year's HSP

Overall Program Target

Performance Measure:	HSP 23				
	Target Period	Target Year(s)	Target Value FY22 HSP	Data Source*/ FY22 Progress Results	On Track to Meet FY22 Target Yes/No (Must be Accompanied by Narrative**)
C-1) Total Traffic Fatalities	5 Years	2018-2022	365	2015-2019 TRIBES 75	Yes
C-2) Serious Injuries in Traffic Crashes	N/A	N/A	N/A	N/A	N/A
C-3) Fatalities/VMT	N/A	N/A	N/A	N/A	N/A
C-4) Unrestrained Passenger Vehicle Occupant Fatalities, All Seat Positions	5 Years	2018-2022	136	2015-2019 TRIBES 26	Yes
C-5) Alcohol-Impaired Driving Fatalities	5 Years	2018-2022	155	2015-2019 TRIBES 6	Yes
C-6) Speeding- Related Fatalities	5 Years	2018-2022	114	2015-2019 TRIBES 22	Yes
C-7) Motorcyclist Fatalities	5 Years	2018-2022	16	2015-2019 TRIBES 1	Yes
C-8) Un-helmeted Motorcyclist Fatalities	5 Years	2018-2022	2	2015-2019 TRIBES 0	Yes
C-9) Drivers Age 20 or Younger Involved in Fatal Crashes	5 Years	2018-2022	16	2015-2019 TRIBES 9	Yes
C-10) Pedestrian Fatalities	5 Years	2018-2022	50	2015-2019 TRIBES 16	Yes
C-11) Bicyclists Fatalities (FARS)	5 Years	2018-2022	3	2015-2019 TRIBES 0	Yes
B-1) Observed Seat Belt Use for Passenger Vehicles, Front Seat Outboard Occupants	5 Years	2018-2022	77%	2015-2019 SURVEY 76.3	Yes
A-1) Seat Belt Citations Issued	Other	2018-2022	2,475	2015-2019 TRIBES 3,265	Yes
A-2) Impaired Driving Arrests	Other	2018-2022	3,555	2015-2019 TRIBES 4,954	Yes
A-3) Speed Citations Issued	Other	2018-2022	27,380	2015-2019 TRIBES 33,195	Yes

Performance Measure: C-1) Number of traffic fatalities (FARS)

Progress: Achieved

Program-Area-Level Report:

To reduce all fatalities on Indian reservations by 4% from the 2017 FARS number of 394 to 380 by the end of FY2021.

According to 2019 FARS data there were 313 motor vehicle fatalities on reservations. FARS shows motor vehicle crash fatalities have continued to rise decline from 369 in 2017 to 313 in 2019. In FY 21, 33 Tribes reported a total of 75 motor vehicle fatalities.

Performance Measure: C-2) Number of serious injuries in traffic crashes (State crash data files)

Progress: Not Met

Program-Area-Level Report:

Performance Measure: C-3) Fatalities/VMT (FARS, FHWA)

Progress: Not Met

Program-Area-Level Report:

Performance Measure: C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)

Progress: Achieved

Program-Area-Level Report:

To reduce the total number of un-restrained passenger vehicle occupant fatalities, all seat positions by 3% from the 2017 FARs number of 144 to 139 by the end of FY2021.

Current FARS 2019 data reflects 90 un-restrained passenger vehicle occupant fatalities all seat positions significantly declined from the FY18 FARS number of 142. In FY21, 33 Tribes reported a total 26 un-restrained passenger vehicle occupant fatalities.

Performance Measure: C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)

Progress: Achieved

Program-Area-Level Report:

Reduce crash fatalities on Indian Reservations involving drivers or motorcycle operators with a BAC of 0.08 or above, by 5% from the FARS 2017 number of 158 to 150 by the end of FY2021.

Current 2019 FARS data reflects the number of on reservation fatalities in crashes involving a driver/motorcycle rider decreased from 165 in FY15 to 130 in FY19. In FY21, 33 funded Tribes reported a total of 6 fatalities with drivers with .08+ BAC.

Performance Measure: C-6) Number of speeding-related fatalities (FARS)

Progress: Achieved

Program-Area-Level Report:

To reduce the number of speed related fatalities, on Indian Reservations, by 3% from the 2017 FARS number of 119 to 115 by the end of FY2021.

Current 2019 FARS data reflects a downward trend of 96 fatalities on reservations from the FY17 number of 125. In FY21, 33 funded Tribes reported a total of 22 speed related motor vehicle fatalities on their reservations during the project year.

Performance Measure: C-7) Number of motorcycle fatalities (FARS)

Progress: Achieved

Program-Area-Level Report:

To maintain the number of motorcyclist fatalities, on Indian Reservations, by the 2017 FARS number of 19 by the end of FY2021.

Linear Trend Analysis 5-year average reflects a decrease in motorcyclist fatalities on reservations from the 2015 FARS number of 22 to the FY19 FARS number of 15. In FY21, 33 funded tribes reported 1 motorcyclist fatality on their reservations during the project year.

Performance Measure: C-8) Number of un-helmeted motorcycle fatalities (FARS)

Progress: Achieved

Program-Area-Level Report:

To maintain the number of un-helmeted motorcyclist fatalities on reservations by the 2017 FARS number of 11 by the end of 2021.

Current 2019 FARS data reflects a downward trend of 4 un-helmeted motorcycle fatalities on reservations. 33 grant funded tribes reported 1 un-helmeted motorcyclist fatality on their reservations during the project year.

Performance Measure: C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)

Progress: Achieved

Program-Area-Level Report:

To decrease the number of drivers 20 or younger on reservations involved in fatal crashes by 6% from 2017 FARS number of 18 to 17 in 2021.

Current 2019 FARS data reveals an upward trend of 16 driver fatalities age 20 and younger on reservations. In FY21, 33 funded tribes reported a total of 9 fatalities of drivers 20 or younger on their reservations during the project year.

Performance Measure: C-10) Number of Pedestrian fatalities (FARS)

Progress: Achieved

Program-Area-Level Report:

To reduce the number of pedestrians involved in fatal crashes on reservations by 6% from

2017 FARS number of 62 to 58 in 2021.

Current FARS data shows downward trend in pedestrian fatalities on reservations from 58 in FY17 to 41 in FY19. In FY21, 33 funded tribes reported a total of 16 pedestrian fatalities on their reservations during the project year.

