

**UNITED STATES VIRGIN ISLANDS**  
**Highway Safety Plan**  
**FEDERAL FISCAL YEAR 2009**  
**(October 1, 2008 through September 30, 2009)**

**PREPARED FOR**  
**U.S. DEPARTMENT OF TRANSPORTATION**  
**NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION**

**PREPARED BY**  
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**UNITED STATES VIRGIN ISLANDS  
HIGHWAY SAFETY PLAN  
FY'2009  
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Mission Statement

The Office of Highway Safety is committed to developing and implementing a comprehensive strategy aimed at reducing traffic crashes, injuries, and saving lives on our roads and highways.

## Executive Summary

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Every year the Virgin Islands Office of Highway Safety develops a comprehensive Highway Safety Plan (HSP) that reflects the goals to reduce traffic crashes, injuries and fatalities on our roadways.

During 2007, six (6) persons died on our roadway and hundreds were injured in crashes that could have been prevented, if motorists had adhered to the laws and rules of the road.

During fiscal year 2009, the Virgin Islands will continue to support and participate in national mobilization efforts in both seat belts and alcohol countermeasures. In addition, the Virgin Islands Police Department will continue to enforce the laws, addressing driving under the influence, occupant protection and speeding.

This plan also defines how the Virgin Islands will utilize federal 402 highway safety funds and includes an explanation of our total traffic safety efforts. The programs and activities in this plan outlines and activate the efforts designed to meet our goal, by expanding on many of the activities and efforts conducted in FY 2008.

Due to the success of the programs implemented by VIOHS in reducing crashes, injuries and deaths, to present we have a decrease of 18 % in crashes from FY'06's figure of 6,119 to FY'07's figure of 5,069 crashes. Based on the projections the FY 2008 figure should show a significant decrease over FY 2007 crashes.

### **Occupant Protection**

This year, the Virgin Islands Eastern Caribbean Research Center conducted a Scientific Survey in accordance with the criteria established by the Secretary of Transportation. The result of that survey was 82.3% usage rate in the Virgin Islands.

However, our observational surveys have maintained a seat belt usage rate of 93%. We attribute this usage rate and the decrease in traffic crashes due to the hard work of law enforcement and the Office of Highway Safety staff, during the Click It or Ticket campaign, and other public health and community activities. We supported these efforts by developing press releases, articles for the print media, and the distribution of posters, brochures and other public awareness material.

### **Alcohol Countermeasures**

During 2008, there were no alcohol-related traffic fatalities. However, the law does not require an officer to test every driver that is involved in crash unless reasonable suspicion can be justified. To combat the problem of driving under the influence, the Police Department has stepped up enforcement efforts through sobriety checkpoints that are aimed at removing drunk drivers from our roadways. During these initiatives we used the national slogan and logo "Drunk Driving. Over the Limit. Under Arrest".

To compliment the enforcement efforts, the Office of Highway Safety continues to partner with the Virgin Islands National Guard Counter Drug program and the Police Department Crime Prevention Bureau, to conduct community outreach programs. Numerous programs were done throughout the territory at various events, featuring the use of the Fatal Vision Goggles to simulate the feelings of being drunk and the effects it has on one's ability to coordinate normal activities, such as walking forward.

It was our intention to provide funding in 2009 to the Division of Mental Health, Alcoholism and Drug Dependency to conduct twelve-week behavior modification trainings for DUI offenders. These trainings are a part of the sentencing in order for an offender to have their driving privileges restored. We will ensure that this area is funded in 2009, as it is a critical element in sentencing and has been proven to be a contributing factor in the reduction of DUI incidences.

### **Speed Control Countermeasures**

In 2007 the number of crashes increased to 6724 compared to 6119 in 2006. In FY 2008 to date (May 2008) the total number of crashes is 5179. (See the accompanying data table. Speeding continues to be one of the top four causes of crashes in the territory. To reduce the number of motor vehicle crashes, especially those that result in fatalities and injuries caused by speeding drivers, this plan will include funding for law enforcement to participate in the planned operation "Arrive Alive".

### **Traffic Records**

During FY'07 members assigned to the Crash Report Re-Design Committee, looked at several available Uniform Accident Reports (UAR) that were developed by other states. The committee also compared those models with the Virgin Islands UAR and the MMUCC standards, and made several changes as recommended by the standard. There were several elements that were not germane to the territory that were omitted. After this process was completed the committee embarked on the task of identifying a vendor to recreate the Virgin Islands UAR with the goal of ultimately utilizing the new form to capture data electronically. Four vendors' products were reviewed using the following criteria: user friendly software, the ability to merge existing data into the new database, cost, turnaround time, maintenance, training, and vendor accessibility. The vendor that was selected met the above criteria and was able to deliver the finished revised paper based Uniform Crash Report (UCR) by the April 25, 2007.

406 funds were used to allow for the full adoption of the VI Traffic Records Database, by the Police Department. Currently the application is being used by traffic officers. 406 funds were also used to integrate user friendly analysis software, along with equipment and training necessary for the entire police department to capture traffic crashes electronically.

The Motor Vehicle Bureau completed the redesigning of the driver licensing, motor vehicle registration and driver history files and transitioned these files to a relational data base environment.

402 funds were used to pay for a NHTSA sanctioned Traffic Records Assessment during FY'07.

