

South Dakota Annual Grant Application FY2025



SOUTH DAKOTA
DEPARTMENT
OF PUBLIC SAFETY

prevention ~ protection ~ enforcement

Table of Contents

Updates to Triennial HSP	3
Project and Subrecipient Information	3
Distracted Driving	3
Impaired Driving (Drug and Alcohol)	4
Motorcycle Safety	11
Non-Motorized (Pedestrians and Bicyclists)	11
Occupant Protection (Adult and Child Passenger Safety)	13
Program Admin and Support	16
Speed Management	18
Traffic Records	20
Young Drivers	22
Community Traffic Safety	24
Planning and Administration (P&A)	25
Section 405 Grant Applications	26
Certifications and Assurances.....	28

Updates to Triennial HSP

No Triennial HSP Updates are proposed for FY2025. Although there are no specific changes to our Triennial Highway Safety Plan based on our most recent annual report, we are not on track to reach our goals in a few areas to include: C1-total number of fatalities, C3-fatalities/VMT, C6-speeding related fatalities, C7-motorcycle fatalities, C9-driver age 20 or younger involved in fatal crashes and C1-pedestrian fatalities. In an effort to reach our goals, we have added additional law enforcement programs for overtime to conduct HVE and education efforts in the areas of speed, seatbelt and impaired driving enforcement.

Project and Subrecipient Information

Program Areas

- Distracted Driving
- Impaired Driving (Drug and Alcohol)
- Motorcycle Safety
- Non-motorized (Pedestrians and Bicyclist)
- Occupant Protection (Adult and Child Passenger Safety)
- Program Admin and Support (Other)
- Speed Management
- Traffic Records
- Young Drivers
- Community Traffic Safety
- Planning & Administration

Distracted Driving	
Project Name	Generic Media-402
Project Description	To educate the public on the dangers of distracted driving, the Office of Highway Safety will contract with a professional advertising firm to develop and place pertinent educational messages throughout the state. The media contractor will use the NHTSA Communications Calendar and state developed public education materials. A variety of channels including, social media, video, display, audio, and disruptive tactics will be run during the national mobilizations using either NHTSA or state developed ads.
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-03-11 and 2025-03-17
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	Project amount found on page 15
Eligible Use of Funds	PM – Paid Advertising
P&A?	No
§1300.41(b)?	No

Countermeasure Strategy or Strategies for Programming Funds	Mass media campaigns are a widely accepted countermeasure strategy. NHTSA's published research on distracted driving has demonstrated the criticality of this program area.
---	---

Impaired Driving (Drug and Alcohol)	
Project Name	Impaired Driving High Visibility Enforcement
Project Description	State and local law enforcement agencies will increase impaired driving enforcement statewide and at the local level to reduce the number crashes involving intoxicated drivers. Funds will be used for overtime to perform sobriety checkpoints, high visibility enforcement, and saturation patrols, travel, in-car cameras, breath testing devices, and drug testing devices.
Federal Funding Source(s)	Section 405d
Subrecipient(s) and Project Agreement Numbers	Belle Fourche Police Department – 2025-01-08 Brookings County Sheriff's Office – 2025-00-72 Brookings Police Department – 2025-00-97 Campbell County Sheriff's Office – 2025-00-86 Cheyenne River Sioux Tribe – 2025-00-49 Clark Police Department – 2025-01-09 Corson County Sheriff's Office – 2025-00-70 Davison County Sheriff's Office – 2025-00-08 Day County Sheriff's Office – 2025-00-26 Douglas County Sheriff's Office – 2025-00-82 Hot Springs Police Department – 2025-00-63 Lead Police Department – 2025-00-96 Lennox Police Department – 2025-00-91 Lincoln County Sheriff's Office – 2025-00-69 Minnehaha County Sheriff's Office – 2025-00-78 Oglala Sioux Tribe – DPS – 2025-00-95 Pennington County Sheriff's Office – 2025-00-53 Roberts County Sheriff's Office – 2025-00-16 Sisseton Wahpeton Tribal Police Department – 2025-00-23 Sioux Falls Police Department – 2025-00-43 SDSU Police Department – 2025-00-09 Stanley County Sheriff's Office – 2025-00-62 Sturgis Police Department – 2025-01-05 Summerset Police Department – 2025-01-06 Tea Police Department – 2025-00-07 Vermillion Police Department – 2025-00-40 Yankton Police Department – 2025-00-21 South Dakota Highway Patrol – 2025-00-35
Type of Organization	Local and State Law Enforcement
Amount of Federal Funds	\$1,094,863.96 – 405d-Imp
Eligible Use of Funds	M5HVE – High Visibility Enforcement

P&A?	No
§1300.41(b)?	Yes
Countermeasure Strategy or Strategies for Programming Funds	Chapter 1 – 2.2.1 Publicized Sobriety Checkpoints (CTW 5 ★) Chapter 1 – 2.2.2 High-Visibility Saturation Patrols (CTW 4 ★)

Project Name	South-Central Alcohol Task Force
Project Description	
Perform alcohol compliance check at the retail level in Mitchell, Aurora County, Davison County and Miner County.	
Federal Funding Source(s)	405d-Imp
Project Agreement Number	2025-00-14
Subrecipient(s)	Mitchell Police Department
Type of Organization	Local Law Enforcement
Amount of Federal Funds	\$6,658.00
Eligible Use of Funds	M5OT
P&A?	No
§1300.41(b)?	Yes
Countermeasure Strategy or Strategies for Programming Funds	Chapter 1 - 6.6.3 Alcohol Vendor Compliance Checks (CTW 3 ★)

Project Name	Impaired Driving Safety and Injury Prevention
Project Description	
This project will provide statewide education on the dangers of alcohol and drugs and teach skills on decision making as they relate to driving while impaired. Statewide messaging will focus on the reduction of impaired drivers. Awareness materials, safety supplies/resources, and media outreach will be created and disseminated to community, school, and law enforcement stakeholders.	
Federal Funding Source(s)	Section 405d
Project Agreement Number	2025-02-23
Subrecipient(s)	South Dakota EMS for Children
Type of Organization	State Agency
Amount of Federal Funds	\$90,269.00
Eligible Use of Funds	M5OT – 405d Mid Other Based on Problem ID
P&A?	No
§1300.41(b)?	Yes
Countermeasure Strategy or Strategies for Programming Funds	Uniform Guideline No. 8 for Impaired Driving, Prevention, states that highway safety program should include an impaired driving component that addresses highway safety activities related to impaired driving, including community-based programs.

Project Name	Alternative Transportation
Project Description	

Provide support to remove drinking drivers from the roads in Brookings, Rapid City, and Vermillion by offering alternative transportation for a safe ride home. Provide ongoing awareness and education about binge drinking, drinking, and driving, as well as other alcohol-related items. Universities will collaborate with on and off campus entities to provide awareness materials throughout the year.	
Federal Funding Source(s)	Section 405d
Project Agreement Number	2025-02-25; 2025-02-07; 2025-02-18
Subrecipient(s)	South Dakota School of Mines and Technology South Dakota State University University of South Dakota
Type of Organization	State Agency
Amount of Federal Funds	\$161,546.00
Eligible Use of Funds	M5OT – 405d Mid Other Based on Problem ID
P&A?	No
§1300.41(b)?	Yes
Countermeasure Strategy or Strategies for Programming Funds	Chapter 1 - 5.5.4 Alternative Transportation (CTW 3 ★)

Project Name	DRE Training
Project Description	
Law enforcement training will be provided to all interested law enforcement agencies across the state in Advanced Roadside Impaired Driving Enforcement (ARIDE) and Drug Recognition Expert (DRE) training.	
Federal Funding Source(s)	Section 405d
Project Agreement Number	2025-00-33
Subrecipient(s)	South Dakota Highway Patrol
Type of Organization	State Law Enforcement
Amount of Federal Funds	\$249,551.00
Eligible Use of Funds	M5TR – 405d Mid Training
P&A?	No
§1300.41(b)?	Yes
Countermeasure Strategy or Strategies for Programming Funds	Chapter 1 – 7.7.1 Enforcement of Drug-Impaired Driving (CTW 3 ★)

Project Name	DUI 1 st Program
Project Description	
South Dakota has implemented the South Dakota Public Safety DUI First Program across the state to provide consistent drinking and driving programming for DUI offenders with an emphasis on DUI 1st offenders. A key important component of implementation of the curriculum is to ensure that all sites are implementing the model in a consistent manner across the state.	
Federal Funding Source(s)	Section 405d
Project Agreement Number	2025-03-10

Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$52,400.00
Eligible Use of Funds	M5CS – 405d Mid Court Support
P&A?	No
§1300.41(b)?	Yes
Countermeasure Strategy or Strategies for Programming Funds	Chapter 1 – 4.4.1 Alcohol Problem Assessment and Treatment (CTW 4 ★)

Project Name	Traffic Safety Resource Prosecutor
Project Description	
The Traffic Safety Resource Prosecutor Project will provide continued training and education that is necessary for prosecutors to effectively prosecute impaired driving cases. Training will provide prosecuting attorneys the most effective methods of investigating and prosecuting impaired drivers.	
Federal Funding Source(s)	Section 405d 24-7
Project Agreement Number	2025-03-21
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$104,800.00
Eligible Use of Funds	F24CS – 405d 24-7 Court Support
P&A?	No
§1300.41(b)?	Yes
Countermeasure Strategy or Strategies for Programming Funds	Chapter 1 – 3.3.1 DWI Courts (Traffic Safety Resource Prosecutor) (CTW 4 ★)

Project Name	Alcohol Media – 164AL
Project Description	
To educate the public on the dangers of impaired driving, the Office of Highway Safety will contract with a professional advertising firm to develop and place pertinent educational messages throughout the state. The media contractor will use the NHTSA Communications Calendar and state developed public education materials. A variety of channels including, social media, video, display, audio, and disruptive tactics will be run during the national mobilizations using either NHTSA or state developed ads.	
Federal Funding Source(s)	Section 164AL
Project Agreement Number	2025-03-05 and 2025-03-16
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$1,050,882.00
Eligible Use of Funds	PM AL – Alcohol Paid Media
P&A?	No

§1300.41(b)?	Yes
Countermeasure Strategy or Strategies for Programming Funds	Chapter 1 – 5.5.2 Mass Media Campaigns (CTW 3 ★)

Project Name	South Dakota Broadcasters Association
Project Description	
To educate the public on the dangers of impaired driving, the Office of Highway Safety will contract with the South Dakota Broadcasters Association to place pertinent educational messages throughout the state via traditional radio.	
Federal Funding Source(s)	Section 164AL
Project Agreement Number	2025-03-19
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$209,600.00
Eligible Use of Funds	PM AL – Alcohol Paid Media
P&A?	No
§1300.41(b)?	Yes
Countermeasure Strategy or Strategies for Programming Funds	Chapter 1 – 5.5.2 Mass Media Campaigns (CTW 3 ★)

Project Name	Program Management – Community Outreach
Project Description	
This project will provide technical assistance to highway safety stakeholders and initiatives statewide. Funds will support a Management Analyst and travel expenses to increase skills and knowledge necessary to support evidence-based programs.	
Federal Funding Source(s)	Section 164AL
Project Agreement Number	2025-03-06
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$42,444.00
Eligible Use of Funds	164 Alcohol
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Based on Uniform Guideline No. 8 for Impaired Driving, Program Management and Strategic Planning, an effective impaired driving program should establish procedures to ensure that program activities are implemented as intended.

Project Name	Program Management – Law Enforcement Liaison
--------------	--

Project Description	
A full-time Law Enforcement Liaison (LEL) will assist local law enforcement agencies in the Western, North Central, and Southeast parts of the state to improve local highway safety through enforcement and public education. The LEL will encourage agencies to actively enforce traffic laws identified with alcohol, speed, and occupant protection, participate in trainings, and be involved with national mobilizations including high visibility enforcement.	
Federal Funding Source(s)	Section 164AL
Project Agreement Number	2025-03-14
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$42,444.00
Eligible Use of Funds	164 Alcohol
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Based on Uniform Guideline No. 8 for Impaired Driving, Program Management and Strategic Planning, an effective impaired driving program should establish procedures to ensure that program activities are implemented as intended.

Project Name	Agate
Project Description	
This project involves contracting with Agate Software to fund the Electronic Database for Grant Application and Reporting (EDGAR). EDGAR offers options for the advertisement, submittal, and review of subrecipient proposals/applications, the creation of contracts, the disbursement of funds, the collection and retention of contract deliverables, and requests for reimbursement and post-grant reporting and evaluations.	
Federal Funding Source(s)	Section 164AL
Project Agreement Number	2025-03-03
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$36,156.00
Eligible Use of Funds	164 Alcohol
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Based on Uniform Guideline No. 8 for Impaired Driving, Program Management and Strategic Planning, an effective impaired driving program should establish procedures to ensure that program activities are implemented as intended.

Project Name	University of South Dakota – Government Research Bureau
Project Description	
This project involves contracting with the University of South Dakota’s Government Research Bureau to analyze crash data and overlap with geographic and sociodemographic data, establish a plan and facilitate stakeholder engagement, and assist with updates to the Triennial Highway Safety Plan.	
Federal Funding Source(s)	Section 164AL
Project Agreement Number	2025-03-23
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$14,148.00
Eligible Use of Funds	164 Alcohol
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Based on Uniform Guideline No. 8 for Impaired Driving, Program Management and Strategic Planning, an effective impaired driving program should establish procedures to ensure that program activities are implemented as intended.

Project Name	Impaired Driving Technical Assistance
Project Description	
This project involves contracting with Mountain Plains Evaluation to provide technical assistance to the South Dakota Impaired Driving Task Force. The Task Force is required to continue to review state impaired driving data, identify priorities, monitor project implementation, and review progress in conjunction with the Office of Highway Safety and other stakeholders across the state with a vested interest in reducing impaired driving.	
Federal Funding Source(s)	Section 405d
Project Agreement Number	2025-03-12
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$31,440.00
Eligible Use of Funds	M5IDC – 405d Mid ID Coordinator
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Based on Uniform Guideline No. 8 for Impaired Driving, Program Management and Strategic Planning, an effective impaired driving program should establish procedures to ensure that program activities are implemented as intended.

Motorcycle Safety	
Project Name	Impaired Driving High Visibility Enforcement
Project Description	
State and local law enforcement agencies will increase impaired driving enforcement statewide and at the local level to reduce the number crashes involving intoxicated drivers. Funds will be used for overtime to perform sobriety checkpoints, high visibility enforcement, and saturation patrols, travel, in-car cameras, breath testing devices, and drug testing devices.	
Federal Funding Source(s)	Federal Funding Source(s) can be found on page 4
Subrecipient(s) and Project Agreement Numbers	Subrecipient(s) and Project Agreement Numbers can be found on page 4
Type of Organization	Local and State Law Enforcement
Amount of Federal Funds	Amount of Federal Funds can be found on page 4
Eligible Use of Funds	Eligible Use of Funds can be found on page 4
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Chapter 1 – 2.2.1 Publicized Sobriety Checkpoints (CTW 5 ★) Chapter 1 – 2.2.2 High-Visibility Saturation Patrols (CTW 4 ★)

Project Name	Motorcycle Media, Education and Training
Project Description	
All other key components of a statewide comprehensive motorcycle safety program, including media, education and training are state funded.	
Funding Source(s)	State Funds
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	N/A
Eligible Use of Funds	N/A
P&A?	No
§1300.41(b)?	N/A
Countermeasure Strategy or Strategies for Programming Funds	N/A

Non-Motorized (Pedestrians and Bicyclists)	
Project Name	Bicycle Safety
Project Description	
This project involves promoting overall injury prevention within the state, focusing efforts toward educating motorists and bicyclists about the rules of the road and best practices. Geographic locations will be identified as priority areas and continue statewide outreach efforts with like-minded partners to develop and foster sustainable community safety and injury prevention campaigns and programs.	
Federal Funding Source(s)	Section 402

Project Agreement Number	2025-02-21
Subrecipient(s)	South Dakota EMS for Children
Type of Organization	State Agency
Amount of Federal Funds	\$114,020.00
Eligible Use of Funds	PS – Pedestrian/Bicycle Safety
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	<p>Chapter 9 - 1.1.4 Cycling Skills Clinics, Bike Fairs, Bike Rodeos (CTW 1 ★)</p> <p>Chapter 9 - 1.1.3 Bicycle Safety Education for Children (CTW 2 ★)</p> <p>Chapter 9 - 3.3.2 Promote Bicycle Helmet Use With Education (CTW 2 ★)</p> <p>Based on Uniform Guideline No. 14 for Pedestrian and Bicycle Safety, Communication and Outreach Program, States should encourage extensive community involvement in pedestrian and bicycle safety education by involving individuals and organizations outside the traditional highway safety community.</p>