Performance Measure: C-11) Number of bicyclist fatalities (FARS)

Progress: Achieved

Program-Area-Level Report:

To maintain the number of bicyclists on reservation involved in fatal crashes by the 2017 FARS number of 2 in 2021.

Current FARS data reflects a downward trend of pedal cyclist fatalities from 1 in FY17 to 0 in FY19. In FY21, 33 funded tribes reported a total of 0 bicyclist fatalities on their reservations during the project year.

Performance Measure: B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)

Progress: Not Met

Program-Area-Level Report:

The BIA IHSP planned to increase safety belt usage rates in Indian Country from the FY 2019 “national” Indian Country rate of 77% to 80% by the end of FY2021.

In FY21, Indian Country is now at 78.8%. During the FY21 grant year tribal governments limited access to their roadways by implementing lockdowns within their reservation boundaries due to the COVID-19 pandemic. Limited access on and off reservation roadways resulted in a lower reading in seatbelt survey results. Tribal governments also limited personal contact with tribal members during the FY21 grant year to protect tribal employees and enrolled tribal members by reducing the spread of COVID-19 pandemic.

Performance Measure: A-1) Number of seat belt citations issued (reported by tribes)

Progress: Not Met

Program-Area-Level Report:

FARS data for Native American seat belt citations is not available. These numbers are reported by grant funded tribes.

To increase the number of seat belt citations issued on Indian Reservations by 14% from the FY19 number of 19,970 to 22,807 by the end of FY2021.

In FY21, 33 Tribes reported issuing 2,475 seatbelt citations during the grant year. This target was not met in the FY21 due to the COVID-19 pandemic tribal governments limited access on reservation roadway to tribal members only and implemented lock downs. Limited access and lock downs contributed to the decreased number of safety seat traffic violations during the FY21 grant year.

Performance Measure: A-2) Number of impaired driving arrests (reported by tribes)

Progress: Not Met

Program-Area-Level Report:

The BIA IHSP planned to reduce the incidence of impaired driving by increasing DUI/DWI/OWI arrests by all funded traffic activity within the participating tribes by 8% from the FY2019 total of 3,251 to 3,500 by the end of FY2021.

In FY21, 33 Tribes reported 3,338 DUI/OWI arrests were made. Target may not have been achieved due to the COVID-19 pandemic because of tribal government lockdowns.

Performance Measure: A-3) Number of speed citations issued (reported by tribes)

Progress: Achieved

Program-Area-Level Report:

The BIA IHSP planned to increase the number of citations issued for speed, on Indian reservations, by 8% from the FY2019 number of 38,775 to 39,500 by the end of FY2021.

In FY21, 33 Tribes reported 36,926 speed citations were issued. This target was not met due to the COVID-19 pandemic, tribal governments limited access on reservation roadways to tribal members only and implemented lockdowns. Limited access and lockdowns contributed to the decreased number of traffic violations during the FY21 grant year.

Performance Plan

Performance Plan Chart – 2023 Highway Safety Plan			BASE YEARS				
			2015	2016	2017	2018	2019
C-1	Total Traffic Fatalities Reduce fatalities from 367 to 360 by 2023.	FARS Annual 5-Year Rolling Avg.	369	383	394	377	313 367
C-2	Serious Injuries in Traffic Crashes Reduce serious traffic injuries to by 2023.	FARS Annual 5-Year Rolling Avg.	N/A	N/A	N/A	N/A	N/A
C-3	Fatalities/VMT Reduce fatalities/100 VMT to by 2023.	FARS Annual 5-Year Rolling Avg.	N/A	N/A	N/A	N/A	N/A
C-4	Unrestrained Passenger Vehicle Occupant Fatalities, All Seat Positions Reduce unrestrained passenger vehicle occupant fatalities, all seat positions to by 5% from 136 to 129 by 2023	FARS Annual 5-Year Rolling Avg.	148	156	144	142	90 136
C-5	Alcohol-Impaired Driving Fatalities Reduce alcohol impaired driving fatalities by 2% from 158 to 154 by 2023.	FARS Annual 5-Year Rolling Avg.	165	175	154	164	130 158
C-6	Speeding- Related Fatalities Reduce speed related fatalities by 1% from 115 to 114 by 2023.	FARS Annual 5-Year Rolling Avg.	125	117	119	120	96 115
C-7	Motorcyclist Fatalities Reduce motorcycle fatalities by 6% from 19 to 18 by 2023.	FARS Annual 5-Year Rolling Avg.	22	20	19	21	15 19
C-8	Un-helmeted Motorcyclist Fatalities Reduce un-helmeted, motorcycle fatalities by 14% from 7 to 6 by 2023	FARS Annual 5-Year Rolling Avg.	6	11	11	4	4 7
C-9	Drivers age 20 or Younger Involved in Fatal Crashes Reduce drivers age 20 and younger involved in fatal crashes by 7% from 16 to 15 by 2023	FARS Annual 5-Year Rolling Avg.	15	14	18	16	16 16
C-10	Pedestrian Fatalities Reduce pedestrian fatalities by 2% from 54 to 53 by 2023.	FARS Annual 5-Year Rolling Avg.	58	52	62	56	41 54
C-11	Bicyclists Fatalities (FARS) Reduce bicycle fatalities by 32% from 3 to 2 by 2023.	FARS Annual 5-Year Rolling Avg.	5	3	2	3	3 3
B-1	Observed Seat Belt Use for Passenger Vehicles, Front Seat Outboard Occupants Increase seatbelt use for passenger vehicles by 1% from the 78% to 79% by 2023.	Survey Annual 5-Year Rolling Avg.	76.8%	78%	77%	76.3%	78.8% 77%

A-1	Seat Belt Citations Issued Increase seat belt citations by 1% from 3,088 to 30,878 by 2023.	Tribe Annual 5-Year Rolling Avg.	3,110	2,816	2,527	2,250	4,736	3,088
A-2	Impaired Driving Arrests Increase impaired driving arrests by 2% from 3,506 to 3,576 by 2023.	Tribe Annual 5-Year Rolling Avg.	4,664	2,795	3,251	3,483	3,338	3,506
A-3	Speed Citations Issued Increase speed citations by 1% from 32,062 to 32,383 by 2023.	Tribe Annual 5-Year Rolling Avg.	29,327	29,217	38,775	26,065	36,926	32,062

Performance Measure: C-1) Number of traffic fatalities (FARS)

Performance Target Details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-1) Number of traffic fatalities (FARS)-2023	Numeric	360	5 Year	2019

Performance Target Justification

To decrease all fatalities on Indian Reservations by 2% from the 367 to 360 by the end of FY2023.