A Traffic Records Committee was formed. Representatives from Emergency Medical Services (EMS), Motor Vehicle Bureau (MVB), Department of Public Works (DPW), Superior Court, V.I. Police Department (VIPD), Bureau of Information & Technology (BIT), V.I. Office of Highway Safety (VIOHS), National Association of Women Highway Safety Leaders (NASWHL) and the University of the Virgin Islands Eastern Caribbean Center (ECC) serve on this Committee. The committee was instrumental in assisting in the preparation of the United States Virgin Islands Traffic Safety Systems Strategic Plan. The Committee's mission is to establish a territory-wide Traffic Record Systems involving a territory-wide, multi departmental effort, which will facilitate the sharing of traffic records information, address quality issues and jointly implement solutions.

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**Staff Support**

There are five (5) team members in the Highway Safety Office, which are responsible for providing support and also present the public with awareness and education programs.

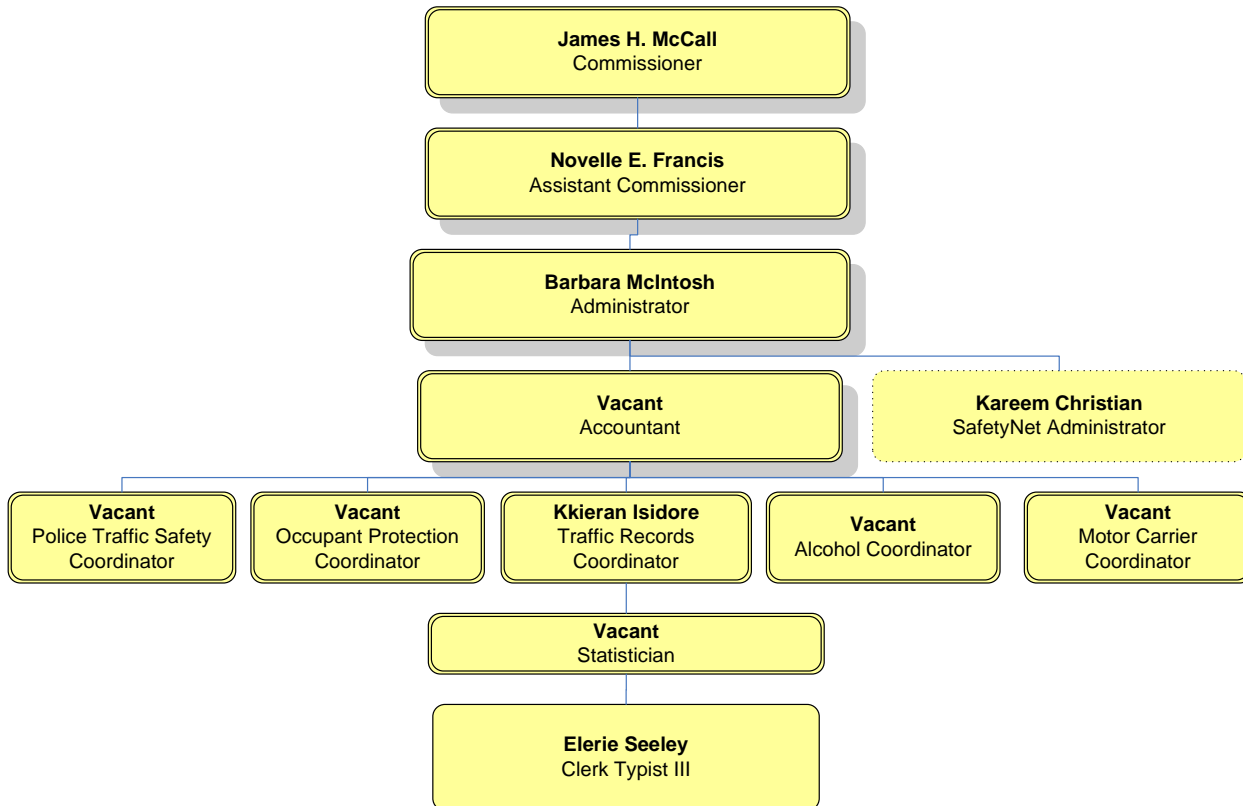
**Barbara McIntosh-Administrator****Accountant – Vacant****Elerie Seeley-Clerk Typist****Kareem Christian- SafetyNet Coordinator****Kieran Isidore-Traffic Records****Occupant Protection Program Coordinator- Vacant****Motor Carrier Safety Assistance Program- Dhalia Richardson-Simon****Alcohol Coordinator, Vacant****Police Traffic Safety Coordinator,-Vacant****Statistical Clerk-Vacant**



## Organizational Chart

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Organizational Chart  
The Virgin Islands Office of Highway Safety



## PROCESS DESCRIPTION

The 2009 Highway Safety Plan (HSP) is a coordinated program of strategies addressing the serious societal problems of property damage, injuries and fatalities resulting from traffic crashes. It identifies programs and projects that have been designed to mitigate the traffic crash problem. Each year the Virgin Islands Office of Highway Safety (VIOHS) prepares a Highway Safety Plan (HSP) that describes the projects recommended for funding for the federal fiscal year (October 1, to September 30). For the most part, the projects presented in the FY-2009 HSP, are continuation projects from the prior year. Projects that were started in the previous fiscal year, are given a high priority in order to allow them to achieve full implementation.

The process of developing the HSP begins early in the calendar year proceeding the federal fiscal year. All projects continuing into the next fiscal year are identified and initial funding estimates are developed. Appropriate highway safety staff members review the proposals submitted by the coordinators. The problem identification process includes goals, performance measures and strategies. VIOHS staff analyzes traffic safety data and information available from the Police Department, and VIOHS. The data is used to identify emerging problem areas, as well as to verify the problem identification by the agencies that have submitted proposals for funding consideration.