Project Name	Pedestrian Safety
Project Description	
<p>This project involves promoting overall injury prevention within the state, focusing efforts toward educating motorists and pedestrians about the rules of the road and best practices. Geographic locations will be identified as priority areas and continue statewide outreach efforts with like-minded partners to develop and foster sustainable community safety and injury prevention campaigns and programs.</p>	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-02-20
Subrecipient(s)	Safety Village of South Dakota
Type of Organization	Non-Profit Entity
Amount of Federal Funds	\$26,488.00
Eligible Use of Funds	PS – Pedestrian/Bicycle Safety
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	<p>Based on Uniform Guideline No. 14 for Pedestrian and Bicycle Safety, Communication and Outreach Program, States should encourage extensive community involvement in pedestrian and bicycle safety education by involving individuals and organizations outside the traditional highway safety community.</p>

Occupant Protection (Adult and Child Passenger Safety)	
Project Name	Occupant Safety and Injury Prevention
Project Description	
<p>This project involves providing educational and awareness materials/resources compiled from a variety of local and national sources. Statewide messaging will address proper occupant restraint use for all ages. Awareness materials, safety supplies/resources, and media outreach will be created and disseminated to community, school, and law enforcement stakeholders. Educational materials will address local traffic safety issues to help meet the target/objective and work toward a reduction in unrestrained killed/injured occupants. Assisting rural and frontier ambulance services in meeting national standards by placing pediatric safety equipment and training will support existing goals and objectives for many of our current health initiatives. Education and awareness components across South Dakota are essential elements for increasing proper use of occupant restraints and supporting the efforts of like-minded safety partners to improve the health and well-being of our child and adult populations.</p>	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-02-22
Subrecipient(s)	South Dakota EMS for Children
Type of Organization	State Agency
Amount of Federal Funds	\$164,482.92
Eligible Use of Funds	OP – Safety Belts
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	<p>Chapter 2 – 6.6.1 Strategies for Older Children (CTW 3 ★) Chapter 2 – 6.6.2 Strategies for Child Restraint and Booster Seat Use (CTW 3 ★)</p> <p>Based on Uniform Guideline No. 20 for Occupant Protection, Outreach Program, states that highway safety programs should incorporate a variety of outreach programs to achieve statewide community involvement.</p>

Project Name	Seat Belt Survey
Project Description	
<p>This project involves contracting with North Dakota State University – Upper Great Plains Transportation Institute to conduct the annual observational seat belt survey. A separate contract will be executed with an entity to complete the seat belt observations. The seat belt survey project will follow guidelines provided by NHTSA.</p>	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-03-20
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$104,800.00

Eligible Use of Funds	OP – Safety Belts
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	<p>An annual statewide seat belt use survey in accordance with 23 CFR Part 1340 is a requirement under Section 402.</p> <p>Based on Uniform Guideline No. 20 for Occupant Protection, Data and Program Evaluation, each state should access and analyze reliable data for problem identification and program planning.</p>

Project Name	Occupant Protection High Visibility Enforcement
Project Description	<p>State and local law enforcement will perform high visibility enforcement needed to achieve significant and lasting increases in the reduction of unrestrained passenger vehicle occupant fatalities. Unrestrained fatalities represent a significant portion of South Dakota’s total traffic fatalities. Choosing a location that has a high-volume traffic area and is supported by crash data will assist law enforcement on where to deploy resources that will make the biggest impact.</p>
Federal Funding Source(s)	Section 402
Subrecipient(s) and Project Agreement Numbers	<p>Avon Police Department – 2025-00-30 Beresford Police Department – 2025-00-87 Brown County Sheriff’s Office – 2025-00-31 Campbell County Sheriff’s Office – 2025-00-56 Corson County Sheriff’s Office – 2025-00-68 Davison County Sheriff’s Office – 2025-00-02 Douglas County Sheriff’s Office – 2025-00-81 Gettysburg Police Department – 2025-00-65 Hanson County Sheriff’s Office – 2025-00-45 Hughes County Sheriff’s Office – 2025-00-32 Huron Police Department – 2025-00-67 Hutchinson County Sheriff’s Office – 2025-00-13 Jackson County Sheriff’s Office – 2025-00-39 Lead Police Department – 2025-00-42 Lincoln County Sheriff’s Office – 2025-00-20 Meade County Sheriff’s Office – 2025-01-00 Milbank Police Department – 2025-00-90 Mobridge Police Department – 2025-00-94 Oglala Sioux Tribe – 2025-00-98 Pennington County Sheriff’s Office – 2025-00-03 South Dakota Highway Patrol – 2025-00-34 Sturgis Police Department – 2025-00-99 Turner County Sheriff’s Office – 2025-01-10 Vermillion Police Department – 2025-00-55 Wagner Police Department – 2025-01-07</p>

	Yankton County Sheriff's Office– 2025-00-73
Type of Organization	Local and State Law Enforcement
Amount of Federal Funds	\$680,841.34
Eligible Use of Funds	OP – Safety Belts
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Chapter 2 – 2.2.1 Short-Term, High-Visibility Seat Belt Law Enforcement (CTW 5 ★) Chapter 2 – 2.2.3 Sustained Enforcement (CTW 3 ★) Based on Uniform Guideline No. 20 for Occupant Protection, Enforcement Program, states that each State should conduct frequent, high visibility enforcement efforts.

Project Name	Generic Media – 402
Project Description	
To educate the public on the importance of wearing a seat belt, the Office of Highway Safety will contract with a professional advertising firm to develop and place pertinent educational messages throughout the state. The media contractor will use the NHTSA Communications Calendar and state developed public education materials. A variety of channels including, social media, video, display, audio, and disruptive tactics will be run during the national mobilizations using either NHTSA or state developed ads. This project will also be used to educate the public regarding the risks of leaving a child or unattended passenger in a vehicle.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-03-11 and 2025-03-17
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$841,282.00
Eligible Use of Funds	PM – Paid Advertising
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Chapter 2 – 3.3.1 Supporting Enforcement (CTW 5 ★) 50 Chapter 2 – 3.3.2 Strategies for Low-Belt-Use Groups (CTW 4 ★) Based on Uniform Guideline No. 20 for Occupant Protection, Communication Program, recommends States develop and implement a comprehensive communications program.

Program Admin and Support	
Project Name	Traffic Enforcement Training for South Dakota Law Enforcement Officers
Project Description	
This project involves funding specialized training in traffic crash reconstruction investigation, heavy truck reconstruction and laser/radar instructor training opportunities to law enforcement officers throughout South Dakota.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-02-03
Subrecipient(s)	South Dakota Attorney General's Office – Law Enforcement Training
Type of Organization	State Agency
Amount of Federal Funds	\$48,395.40
Eligible Use of Funds	AI – Crash Investigation, SC-Speed Management
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Based on Uniform Guideline No. 18 for Motor Vehicle Crash Investigation and Incident Reporting, states need accurate crash report data for planning, evaluating, and furthering highway safety program goals.

Project Name	Agate
Project Description	
This project involves contracting with Agate Software to fund the Electronic Database for Grant Application and Reporting (EDGAR). EDGAR offers options for the advertisement, submittal, and review of subrecipient proposals/applications, the creation of contracts, the disbursement of funds, the collection and retention of contract deliverables, and requests for reimbursement and post-grant reporting and evaluations.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-03-04
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$84,364.00
Eligible Use of Funds	RS – Roadway Safety
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	The consideration used to fund the strategy is based on a long-term practice in previous highway safety efforts and generally accepted activities in past years. An effective highway safety program should establish procedures to ensure that program activities are implemented as intended.

Project Name	University of South Dakota – Government Research Bureau
Project Description	
This project involves contracting with the University of South Dakota’s Government Research Bureau to analyze crash data and overlap with geographic and sociodemographic data, establish a plan and facilitate stakeholder engagement, and assist with updates to the Triennial Highway Safety Plan.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-03-24
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$33,012.00
Eligible Use of Funds	RS – Roadway Safety
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	The consideration used to fund the strategy is based on a long-term practice in previous highway safety efforts and generally accepted activities in past years. An effective highway safety program should establish procedures to ensure that program activities are implemented as intended.

Project Name	Program Management – Community Outreach
Project Description	
This project will provide technical assistance to highway safety stakeholders and initiatives statewide. Funds will support a Management Analyst and travel expenses to increase skills and knowledge necessary to support evidence-based programs.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-03-07
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$98,616.80
Eligible Use of Funds	RS – Roadway Safety
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	The consideration used to fund the strategy is based on a long-term practice in previous highway safety efforts and generally accepted activities in past years. An effective highway safety program should establish procedures to ensure that program activities are implemented as intended.

Project Name	Program Management – Law Enforcement Liaison
Project Description	
A full-time Law Enforcement Liaison (LEL) will assist local law enforcement agencies in the Western, North Central, and Southeast parts of the state to improve local highway safety through enforcement and public education. A part-time Law Enforcement Liaison (LEL) will assist local law enforcement agencies in the Northeast part of the state to improve local highway safety through enforcement and public education. Both LELs will encourage agencies to actively enforce traffic laws identified with alcohol, speed, and occupant protection, participate in trainings, and be involved with national mobilizations including high visibility enforcement.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-03-13 and 2025-03-15
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$145,776.80
Eligible Use of Funds	RS – Roadway Safety
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	The consideration used to fund the strategy is based on a long-term practice in previous highway safety efforts and generally accepted activities in past years. An effective highway safety program should establish procedures to ensure that program activities are implemented as intended.

Speed Management	
Project Name	Speeding High Visibility Enforcement
Project Description	
State and local law enforcement will perform high visibility enforcement needed to achieve significant and lasting increases in the reduction of speeding related fatalities. Choosing a location that has a high-volume traffic area and is supported by crash data will assist law enforcement on where to deploy resources that will make the biggest impact.	
Federal Funding Source(s)	Section 402
Subrecipient(s) and Project Agreement Numbers	Aurora County Sheriff Office – 2025-01-03 Belle Fourche Police Department – 2025-00-48 Brookings County Sheriff’s Office – 2025-00-71 Brookings Police Department – 2025-00-89 Burke Police Department– 2025-00-15 Butte County Sheriff’s Office– 2025-00-52 Canton Police Department – 2025-01-01 Rapid City Police Department – 2025-00-10 Cheyenne River Tribal Police Department –2025-00-50 Clark County Sheriff’s Office – 2025-00-24 Clark Police Department – 2025-00-88

	<p>Clay County Police Department – 2025-00-84 Day County Sheriff's Office – 2025-00-27 Edmunds County Sheriff's Office – 2025-00-66 Elk Point Police Department– 2025-00-54 Faulk County Sheriff's Office – 2025-00-83 Groton Police Department – 2025-00-85 Hamlin County Sheriff's Office – 2025-00-12 Lake County Sheriff's Office – 2025-00-60 Lake Norden Police Department – 2025-00-05 Lennox Police Department – 2025-00-93 Madison Police Department – 2025-00-46 Marshall County Sheriff's Office – 2025-00-92 Miller Police Department –2025-00-17 Miner County Sheriff's Office – 2025-00-41 Minnehaha County Sheriff's Office – 2025-00-77 Mitchell Police Department – 2025-00-38 Moody County Sheriff's Office – 2025-00-58 Pierre Police Department – 2025-00-51 Potter County Sheriff's Office –2025-00-47 Roberts County Sheriff's Office – 2025-00-18 Rosebud Sioux Tribe –2025-01-11 Sioux Falls Police Department – 2025-00-37 Sisseton Police Department –2025-00-19 Sisseton-Wahpeton Tribal Police Department –2025-00-22 SDSU Police Department – 2025-00-11 Spink County Sheriff's Office – 2025-00-58 Stanley County Sheriff's Office –2025-00-61 Sully County Sheriff's Office –2025-00-76 Summerset Police Department – 2025-01-02 Tea Police Department – 2025-00-06 Watertown Police Department – 2025-00-44 Webster Police Department – 2025-00-28 Whitewood Police Department –2025-00-25 Yankton Police Department – 2025-00-04</p>
Type of Organization	Local and State Law Enforcement
Amount of Federal Funds	\$846,617.98
Eligible Use of Funds	SC – Speed Management
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	<p>Chapter 3 – 2.2.2 High Visibility Enforcement (CTW 2 ★)</p> <p>Based on Uniform Guideline No. 19 for Speed 55 Management, Enforcement Countermeasures, states enforcement is critical to achieve compliance with speed limits.</p>

Project Name	Generic Media-402
Project Description	
To educate the public on the dangers of speeding, the Office of Highway Safety will contract with a professional advertising firm to develop and place pertinent educational messages throughout the state. The media contractor will use the NHTSA Communications Calendar and state developed public education materials. A variety of channels including, social media, video, display, audio, and disruptive tactics will be run during the national mobilizations using either NHTSA or state developed ads.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-03-11 and 2025-03-17
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	Project amount found on page 15
Eligible Use of Funds	PM – Paid Advertising
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Mass media campaigns are a widely accepted countermeasure strategy. NHTSA's published research on distracted driving has demonstrated the criticality of this program area.

Traffic Records	
Project Name	Traffic Records Coordinating Committee (TRCC) Coordinator
Project Description	
This project involves contracting with Mountain Plains Evaluation to provide support to the South Dakota Office of Highway Safety to aid in coordination and facilitation of the Traffic Records Coordinating Committee.	
Federal Funding Source(s)	Section 405c
Project Agreement Number	2025-03-22
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$36,680.00
Eligible Use of Funds	B3SP – 405c Supporting Professionals
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Based on Uniform Guideline No. 10 for Traffic Records, Traffic Records System Management, a data-driven process ensures that all opportunities to improve highway safety are identified and considered for implementation. A Traffic Records Coordinating Committee (TRCC) includes members who are collectors and users of traffic records

	related data that share in the goal of reducing traffic fatalities.
--	---

Project Name	Crash Report Data Collection Systems
Project Description	This project involves contracting with Affinity Global Solutions to update and maintain the electronic crash report data collection systems. The timeliness, accuracy, and uniformity of the crash reporting system will be improved with electronic crash reporting. Using electronic reporting decreases the time it takes an officer to complete a crash report and decreases the time it takes for the record to become part of the state crash record system.
Federal Funding Source(s)	Section 405c
Project Agreement Number	2025-03-08
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$366,800.00
Eligible Use of Funds	B3SA – 405c Software or applications
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Based on Uniform Guideline No. 10 for Traffic Records, Traffic Records System Information Quality, traffic records information should be maintained in a form that is of high quality and readily accessible to stakeholders who have a vested interest in reducing traffic safety crashes.

Project Name	EMS Data
Project Description	This project will focus on the evaluation of clinical significant health outcomes when telemedicine is used to enhance systems of care in response to motor vehicle injuries. The Department of Health’s Office of Rural Health implemented Telemedicine in Motion with the overall goal of decreasing morbidity and mortality. From data that was collected through the ePCR in accordance with the National Highway Traffic Safety Administration’s (NHTSA) National EMS Information System (NEMIS) vs. 3.5 dataset. Data collected through this software is used to track ambulance responses such as the type of incident trauma from a motor vehicle crash, response times, types of interventions and patients’ responses to those interventions. A cohort evaluation of motor vehicle crash patients will be conducted to determine health outcomes and offer insights on the demographics, environments and incident conditions and circumstances.
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-02-31
Subrecipient(s)	South Dakota Department of Health – Office of Rural Health
Type of Organization	State Agency
Amount of Federal Funds	\$237,865.60

Eligible Use of Funds	EM – Emergency Medical Services
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Based on Uniform Guideline No. 11 for Emergency Medical Services, Evaluation, evaluate the effectiveness of services provided to victims of motor vehicle crashes or motor vehicle crash related emergencies. Evaluate the effectiveness and patient outcomes based on the use of Telemedicine in Motion protocols.

Young Drivers	
Project Name	Driver Education Coordinator
Project Description	
This project involves funding a Driver Education Coordinator to provide coordination and technical assistance for the driver education process in South Dakota by serving as the primary point-of-contact for any school district administrator or driver education instructor who has questions and create and maintain a comprehensive database of active driver education instructors across the state.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-03-09
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$46,112.00
Eligible Use of Funds	DE – Driver Education
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Chapter 6 – 2.2.1 Pre-Licensure Driver Education (CTW 2 ★) Based on Uniform Guideline No. 4 for Driver Education, Program Management, states should provide training and technical assistance to instructors of drive education to ensure consistency and quality.

Project Name	SDDEA Conference
Project Description	
This project will offer best practices training to driver education instructors through an annual conference sponsored by the SD Driver Education Association, forming a committee to study the efficacy of establishing nationally recognized driver education standards in South Dakota, and by forming a committee to encourage and equip state instructors to implement the Classroom and Behind the Wheel standards.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-02-30

Subrecipient(s)	South Dakota Driver Education Association
Type of Organization	Non-Profit Entity
Amount of Federal Funds	\$10,830.00
Eligible Use of Funds	DE – Driver Education
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Chapter 6 – 2.2.1 Pre-Licensure Driver Education (CTW 2 ★) Based on Uniform Guideline No. 4 for Driver Education, Program Management, states should provide training and technical assistance to instructors of drive education to ensure consistency and quality.