American Indian/Alaska Natives are killed in motor vehicle crashes on reservations at rates 2 to 3 times that of other ethnicities. The IHSP will award traffic safety grants to federally recognized tribes aimed at reducing death and injury caused by motor vehicle crashes. The IHSP has also awarded 4 Child Protection Seat grants in FY23 to assist in reducing fatalities among infants and small children. Target percentages and numbers were determined by using five-year 2015-2019 FARS data which reflect a target of 360. The target reduction of 2% from 367 to 360 was selected because of the geographic locations of 28 tribes being funded in FY23 and the ability to obtain FARS reports of motor vehicle crash fatalities from each of the 11 states. In FY23 the BIA IHSP will award 26 PTS grants and 4 CPS grants. Population, road miles, size of police force of each tribe and historical motor vehicle crash fatality numbers from the tribes funded in previous years was also taken into consideration.

Performance Measure: C-2) Number of serious injuries in traffic crashes (State Crash data files)

Performance Target Details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-2) Number of serious injuries in traffic crashes (State crash data files) 2023	Numeric	0.00	5 Year	2019

Performance Target Justification

N/A

Performance Measure: C-3 Fatalities/VMT (FARS, FHWA)

Performance Target Details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-3) Fatalities/VMT (FARS, FHWA)-2023	Numeric	0.000	5 Year	2019

Performance Target Justification

N/A

Performance Measure: C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)

Performance Target Details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)-2023	Numeric	129	5 Year	2019

Performance Target Justification

To reduce the total number of un-restrained passenger vehicle occupant fatalities, all seat positions by 5% from 136 to 129 by the end of FY2023.

Target percentage and number was determined by 2015- 2019 FARS data. Un-restrained passenger vehicle occupant fatalities, all seat positions will be decreased by 5% (129) in FY23 and this reduction was used to justify the target.

Performance Measure: C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)

Performance Target Details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)-2023	Numeric	154	5 Year	2019

Performance Target Justification

Reduce crash fatalities on Indian Reservations involving drivers or motorcycle operators with a BAC of 0.08 or above, by 2% from 158 to 154 by the end of FY2023.

Target was determined by FARS data 2015-2019 which reflects a 2% (154) decrease in fatalities for FY23.

Performance Measure: C-6) Number of speeding-related fatalities (FARS)

Performance Target Details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-6) Number of speeding-related fatalities (FARS)-2023	Numeric	114	5 Year	2019

Performance Target Justification

To reduce the number of speed related fatalities on Indian Reservations, by 1% from 115 to 114 by the end of FY2023.

Target was determined by FARS data 2015-2019 which reflects 1% (114) decrease in speed related fatalities on reservations. An 1% reduction of 114 in this target area for FY23 is realistic and achievable based on FARS data.

Performance Measure: C-7) Number of motorcyclist fatalities (FARS)

Performance Target Details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-7) Number of motorcyclist fatalities (FARS) 2023	Numeric	18	5 Year	2019

Performance Target Justification

To reduce the number of motorcyclist fatalities on Indian Reservations, by 6% from 19 to 18 for FY2023.

Target was determined by FARS 2015-2019 which reflects reducing motorcycle fatalities to 18 by the end of FY23. Based on the FARS data from 2015-2019 motorcycle fatalities were decreasing from the FY15 number of 22 to 15 in FY19.

Performance Measure: C-8) Number of un-helmeted motorcyclist fatalities (FARS)

Performance Target Details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-8) Number of un-helmeted motorcyclist fatalities (FARS)-2023	Numeric	6	5 Year	2019

Performance Target Justification

To reduce the number of un-helmeted motorcyclist fatalities on reservations by 14% 7 to 6 by the end of 2023.

Targets and percentages were determined by FARS 2015-2019 averages which shows a reduction in un-helmeted fatalities on reservations will decrease to 6 by the end of 2023 based on the data.

Performance Measure: C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)

Performance Target Details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)-2023	Numeric	16	5 Year	2019

Performance Target Justification

To reduce the number of drivers 20 or younger on reservations involved in fatal crashes by 7% from 16 to 15 by 2023.

Targets and percentages were determined by FARS 2015-2019, shows fatalities will increase to the end of FY23. Maintaining target at 16 for FY23 is realistic and achievable based on FARS data.

Performance Measure: C-10) Number of pedestrian fatalities (FARS)**Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-10) Number of pedestrian fatalities (FARS)-2023	Numeric	53	5 Year	2019

Performance Target Justification

To reduce the number of pedestrians involved in fatal crashes on reservations by 2%, from 54 to 53 by 2023.

The FARS 2015-2019 data illustrates a 2% (53) decrease in fatalities in FY23. A 2% (53) reduction in pedestrian fatalities is reasonable yet still achievable.

Performance Measure: C-11) Number of bicyclist fatalities (FARS)**Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-11) Number of bicyclist fatalities (FARS)-2023	Numeric	2	5 Year	2019

Performance Target Justification

To reduce the number of bicyclists, on reservation, involved in fatal crashes by 32% by the 3 to 2 by 2023.

Target was determined by FARS 2015-2019 data which shows a decrease in fatalities.

Performance Measure: B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)**Performance Target Details**

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)-2023	Percentage	79%	5 Year	2021

Performance Target Justification

To increase safety belt usage rates in Indian Country by 1% from the FY 2021 “national” Indian Country rate of 78% to 79% by the end of FY2023.

FARS data for Native American seat belt usage rates is not available. The safety belt usage rate for Indian Country is considerably lower than the other states in the Country. Five-year FARS Data from 2015-2019 reflects a 1% increase of 79% seat belt usage in Indian Country in FY2023. Five-year seat belt usage rate in Indian Country shows an increase in seatbelt usage. A 79% increase for this target is reasonable and achievable for FY23.

Performance Measure: A-1) Number of seat belt citations issued (reported by tribes)

Performance Target Details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
A-1 Number of seat belt citations issued (reported by tribes)-2023	Numeric	3,878	Other	2021

Performance Target Justification

To increase the number of seat belt citations issued on reservations by 1% from 3,088 to 3,878 by 2023.