The process for selection of new projects during fiscal year 2009 will involve the following steps:

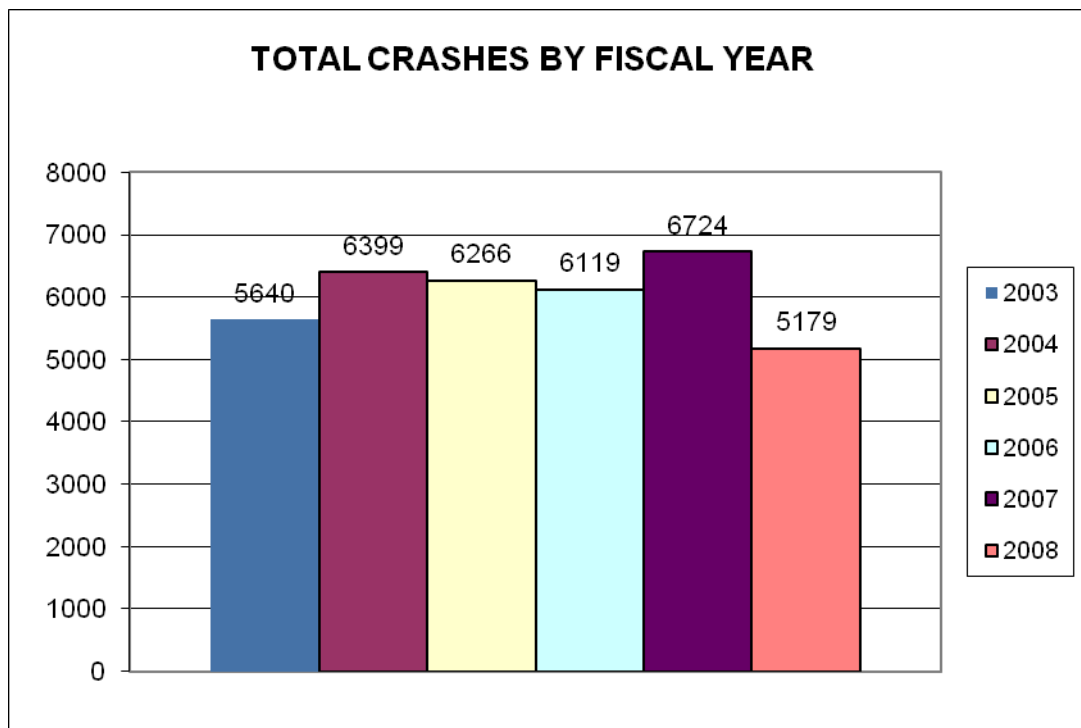
- 1 Problem Identification
- 2 Established Goals
- 3 Proposals solicited and/or reviewed;
- 4 Develop funding recommendations
- 5 Draft Highway Safety Plan
- 6 HSP finalized after necessary approvals;
- 7 Conduct onsite review
- 8 Approval of drafted project agreements
- 9 Conduct Pre-operational meetings

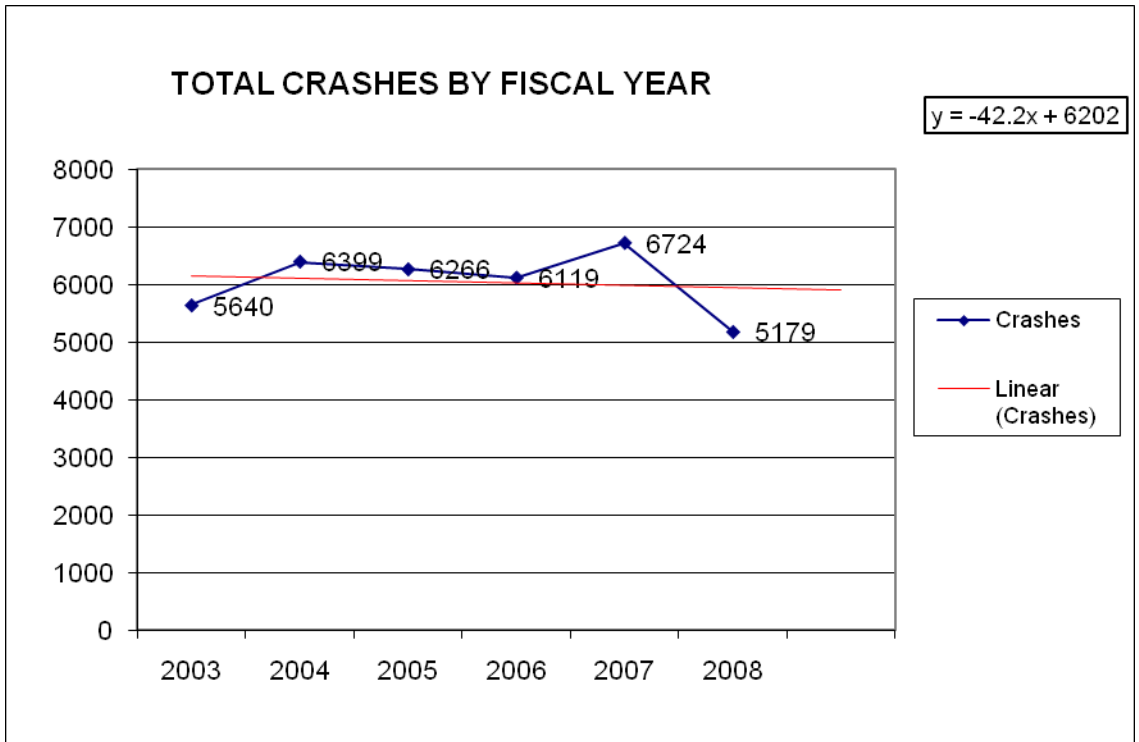
# VIRGIN ISLANDS CRASH PROFILE

## Fiscal Year Crashes, Injuries and Fatalities

YEAR	2003	2004	2005	2006	2007	2008
<b>TOTAL CRASHES</b>	5640	6399	6266	6119	6724	5179
<b>TOTAL INJURIES</b>	1468	1250	1252	1088	963	774
<b>TOTAL FATALITIES</b>	7	17	4	13	14	12
<b>TOTAL FATAL CRASHES</b>	7	9	4	6	11	12
<b>PEDESTRIAN FATATALITES</b>	3	7	3	5	1	2
<b>BICYCLE FATALITIES</b>	1	1	0	0	0	0
<b>MOTORCYCLE FATALITIES</b>	0	0	1	1	1	3
<b>CAR SEAT &amp; SEATBELT CITATION</b>	3010	4911	4592	3974	4198	2125