Project Name	Youth Highway Safety: Partnering with Schools and Communities to Reduce Fatalities in South Dakota Underage Drivers
Project Description	
In order to reach those young drivers, this project will provide students and family members across South Dakota with lifesaving information from EMT and first responders; including the effects of alcohol impairment on driving safety, distracted driving and the lifesaving benefits of seat belt use. Utilize a LX49C Full Cab Virtual Trainer and Virtual Driving Essentials experience for trainings, education, and simulated driving scenarios.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-02-04
Subrecipient(s)	Community Organized Resources in Education (C.O.R.E.)
Type of Organization	Non-Profit Entity
Amount of Federal Funds	\$65,116.70
Eligible Use of Funds	TSP – Teen Safety Program
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Chapter 1 – 6.6.5 Youth Programs (CTW 2 ★) Chapter 2 – 7.7.1 School-Based Programs (CTW 3 ★) School-based programs are contained within numerous Uniform Guidelines.

Project Name	Northern Hills Diversion
Project Description	
This project will use evidence-based models to positively impact youth behaviors by promoting safe driving behaviors.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-02-29
Subrecipient(s)	Lawrence County Teen Court

Type of Organization	Non-Profit Entity
Amount of Federal Funds	\$8,400.00
Eligible Use of Funds	TSP – Teen Safety Program
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Chapter 1 – 6.6.5 Youth Programs (CTW 2 ★) Chapter 2 – 7.7.1 School-Based Programs (CTW 3 ★) School-based programs are contained within numerous Uniform Guidelines.

Project Name	Using Countermeasures That Work to Reduce Teen Crashes: South Dakota SADD
Project Description	
This project will work to engage current South Dakota SADD chapters and work to add additional chapters while conducting peer-to-peer traffic safety events at a school or community level.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-02-09
Subrecipient(s)	SADD, Inc.
Type of Organization	Non-Profit Entity
Amount of Federal Funds	\$167,605.15
Eligible Use of Funds	TSP – Teen Safety Program
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Chapter 1 – 6.6.5 Youth Programs (CTW 2 ★) Chapter 2 – 7.7.1 School-Based Programs (CTW 3 ★) School-based programs are contained within numerous Uniform Guidelines.

Community Traffic Safety	
Project Name	Health Connect of South Dakota Safety Projects
Project Description	
This project includes providing community events and community outreach prevention activities on the importance of not driving while impaired, wearing a seat belt and the dangers of distracted driving. Awareness materials and media outreach will be created and disseminated to community, school, and law enforcement stakeholders.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-02-06
Subrecipient(s)	Health Connect of South Dakota
Type of Organization	Non-Profit Entity

Amount of Federal Funds	\$23,000.00
Eligible Use of Funds	RS – Roadway Safety
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Chapter 1 – 6.4 Other Minimum Legal Drinking Age 21 Law Enforcement (CTW 3 ★)

Project Name	Highway Emergency Responder Training
Project Description	
This project will provide training to tow and recovery personnel in South Dakota in Traffic Incident Management and equipment proficiency in light and heavy duty and provide hybrid and electric vehicle training.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-02-02
Subrecipient(s)	HERT Foundation
Type of Organization	Non-Profit Entity
Amount of Federal Funds	\$48,900.00
Eligible Use of Funds	HI – Management of Highway Incidents
P&A?	No
§1300.41(b)?	No
Countermeasure Strategy or Strategies for Programming Funds	Based on Uniform Guideline No. 16 for Management of Highway Incidents, states the importance removing remnants of wreckage and debris resulting from motor vehicle crashes in a quick and safe manner.

Planning and Administration (P&A)	
Project Name	Planning and Administration
Project Description	
<p>This project provides the necessary staff time and expenses that are directly related to the planning, development, coordination, monitoring, auditing, public information and evaluation of projects including the development of the Highway Safety Plan and annual reports. Staff and percentage of time supported through P&A include the Director of Highway Safety (100%) and a portion of fiscal staff. Funding is provided to support program staff, salaries, benefits, travel to highway safety related trainings, and office expenses. The Director of the Office of Highway Safety has the overall responsibility for meeting program requirements and supervises program staff for the Office of Highway Safety/Accident Records. The Secretary of the Department of Public Safety has the overall responsibility for the coordination of South Dakota's Traffic Safety program. The Governor's Representative is the liaison between the Governor's Office and the Legislature, local and state agencies, and various councils and boards throughout the state. US DOT policy requires that federal participation in Planning and Administration (P&A) activities shall not exceed 50% of the total cost of such activities or the application sliding scale rate (54.88% for South Dakota) in accordance with 23USC120. The</p>	

federal contribution for P&A cannot exceed 10% of the total 402 funds the state receives. Accordingly, state funds have been budgeted to cover 45.12% of P& A costs.	
Federal Funding Source(s)	Section 402
Project Agreement Number	2025-03-18
Subrecipient(s)	South Dakota Department of Public Safety – Office of Highway Safety
Type of Organization	State Agency
Amount of Federal Funds	\$188,640.00
Eligible Use of Funds	PA – Planning and Administration
P&A?	Yes
§1300.41(b)?	No

Project Name	Holding Accounts
Project Description	
Project Development	
Federal Funding Source(s)	
Section 164AL	\$4,417,823.13
Section 402	\$1,838,237.86
Section 405c	\$526,602.85
Section 405d-Imp	\$4,302,879.69
Section 405d-24/7	\$58,051.64

Section 405 Grant Applications

National Priority Safety Program Incentive Grants – South Dakota applied for the following incentive grants:

- S. 405(b) Occupant Protection: No
- S. 405(c) State Traffic Safety Information System Improvements: Yes
- S. 405(d) Impaired Driving Countermeasures: Yes
- S. 405(d) 24-7 Sobriety Programs: Yes
- S. 405(e) Distracted Driving: No
- S. 405(f) Motorcyclist Safety Grants: No
- S. 405(g) Nonmotorized Safety: No
- S. 405(h) Preventing Roadside Deaths: No
- S. 405 (i) Driver and Officer Safety Education: No
- S. 1906 Racial Profiling Data Collection: No

405c Attachments for 1300.22 – Traffic Safety Information System Improvements

Quantitative Improvement

Traffic Records Performance Measure

- Uniformity: Percent of crash reports containing “Ownership” data element consistent with MMUCC Guidelines.

South Dakota’s updated electronic crash reporting system, LEOS, aids in improving uniformity by collecting MMUCC compliant data elements that the TraCS crash reporting system did not previously collect, specifically the “Ownership” data element.

Percent of Crash Reports with “Ownership” Data Element			
	LEOS Reports	TraCS Reports	Increase in Uniformity
5/1/2022 to 4/30/2023	15,354	4,252	<u>78.31%</u>
5/1/2023 to 4/30/2024	17,984	60	<u>99.66%</u>

Supporting Documentation

Screenshot to support Description of Quantitative Improvement.

May 1, 2022-April 30, 2023 – LEOS vs. TraCS

1	May 1, 2022-April 30, 2023			LEOS Database	1	May 1, 2022-April 30, 2023		TraCS Database
2	LEOS Identifier	Date Approved	Officer Use ID	Crash ID (Agency Use)	2	Date Transmitted	User ID	Agency Use
15342	80S0001230422264	04/29/2023	LMORNINGSTAR	04/22/2023	4240	04/11/2023	JTHORN	BFPD
15343	99S0001230415224	04/29/2023	166412	Muller Sig 2	4241	04/11/2023	COHOLZER	STURGIS PD
15344	99S0001230418435	04/29/2023	166412	Pelzel Sig 1	4242	04/12/2023	ZSTRINGER	22-215236
15345	DOS0001230420271	04/29/2023	AFAJARDO	23-70938	4243	04/12/2023	TCAMERON	22-214938
15346	19S0001230423240	04/30/2023	REDDY	04/23/2023	4244	04/13/2023	JTHORN	BFPD
15347	20S0001230428308	04/30/2023	160536	hp23002059cr	4245	04/13/2023	JTHORN	BFPD
15348	33S0001230501231	04/30/2023	156133	04/29/2023	4246	04/14/2023	NMARTINEZ	CFS2312876
15349	64S0001230429243	04/30/2023	164990	23-113518	4247	04/14/2023	ALONG	ALONG-P232
15350	72S0001230420471	04/30/2023	166599	04/12/2023	4248	04/14/2023	NMARTINEZ	CFS2313332
15351	74S0001230421239	04/30/2023	158975	04/20/2023	4249	04/14/2023	SARCHAMBEAU	CFS2312571
15352	74S0001230425475	04/30/2023	158975	04/25/2023	4250	04/14/2023	NMARTINEZ	CFS2312980
15353	81S0001230421228	04/30/2023	149485	04-21-2023 MM 93 SD 473	4251	04/17/2023	ALONG	2253312
15354	A4C0600230430535	04/30/2023	BRFOX	S23-00136	4252	04/17/2023	ALONG	2229527
15355	ONS0001230501373	04/30/2023	NPEDERSON	23-084072	4253	04/18/2023	JNESS	23-741
15356	U3S0001230427236	04/30/2023	MURBAN	202304131PD	4254	04/28/2023	JRASCHER	H2023-02192
15357					4255			
15358				15,354	4256			4,252

May 1, 2023-April 30, 2024 – LEOS vs. TraCS

Agency Use	Agency Name	Title	Crash Date	Ownership of Trafficway	Unique ID
24-205735	South Dakota Highway Patrol		04/30/2024	01 - PUBLIC PROPERTY	63500012404301548368
	Rapid City Police		04/30/2024	01 - PUBLIC PROPERTY	76C0182240430740
	South Dakota Highway Patrol		04/30/2024	01 - PUBLIC PROPERTY	96500012404300936283
SI2024-00178	Davison County Sheriff		05/06/2024	01 - PUBLIC PROPERTY	A5500012405060142236
HAM24-00240	Hamlin County Sheriff		05/10/2024	01 - PUBLIC PROPERTY	A6500012405102015632
BCSO24-0060	Beadle County Sheriff	Seaboy, Danielle	04/30/2024	01 - PUBLIC PROPERTY	DMS00012405021024297
CFS24-083253	Minnehaha County Sheriff	CFS24-083253	04/30/2024	01 - PUBLIC PROPERTY	500012405011202397
CFS24-083364	Sioux Falls Police Department	CFS24-083364	04/30/2024	01 - PUBLIC PROPERTY	500012405011802489
CFS24-083389	Sioux Falls Police Department	CFS24-083389	04/30/2024	01 - PUBLIC PROPERTY	500012405011802490
CFS24-083318	Sioux Falls Police Department	CFS24-083318	04/30/2024	01 - PUBLIC PROPERTY	500012405011803491
CFS24-083256	Sioux Falls Police Department	CFS24-083256	04/30/2024	01 - PUBLIC PROPERTY	500012405021102302
CFS24-083670	Sioux Falls Police Department	CFS24-083670	04/30/2024	01 - PUBLIC PROPERTY	500012405021602420
CFS24-083285	Sioux Falls Police Department	CFS24-083285	04/30/2024	01 - PUBLIC PROPERTY	500012405021602421
CFS24-083575	Sioux Falls Police Department	CFS24-083575	04/30/2024	01 - PUBLIC PROPERTY	500012405021604427
CFS24-083807	Sioux Falls Police Department	CFS24-083807	04/30/2024	01 - PUBLIC PROPERTY	500012405031402405
CFS24-083594	Sioux Falls Police Department	CFS24-083594	04/30/2024	01 - PUBLIC PROPERTY	500012405070904251
CFS24-083592	Sioux Falls Police Department	CFS24-083592	04/30/2024	01 - PUBLIC PROPERTY	500012405071102320
CFS24-083445	Minnehaha County Sheriff	CFS24-083445	04/30/2024	01 - PUBLIC PROPERTY	500012405080902282
CFS24-083509	Sioux Falls Police Department	CFS24-083509	04/30/2024	01 - PUBLIC PROPERTY	500012405091408431
CFS24-083615	Sioux Falls Police Department	CFS24-083615	04/30/2024	01 - PUBLIC PROPERTY	500012405131403453
CFS24-083494	Sioux Falls Police Department	CFS24-083494	04/30/2024	01 - PUBLIC PROPERTY	500012405131405458
			Total:		17,984

Agency Use	Agency Name	Title	Crash Date	Ownership of Trafficway	Unique ID	
	2331064	Oglala Sioux Tribe	208_THICKS_2331064_677404		07/15/2023	TRACS2693641CF
CFS2333282	Oglala Sioux Tribe	ARTINEZ_CFS2333282_677372			07/29/2023	TRACS2693500CF
	Oglala Sioux Tribe	PPLenty_2308030005_677384			08/03/2023	TRACS2693541CF
	Oglala Sioux Tribe	DSEABOY_2308089801_677338			08/06/2023	TRACS2693305CF
	Oglala Sioux Tribe	THEPIPE_2308290002_677348			08/06/2023	TRACS2693361CF
	2337286	Oglala Sioux Tribe	208_THICKS_2337286_677406		08/20/2023	TRACS2693645CF
	2338140	Oglala Sioux Tribe	1208_ALONG_2338140_677331		08/24/2023	TRACS2693265CF
CFS2338703	Oglala Sioux Tribe	SARGENT_CFS2338703_677398			08/28/2023	TRACS2693601CF
H202306002	Oglala Sioux Tribe	DSEABOY_H202306002_677339			09/01/2023	TRACS2693314CF
	2339308	Oglala Sioux Tribe	208_THICKS_2339308_677405		09/01/2023	TRACS2693650CF
	202306093	Oglala Sioux Tribe	08_ALONG_202306093_677332		09/03/2023	TRACS2693252CF
CFS2344611	Oglala Sioux Tribe	ARTINEZ_CFS2344611_677374			10/02/2023	TRACS2693510CF
CFS2345102	Oglala Sioux Tribe	ARTINEZ_CFS2345102_677376			10/04/2023	TRACS2693514CF
	Oglala Sioux Tribe	8_DROJO_2310050006_677344			10/05/2023	TRACS2693332CF
CFS2345207	Oglala Sioux Tribe	ARTINEZ_CFS2345207_677375			10/05/2023	TRACS2693518CF
	202307049	Oglala Sioux Tribe	RRANDALL_202307049_677387		10/10/2023	TRACS2693567CF
OST DPS	Oglala Sioux Tribe	31208_FNEZ_OST DPS_677345			10/15/2023	TRACS2693349CF
	202307337	Oglala Sioux Tribe	_KBourne_202307337_677358		10/23/2023	TRACS2693439CF
			Total:			60

405d Attachments for 1300.23 – Impaired Driving Countermeasures

Impaired driving qualification: **Mid-Range State**

The State completed a State Impaired Driving Plan in accordance with 23 U.S.C. 405(d)(1) with programs to reduce driving under the influence of alcohol, drugs or the combination of alcohol and drugs.

Attached.

405d – 24-7 Sobriety Program

Mandatory License Restriction Requirement:

Legal Citation Requirement: The State has enacted and is enforcing a statute that requires all individuals convicted of driving under the influence of alcohol or of driving while intoxicated to receive a restriction of driving privileges, unless an exception in paragraph 1300.23(g)(2) applies, for a period of not less than 30 days.

Legal Citation: SDCL 32-23-2

Enacted Date: 7/1/1953

Amended Date: 07/01/2024

Law Citation

Legal Citation Requirement: State law authorizes a Statewide 24-7 sobriety program.

Legal Citation: SDCL 1-11-17

Enacted Date: 7/1/2007

Amended Date: 7/1/2007

Certifications and Assurances



South Dakota Impaired Driving Plan

2024



SOUTH DAKOTA
DEPARTMENT
OF PUBLIC SAFETY

prevention — protection — enforcement

Table of Contents

Adherence to Mid-Range Applicant Requirements.....	3
Overview.....	4
Task Force Membership.....	5
Plan Approval.....	6
Data and Problem Identification.....	7
Program Activity.....	26
1. Impaired Driving Program Management and Strategic Planning.....	27
2. Impaired Driving Prevention Programs and Activities	29
3. Impaired Driving Criminal Justice Programs and Activities	30
4. Communications Programs	31
5. Impaired Driving Offender Screening, Assessment, Education, and Training	32
6. Impaired Driving Program Evaluation and Data Analysis	33

Adherence to Mid-Range Applicant Requirements

The South Dakota Impaired Driving Plan:

- I. Reviewed and approved by the South Dakota Impaired Driving Task force (SDIDTF) July 24, 2024.
- II. Provides a comprehensive strategy that uses data and problem identification to identify measurable goals and objectives for preventing and reducing impaired driving behavior.
- III. Covers general areas that include program management and strategic planning, prevention, the criminal justice system, communications programs, alcohol and other drug misuse, and program evaluation and data.