FARS data for Native American seat belt citations is not available. These numbers are reported by grant funded tribes. Five-years of seatbelt citations data shows an increased number of seat belt citations are being issued.

Performance Measure: A-2) Number of impaired driving arrests (reported by tribes)

Performance Target Details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
A-2 Number of impaired driving arrests (reported by tribes)-2023	Numeric	3,576	Other	2021

Performance Target Justification

Increase the number of impaired driving, DUI/DWI/OWI, arrests by 2% from 3,506 to 3,576 by the end of FY2023.

Five-years of DUI arrests data show a decrease in the number of violators. Based on the data DUI arrest target of 3,576 was a reasonable and achievable target for FY23 because of the COVID-19 pandemic which resulted in lockdowns by tribal governments to protect

community members.

Performance Measure: A-3) Number of speed citations issued (reported by tribes)

Performance Target Details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
A-3 Number of speed citations issued (reported by tribes)-2023	Numeric	32,062	Other	2021

Performance Target Justification

To increase the number of citations issued for speed on Indian reservations, by 1% from 32,062 to 32,383 by the end of FY2023.

FARS data for Native American speed citations is not available. These numbers are reported by grant funded tribes. Five-year years of speed citations issued reflects as 1% (32,062) increase for FY2023.

Certification: State HSP performance targets are identical to the State DOT targets for common performance measures (fatality, fatality rate, and serious injuries) reported in the IHSP annual report, as coordinated through the State SHSP.

I certify: **No**

A-1) Number of seat belt citations issued during grant-funded enforcement activities*

Seat Belt Citations: **3,088**

Fiscal Year A-1: **2023**

A-2) Number of impaired driving arrests made during grant-funded enforcement activities*

Impaired Driving Arrests: **3,506**

Fiscal Year A-2: **2023**

A-3) Number of speeding citations issued during grant-funded enforcement activities*

Speeding Citations: **32,062**

Fiscal Year A-3: **2023**

Program Areas

Program Area: Occupant Protection (Adult and Child Passenger Safety)

Description of Highway Safety Problems

Occupant Protection: (Seat Belt Survey) - This grant is a financial assistance award to conduct a seat belt usage survey on various reservations throughout Indian Country. Planned activity for this grant is for the contractor to observe seat belt use for passenger vehicles front seat outboard occupants for a select group of federally recognized tribes. The report will reflect trends on seat belt usage throughout Indian Country.

Occupant Protection (Tribal Grant Programs) - This grant is a financial assistance award to assist the tribes in enhancing their current traffic safety and child safety seat efforts in occupant protection. The BIA IHSP plans to provide 4 Occupant Protection Grants (Child Protection Seat Grants) in FY23. Tribes will be awarded child safety seats for distribution, provide educational training and handouts to parents/guardians on the importance of proper car seats installation and keeping children properly restrained in a motor vehicle.

The survey Safety Belt Use Estimate for Native American Tribal Reservations was published in February 2006. The overall usage rate in Indian country was at 55.4%. Indian State safety belt survey reported safety belt usage rates in Indian Country have increased from 78% in FY21 to 79% in FY23. The safety belt usage rate for Indian Country is considerably lower than the other states in the Country. Five-year FARS data numbers for all vehicle occupant restraint fatalities have decreased from the FY17 number of 148 to 90 in FY21. All FY23 PTS grant funded tribes will be required to coordinate and collaborate with other federal and tribal agencies being utilized to educate school children of all ages, as well as tribal community members on the importance of wearing safety belts.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)	2023	5 Year	129
2023	A-1 Number of seat belt citations issued (reported by tribes)	2023	Other	3,088

Countermeasure Strategies in Program Area

Countermeasure Strategy
Child Restraint System Inspection Station(s)
Seat belt survey

Countermeasure Strategy: Child Restraint System Inspection Station(s)

Program Area: **Occupant Protection (Adult and Child Passenger Safety)**

Project Safety Impacts

Assessment of Traffic Safety Impact

The process for determining the potential impact of counter measure strategies/projects selected in each program area is based on an assessment of the following factor:

Percent of motor vehicle fatalities covered by funded projects. In 2023, the IHSP plans to fund 26 police traffic services grants. FY21 crash data provided by the 33 projects reveal all fatalities on their reservations totaled 75 which are 24% of the 313 reported in FARS 2019.

The impact of CPS will be measured through car seat assessments provided by the tribes which have agreed to provide information such as the increased number of car seat clinics, safety seat checkpoints and the increased number of distributions. The impact will be a decrease in the overall number of child injuries in the crash statistics in the future years due to current activities.

Linkage Between PR Area

Occupant Protection

Occupant Protection: (Seat Belt Survey) - This grant is a financial assistance award to conduct a seat belt usage survey on various reservations throughout Indian Country. Planned activity for this grant is for the contractor to observe seat belt use for passenger vehicles front seat outboard occupants for a select group of federally recognized tribes. The report will reflect trends on seat belt usage throughout Indian Country.

Occupant Protection (Tribal Grant Programs) - This grant is a financial assistance award to assist the tribes in enhancing their current traffic safety and child safety seat efforts in occupant protection. The BIA IHSP plans to provide 4 Occupant Protection Grants (Child Protection Seat Grants) in FY23. Tribes will be awarded child safety seats for distribution, provide educational training and handouts to parents/guardians on the importance of proper car seats installation and keeping children properly restrained in a motor vehicle.

A-1 Core Measure: Increase seat belt citations by 1% from 3,088 to 30,878 by 2023. (Self-reported numbers by IHSP grant funded tribes)

C-4 Core Measure: Reduce unrestrained passenger vehicle occupant fatalities, all seat positions to by 5% from 136 to 129 by 2023.

Rationale

The safety belt usage rate for Indian Country is considerably lower than the other states in the Country. Coordination and collaboration with other federal and tribal agencies will be utilized to educate school children of all ages, as well as tribal community members, on the importance of wearing safety belts. Increasing the number of Tribes participating and reporting on the Click It or Ticket Mobilization as well as enforcing safety belt laws on the reservations will increase awareness and utilization of safety belts among tribes. Car Seats will be inspected by a certified Child Safety Seat Technician and car seats will be distributed to children from families in need. Technicians will teach parents/caregivers on the proper installation of car seats.