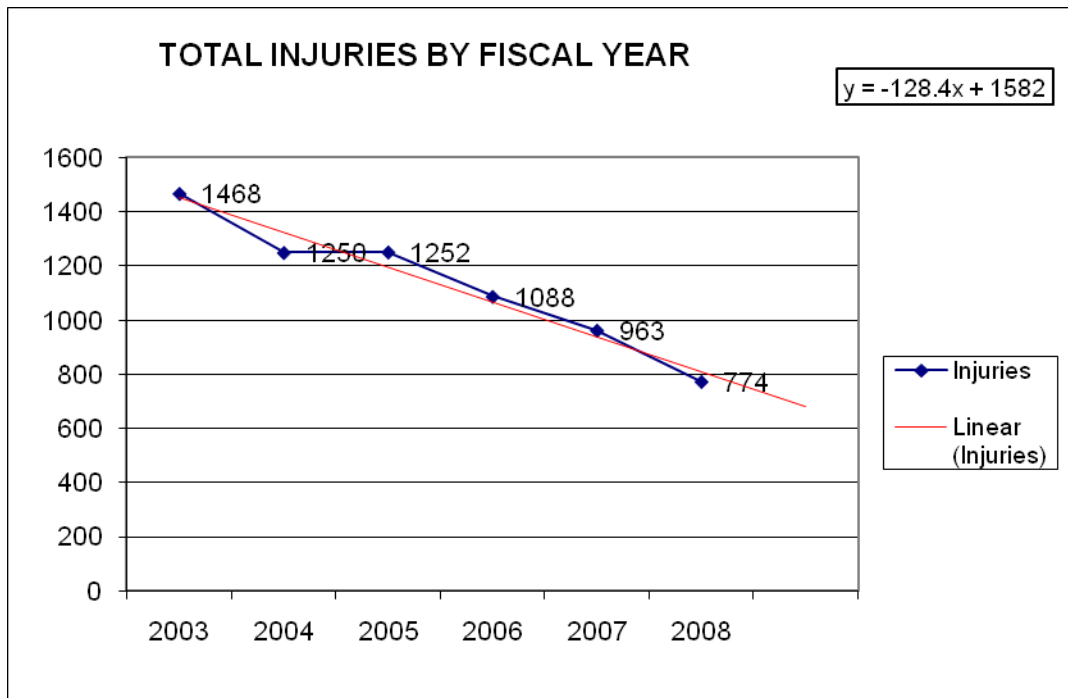
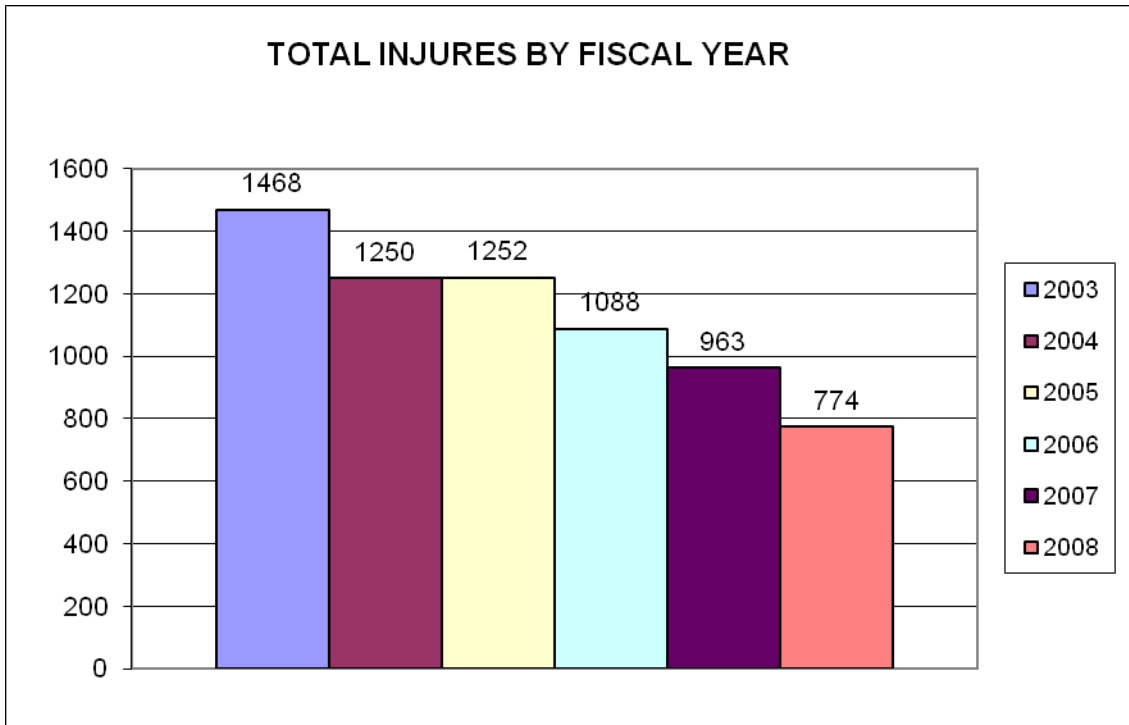
Sources: 2003 -2007 crashes and injuries amount were obtained from the accident crash report and uniform crash report databases; 2008 totals calculated from data received from the Virgin Islands 911 database and the Reportbeam crash database, and includes October 2007 to May 2008.