Overview

The South Dakota Impaired Driving Plan (SDIDP) is developed in response to changes and program opportunities created by the Bipartisan Infrastructure Law to reduce impaired driving through Impaired Driving Counter Measures Grant funding. The South Dakota Department of Public Safety, Office of Highway Safety led the opportunity to develop the SDIDP, utilizing existing knowledge and capacity within the network of stakeholders addressing impaired driving in the state.

The SDIDP presents a synopsis of impaired driving indicators and statistics relevant to impaired driving in South Dakota, outlines areas of concern, identifies priority areas for future programming, and outlines a process upon which the critical data indicators can guide and inform the Office of Highway Safety in implementing and prioritizing funding for programming (that is evidence based) to reduce impaired driving in South Dakota.

The South Dakota Impaired Driving Task Force is responsible to review State impaired driving data, identify priorities, monitor project implementation, and review progress in conjunction with other stakeholders across the State who have a vested interest in reducing impaired driving. The Office of Highway Safety has sought input in the form of technical assistance from key stakeholders that represent the key sectors required to effectively address and reduce impaired driving in South Dakota. Table 1 on the following page identifies the technical assistance working group members, organization, and function represented on the task force.



Task Force Membership

Member	Organization	Function Represented
Paul Bachand	Traffic Safety Resource Prosecutor and AG Office Representative	Prosecution
Major Robert Whisler	South Dakota Highway Patrol Representative	Law Enforcement
Lieutenant Isaac Kurtz	South Dakota Highway Patrol Representative/DRE Coordinator	Law Enforcement
Byron Nogelmeier	South Dakota 24/7 Sobriety Program Representative	Ignition Interlock Programs
Marci Stevens/Charles Frieberg	Unified Judicial System Courts Services/Probation	Criminal Justice - Probation
TBN	Police Department Representative (Large Community)	Law Enforcement
Dan Kopfmann	Police Department Representative (mid-sized community)	Law Enforcement
John Broers	SD Office of Drive Licensing Representative	Driver Licensing
Shaina Smykle	SD Dept. of Social Services – Director of Division of Behavioral Health	Treatment and Rehabilitation & Prevention
Rob Weinmeister	SD Dept. of Highway Safety	Office of Highway Safety
Megan Ellis	Accident Records Representative	Data and Traffic Records
Dodi Haug	Northeast Prevention Resource Center	Prevention
W. Burke Eilers	Wellfully	Prevention and Treatment and Rehabilitation
Dustin Witt	SD Dept. of Transportation Representative Traffic Engineer	Transportation
Tiffany Buttler	Carroll Institute – Director	Treatment and Rehabilitation
Brad Reiners	SD Dept. of Public Safety Public Information	Communications
Roland Loudenburg	Mountain Plains Evaluation, LLC	Public Health and Data and Traffic Records

Impaired Driving Plan

Review and Approval

As a response to changes and program opportunities created by the “Moving Ahead for Progress in the 21st Century Act” (MAP-21) and continued under the Bipartisan Infrastructure Law (BIL) to reduce impaired driving through Impaired Driving Counter Measures Grant funding, the South Dakota Department of Public Safety, Office of Highway Safety has established the South Dakota Impaired Driving Task Force. The Office of Highway Safety along with Taskforce members is responsible to review the State impaired driving data, and identify priorities. Based on the priorities the Office of Highway Safety works collaboratively with stakeholders to implement projects targeting the priorities, monitor implementation, and review progress.

The development of the 2024 impaired driving plan was based on continued monitoring of key data elements from previous plans. The 2024 plan was updated during the spring of 2024 with a final draft being completed and submitted for review by the Impaired Driving Task Force for approval in the summer of 2024. The plan was approved on July 24 ,2024.

Data and Problem Identification

Alcohol-impaired driving continues to be a serious threat to public safety in the United States and in South Dakota. In 2019, 1,024,508 arrests occurred nationwide for driving under the influence offenses (FBI, 2019). According to the National Highway Traffic Safety Administration (NHTSA, 2021), data collected from all fifty states and Washington, D.C. identified 42,939 traffic fatalities in 2021. Approximately 30 percent of DUI arrests each year involve repeat offenders (Simpson, Mayhew, & Beirness, 1996). Research has shown that repeat offenders are over represented in fatal traffic crashes (Fell, 1995).

Each year about 1% of all licensed drivers are arrested for a DUI offense and approximately one third of all DUI arrests are repeat offenders (Fell, 1995). Attempts to reduce DUI recidivism are typically pursued through broad methods including the passage and enforcement of laws remediating offenders and through a combination of sanctions, education, and treatment (Hedlund, 1995). Traditional sentencing sanctions available to the judiciary have not been particularly successful with DUI first offenders and are even less successful with repeat DUI offenders (Wallace, 2008).

The following section of this report provides a summary of key indicators related to impaired driving in South Dakota.

Alcohol Involved Fatalities and Crashes

In 2021, approximately 36.4% of all U.S. traffic fatalities and 37.8% of South Dakota traffic fatalities (56 of 148 fatalities) involved alcohol. Of those cases, at least one of the drivers involved had a BAC of .01+g/dl, according to the NHTSA data extracted on 12/26/2023. In South Dakota, the proportion of all crashes that were alcohol involved has remained rather steady since 2000 (Table 1 and Figure 1).

36.4%

*of all U.S. traffic
fatalities involved
alcohol in 2021*



37.8%

*of all SD. traffic
fatalities involved
alcohol in 2021*

Table 1: Percentage of Fatalities by Highest BAC in the Crash

	BAC .01+G/DL			BAC .08+G/DL		
	2011	2021	Percent Change	2011	2021	Percent Change
U.S	35.5%	36.4%	2.5%	30.3%	31.2%	3.0%
SD	34.2%	37.8%	23.5%	29.7%	35.1%	20.7%
MN	35.9%	31.1%	-13.4%	29.6%	26.6%	-10.1%
IA	27.2%	41.1%	51.1%	23.1%	33.1%	43.3%
NE	29.8%	35.7%	19.8%	24.9%	29.4%	18.1%
WY	29.7%	37.3%	26.7%	28.1%	34.5%	21.4%
MT	42.6%	46.4%	8.9%	39.2%	43.5%	11.0%
ND	44.6%	37.6%	-15.7%	42.6%	32.7%	-23.2%

Source: National Highway Traffic Safety Administration (NHTSA) Fatality Analysis Reporting System (FARS), data extracted 12/26/2023 the most recent FARS data available is from 2021 at this time.

The percent of all crashes that involve a driver with a BAC of .08 or greater has remained between 2.7% and 3.2% of all crashes from 2013 through 2023.

Table 2: BAC Crashes and Total Crashes: 2013 to 2023

YEAR	BAC=>.08 Crashes	Total Crashes	% Total Crashes that were BAC Crashes	% Annual Change in BAC Crashes
2013	457	16636	2.7%	-1.1%
2014	470	17357	2.7%	2.8%
2015	518	17800	2.9%	10.2%
2016	465	17562	2.6%	-10.2%
2017	519	18449	2.8%	11.6%
2018	480	19289	2.5%	-7.5%
2019	507	20625	2.5%	5.6%
2020	530	17615	3.0%	4.5%
2021	616	19548	3.2%	16.2%
2022	540	18706	2.9%	-12.3%
2023	511	18785	2.7%	-5.4%

Source: SDDPS - Office of Accident Records

The number of fatalities resulting from accidents with a driver with a BAC of .08 or higher has risen in 2020 and 2021, the most recent data available from FARS. The numbers have also risen nationally.

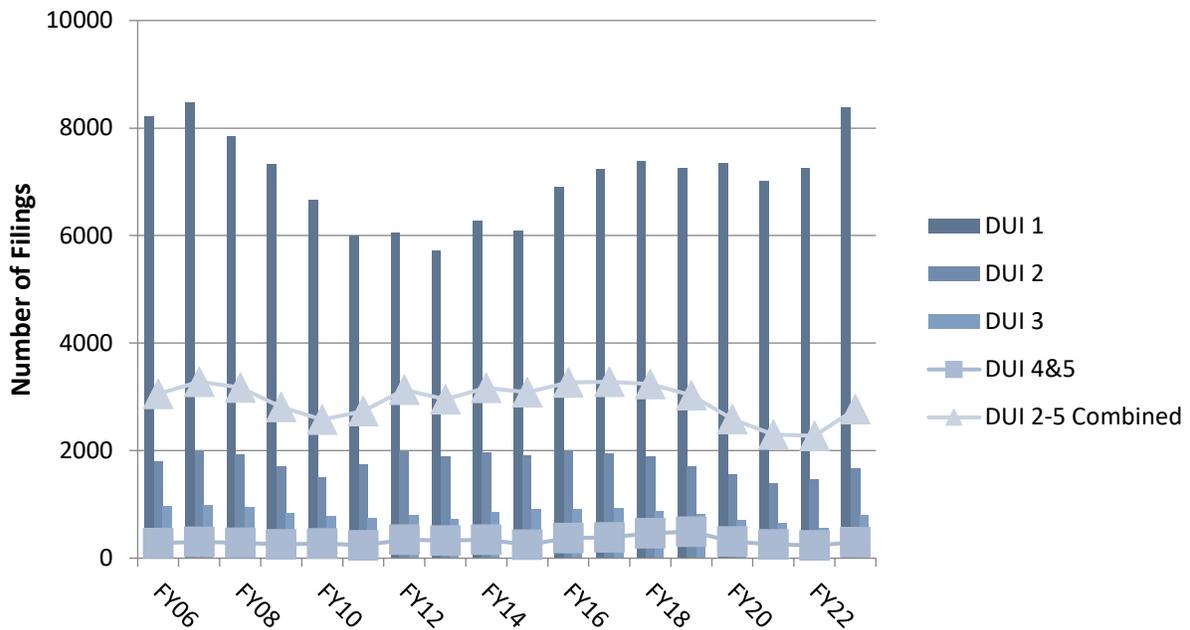
Table 3: Alcohol Impaired Driving Fatalities for South Dakota and US					
Year		Total Fatalities in all Crashes	Alcohol-Impaired Driving Fatalities (BAC = .08+)		
			Number	Percent	Per 100 Million VMT
2017	South Dakota	129	36	28%	0.38
	US	37,473	10,880	29%	0.34
2018	South Dakota	130	46	35%	0.47
	US	36,835	10,710	29%	0.33
2019	South Dakota	102	28	28%	0.29
	US	36,355	10,196	28%	0.31
2020	South Dakota	141	50	36%	0.52
	US	39,007	11,718	30%	0.40
2021	South Dakota	148	52	35%	0.52
	US	42,939	13,384	31%	0.43

DUI Filings

According to the South Dakota Unified Judicial System data on DUI filings, there had been a general decrease in the total number of DUI filings since a peak in 2007. However, we are seeing a slight upward trend since 2013 for first time DUI offenses, while the number of filings for 2nd or higher DUI offenses has stayed relatively flat.



Figure 1: DUI Filings by Year



Source: South Dakota Unified Judicial System Data

The following table summarizes the percent change in DUI filings by DUI level from 2007 through 2023. Many factors may account for the changes overtime in the percent change.

Table 4: DUI Filings by Fiscal Year, Level and Percent Change 2007 and 2023

	DUI 1	DUI 2	DUI 3	DUI 4 +	Total	SD Population	Licensed Drivers
2007	8473	1988	990	305	11756	791,623	588,546
2008	7855	1930	956	288	11029	799,124	597,313
2009	7332	1720	836	259	10147	807,067	602,165
2010	6672	1509	788	277	9246	816,166	602,275
2011	6005	1743	756	240	8744	823,579	603,233
2012	6061	1983	806	344	9194	833,566	606,779
2013	5728	1892	736	327	8683	842,316	613,912
2014	6279	1962	863	346	9450	849,129	620,353
2015	6084	1916	918	253	9171	853,988	631,064
2016	6900	1983	910	373	10166	862,996	635,418
2017	7232	1958	940	384	10514	872,868	639,990
2018	7382	1897	875	465	10619	878,698	650,321
2019	7256	1719	818	496	10289	884,659	-----
2020	7344	1562	719	315	9940	886,667	658091
2021	7019	1391	654	254	9318	895,376	652016
2022	8451	1889	767	451	11558	909,869	660021
2023	8388	1667	804	443	11302	901,942	689144
Percent Change 2007-2023	-1.0%	-16.1%	-18.8%	45.2%	-3.9%	13.9%	17.1%

Source: South Dakota Unified Judicial System Data; US Census Bureau; South Dakota Motor Vehicle Traffic Crash Summary

DUI Convictions

The percent of South Dakota DUI arrests resulting in a guilty plea has decreased significantly since 2009. Additionally, suspended impositions have increased since 2015. The percent of DUI cases dismissed decreased for the period of 2012-2013, but increased to a new high in 2015. From 2016 to 2019 the number of dismissals has remained relatively flat but has begun to trend upward with a significant rise in the last two years.



Table 5: Status of DUI Arrests

	DUI Filings		Guilty Pleas		Dismissals		Suspended Impositions		Convictions at Trial		Acquittals at Trial	
	N		N	%	N	%	N	%	N	%	N	%
FY2010	9246		6865	74.2%	2283	24.7%	1254	13.6%	68	0.7%	22	0.2%
FY2011	8744		6218	71.1%	2239	25.6%	1179	13.5%	58	0.7%	17	0.2%
FY2012	9194		6940	75.5%	1815	19.7%	1207	13.1%	117	1.3%	17	0.2%
FY2013	8683		6674	76.9%	1878	21.6%	1202	13.8%	89	1.0%	4	0.0%
FY2014	9450		5870	62.0%	2270	24.0%	1148	12.1%	128	1.4%	18	0.2%
FY2015	9271		5720	61.7%	2511	27.1%	1045	11.3%	70	0.8%	11	0.1%
FY2016	10166		6065	59.7%	2507	24.7%	1136	11.2%	79	0.8%	5	0.0%
FY2017	10514		6005	57.1%	2578	24.5%	1474	14.0%	65	0.6%	3	0.0%
FY2018	10619		6254	58.9%	2686	25.3%	1745	16.4%	58	0.5%	3	0.0%
FY2019	10289		5647	54.9%	2570	25.0%	1732	16.8%	56	0.5%	4	0.0%
FY2020	10040		5456	54.3%	2858	28.5%	1930	19.2%	37	0.3%	7	0.1%
FY2021	11312		4998	44.2%	2508	22.3%	1756	15.5%	44	0.4%	11	0.1%
FY2022	11558		5742	49.8%	3059	26.5%	2047	17.7%	48	0.4%	7	0.1%
FY2023	11302		5210	46.1%	3077	27.2%	1783	15.8%	50	0.4%	7	0.1%

Source: *The State of the Judiciary and 2023 Annual Report of the S.D. Unified Judicial System*



Crash Statistics by Age of Drivers

A comparison of driver crash statistics by age is summarized in the table below. The percent of drivers between the ages of 25 and 34 have higher percentages for crashes in most categories than any other age group. Moreover, they are 6.1% higher than the next nearest age group for fatal alcohol crashes.