Planned Activities in Countermeasure Strategy

Unique Identifier	Planned Activity Name
Occupant Protection	Car seat distribution

Planned Activity: Car Seat Distribution

Planned Activity Number: **Occupant Protection**

Primary Countermeasure Strategy ID:

Planned Activity Description

This grant is a financial assistance award to assist the tribes in enhancing their current traffic safety and child safety seat efforts in occupant protection. The BIA IHSP plans to provide 4 Occupant Protection Grants (Child Protection Seat Grants) in FY23. Tribes will be awarded child safety seats for distribution, provide educational training and handouts to parents/guardians on the importance of proper car seats installation and keeping children properly restrained in a motor vehicle.

Intended Sub Recipients

Federally Recognized Tribes

Countermeasure Strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Child Restraint System Inspection Station(s)
Seat belt survey

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Child Restraint (FAST)	\$43,775.00	N/A	N/A
2023	FAST Act NHTSA 402	Occupant Protection (FAST)	\$134,824.69	N/A	N/A

Countermeasure Strategy: Seat Belt Survey

Program Area: **Occupant Protection (Adult and Child Passenger Safety)**

Project Safety Impacts

Assessment of Traffic Safety Impact

The process for determining the potential impact of counter measure strategies/projects selected in each program area is based on an assessment of the following factor: Percent of motor vehicle fatalities covered by funded projects. In 2023, the IHSP plans to fund 26 police

traffic services contracts. FY21 crash data provided by the 33 projects reveal all fatalities on their reservations totaled 75 which are 24% of the 313 reported in FARS 2019.

Linkage Between Program Area

The survey Safety Belt Use Estimate for Native American Tribal Reservations was published in February 2006. The overall usage rate in Indian country was at 55.4%. Indian State safety belt survey reported safety belt usage rates in Indian Country have increased from 78% in FY21 to 79% in FY23. The safety belt usage rate for Indian Country is considerably lower than the other states in the Country. Five FARS numbers for all vehicle occupant restraint fatalities have decreased from the FY15 number of 148 to 90 in FY19. All FY23 PTS grant funded tribes will be required to coordinate and collaborate with other federal and tribal agencies being utilized to educate school children of all ages, as well as tribal community members on the importance of wearing safety belts.

Occupant Protection: (Seat Belt Survey) - This grant is a financial assistance award to conduct seat belt usage surveys on various reservations throughout Indian Country. Planned activity for this grant is for the contractor to observe seat belt use for passenger vehicles front seat outboard occupants for a select group of federally recognized tribes. The report will reflect trends on seat belt usage throughout Indian Country.

C-4 Core Measure: Reduce unrestrained passenger vehicle occupant fatalities, all seat positions to by 5% from 136 to 129 by 2023.

Rationale

Seat Belt Survey for Indian Country usage.

Planned Activities in Countermeasure Strategy

Unique Identifier	Planned Activity Name
Occupant Protection	Car seat distribution
Seat Belt Survey	Seat Belt Survey

Planned Activity: Car Seat Distribution

Planned Activity Number: **Occupant Protection**

Primary Countermeasure Strategy ID:

Planned Activity Description

This grant is a financial assistance award to assist the tribes in enhancing their current traffic safety and child safety seat efforts in occupant protection. The BIA IHSP plans to provide 4 Occupant Protection Grants (Child Protection Seat Grants) in FY23. Tribes will be awarded child safety seats for distribution, provide educational training and handouts to parents/guardians on the importance of proper car seats installation and keeping children properly restrained in a motor vehicle.

Intended Sub Recipients

Federally Recognized Tribes

Countermeasure Strategies

Countermeasure Strategies in this Planned Activity

Countermeasure Strategy
Child Restraint System Inspection Station(s)
Seat belt survey

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Child Restraint (FAST)	\$43,775.00	N/A	N/A
2023	FAST Act NHTSA 402	Occupant Protection (FAST)	\$134,824.69	N/A	N/A

Planned Activity: Seat Belt Survey

Planned Activity Number: **Seat Belt Survey**

Primary Countermeasure Strategy ID:

Planned Activity Description

Planned activity for this grant is for the contractor to observe seat belt use for passenger vehicles front seat outboard occupants for a select group of federally recognized tribes. The report will reflect trends on seat belt usage throughout Indian Country.

Intended Sub Recipients

Preusser Research Group (PRG)

Countermeasure Strategies

Countermeasure Strategies in this Planned Activity

Countermeasure Strategy
Seat Belt Survey

Program Area: Planning & Administration

Description of Highway Safety Problems

The Indian Highway Safety Program faces many challenges with a five percent budget for operating expenses. With only 5% Program & Administration (P&A) personnel service, manage, monitor, and oversee the Indian Highway Safety Program. They include three positions funded by 402: Program Analyst (Coordinator), Program Analyst (Finance) and a Law Enforcement Assistant. Other costs include travel and training, office machines, office supplies, education supplies and other appropriate administrative expenditures. The five percent for P&A makes it difficult to provide site visits for tribal grant program monitoring

due to extensive travel to rural locations throughout the United States. Indian Country encompasses five-hundred seventy-four (574) federally recognized tribes located across the United States with many of the tribes located in rural areas. The five percent P&A creates continued challenges for the IHSP staff to grow the program, provide awards and bring on more federally recognized grant programs due to limited staff. The IHSP staff consist of three (3) employees dedicated to managing the entire program who are paid out of P&A funds which makes hiring additional employee’s problematic. In FY23 the BIA IHSP will award thirty (30) grants to federally recognized tribes across the United States.

IHSP staff must be selective in the type of training, and meetings they attend because locations are all outside of New Mexico. Staff training is necessary to maintain compliance and management of expending federal funds. The five percent program management budget limits the IHSP staff from offering more grant opportunities and services to the tribes and limits training, meeting attendance, along with hiring additional staff to help meet the mission and goals of the program.

Personnel planned activities will be to initiate highway safety related projects with not less than twenty-six (26) Police Traffic Services grants, four (4) Occupant Protection (Child Protection Seat (CPS) grants for twenty-eight (28) tribes by the end of FY2023. IHSP staff will initiate meetings and communications with non-granted tribes to evaluate for potential funding opportunities which would provide financial assistance to meet a Police Traffic Services, Occupant Protection, Impaired Driving Court and/or Youth Traffic Safety Education need to expand the program. They will contact state highway safety offices to offer funding opportunities to their tribal communities which may be available. IHSP will maintain constant contact with participating tribes via on-site visits, desk and telephone monitoring and audits. Staff will offer technical assistance and outreach to tribes not currently participating in program as requested. They will also conduct monthly monitoring of expenditures utilizing BIA’s finance system and NHTSA’s Grants Tracking System (GTS).