The linear line shows the linear relationship between the data points. Based on this trend, the forecast for 2009 will be determined by the trend line equation of  $y = -42.2x + 6202$ .

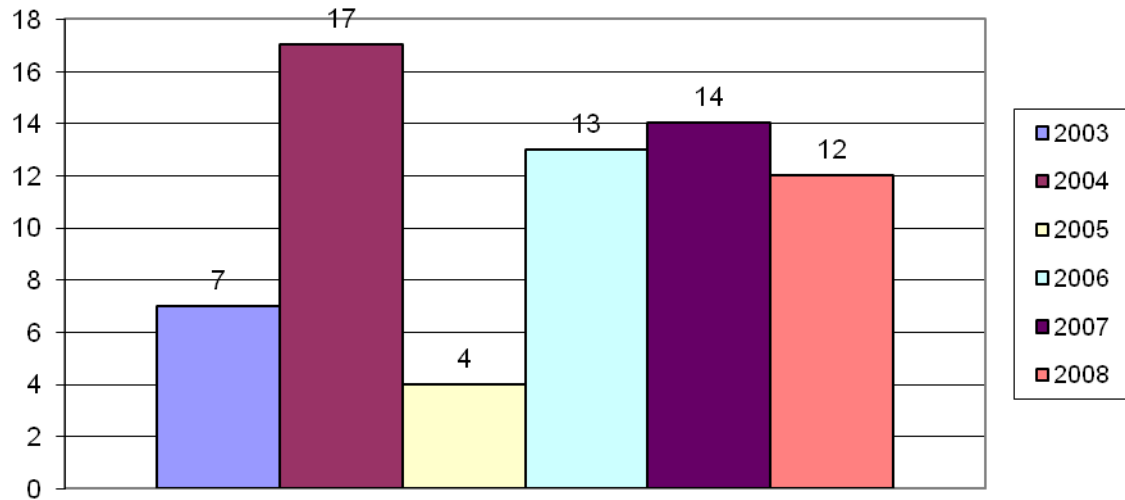
5906 crashes are projected for 2009.



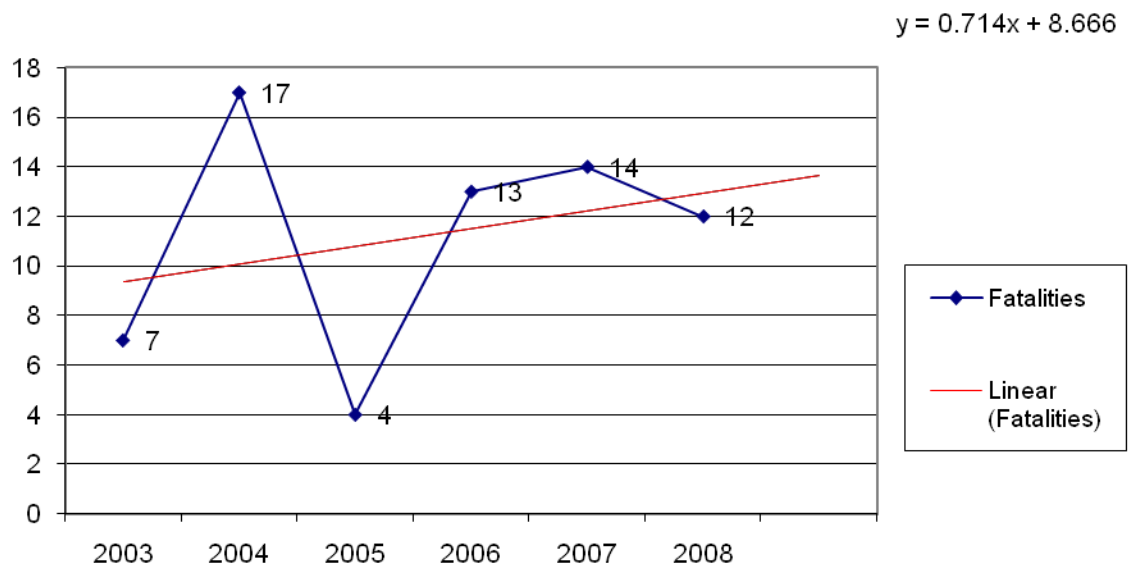
The linear line shows the linear relationship between the data points. Based on this trend, the forecast for 2009 will be determined by the trend line equation of  $y = -128.4x + 1582$ .

683 injuries are projected for 2009.