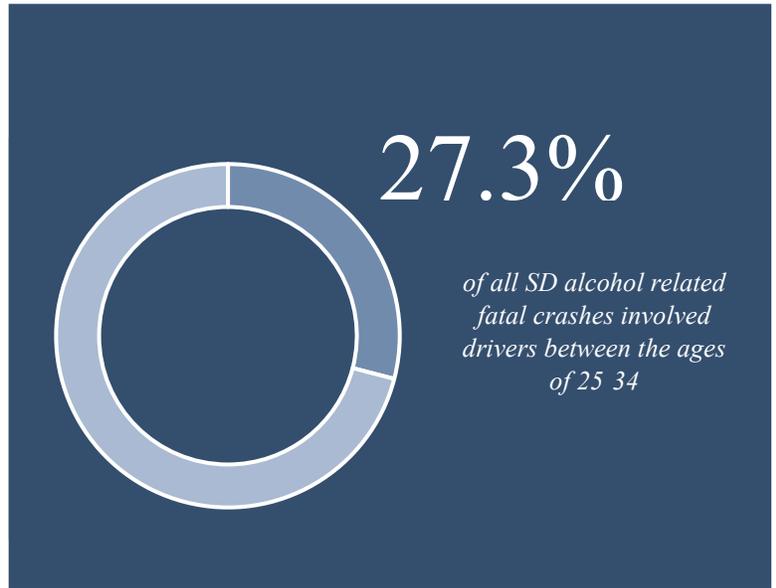


Table 6: Crash Statistics by Age (CY2023)

Age	Drivers in All Crashes		Drivers in Fatal Crashes		Drinking Drivers in Fatal Crashes		Drivers in Injury Crashes		Drinking Drivers in Injury Crashes	
	N	%	N	%	N	%	N	%	N	%
0 - 5	4	0.0%	0	0.0%	0	0.0%	1	0.0%	0	0.0%
6 - 13	13	0.0%	0	0.0%	0	0.0%	10	0.2%	0	0.0%
14 - 15	712	2.5%	2	1.0%	0	0.0%	153	2.6%	3	0.7%
16 - 17	1521	5.4%	6	3.1%	0	0.0%	330	5.5%	18	4.0%
18	854	3.0%	2	1.0%	0	0.0%	183	3.1%	13	2.9%
19	750	2.7%	6	3.1%	1	3.0%	181	3.0%	11	2.4%
20	693	2.5%	4	2.1%	1	3.0%	160	2.7%	15	3.3%
21 - 24	2516	8.9%	16	8.4%	5	15.2%	563	9.4%	66	14.5%
25 - 34	5129	18.2%	35	18.3%	9	27.3%	1096	18.4%	117	25.8%
35 - 44	4623	16.4%	28	14.7%	6	18.2%	980	16.4%	101	22.2%
45 - 54	3406	12.1%	20	10.5%	3	9.1%	716	12.0%	54	11.9%
55 - 64	3238	11.5%	32	16.8%	7	21.2%	680	11.4%	32	7.0%
65+	4153	14.7%	38	19.9%	1	3.0%	850	14.3%	24	5.3%
Unknown	553	2.0%	2	1.0%	0	0.0%	55	0.9%	0	0.0%
Total	28165	100.0%	191	100.0%	33	100.0%	5958	100.0%	454	100.0%

Source: South Dakota Department of Public Safety - Office of Accident Records (SDARS Rpts FB5Age & FB3AgeAlc)



2022 Crash Statistics by Age and Licensed Drivers

Analysis of licensed drivers compared to drivers involved in alcohol-involved injury crashes, and alcohol-involved fatal crashes identifies an over representation of drivers between the ages of 25 to 44. Comparison of DUI arrests by age indicates that individuals between the ages of 21 to 54 make up the bulk of arrests for DUI.

Table 7: Crash Statistics by Age and Licensed Drivers

Age	Licensed Drivers %	% Drivers Fatal Crashes	% Drinking Drivers Fatal Crashes	% Drivers Injury Crashes	% Drinking Drivers Injury Crashes	% all DUI	DUI 1 %	DUI 2 %	DUI 3 %	DUI 4+ %
0 - 13	0.0	0.0	0.0	0.2	0.0	na	na	na	na	na
14 - 15	2.0	1.0	0.0	2.6	0.7	na	na	na	na	na
16 - 17	2.8	3.1	0.0	5.5	4.0	na	na	na	na	Na
18	1.5	1.0	0.0	3.1	2.9	1.3	1.7	0.2	0.6	0.0
19	1.5	3.1	3.0	3.0	2.4	1.6	2.2	0.0	0.0	0.2
20	1.5	2.1	3.0	2.7	3.3	1.8	2.2	1.1	0.1	0.0
21-24	5.9	8.4	15.2	9.4	14.5	10.4	11.9	7.1	7.8	2.5
25-34	15.2	18.3	27.3	18.4	25.8	27.5	26.8	30.9	26.9	27.1
35 - 44	15.9	14.7	18.2	16.4	22.2	26.5	25.6	28.7	24.6	35.5
45 - 54	13.6	10.5	9.1	12.0	11.9	16.9	16.2	17.9	24.7	11.5
55 – 64	15.7	16.8	21.2	11.4	7.0	9.6	8.4	11.3	10.7	19.8
65+	24.4	19.9	3.0	14.3	5.3	3.4	3.6	2.1	4.5	3.2
Unknown	0.0	1.0	0.0	0.9	0.0					

Source: 2023 South Dakota Motor Vehicle Traffic Crash Summary; MPE matched UJS data

Table 8: South Dakota Traffic Crash Data Trends at a Glance

Year	Traffic Crash Total	Traffic Crash Injuries	Traffic Crash Fatalities	Fatality Rate per 100 Million VMT	% Drinking Drivers in Fatal Crashes	Alcohol Related Fatalities	Alcohol Related Injuries	Population	Licensed Drivers	% Licensed Drivers <25 yrs.	% Drinking Drivers <25 yrs.
2004	17162	6544	197	2.38	26.2%	78	938	770,396	574,363	18.0%	44.0%
2005	16307	6238	186	2.29	25.8%	74	835	775,493	577,020	16.2%	36.8%
2006	15730	6014	191	2.25	29.4%	72	854	783,033	582,517	17.2%	39.3%
2007	16220	5782	146	1.72	31.4%	62	666	791,623	588,546	16.9%	38.8%
2008	15908	5711	121	1.43	29.3%	48	659	799,124	597,313	16.5%	38.7%
2009	16996	5701	131	1.50	35.6%	61	692	807,067	602,165	16.2%	35.4%
2010	17648	5802	140	1.58	26.2%	49	647	816,193	602,275	15.8%	32.9%
2011	17395	5388	111	1.23	21.3%	38	633	823,740	603,233	15.6%	34.0%
2012	16294	5434	133	1.47	26.1%	53	721	833,859	606,779	15.5%	37.1%
2013	16636	5475	135	1.48	18.6%	43	640	842,751	613,912	15.3%	31.0%
2014	17357	5094	136	1.49	22.2%	47	583	849,670	620,353	15.2%	33.2%
2015	17800	5525	134	1.44	25.0%	49	721	854,663	631,064	15.0%	30.0%
2016	17562	5189	116	1.23	32.6%	55	589	863,693	635,418	15.0%	30.0%
2017	18449	5339	129	1.34	25.3%	49	637	873,732	639,990	15.0%	26.1%
2018	19289	5056	130	1.34	27.7%	54	543	879,386	650,321	14.9%	27.7%
2019	20625	4920	102	1.03	20.6%	28	557	887,127	655,115	14.9%	24.4%
2020	17615	4461	141	1.45	24.7%	51	645	892,717	652,016	14.7%	28.2%
2021	19548	4984	148	1.48	23.6%	56	693	895,376	670,839	14.8%	26.0%
2022	18706	4982	137	1.35	18.5%	47	665	909,824	681,427	14.9%	27.0%
2023	18785	4896	140	N/A	17.3%	37	628	901,942	689,144	15.2%	29.0%

Current Binge Drinking by Persons Age 12 and Older

In 2021-2022 for individuals age 18 to 25 and 26 and older, binge drinking was higher in South Dakota than the national percent. The largest difference was found in the age group 18 to 25 where 29.7% of South Dakotans report binge alcohol use in the past month compared to 32.9% nationally.

Figure 2. Percent Binge Alcohol Use in Past Month by Age Group 2021-2022

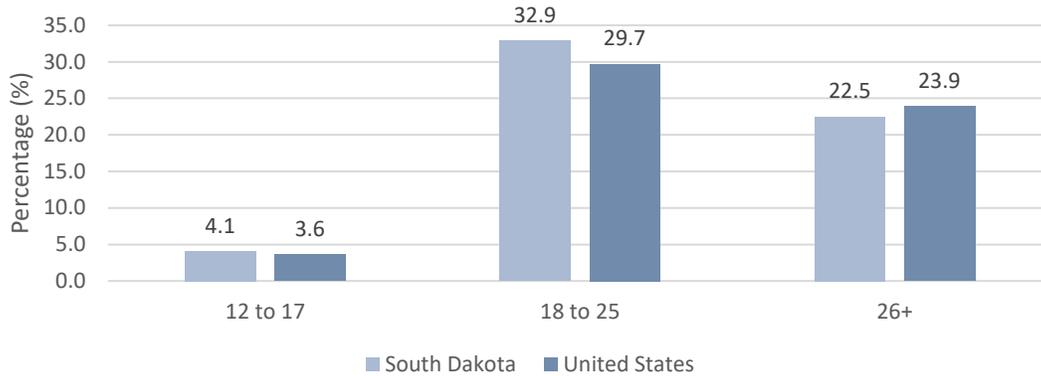


Table 9: Percent Binge Alcohol Use in Past Month by Age Group

	2017- 2018			2018-2019			2019-2020			2020 - 2021			2021-2022		
	12 to 17	18 to 25	26+	12 to 17	18 to 25	26+	12 to 17	18 to 25	26+	12 to 17	18 to 25	26+	12 to 17	18 to 25	26+
SD	6.17	44.89	29.99	5.47	41.53	26.51	5.35	41.25	24.25	3.95	34.21	24.3	4.1	32.9	22.5
U.S.	4.97	35.89	24.95	4.78	34.58	24.82	4.5	32.82	23.7	3.82	29.15	22.37	3.6	29.7	23.9
SD – US	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+

Data in percentages

Source: National Survey on Drug Use and Health (NSDUH)

In the alcohol section of the questionnaire, the threshold for defining binge alcohol use among females was revised from five or more drinks on an occasion to four or more drinks on an occasion to ensure consistency with federal definitions. The threshold for males in 2015 remained at five or more drinks on an occasion. Consequently, a new baseline was established in 2015 for estimates of binge alcohol for the overall population. Thus, small area estimates for past month binge alcohol use using combined 2014 and 2015 data were not produced. Note that this change did not affect estimates for alcohol use or alcohol use disorder.

Binge Drinking:

The consumption of five or more drinks of alcohol in a row on a single occasion for men and four or more drinks of alcohol in a row for women.

Table 10: Percent Binge Alcohol Use in Past Month by All Age Groups

	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
United States	22.8	22.9	22.9	N/A	24.6	24.5	24.2	23.1	21.5	17.7
South Dakota	28.9	26.6	25.6	N/A	29.4	29.6	26.4	24.6	23.4	13.1
South Dakota National Rank	3 rd worst	7 th worst	4 th worst	N/A	4 th worst	6 th worst	16 th worst	19 th worst	14 th worst	18 th worst

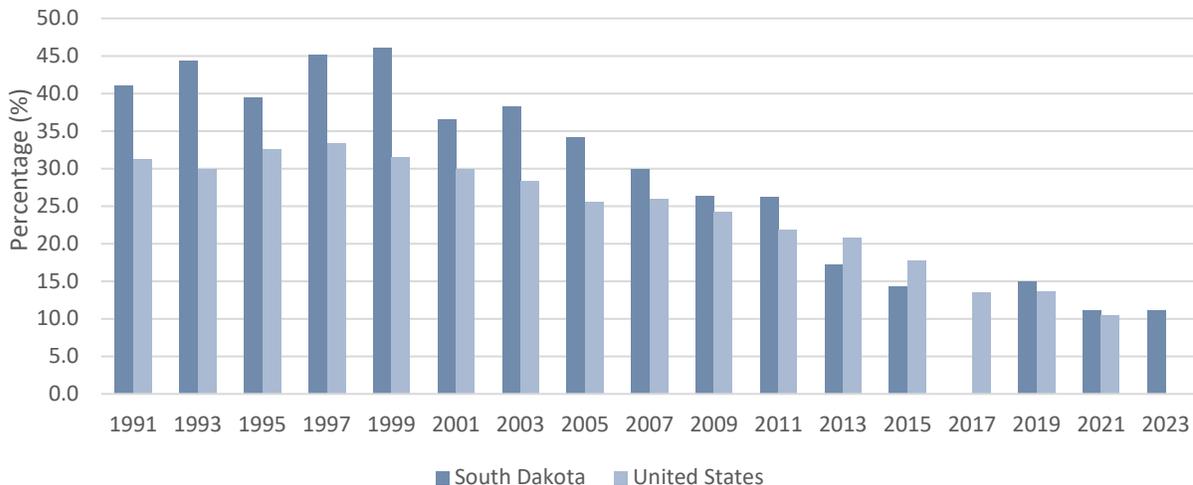
Source: National Survey on Drug Use and Health (NSDUH)

Note: the definition of binge consumption changed in 2015 from four to five drinks on a single occasion for females; therefore, binge-drinking estimates were not calculated for 2014-2015.

Current Binge Drinking by High School Students

According to the Youth Risk Behavior Survey, for the first time since results have been reported in 1991, the binge-drinking rate among South Dakota students (17.2%) fell below the US student average (20.8%) in 2013. The binge-drinking rate for South Dakota youth continued to fall to 11.1% as of 2021 but is greater than the national average.

Figure 3: Percent of students engaged in binge drinking on one or more of the past 30 days

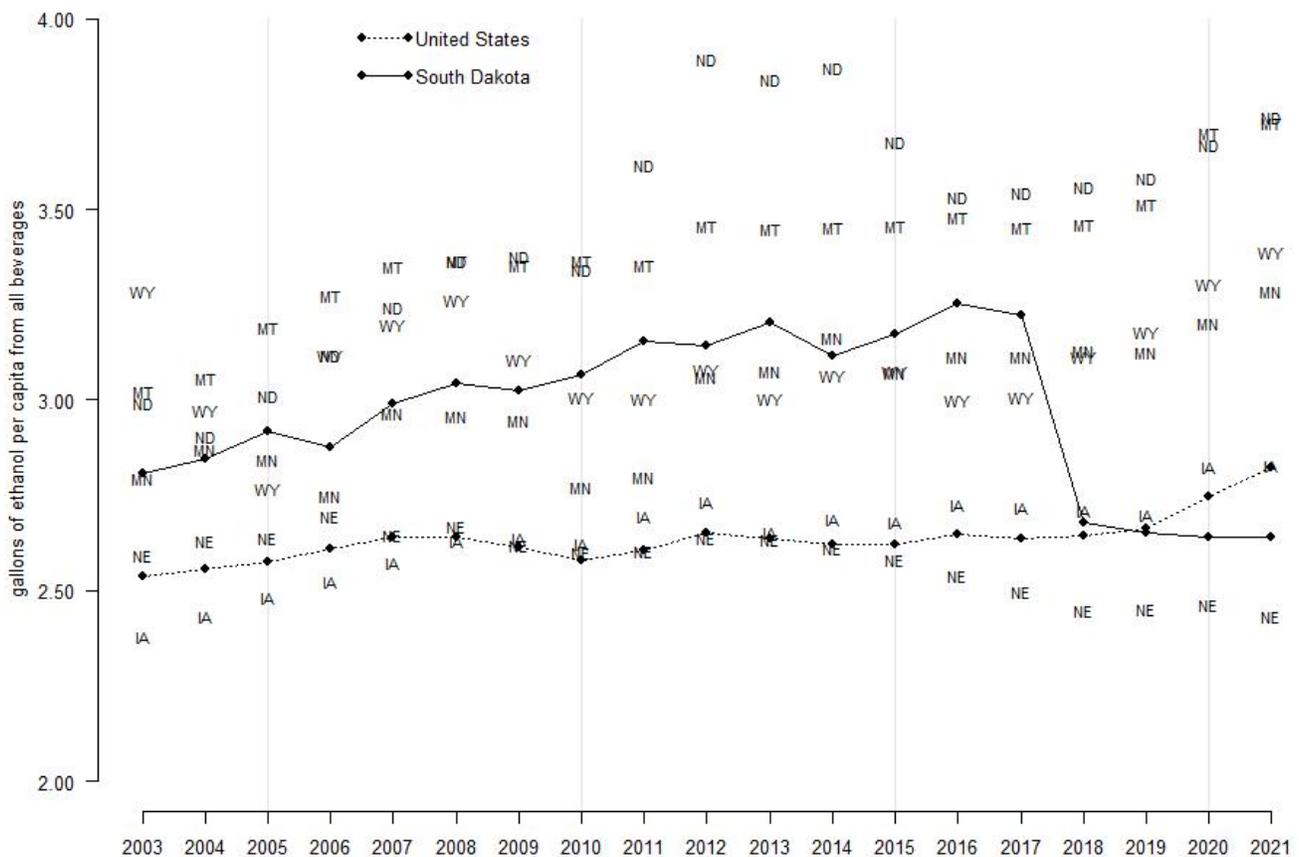


Source: Youth Risk Behavior Surveillance System

Alcohol Consumption

As mentioned previously, South Dakota has had one of the higher rates of binge drinking in the nation. Analysis of the total volume of ethanol consumption per capita illustrates that the South Dakota rate is substantially higher than the national average. The national rate has shown little increase since 2000, while the South Dakota rate was above 3 gallons of absolute alcohol since 2008 but decreased in 2018 through 2021 to just over 2.5 gallons of absolute alcohol per person over the age of 21.