Unique Identifier	Planned Activity Name	Primary Countermeasure Strategy ID
402	Program and administration	Planning & Administration

Planned Activity: Program and Administration

Planned Activity Number: 402

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	Program and Administration	Program and Administration	\$377,609.15	N/A	\$0.00

Program Area: Police Traffic Services

Description of Highway Safety Problems

This grant is a financial assistance award to assist the tribes in enhancing their current traffic

safety, enforcement, and education efforts. The BIA IHSP plans to award twenty-two (22) straight-time PTS grants to fund Highway Safety Officers activity hours and four (4) grants for overtime of officers for traffic safety enforcement. Tribes will also utilize tribal crash data to identify high DUI locations and increased impaired driving enforcements in those areas. Provide training for officers in SFST, SFST instructor, radar operator and instructor, saturation patrol, checkpoint methods as well as drug impaired driver identification. Participate in three (3) mobilizations; two (2) national (Click it or Ticket and Drive Sober or Get Pulled Over) and 1 (one) Indian State (Don't Shatter the Dream) mobilizations and conduct local mobilizations as necessary. Conduct and participate in checkpoints and/or saturation patrols if tribal/state laws allow and participate in impaired driving task forces locally. Provide not less than two (2) educational presentations.

American Indian/Alaska Natives are killed in motor vehicle crashes on reservations at rates 2 to 3 times that of other ethnicities. The IHSP will award traffic safety grants to federally recognized tribes aimed at reducing death and injury caused by motor vehicle crashes. The IHSP will also award Child Protection Seat grants in FY23 to assist in reducing fatalities among infants and small children. FARS five-year 2015-2019 FARS data shows motor vehicle crash fatalities on reservations are decreasing from 367 to 360 in 2023. The geographic locations of tribes being funded in FY23 (28 tribes in 11 states) and the ability to obtain FARS reports of motor vehicle crash fatalities from each of the 11 states. Population, road miles, size of police force of each tribe and historical motor vehicle crash fatality numbers were taken into consideration for award. Grant funded tribes have reported an increase in speed citations from 29,327 in FY17 to 36,926 in FY21. Tribes still need the assistance of Police Traffic Services grants to combat the traffic safety issues within Indian Country.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-1) Number of traffic fatalities (FARS)	2023	5 Year	360
2023	C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)	2023	5 Year	129
2023	C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)	2023	5 Year	154
2023	C-6) Number of speeding-related fatalities (FARS)	2023	5 Year	114
2023	C-7) Number of motorcyclist fatalities (FARS)	2023	5 Year	18
2023	C-8) Number of un-helmeted motorcyclist fatalities(FARS)	2023	5 Year	6
2023	C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)	2023	5 Year	15

Countermeasure Strategies in Program Area

Countermeasure Strategy
High Visibility Law Enforcement
Traffic Enforcement

Countermeasure Strategy: High Visibility Law Enforcement

Program Area: **Police Traffic Services**

Project Safety Impacts

Assessment of Traffic Safety Impact

The process for determining the potential impact of counter measure strategies/projects selected in each program area is based on an assessment of the following factor:

Percent of motor vehicle fatalities covered by funded projects. In 2023, the IHSP plans to fund 26 police traffic services grants. FY21 crash data provided by the 33 projects reveal all fatalities on their reservations totaled 75 which are 24% of the 313 reported in FARS 2019.

Percent of high impact evidence-based projects as identified in CTW. HVE activities have high potential for near term impact. The comprehensive nature of the strategies employed. The standard for impaired driving strategies lies within the Alcohol/Impaired and Drugged Driving section of the CTW. Each of these funded programs must utilize the elements of the strategies shown to be effective and submit reports on their activities concerning: Publicized Sobriety Checkpoints, Publicized Saturation Patrol Programs, Integrated Enforcement Activities to include participation in DUI Task forces, Community Education Programs, and in High Visibility Enforcement Mobilizations.

Linkage Between Program Area

This grant is a financial assistance award to assist the tribes in enhancing their current traffic safety, enforcement, and education efforts. The BIA IHSP plans to award twenty-two (22) straight-time PTS grants to fund Highway Safety Officers activity hours and four (4) grants for overtime of officers for traffic safety enforcement. Tribes will also utilize tribal crash data to identify high DUI locations and increased impaired driving enforcements in those areas. Provide training for officers in SFST, SFST instructor, radar operator and instructor, saturation patrol, checkpoint methods as well as drug impaired driver identification. Participate in three (3) mobilizations; two (2) national (Click it or Ticket and Drive Sober or Get Pulled Over) and 1 (one) Indian State (Don't Shatter the Dream) mobilizations and conduct local mobilizations as necessary. Conduct and participate in checkpoints and/or saturation patrols if tribal/state laws allow and participate in impaired driving task forces locally. Provide not less than two (2) educational presentations.

American Indian/Alaska Natives are killed in motor vehicle crashes on reservations at rates 2 to 3 times that of other ethnicities. The IHSP will award traffic safety grants to federally recognized tribes aimed at reducing death and injury caused by motor vehicle crashes. The IHSP will also award Child Protection Seat grants in FY23 to assist in reducing fatalities among infants and small children. FARS five-year 2015-2019 FARS data shows motor

vehicle crash fatalities on reservations are decreasing from 369 in FY15 to 313 in 2019. The geographic locations of tribes being funded in FY23 (28 tribes in 11 states) and the ability to obtain FARS reports of motor vehicle crash fatalities from each of the 11 states. Population, road miles, size of police force of each tribe and historical motor vehicle crash fatality numbers were taken into consideration for award. Grant funded tribes have reported an increase in speed citations from 26,065 to 27,380 in FY22. Tribes still need the assistance of Police Traffic Services grants to combat the traffic safety issues within Indian Country.