### TOTAL FATALITIES BY FISCAL YEAR



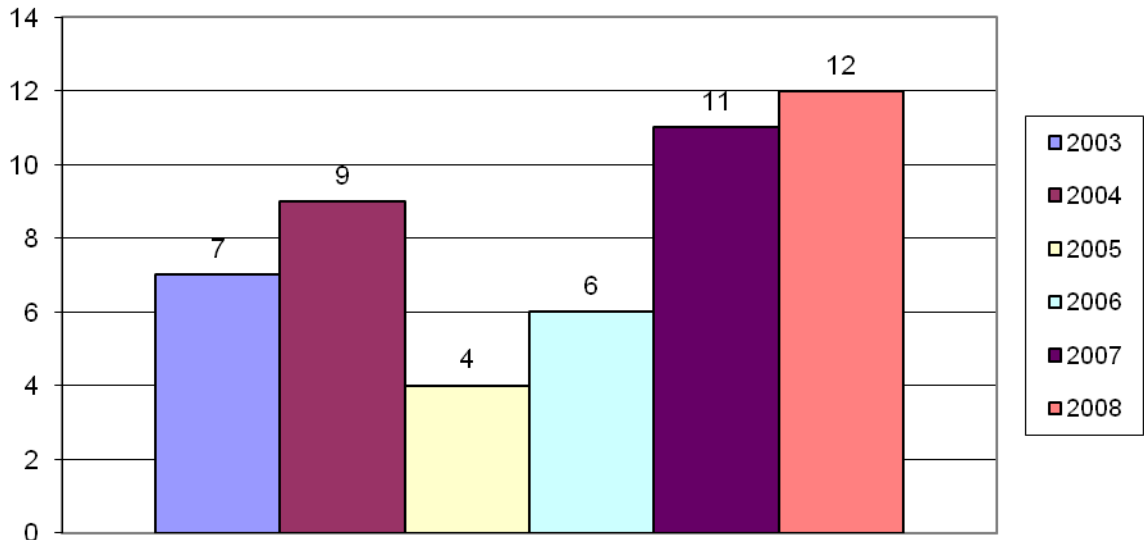
### TOTAL FATALITIES BY FISCAL YEAR



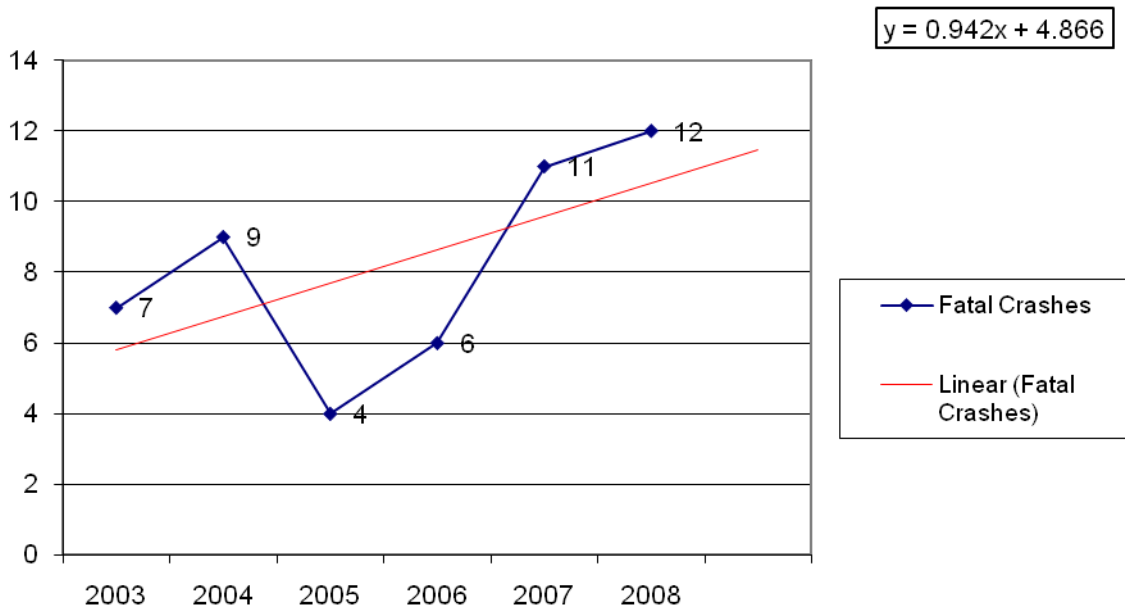
The linear line shows the linear relationship between the data points. Based on this trend, the forecast for 2009 will be determined by the trend line equation of  $y=0.714x + 8.666$ .

14 fatalities are projected for 2009.

### TOTAL FATAL CRASHES BY FISCAL YEAR



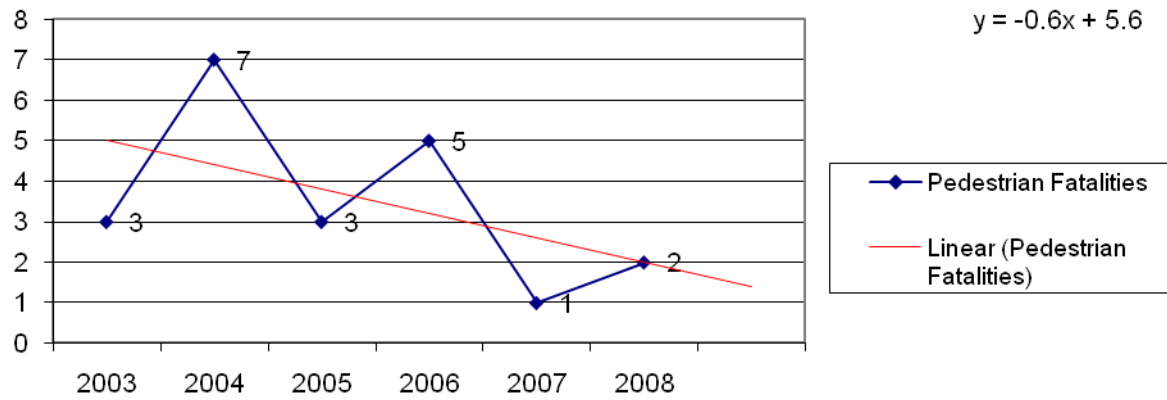
### TOTAL FATAL CRASHES BY FISCAL YEAR



The linear line shows the linear relationship between the data points. Based on this trend, the forecast for 2009 will be determined by the trend line equation of  $y = 0.942x + 4.866$ .