Figure 4: Per Capita Alcohol Consumption Trends 2003-2021

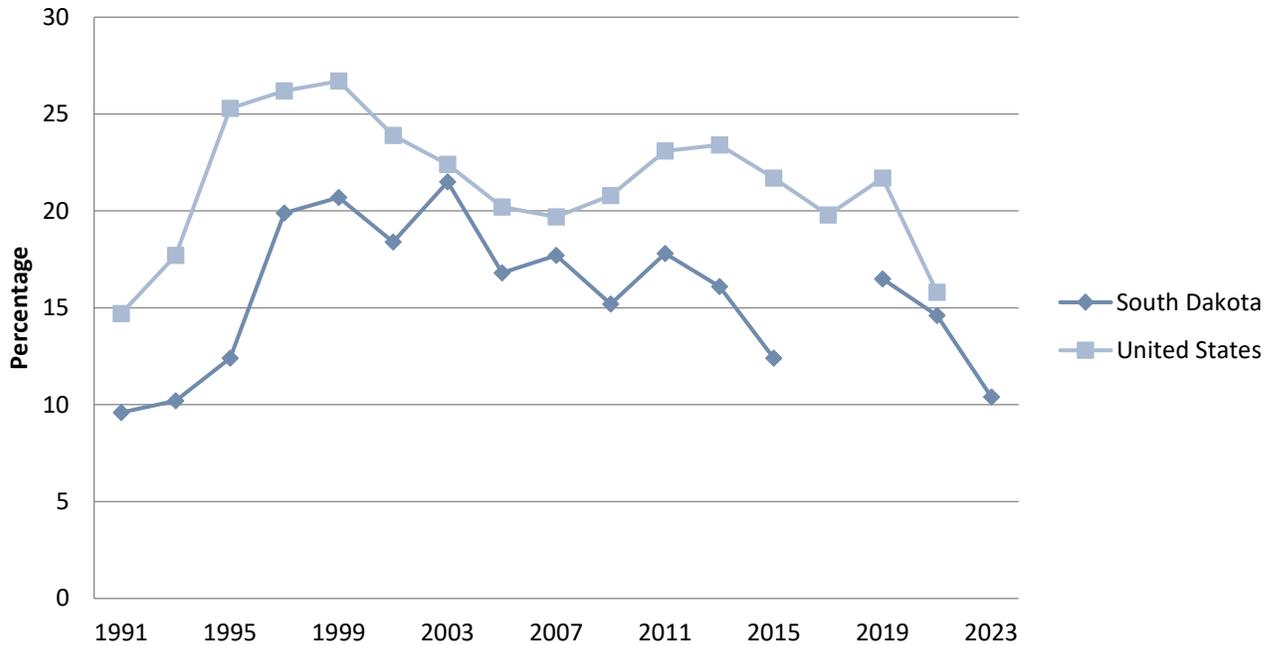


Source: National Institute of Alcohol Abuse and Alcoholism

Marijuana Use

Due to the ongoing effort pushing legalization of recreational marijuana use and legalization of medical marijuana use in 2021, the data should be monitored for changes in the number of impaired driving offenses due to marijuana use. Below are some trends we have seen in previous years regarding marijuana.

Figure 5: Trend of Current Use of Marijuana Among 9-12 graders



Source: 1991-2023 High School Youth Risk Behavior Survey Data

Table 11: Percent Perception of Great Risk from Smoking Marijuana Once a Month

	South Dakota						United States					
	2014	2016	2018	2019	2020	2021	2014	2016	2018	2019	2020	2021
12 to 17	25.4	29.4	27.7	26.5	25.2	22.5	23.5	27.2	25.8	23.6	22.8	23.3
18 to 25	14.5	14.0	12.8	11.5	10.6	7.8	14.2	14.3	12.9	12.1	11.8	11.6
26+	29.2	29.3	28.7	28.0	22.9	19.5	20.1	30.9	29.4	27.9	24.4	22.9

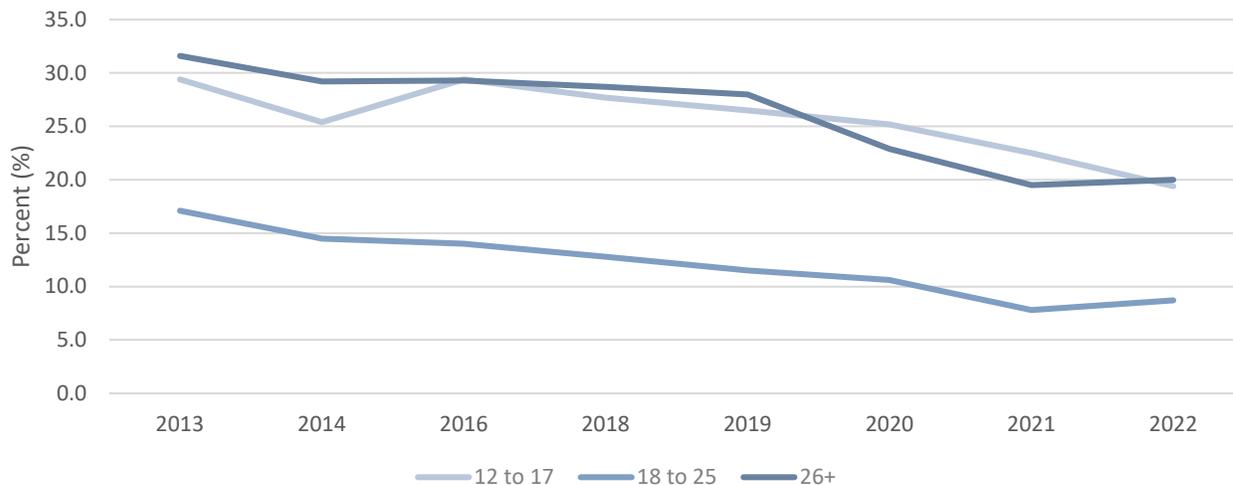
Source: National Survey on Drug Use and Health (NSDUH)

Note: There is no data on perception of marijuana use for 2015

Data in Table 11 and Figure 6 show the percent of participants that believe there is “Great Risk” from smoking marijuana once a month. As shown in Figure 6, there is a slight downward trend over the years, meaning the overall perception of risk is declining in South Dakota. Overall, the

18 to 25 age group consistently perceives less risk than the other age groups in both South Dakota and the United States.

Figure 6: Perception of "Great Risk" from Smoking Marijuana Once a Month (South Dakota)



Source: National Survey on Drug Use and Health (NSDUH)
 Note: There is no data on perception of marijuana use for 2015

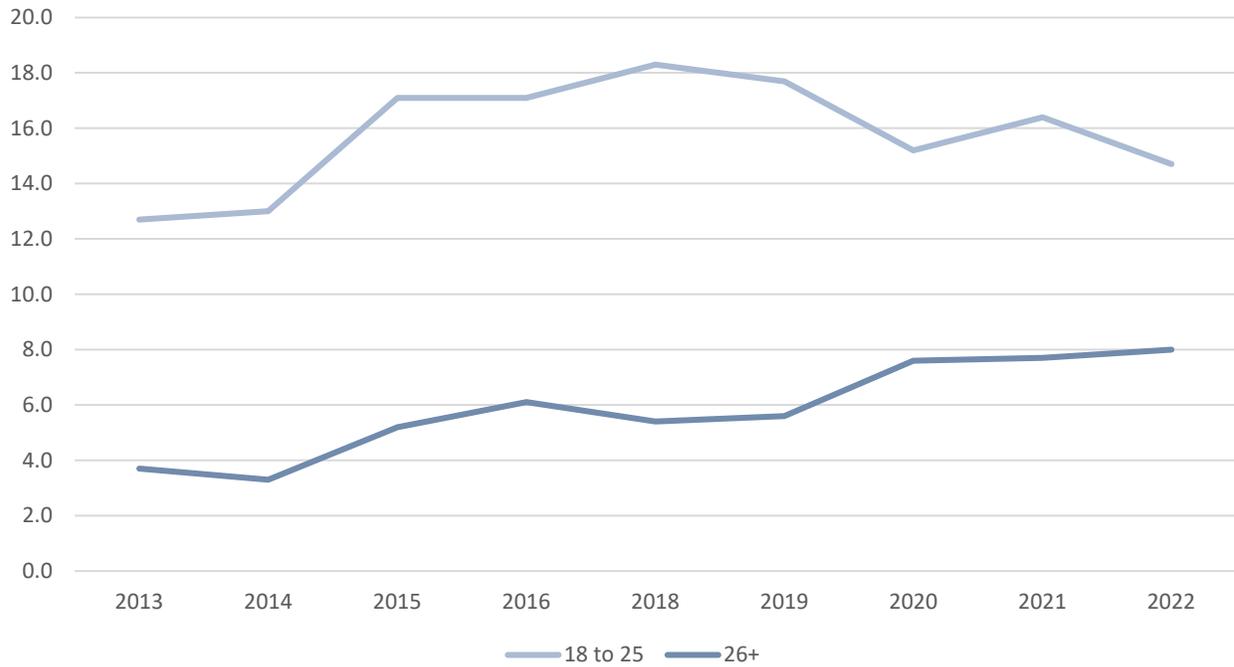
Table 12: Percent of Marijuana Use at least once in the past 30 days

	South Dakota							United States						
	2015	2016	2018	2019	2020	2021	2022	2015	2016	2018	2019	2020	2021	2022
18 to 25	17.1	17.1	18.3	17.7	15.2	16.4	19.1	19.7	20.3	21.5	22.1	23.0	24.1	25.8
26+	5.2	6.1	5.4	5.6	7.6	7.7	10.2	6.6	6.9	7.6	8.3	10.5	12.2	13.3

Source: National Survey on Drug Use and Health (NSDUH)

Table 12 and Figure 7 show the percentage of adults that used marijuana once within 30 days before the survey. When comparing the two age groups, ages 18 to 25 years old is 9% or more higher than the age group consisting of 26+ year olds for the 9 years shown. There was an overall upward trend of marijuana use in the United States that South Dakota seemed to follow until a decrease occurred in 2019 for 18-25 year olds.

Figure 7: Trend of Marijuana Use at least once in the past 30 days (South Dakota)



Source: National Survey on Drug Use and Health (NSDUH)

Qualification as a “Mid-Range” State

The Bipartisan Infrastructure Law (BIL) outlines multiple levels of activities depending on the average impaired driving fatality rate. The average impaired driving fatality rate is the number of fatalities in motor vehicle crashes involving a driver with a blood alcohol concentration of at least 0.08% for every 100,000,000 vehicle miles traveled and is calculated based on the most recent reported three calendar years of data from FARs. The most recent FARS Data available is through 2021.

According to the average of the most recent three calendar South Dakota qualifies as a “mid-range” state under the definition. A “mid-range” state is a state that has an average impaired driving fatality rate that is higher than 0.30 and lower than 0.60. The table below provides a summary of the analysis for South Dakota. The South Dakota rate is 0.45 using the 2019, 2020, and 2021 FARs data.

Table 13: Highest Driver Blood Alcohol Concentration in Crash Based on BAC = 0.08+ of All Involved Drivers, Motorcycle Riders (Operators) Only

Year	VMT +(000,000)	N	Alcohol-Impaired Fatalities	
			Yearly Rate per 100,000,000 VMT	3-Year Rate per 100,000 VMT
2008	8,470	35	0.41	-
2009	8,740	54	0.62	-
2010	8,861	37	0.42	0.48
2011	8,993	33	0.37	0.47
2012	9,077	44	0.48	0.42
2013	9,114	41	0.45	0.43
2014	9,156	44	0.48	0.47
2015	9,315	44	0.47	0.47
2016	9,464	46	0.49	0.48
2017	9,623	36	0.37	0.44
2018	9,702	45	0.46	0.44
2019	9,909	32	0.32	0.39
2020	9,703	49	0.50	0.43
2021	10,021	52	0.52	0.45

Source: 2021 South Dakota Motor Vehicle Traffic Crash Summary; National Highway Traffic Safety Administration (NHTSA) Fatality Analysis Reporting System (FARS)

Summary of Findings

- The proportion of all crashes that were alcohol-involved crashes remains consistent
- The proportion of all alcohol-involved fatal crashes has decreased, but is still concerning
- The percentage of alcohol impaired fatalities was 36.8% in 2021 but fell to 26.4% in 2023
- Total DUI filings have remained between 9,000 and 11,000 with a rise in DUI 1st filings
- The percent of arrests resulting in guilty pleas has decreased
- The percent of dismissals has increased
- Drivers' ages 18 to 44 account for 72.2% of all alcohol involved fatal crashes
- Drivers 25 to 34 years of age account for 15.2% of licensed drivers, 27.3% of alcohol related fatal crashes, and 29.7% of total DUI arrests
- The binge drinking rate in the past 30 days reported by South Dakotans was the 18th highest in the nation compared to other states
- The total volume of ethanol consumption per capita by South Dakotans has historically been substantially higher than the US average, but dropped in the most recent years of data available
- The prevalence of marijuana use has slowly increased while perception of harm from use of marijuana has decreased
- Anecdotal information from law enforcement and from DUI course facilitators indicate an increase in marijuana impaired DUI offenses along with poly-substance use
- Based on trends in marijuana use rates, it is anticipated the push towards legalization of marijuana use will impact impaired driving in a substantial way in the coming years

Performance Measures

Performance Measure 1: Goal: Decrease the alcohol impaired driving fatalities five-year average to 39.4 or less for 2021-2025. This performance measure is consistent with the South Dakota 2024-2026 Triennial Highway Safety Plan performance goal

Table 14: Performance Measure 1 Target

Five-year Period	Alcohol Impaired Driving Fatalities 5-year Average
2014-2018	43.2
2015-2019	40.0
2016-2020	41.2
2017-2021	42.4
2018-2022	40.8*
2019-2023	40.3*
2020-2024	39.9*
2021-2025	39.4*
2022-2026	39.0*

National Highway Traffic Safety Administration (NHTSA) Fatality Analysis Reporting System (FARS), data extracted summarized in the 2024-2026 Triennial Highway Safety Plan.

**Projected targets*

Performance Measure 2: Decrease the percent of .08 crashes as a part of all crashes from 2.7% to 2.5% by 2026.

TABLE 15: BAC CRASHES AND TOTAL CRASHES: 2013 TO 2023

YEAR	BAC=>.08 CRASHES	TOTAL CRASHES	% TOTAL CRASHES THAT WERE BAC CRASHES	% ANNUAL CHANGE IN BAC CRASHES
2013	457	16636	2.7%	-1.1%
2014	470	17357	2.7%	2.8%
2015	518	17800	2.9%	10.2%
2016	465	17562	2.6%	-10.2%
2017	519	18449	2.8%	11.6%
2018	480	19289	2.5%	-7.5%
2019	507	20625	2.5%	5.6%
2020	530	17615	3.0%	4.5%
2021	616	19548	3.2%	16.2%
2022	540	18706	2.9%	-12.3%
2023	511	18785	2.7%	-5.4%

Program Activity

Recommendations for Programming

As outlined above, impaired driving continues to be a serious threat to public safety in South Dakota, accounting for approximately 41% of South Dakota traffic fatalities in 2021 based on analysis of FARS data. Furthermore, South Dakota is considered a “mid-range” state according to the standards outlined in NHTSA guidance. Required components and activities of a “mid-range” state include:

1. Impaired Driving Program Management and Strategic Planning
 - a. Support an analysis and review of Impaired Driving data indicators
 - b. Conduct Strategic Planning regarding Impaired Driving Countermeasures
 - c. Program management
 - d. Inventory and assess Impaired Driving resources and capacity
2. Prevention Programs and Activities
 - a. Support School and Community Based Prevention
 - b. Promote Alternative Transportation
 - c. Support Responsible Beverage Service Programs and Trainings
3. Criminal Justice Programs and Activities
 - a. Assess, Monitor, and Enhance Laws
 - b. Review, Support, and Enhance Enforcement
 - c. Assesses and Support Prosecution
 - d. Adjudication
 - e. Administrative Sanctions and Driver Licensing Programs
4. Communications Programs
 - a. Media Relations and Advertising
 - b. Public Affairs and Advocacy
5. Alcohol and other drug misuse, including screening, treatment, assessment and rehabilitation
 - a. Expand Screening and Referral to DUI prevention programming
 - b. Enhance Education and Treatment Programs
 - c. 24/7 Sobriety Programs
6. Impaired Driving Program Evaluation and Data Analysis
 - a. Analyze Accident and DUI Arrest Data
 - b. Coordinate Program Evaluations
 - c. Enhance Information Systems

The required program components identified above are consistent and reflective of general strategies that have been shown to be effective evidence-based strategies in reducing impaired driving. Projects and programs planned by the SDIDP are data driven and evidence-based while aligning with the general strategies outlined by the guidance.

1. Impaired Driving Program Management and Strategic Planning

Effective impaired driving programs require strong leadership, policy development, program management, and strategic planning. Data-driven processes should be used to select and prioritize resources and programming. Programs selected should be proven and evidence-based strategies that can deliver results. The following are the primary management components of the South Dakota Impaired Driving Program:

Office of Highway Safety

The South Dakota Department of Public Safety, Office of Highway Safety is the Governor's designated agency responsible for implementation and coordination of programs to reduced impaired driving in South Dakota.