Rationale

The rationale for the selection of the IHSP countermeasure strategy and funding allocation is based on systematic and spot approaches due to the diversity of tribal lands population land base and road miles. Tribal programs submit the tribal individual statistical information, and the countermeasures are subjective to the tribe and the needs are based on the individual tribal traffic problems reported. The tribal projects work the mobilizations provide educational programs and HVE to get to the greatest amount of people in their communities for crash reduction and prevention. Additionally, tribes can identify high crash areas and utilize a spot location approach for the countermeasure and address the focus on the need identified. The countermeasures and funding allocation is fact based and justification for the funding allocation is based on the tribal statistical information and traffic crash data provided

Planned Activities in Countermeasure Strategy

Unique Identifier	Planned Activity Name
Police Traffic Services	High Visibility Saturation Patrol
Police Traffic Services	Traffic Enforcement

Planned Activity: High Visibility Saturation Patrol

Planned activity number: **Police Traffic Services**

Primary Countermeasure Strategy ID:

Planned Activity Description

This grant is a financial assistance award to assist the tribes in enhancing their current traffic safety, enforcement, and education efforts. The BIA IHSP plans to award twenty-two (22) straight-time PTS grants to fund Highway Safety Officers activity hours and four (4) grants for overtime of officers for traffic safety enforcement. Tribes will also utilize tribal crash data to identify high DUI locations and increased impaired driving enforcements in those areas. Provide training for officers in SFST, SFST instructor, radar operator and instructor, saturation patrol, checkpoint methods as well as drug impaired driver identification. Participate in three (3) mobilizations; two (2) national (Click it or Ticket and Drive Sober or Get Pulled Over) and 1 (one) Indian State (Don't Shatter the Dream) mobilizations and conduct local mobilizations as necessary. Conduct and participate in checkpoints and/or saturation patrols if tribal/state laws allow and participate in impaired driving task forces locally. Provide not less than two (2) educational presentations.

American Indian/Alaska Natives are killed in motor vehicle crashes on reservations at rates 2

to 3 times that of other ethnicities. The IHSP will award traffic safety grants to federally recognized tribes aimed at reducing death and injury caused by motor vehicle crashes. The IHSP will also award Child Protection Seat grants in FY23 to assist in reducing fatalities among infants and small children. FARS five-year 2015-2019 FARS data shows motor vehicle crash fatalities on reservations are decreasing from 369 in FY15 to 313 in 2019. The geographic locations of tribes being funded in FY23 (28 tribes in 11 states) and the ability to obtain FARS reports of motor vehicle crash fatalities from each of the 11 states. Population, road miles, size of police force of each tribe and historical motor vehicle crash fatality numbers were taken into consideration for award. Grant funded tribes have reported an increase in speed citations from 26,065 to 27,380 in FY22. Tribes still need the assistance of Police Traffic Services grants to combat the traffic safety issues within Indian Country.

Intended Sub Recipients

The BIA IHSP plans to award twenty-two (22) straight time PTS grants and four (4) grants for overtime for traffic safety enforcements for federally recognized tribes.

Countermeasure Strategies

Countermeasure Strategies in this Planned Activity

Countermeasure Strategy
High Visibility Law Enforcement

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Police Traffic Services (FAST)	\$19,523,203.00	N/A	N/A

Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
202	FAST Act NHTSA 402	Police Traffic Services (FAST)	\$10,965,106.00	N/A	N/A

Evidence-based Traffic Safety Enforcement Program (TSEP)

Planned activities that collectively constitute an evidence-based traffic safety enforcement program (TSEP):

Unique Identifier	Planned Activity Name
Police Traffic Services	High Visibility Saturation Patrol
Police Traffic Services	Traffic Enforcement

Analysis of crashes, crash fatalities, and injuries in areas of highest risk.

Crash Analysis

Major issues in Indian Country, impaired driving, occupant protection, and traffic records are similar to those experienced nationwide, but the severity of traffic safety problems vary greatly among tribes.

The lack of crash reporting is detrimental to the tribes as it affects the ability to accurately provide information on fatalities and severe injuries which may be occurring on their lands. Poor tribal crash reporting and Native American (NA) FARS data more than three years old makes it difficult to obtain data relevant to the current HSP planning process. When available FARS annual file data will be used in the analysis process however official target setting is based on the most current FARS data available on the State Traffic Safety Information (STSI). Data for some core measures is not available from national sources but are addressed in individual tribal projects as appropriate. Individual tribes provide activity data that is essential in setting reasonable performance measure targets. Therefore 2019 FARS data is used in the FY23 HSP. The IHSP funds a variety of projects each year. These include Police Traffic Services (PTS), impaired driving enforcement and Child Protective Safety (CPS) activities. All funded activities are found in the NHTSA publication “Countermeasures That Work” as proven countermeasures.

A review of FARS 2019 data of Native American/Alaska Native fatalities by State shows Arizona, New Mexico, Oklahoma, Montana, and California are the top 5 states with Native American/Alaska Native fatalities. In 2023, the IHSP plans to fund enforcement and occupant protection (child protection seat (CPS) projects in each of the States: 3 PTS 0 CPS in Arizona, 2 PTS 0 CPS in Montana, 0 PTS, 0 CPS in California, 6 PTS and 1 CPS in New Mexico and 1 PTS 0 CPS Oklahoma.

In 2023 the IHSP plans to fund twenty-six (26) police traffic services agreements. Crash data provided by these projects show in 2021 crash data provided by the 26 projects reveal all fatalities on their reservations totaled 75 which are 24% of the 313 reported in FARS 2019. In Indian Country seat belt usage is below the national average and in FY21 seat belt usage increased from 76.3% to 78.8%. In FY21 thirty-three (33) tribes reported 26 unrestrained passenger vehicle occupant fatalities all seat positions. This is an 29% increase from the FY19 FARS number of 90. Tribes also reported issuing a total of 4,736 seat belt citations from 2017-2021.

Deployment of Resources

Prospective tribal applicants are required to submit their application for funding to the Indian Highway Safety Program office no later than May 1 of each year. The tribes are required to include traffic crash data to support the problem(s) they plan to address, as well as provide supportive data that includes previous years arrest records, citation records, and conviction rates.

All applications are scored by a review team. PTS applications were eligible for scores up to 100 based on the following: General Information - 10 points Data (Problem Identification) - 45 points Targets Performance Measures & Strategies - 35 points Budget - 10 points.

After all scores are totaled and averaged, projects were selected for funding based on their ranking. The IHSP Director reserves the right to fund, modify, or not fund grant applications,

regardless of scores. The projects selected must provide sufficient traffic records data to identify a traffic safety problem and activities to address the problem.