11 fatal crashes are projected for 2009.

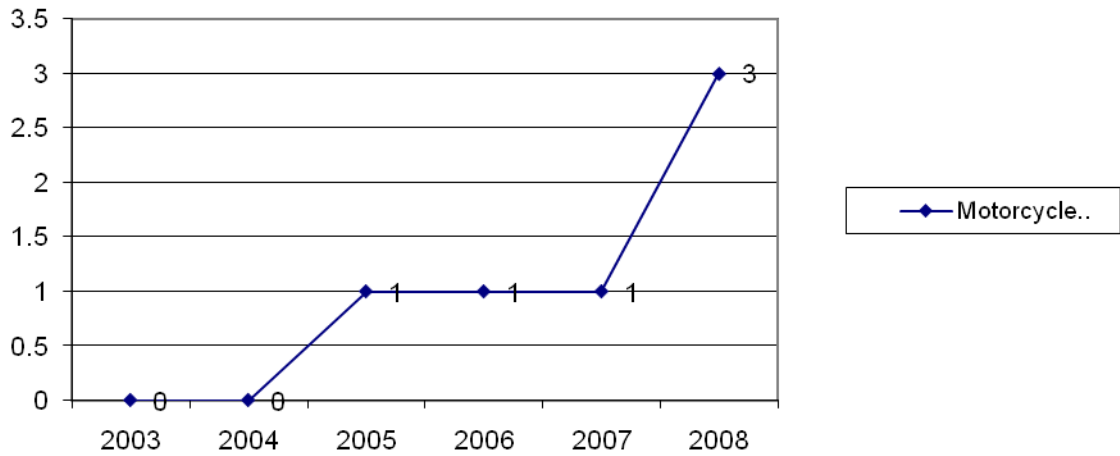
### PEDESTRIAN FATALITIES BY FISCAL YEAR



The linear line shows the linear relationship between the data points. Based on this trend, the forecast for 2009 will be determined by the trend line equation of  $y = -0.6X + 5.6$ .

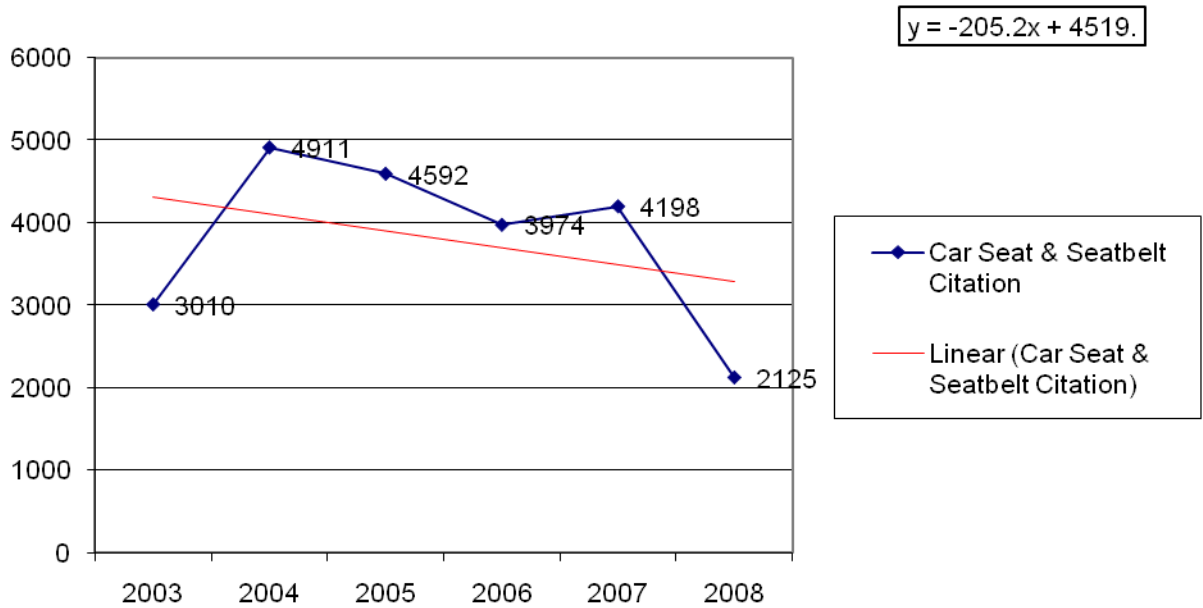
3 pedestrian fatalities are projected for 2009.