Review of Impaired Driving Data Indicators

The South Dakota Impaired Driving Task Force is responsible to review State impaired driving data, identify priorities, monitor project implementation, and review progress in conjunction with the Office of Highway Safety and other stakeholders across the State with a vested interest in reducing impaired driving. The composition of the South Dakota Impaired Driving Taskforce was structured to represent the key sectors required to effectively address and reduce impaired driving in South Dakota. The table on page 5 identifies the task force members, organization, and function represented on the task force.

The Task Force will review impaired driving statistics, confirm or revise priorities, and evaluate progress of impaired driving countermeasure program activities. As needed, sub-committees will meet throughout the year as needed utilizing conference calls and webinar technology.

Strategic Planning

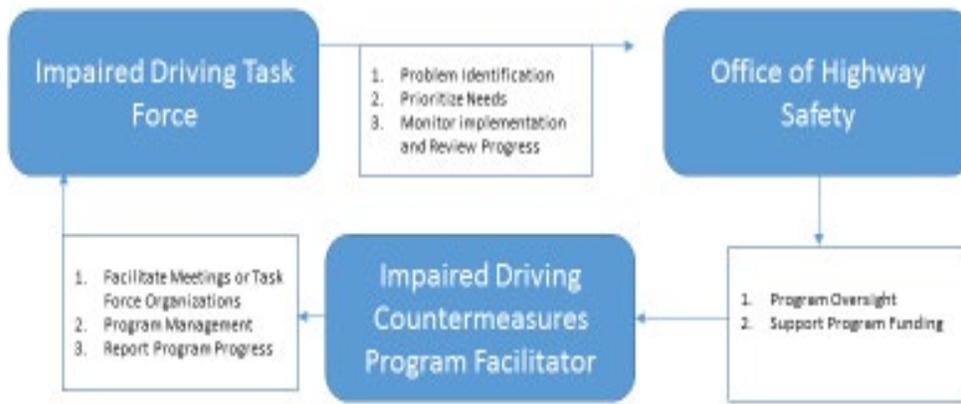
Based on the impaired driving data indicators, the Office of Highway Safety, with input and technical assistance from key stakeholders, works to develop a plan to reduce impaired driving across the State. The Impaired Driving Strategic plan will identify short-term and long-term performance measures to reduce the impact of impaired driving on South Dakota citizens.

Program Management

The Office of Highway Safety has designated and charged Mountain Plains Evaluation, LLC to serve as facilitator for the Impaired Driving Technical Assistance. In this capacity, the facilitator will:

1. Support and facilitate the organization of the Impaired Driving Technical Assistance
2. Implement Program Recommendations
3. Report program progress

Figure 10: South Dakota Impaired Driving Countermeasures Program Management



2. Prevention Programs and Activities

The social context and prevalence of alcohol use in South Dakota are significant factors to impaired driving within the State. As noted, South Dakota has one of the highest binge drinking rates in the nation while having one of the lowest rates for perception of harm from binge drinking.

Data driven, evidence-based prevention programming can aid communities in addressing social norms, changing risky or dangerous behaviors, enhancing enforcement, and changing community standards and acceptance of the drinking and driving behaviors. Prevention and public health programs promote activities to educate the public on the effects of alcohol and other drugs, limit alcohol and drug availability, and prevent those impaired by alcohol and drugs from driving. Prevention programs are typically carried out in schools, work sites, medical and health care facilities, and community groups.

Current Activities: The Office of Highway Safety resources are supporting a wide range of prevention programming across the state. Education and awareness efforts target the public with general awareness messaging through formal media campaigns and through efforts of local community coalitions. The Office of Highway Safety supports local campaigns focusing on alcohol impaired driving during Super Bowl Sunday, St Patrick's Day, Fourth of July, Labor Day, Halloween, Christmas, and the New Year. The supported campaigns also encourage parents to talk with their kids about drinking and driving before prom and graduation. Programming also acts as support that provides educational and early intervention programs for identified high risk groups. Furthermore, driving simulators and simulated crashes at community events provides awareness of impaired driving risks. In addition, the Office of Highway Safety also supports responsible beverage server training and Safe Ride programs across the state.

Recommended Activities: Resources from the Impaired Driving Counter Measures Grant should be targeted to support community coalitions to:

1. Support School and Community Based Prevention
2. Promote Alternative Transportation
3. Support Responsible Beverage Service Programs and Trainings

Implementation Plan: Based on availability of funds:

1. Review impaired driving data to identify geographic areas at high risk for impaired driving fatalities and injuries
2. Develop guidance and recommendations to solicit grant applications to support prevention programming targeted at reducing impaired driving

3. Criminal Justice Programs and Activities

The criminal justice systems play a significant role in enforcement and adjudication of impaired driving offenders. South Dakota has made significant enhancements within the criminal justice system regarding enforcement, prosecution, licensing, and adjudication of impaired driving offenders. More can be done to integrate data driven, evidence-based practices within the criminal justice system and law enforcement to target impaired driving offenders.

Current Activities: The Office of Highway Safety resources are supporting enhanced enforcement, prosecution, adjudication, and administrative sanctioning and driver licensing programs. Law enforcement agencies and departments utilize funding and resources to enhance equipment and support saturation patrols and enhanced enforcement. South Dakota has continually enhanced and supported prosecutors across the state through trainings and the support of a Special Resource Prosecutor to aid local prosecutors with impaired driving court cases. Training has been provided for judges to participate in the best practices for adjudication of impaired drivers and for DUI/DWI Court training and implementation. Correctional facilities are evaluating DUI offender risks and needs and identifying evidence-based programming for pre-release services and effective strategies for monitoring post-release.

Recommended Activities: Resources from the Impaired Driving Counter Measures Grant should be utilized to support and enhance the criminal justice and law enforcement systems to:

1. Assess, Monitor, and Enhance Laws
2. Review, Support, and Enhance Enforcement
3. Assesses and Support Prosecution
4. Adjudication
5. Administrative Sanctions and Driver Licensing Programs

Implementation Plan: Based on funding availability:

1. Review criminal justice data on enforcement and adjudication of impaired driving laws to identify gaps and areas for enhancement and improvement
2. Identify efforts to address needs for:
 1. Impaired Driving Enforcement
 2. Impaired Driving Prosecution
 3. Impaired Driving Adjudication, Sanctions and Driver Licensing

4. Communications Programs

Public relations, communication, and the media are important components of an effective continuum of programs to address impaired driving. Communication and messaging campaigns raise awareness of impaired driving problems and enforcement within communities. South Dakota can enhance its efforts to integrate data driven messaging campaigns as part of a comprehensive program to reduce impaired driving.

Current Activities: The Office of Highway Safety funds media outlets to use the NHTSA communications Calendar and selected NHTSA traffic safety campaign resources in coordination with state developed public education and awareness materials.

Recommended Activities: Resources from the Impaired Driving Counter Measures Grant should be targeted to support and enhance:

1. Media Relations and Advertising
2. Public Affairs and Advocacy

Implementation Plan: Based on availability of funds:

1. Review media relations, communications, and advertising needs identified through review of the impaired driving data
2. Identify areas for improvement related to
 - a. Media Relations and Advertising
 - b. Public Affairs and Advocacy

5. Alcohol and other drug misuse, including screening, treatment, assessment and rehabilitation

Each year about 1% of all licensed drivers are arrested for a DUI offense and approximately 1/3 of all DUI arrests are repeat offenders (Fell, 1995). Traditional sentencing sanctions available to the judiciary have not been particularly successful with DUI first offenders and are even less successful with repeat DUI offenders (Wallace, 2008). Impaired driving can, and often is, an indicator of alcohol use behaviors that require formalized treatment and therapeutic interventions. Effective screening, assessment, education, and treatment programming can assist in addressing substance abuse and misuse behaviors avoiding future repeat offenses.

Current Activities: The Office of Highway Safety continues to support and collaborate in the development of a state-wide continuum of screening, education, and assessment options with partners and stakeholders from the Criminal Justice and Treatment provider systems. The Office of Highway Safety is supporting evidence-based programming for underage drinking offenders and the South Dakota Public Safety DUI Program for DUI 1st offenders. In addition, the Office of Highway Safety is providing support for DUI/DWI courts across the state to target the non-violent, felony DUI offenders in their own communities. The South Dakota 24/7 Sobriety Program, overseen by the South Dakota Attorney General, is providing an effective process and tools for monitoring offenders and reducing the public health risk of known impaired drivers using daily breath monitoring, SCRAM bracelets, ignition interlocks and other monitoring technologies.

Recommended Activities: Resources from the Impaired Driving Counter Measures Grant should be targeted to support and enhance:

1. Expand Screening and Assessment Capacity
2. Education and Treatment Programs
3. 24/7 Sobriety Programs

Implementation Plan: Based on availability of funds:

1. Review existing screening and assessment practices utilized across the state to identify strengths and gaps in screening and assessment of DUI offenders
2. Identify existing DUI education and treatment programming
3. Compare the impaired driving offender data with existing education and programming resources to assess the match and appropriateness of existing services to program needs
4. Recommend an education and treatment continuum based on offender risk and needs to guide program funding and development

6. Impaired Driving Program Evaluation and Data Analysis

Selection and implementation of data driven and evidence-based strategies are based on the utilizing and analysis of reliable data sources for problem identification and program planning. Establishing program evaluation activities will effectively measure progress, determine program effectiveness, guide planning and implementation of new programs, and ensure that resources are allocated appropriately.

Current Activities: The Office of Highway Safety is investing in information systems to aid in the management of agency funds and for automation of project oversight. In addition, the Office of Highway Safety is supporting enhancements to the driver licensing and judicial information systems to increase the effectiveness and access of data required for accurate management of impaired driving programs. Enhancements and expanded use of the LEOs data system by law enforcement agencies across the state supported by the Office of Highway Safety is increasing crash data reliability and validity for use in program planning and performance measurement. Program evaluation efforts to analyze the effectiveness of education and treatment programs, DUI courts, and monitoring programs recidivism trends.

Recommended Activities: Resources from the Impaired Driving Counter Measures Grant should be targeted to support and enhance:

1. Analyze Accident and DUI Arrest Data
2. Coordinate Program Evaluations
3. Enhance Information Systems

Implementation Plan: Based on availability of funds:

1. Develop an inventory of existing data sources and evaluation efforts of impaired drivers and impaired driving programs to identify gaps in data sources and program evaluations
2. Based on the findings, identify steps required to support and maintain a record and program evaluation system that uses data to fully support the impaired driving program.

Appendix A to Part 1300—Certifications and Assurances for Highway Safety Grants

[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: South Dakota

Fiscal Year: 2025

By submitting an application for Federal grant funds under 23 U.S.C. Chapter 4 or Section 1906, Public Law 109-59, as amended by Section 25024, Public Law 117-58, 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, Public Law 109-59, as amended by Sec. 25024, Public Law 117-58;
- 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 Subaward and Executive Compensation Reporting*, August 27, 2010, (https://www.fsrs.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;
 - Unique entity identifier (generated by **SAM.gov**);
- 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 [and its subrecipients] 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);
- *49 CFR part 21* (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
- *28 CFR 50.3* (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- *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* (preventing 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);
- *Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency* (requiring that recipients of Federal financial assistance provide meaningful access for applicants and beneficiaries who have limited English proficiency (LEP));
- *Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities through the Federal Government* (advancing equity across the Federal Government); and
- *Executive Order 13988, Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation* (clarifying that sex discrimination includes discrimination on the grounds of gender identity or sexual orientation).

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

GENERAL ASSURANCES

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA.”

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

SPECIFIC ASSURANCES

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in § 21.23(b) and (e) of 49 CFR part 21 will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:
“The [name of Recipient], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”
3. The Recipient will insert the clauses of appendix A and E of this Assurance (also referred to as DOT Order 1050.2A) ^[1] in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in appendix C and appendix D of this DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or

structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the State highway safety agency also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing NHTSA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by NHTSA. You must keep records, reports, and submit the material for review upon request to NHTSA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The State highway safety agency gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Highway Safety Grant Program. This ASSURANCE is binding on the State highway safety agency, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Highway Safety Grant Program. The person(s) signing below is/are authorized to sign this ASSURANCE on behalf of the Recipient.

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-awards 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

(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.

CERTIFICATION ON CONFLICT OF INTEREST

(applies to subrecipients as well as States)

GENERAL REQUIREMENTS

No employee, officer, or agent of a State or its subrecipient who is authorized in an official capacity to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting, or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

1. The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.
 - a. The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
 - b. The code or standards shall establish penalties, sanctions, or other disciplinary actions for violations, as permitted by State or local law or regulations.
2. The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

DISCLOSURE REQUIREMENTS

No State or its subrecipient, including its officers, employees, or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in

organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

1. The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
2. NHTSA will review the disclosure and may require additional relevant information from the recipient. If a conflict of interest is found to exist, NHTSA may (a) terminate the award, or (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict.
3. Conflicts of interest that require disclosure include all past, present, or currently planned organizational, financial, contractual, or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor, and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization.

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 annual grant application 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. 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 on behalf 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 on behalf 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.)
4. 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))
5. As part of a comprehensive program, the State will support a data-based traffic safety enforcement program that fosters effective community collaboration to increase public safety, and data collection and analysis to ensure transparency, identify disparities in traffic enforcement, and inform traffic enforcement policies, procedures, and activities. (23 U.S.C. 402(b)(1)(E))
6. 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 triennial Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in 23 U.S.C. 148(a); and
 - Participation in the Fatality Analysis Reporting System (FARS), except for American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, or the United States Virgin Islands
7. 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))
 8. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system, except in a work zone or school zone. (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.

[Click here to validate form fields and permit signature](#)

Robert L. Weinmeister

Digitally signed by Robert L. Weinmeister
Date: 2024.07.31 12:35:34 -05'00'

7/31/24

Signature Governor's Representative for Highway Safety

Date

Robert L. Weinmeister

Printed name of Governor's Representative for Highway Safety

Appendix B to Part 1300—Application Requirements for Section 405 and Section 1906 Grants

[Each fiscal year, to apply for a grant under 23 U.S.C. 405 or Section 1906, Public Law 109-59, as amended by Section 25024, Public Law 117-58, the State must complete and submit all required information in this appendix, and the Governor's Representative for Highway Safety must sign the Certifications and Assurances.]

State: South Dakota

Fiscal Year: 2025

Instructions: Check the box for each part for which the State is applying for a grant, fill in relevant blanks, and identify the attachment number or page numbers where the requested information appears in the Highway Safety Plan. Attachments may be submitted electronically.

PART 1: OCCUPANT PROTECTION GRANTS (23 CFR 1300.21)

*[Check the box above **only** if applying for this grant.]*

ALL STATES

[Fill in all blanks below.]

- The State's occupant protection program area plan for the upcoming fiscal year is provided in the annual grant application at _____ (location).
- The State will participate in the Click it or Ticket national mobilization in the fiscal year of the grant. The description of the State's planned participation is provided in the annual grant application at _____ (location).
- Projects demonstrating the State's active network of child restraint inspection stations are provided in the annual grant application at _____ (location). Such description includes estimates for: (1) the total number of planned inspection stations and events during the upcoming fiscal year; and (2) within that total, the number of planned inspection stations and events serving each of the following population categories: urban, rural, and at-risk. The planned inspection stations/events provided in the annual grant application are staffed with at least one current nationally Certified Child Passenger Safety Technician.
- Projects, as provided in the annual grant application at _____ (location), that include estimates of the total number of classes and total number of technicians to be trained in the upcoming fiscal year to ensure coverage of child passenger safety inspection stations and inspection events by nationally Certified Child Passenger Safety Technicians.

LOWER SEAT BELT USE STATES ONLY

[Check at least 3 boxes below and fill in all blanks under those checked boxes.]

The State's primary seat belt use law, requiring all occupants riding in a passenger motor vehicle to be restrained in a seat belt or a child restraint, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

o *Legal citation(s):*

The State's occupant protection law, requiring occupants to be secured in a seat belt or age-appropriate child restraint while in a passenger motor vehicle and a minimum fine of \$25, was enacted on _____ (date) and last amended on _____ (date) and is in effect and will be enforced during the fiscal year of the grant.

o *Legal citation(s):*

▪ Requirement for all occupants to be secured in seat belt or age-appropriate child restraint;

▪ _____
Coverage of all passenger motor vehicles;

▪ _____
Minimum fine of at least \$25;

▪ _____
Exemptions from restraint requirements.

Projects demonstrating the State's seat belt enforcement plan are provided in the annual grant application at _____ (location).

The projects demonstrating the State's high risk population countermeasure program are provided in the annual grant application at _____ (location).

The State's comprehensive occupant protection program is provided as follows:

- o Date of NHTSA-facilitated program assessment conducted within 5 years prior to the application date: _____ (date);
- o Multi-year strategic plan: annual grant application or triennial HSP at _____ (location);
- o The name and title of the State's designated occupant protection coordinator is _____.
- o The list that contains the names, titles, and organizations of the statewide occupant protection task force membership: annual grant application at _____ (location).