23 C.F.R. Section 402 establishes only 402 funds are available for the BIA IHSP. Each year the IHSP evaluates the obligations and status of carryforward funds to determine the available funding for obligation to the tribes. No matching funds are required for the IHSP or the tribes. During the coordination process with other federal agencies involved in traffic safety other federal fund sources that contribute to accomplishment of the IHSP HSP projects performance targets are identified.

NHTSA Region 6 coordinates with the various NHTSA regional offices to identify if other State highway safety funds will contribute to performance measure targets of IHSP participating tribes. This coordination takes place after the HSP approval processes concludes, however when identified a revision to the HSP will identify additional fund sources within the project description.

Effectiveness Monitoring

Evidence-based Countermeasures. The IHSP funds a variety of projects each year. These include Police Traffic Services (PTS), impaired driving enforcement and Child Protective Safety (CPS) activities. All funded activities are found in the NHTSA publication “Countermeasures That Work” as proven countermeasures. In addition, IHSP staff conducts ongoing evaluation of tribal activities performed during the grant year. This monitoring is utilized to determine if funded activities are showing a positive result in effecting traffic safety issues on the reservation.

High-Visibility Enforcement (HVE) Strategies

Planned HVE Strategies to Support National Mobilizations:

Countermeasure Strategy
Checkpoints
High Visibility Enforcement
High Visibility Law Enforcement
Traffic Enforcement

HVE planned activities that demonstrate the State's support and participation in the National HVE mobilizations to reduce alcohol-impaired or drug impaired operation of motor vehicles and increase use of seat belts by occupants of motor vehicles:

Unique Identifier	Planned Activity Name
Police Traffic Services	High Visibility Saturation Patrol
Police Traffic Services	Traffic Enforcement

Certifications, Assurances, and Highway Safety Plan (PDF)

Appendix A to Part 1300 – Certifications and Assurances for Fiscal Year 2022 Highway Safety Grants (23 U.S.C. Chapter 4; Sec. 1906, Pub. L. 109-59, As Amended By Sec. 4011, Pub. L. 114-94)

[Each fiscal year, the Governor’s Representative for Highway Safety must sign these Certifications and Assurances affirming that the State complies with all requirements, including applicable Federal statutes and regulations, that are in effect during the grant period. Requirements that also apply to subrecipients are noted under the applicable caption.]

State: Indian Nations

Fiscal Year: 2023

By submitting an application for Federal grant funds under 23 U.S.C. Chapter 4 or Section 1906, the State Highway Safety Office acknowledges and agrees to the following conditions and requirements. In my capacity as the Governor’s Representative for Highway Safety, I hereby provide the following Certifications and Assurances:

GENERAL REQUIREMENTS

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4 – Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 23 CFR part 1300 – Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 – Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS

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).

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)

The State will comply with FFATA guidance, OMB Guidance on FFATA Subward and Executive Compensation Reporting, August 27, 2010, (https://www.fsrcs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf) by reporting to FSRs.gov for each sub-grant awarded:

- Name of the entity receiving the award;
- Amount of the award;

- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
- A Unique Entity identifier;
- The names and total compensation of the five most highly compensated officers of the entity if:
 - (i) the entity in the preceding fiscal year received—
 - (I) 80 percent or more of its annual gross revenues in Federal awards;
 - (II) \$25,000,000 or more in annual gross revenues from Federal awards; and
 - (ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;
- Other relevant information specified by OMB guidance.

NONDISCRIMINATION

(applies to subrecipients as well as States)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), **and Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities,

public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;

- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

“During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;

- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- e. To insert this clause, including paragraphs (a) through (e), in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

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;
 - 5. 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);
- c. 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;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;

- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(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;

- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

POLITICAL ACTIVITY (HATCH ACT)
(applies to subrecipients as well as States)

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING
(applies to subrecipients as well as States)

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
(applies to subrecipients as well as States)

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
(applies to subrecipients as well as States)

Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
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 primary tier 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 tier 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 tier 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 or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. 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 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 entering into this transaction.

7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "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 and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

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 is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

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 the transaction for cause or default.

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

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

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions 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 records, 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 tier 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 Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

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 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*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. 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 "Instructions for Lower Tier Participant Certification" including the "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 and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

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 is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

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 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 participating in covered transactions 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.

BUY AMERICA ACT

(applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items 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. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

(applies to subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

POLICY ON SEAT BELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

SECTION 402 REQUIREMENTS

1. To the best of my personal knowledge, the information submitted in the Highway Safety Plan in support of the State's application for a grant under 23 U.S.C. 402 is accurate and complete.
2. The Governor is the responsible official for the administration of the State highway safety program, by appointing a Governor's Representative for Highway Safety who shall be responsible for a State highway safety agency that 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 U.S.C. 402(b)(1)(A))
3. 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 U.S.C. 402(b)(1)(B))
4. At least 40 percent of all Federal funds apportioned to this State under 23 U.S.C. 402 for this fiscal year will be expended by or for the benefit of political subdivisions of the State in carrying out local highway safety programs (23 U.S.C. 402(b)(1)(C)) or 95 percent by and for the benefit of Indian tribes (23 U.S.C. 402(h)(2)), unless this requirement is waived in writing. (This provision is not applicable to the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.)
5. The 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 U.S.C. 402(b)(1)(D))
6. The State will provide for an evidenced-based traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents. (23 U.S.C. 402(b)(1)(E))
7. The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State, as identified by the State highway safety planning process, including:
 - Participation in the National high-visibility law enforcement mobilizations as identified annually in the NHTSA Communications Calendar, including not less than 3 mobilization campaigns in each fiscal year to –
 - Reduce alcohol-impaired or drug-impaired operation of motor vehicles; and
 - Increase use of seat belts by occupants of motor vehicles;
 - Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits;

- An annual Statewide seat belt use survey in accordance with 23 CFR part 1340 for the measurement of State seat belt use rates, except for the Secretary of Interior on behalf of Indian tribes;
 - Development of Statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources;
 - Coordination of Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in 23 U.S.C. 148(a). (23 U.S.C. 402(b)(1)(F))
8. The State will actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j))
9. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system. (23 U.S.C. 402(c)(4))

I understand that my statements in support of the State’s application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.

STEVEN JUNEAU Digitally signed by STEVEN JUNEAU
 Date: 2022.07.01 10:41:05 -04'00'

7/1/22

Signature Governor’s Representative for Highway Safety

Date

Steven Juneau

Printed name of Governor’s Representative for Highway Safety