- The State's NHTSA-facilitated occupant protection program assessment of all elements of its occupant protection program was conducted on _____ (date) (within 5 years of the application due date);

PART 2: STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS GRANTS (23 CFR 1300.22)

[Check the box above only if applying for this grant.]

ALL STATES

- The State has a functioning traffic records coordinating committee that meets at least 3 times each year.
- The State has designated a TRCC coordinator.
- The State has established a State traffic records strategic plan, updated annually, that has been approved by the TRCC and describes specific quantifiable and measurable improvements anticipated in the State's core safety databases, including crash, citation or adjudication, driver, emergency medical services or injury surveillance system, roadway, and vehicle databases.
- [Fill in the blank below.]* Written description of the performance measure(s), and all supporting data, that the State is relying on to demonstrate achievement of the quantitative improvement in the preceding 12 months of the application due date in relation to one or more of the significant data program attributes is provided in the annual grant application at
Page 26 of SD_FY25_AGA _____ (location).

PART 3: IMPAIRED DRIVING COUNTERMEASURES (23 CFR 1300.23(D)-(F))

[Check the box above only if applying for this grant.]

ALL STATES

- The State will use the funds awarded under 23 U.S.C. 405(d) only for the implementation of programs as provided in 23 CFR 1300.23(j).

MID-RANGE STATES ONLY

[Check one box below and fill in all blanks under that checked box.]

- The State submits its statewide impaired driving plan approved by a statewide impaired driving task force on 7/24/24 (date). Specifically:

- Annual grant application at _____ (location)
Page 4 of SD_FY25_405d_Impaired Driving Plan describes the authority and basis for operation of the statewide impaired driving task force;
- Annual grant application at _____ (location)
Page 5 of SD_FY25_405d_Impaired Driving Plan contains the list of names, titles, and organizations of all task force members;
- Annual grant application at _____ (location)
Page 26 of SD_FY25_405d_Impaired Driving Plan contains the strategic plan based on Highway Safety Guideline No. 8—Impaired Driving.

The State has previously submitted a statewide impaired driving plan approved by a statewide impaired driving task force on _____ (date) and continues to use this plan.

[For fiscal year 2024 grant applications only.]

The State will convene a statewide impaired driving task force to develop a statewide impaired driving plan and will submit that plan by August 1 of the grant year.

HIGH-RANGE STATE ONLY

[Check one box below and fill in all blanks under that checked box.]

- The State submits its statewide impaired driving plan approved by a statewide impaired driving task force on _____ (date) that includes a review of a NHTSA-facilitated assessment of the State's impaired driving program conducted on _____ (date).
Specifically:
- Annual grant application at _____ (location)
describes the authority and basis for operation of the statewide impaired driving task force;
 - Annual grant application at _____ (location)
contains the list of names, titles, and organizations of all task force members;
 - Annual grant application at _____ (location)
contains the strategic plan based on Highway Safety Guideline No. 8—Impaired Driving;
 - Annual grant application at _____ (location)
addresses any related recommendations from the assessment of the State's impaired driving program;
 - Annual grant application at _____ (location)
contains the projects, in detail, for spending grant funds;

- Annual grant application at _____ (location) describes how the spending supports the State's impaired driving program and achievement of its performance targets.

The State submits an updated statewide impaired driving plan approved by a statewide impaired driving task force on _____ (date) and updates its assessment review and spending plan provided in the annual grant application at _____ (location).

[For fiscal year 2024 grant applications only.]

The State's NHTSA-facilitated assessment was conducted on _____ (date) (within 3 years of the application due date); OR

The State will conduct a NHTSA-facilitated assessment during the grant year; AND The State will convene a statewide impaired driving task force to develop a statewide impaired driving plan and will submit that plan by August 1 of the grant year.

PART 4: ALCOHOL-IGNITION INTERLOCK LAWS (23 CFR 1300.23(G))

[Check the box above only if applying for this grant.]

[Check one box below and fill in all blanks under that checked box.]

The State's alcohol-ignition interlock law, requiring all individuals convicted of driving under the influence or of driving while intoxicated to drive only motor vehicles with alcohol-ignition interlocks for a period of not less than 180 days, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

○ *Legal citations:*

- Requirement for alcohol-ignition interlocks for all DUI offenders for not less than 180 days;

▪ Identify all alcohol-ignition interlock use exceptions.

The State's alcohol-ignition interlock law, requiring an individual convicted of driving under the influence of alcohol or of driving while intoxicated, and who has been ordered to use an alcohol-ignition interlock, and does not permit the individual to receive any driving privilege or driver's license unless the individual installs on each motor vehicle registered, owned, or leased by the individual an alcohol-ignition interlock for a period of not less than 180 days, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

- *Legal citations:*
 - Requirement for installation of alcohol ignition-interlocks for DUI offenders for not less than 180 days;

 - Identify all alcohol-ignition interlock use exceptions.

The State's alcohol-ignition interlock law, requiring an individual convicted of, or the driving privilege of whom is revoked or denied, for refusing to submit to a chemical or other appropriate test for the purpose of determining the presence or concentration of any intoxicating substance, and who has been ordered to use an alcohol-ignition interlock, requires the individual to install on each motor vehicle to be operated by the individual an alcohol-ignition interlock for a period of not less than 180 days, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant; and

The State's compliance-based removal program, requiring an individual convicted of driving under the influence of alcohol or of driving while intoxicated, and who has been ordered to use an alcohol-ignition interlock, requires the individual to install on each motor vehicle to be operated by the individual an alcohol-ignition interlock for a period of not less than 180 days, was enacted (if a law) or implemented (if a program) on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant; and

State's compliance-based removal program, requiring completion of a minimum consecutive period of not less than 40 percent of the required period of alcohol-ignition interlock installation immediately prior to the end of the individual's installation requirement, without a confirmed violation of the State's alcohol-ignition interlock program use requirements, was enacted (if a law) or implemented (if a program) on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

- *Legal citations:*
 - Requirement for installation of alcohol-ignition interlocks for refusal to submit to a test for 180 days;

 - Requirement for installation of alcohol ignition-interlocks for DUI offenders for not less than 180 days;

 - Requirement for completion of minimum consecutive period of not less than 40 percent of the required period of alcohol-interlock use;

- Identify list of alcohol-ignition interlock program use violations;
-
- Identify all alcohol-ignition interlock use exceptions.
-

PART 5: 24-7 SOBRIETY PROGRAMS (23 CFR 1300.23(H))

[Check the box above only if applying for this grant.]

[Fill in all blanks.]

- The State provides citations to a law that requires all individuals convicted of driving under the influence or of driving while intoxicated to receive a restriction on driving privileges that was enacted on 7/1/53 (date) and last amended on 7/1/24 (date), is in effect, and will be enforced during the fiscal year of the grant.

- *Legal citation(s):*
SDCL 32-23-2

[Check at least one of the boxes below and fill in all blanks under that checked box.]

- Law citation.* The State provides citations to a law that authorizes a statewide 24-7 sobriety program that was enacted on 7/1/07 (date) and last amended on 7/1/07 (date), is in effect, and will be enforced during the fiscal year of the grant.

- *Legal citation(s):*
SDCL 1-11-17

- Program information.* The State provides program information that authorizes a statewide 24-7 sobriety program. The program information is provided in the annual grant application at _____ (location).

PART 6: DISTRACTED DRIVING GRANTS (23 CFR 1300.24)

[Check the box above only if applying for this grant and check the box(es) below for each grant for which you wish to apply.]

- The State has conformed its distracted driving data to the most recent Model Minimum Uniform Crash Criteria (MMUCC) and will provide supporting data (*i.e.*, the State's most

recent crash report with distracted driving data element(s)) within 30 days after notification of award.

DISTRACTED DRIVING AWARENESS GRANT

The State provides sample distracted driving questions from the State's driver's license examination in the annual grant application at _____ (location).

DISTRACTED DRIVING LAW GRANTS

Prohibition on Texting While Driving
State's texting ban statute, prohibiting texting while driving and requiring a fine, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

o *Legal citations:*

- Prohibition on texting while driving;

- Definition of covered wireless communication devices;

- Fine for an offense;

- Exemptions from texting ban.

Prohibition on Handheld Phone Use While Driving
The State's handheld phone use ban statute, prohibiting a driver from holding a personal wireless communications device while driving and requiring a fine for violation of the law, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

o *Legal citations:*

- Prohibition on handheld phone use;

- Definition of covered wireless communication devices;

- Fine for an offense;

- Exemptions from handheld phone use ban.

Prohibition on Youth Cell Phone Use While Driving
The State's youth cell phone use ban statute, prohibiting youth cell phone use while driving, and requiring a fine, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

- *Legal citations:*
 - Prohibition on youth cell phone use while driving;

 - Definition of covered wireless communication devices;

 - Fine for an offense;

 - Exemptions from youth cell phone use ban

Prohibition on Viewing Devices While Driving
 The State's viewing devices ban statute, prohibiting drivers from viewing a device while driving, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant

- *Legal citations:*
 - Prohibition on viewing devices while driving;

 - Definition of covered wireless communication devices;

PART 7: MOTORCYCLIST SAFETY GRANTS (23 CFR 1300.25)

[Check the box above only if applying for this grant.]

[Check at least 2 boxes below and fill in all blanks under those checked boxes only.]

Motorcycle Rider Training Course

- The name and organization of the head of the designated State authority over motorcyclist safety issues is _____
- The head of the designated State authority over motorcyclist safety issues has approved and the State has adopted one of the following introductory rider curricula:

[Check at least one of the following boxes below and fill in any blanks.]

- Motorcycle Safety Foundation Basic Rider Course;
- TEAM OREGON Basic Rider Training;
- Idaho STAR Basic I;
- California Motorcyclist Safety Program Motorcyclist Training Course;
- Other curriculum that meets NHTSA's Model National Standards for Entry-Level Motorcycle Rider Training and that has been approved by NHTSA.

- In the annual grant application at _____ (location), a list of counties or political subdivisions in the State where motorcycle rider training courses will be conducted during the fiscal year of the

grant AND number of registered motorcycles in each such county or political subdivision according to official State motor vehicle records.

Motorcyclist Awareness Program

- The name and organization of the head of the designated State authority over motorcyclist safety issues is _____.
- The State's motorcyclist awareness program was developed by or in coordination with the designated State authority having jurisdiction over motorcyclist safety issues.
- In the annual grant application at _____ (location), performance measures and corresponding performance targets developed for motorcycle awareness that identify, using State crash data, the counties, or political subdivisions within the State with the highest number of motorcycle crashes involving a motorcycle and another motor vehicle.
- In the annual grant application at _____ (location), the projects demonstrating that the State will implement data-driven programs in a majority of counties or political subdivisions where the incidence of crashes involving a motorcycle and another motor vehicle is highest, and a list that identifies, using State crash data, the counties or political subdivisions within the State ranked in order of the highest to lowest number of crashes involving a motorcycle and another motor vehicle per county or political subdivision.

Helmet Law

- The State's motorcycle helmet law, requiring the use of a helmet for each motorcycle rider under the age of 18, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.
 - *Legal citation(s):*

Reduction of Fatalities and Crashes Involving Motorcycles

- Data showing the total number of motor vehicle crashes involving motorcycles is provided in the annual grant application at _____ (location).
- Description of the State's methods for collecting and analyzing data is provided in the annual grant application at _____ (location).

Impaired Motorcycle Driving Program

- In the annual grant application or triennial HSP at _____ (location), performance measures and corresponding performance targets developed to reduce impaired motorcycle operation.
- In the annual grant application at _____ (location), countermeasure strategies and projects demonstrating that the State will implement data-driven programs designed to reach motorcyclists and motorists in those jurisdictions where the incidence of motorcycle crashes involving an impaired operator is highest (*i.e.*, the majority of counties or political

subdivisions in the State with the highest numbers of motorcycle crashes involving an impaired operator) based upon State data.

Reduction of Fatalities and Crashes Involving Impaired Motorcyclists

- Data showing the total number of reported crashes involving alcohol-impaired and drug-impaired motorcycle operators are provided in the annual grant application at _____ (location).
- Description of the State's methods for collecting and analyzing data is provided in the annual grant application at _____ (location).

Use of Fees Collected From Motorcyclists for Motorcycle Programs

[Check one box only below and fill in all blanks under the checked box only.]

Applying as a Law State—

- The State law or regulation requires all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are to be used for motorcycle training and safety programs.

Legal citation(s):

_____.

AND

The State's law appropriating funds for FY __ demonstrates that all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are spent on motorcycle training and safety programs.

Legal citation(s):

_____.

Applying as a Data State—

- Data and/or documentation from official State records from the previous fiscal year showing that *all* fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs were used for motorcycle training and safety programs is provided in the annual grant application at _____ (location).

PART 8: NONMOTORIZED SAFETY GRANTS (23 CFR 1300.26)

[Check the box above only if applying for this grant and only if NHTSA has identified the State as eligible because the State annual combined nonmotorized road user fatalities exceed 15 percent of the State's total annual crash fatalities based on the most recent calendar year final FARS data, then fill in the blank below.]

The list of project(s) and subrecipient(s) information that the State plans to conduct under this program is provided in the annual grant application at _____ (location(s)).

PART 9: PREVENTING ROADSIDE DEATHS GRANTS (23 CFR 1300.27)

[Check the box above only if applying for this grant, then fill in the blank below.]

The State's plan describing the method by which the State will use grant funds is provided in the annual grant application at _____ (location(s)).

PART 10: DRIVER AND OFFICER SAFETY EDUCATION GRANTS (23 CFR 1300.28)

[Check the box above only if applying for this grant.]

[Check one box only below and fill in required blanks under the checked box only.]

Driver Education and Driving Safety Courses

[Check one box only below and fill in all blanks under the checked box only.]

Applying as a law State—

- The State law requiring that driver education and driver safety courses include instruction and testing related to law enforcement practices during traffic stops was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.
- *Legal citation(s):*
_____.

Applying as a documentation State—

- The State has developed and is implementing a driver education and driving safety course throughout the State that require driver education and driver safety courses to include instruction and testing related to law enforcement practices during traffic stops.
- Curriculum or course materials, and citations to grant required topics within, are provided in the annual grant application at _____ (location).

Peace Officer Training Programs

[Check one box only below and fill in all blanks under the checked box only.]

Applying as a law State—

- The State law requiring that the State has developed and implemented a training program for peace officers and reserve law enforcement officers with respect to proper interaction with civilians during traffic stops was

enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

- *Legal citation(s):* _____.

- Applying as a documentation State—
 - The State has developed and is implementing a training program for peace officers and reserve law enforcement officers with respect to proper interaction with civilians during traffic stops.
 - Curriculum or course materials, and citations to grant required topics within, are provided in the annual grant application at _____ (location).

- Applying as a qualifying State—
 - A proposed bill or planning or strategy documents that identify meaningful actions that the State has taken and plans to take to develop and implement a qualifying law or program is provided in the annual grant application at _____ (location).
 - A timetable for implementation of a qualifying law or program within 5 years of initial application for a grant under this section is provided in the annual grant application at _____ (location).

PART 11: RACIAL PROFILING DATA COLLECTION GRANTS (23 CFR 1300.29)

[Check the box above only if applying for this grant.]

[Check one box only below and fill in all blanks under the checked box only.]

- The official document(s) (*i.e.*, a law, regulation, binding policy directive, letter from the Governor or court order) demonstrates that the State maintains and allows public inspection of statistical information on the race and ethnicity of the driver for each motor vehicle stop made by a law enforcement officer on all public roads except those classified as local or minor rural roads are provided in the annual grant application at _____ (location).
- The projects that the State will undertake during the fiscal year of the grant to maintain and allow public inspection of statistical information on the race and ethnicity of the driver for each motor vehicle stop made by a law enforcement officer on all public roads except those classified as local or minor rural roads are provided in the annual grant application at _____ (location).

In my capacity as the Governor's Representative for Highway Safety, I hereby provide the following certifications and assurances —

- I have reviewed the above information in support of the State's application for 23 U.S.C. 405 and Section 1906 grants, and, based on my review, the information is accurate and complete to the best of my personal knowledge.
- As condition of each grant awarded, the State will use these grant funds in accordance with the specific statutory and regulatory requirements of that grant, and will comply with all applicable laws, regulations, and financial and programmatic requirements for Federal grants.
- I understand and accept that incorrect, incomplete, or untimely information submitted in support of the State's application may result in the denial of a grant award.

[Click here to validate form fields and permit signature](#)

Robert L. Weinmeister Digitally signed by Robert L. Weinmeister
Date: 2024.07.31 14:48:54 -05'00'

7/31/24

Signature Governor's Representative for Highway Safety

Date

Robert L. Weinmeister

Printed name of Governor's Representative for Highway Safety