### MOTORCYCLE FATALITIES BY FICAL YEAR





## CAR SEAT & SEATBELT CITATION BY FISCAL YEAR



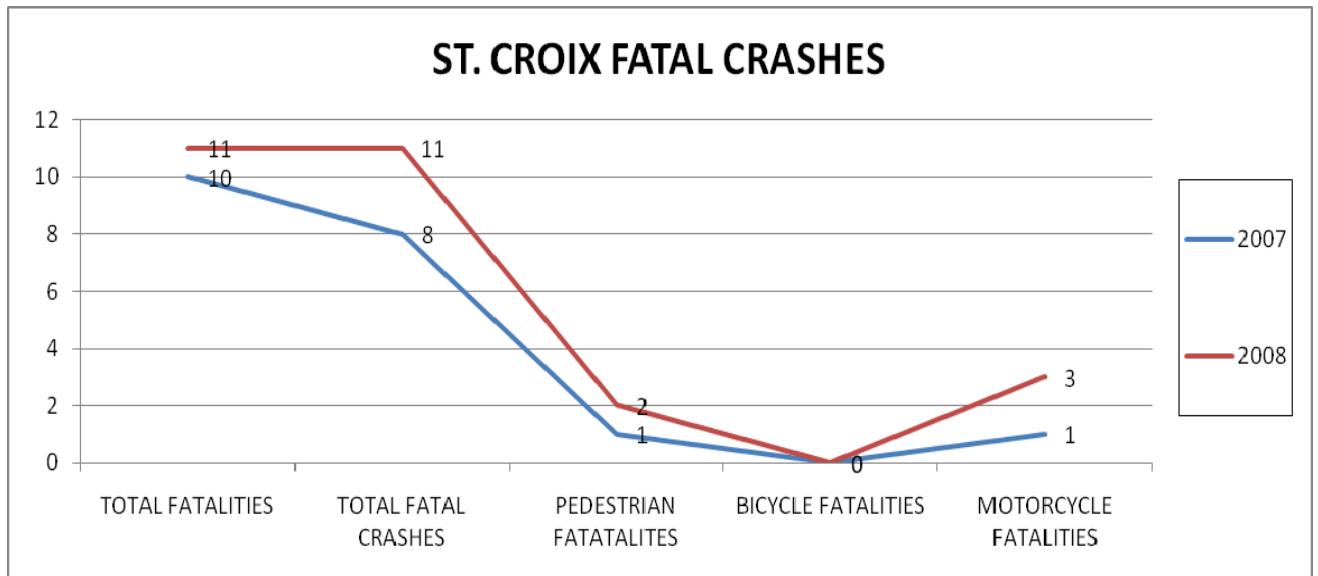
The linear line shows the linear relationship between the data points. Based on this trend, the forecast for 2009 will be determined by the trend line equation of  $y = -205.2x + 4519$ .

With increased high visibility enforcement, and strong PSAs, 3,083 car seat and seatbelt citations are projected for 2009.

## FATAL CRASHES ST. CROIX

YEAR	2007	2008
<b>TOTAL FATALITIES</b>	10	* 11
<b>TOTAL FATAL CRASHES</b>	8	* 11
<b>PEDESTRIAN FATATALITES</b>	1	* 2
<b>BICYCLE FATALITIES</b>	0	* 0
<b>MOTORCYCLE FATALITIES</b>	1	* 3

\*Note: Includes Oct 2007 to July 2008.

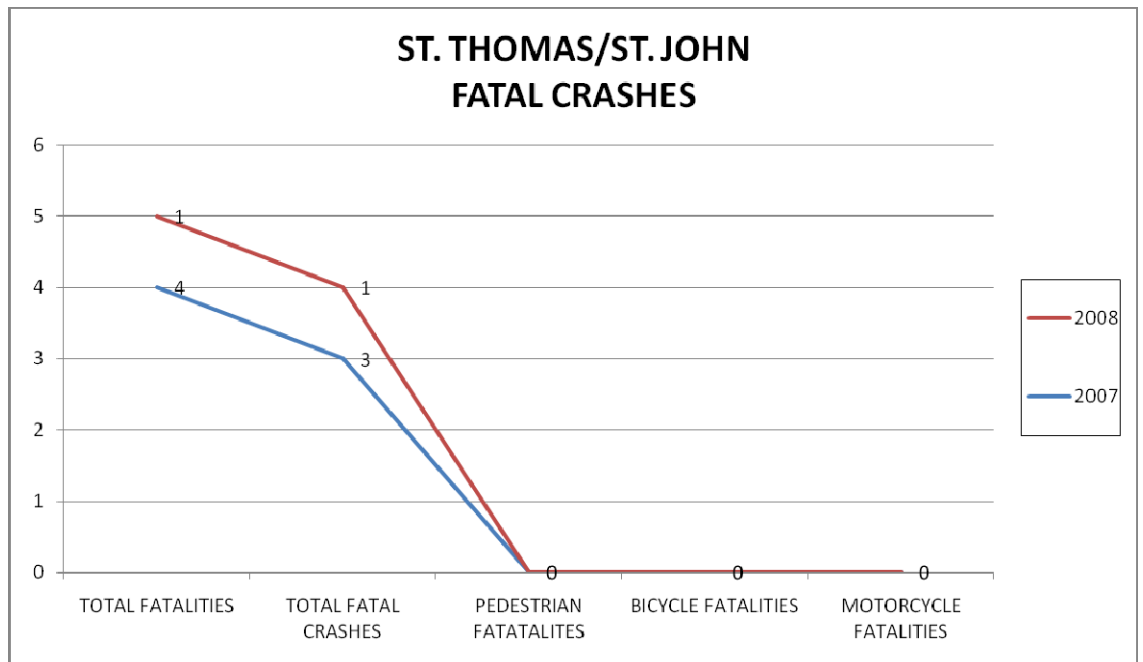


# FATAL CRASHES

## ST. THOMAS/ST. JOHN

YEAR	2007	2008
<b>TOTAL FATALITIES</b>	4	* 1
<b>TOTAL FATAL CRASHES</b>	3	* 1
<b>PEDESTRIAN FATATALITES</b>	0	* 0
<b>BICYCLE FATALITIES</b>	0	* 0
<b>MOTORCYCLE FATALITIES</b>	0	* 0

\*Note: Includes Oct 2007 to July 2008.



<b>VIRGIN ISLANDS</b>	<b>1ST QUARTER</b>	<b>2ND QUARTER</b>	<b>3RD QUARTER</b>	<b>4TH QUARTER</b>	<b>TOTALS</b>
	Oct 07- Dec 07	Jan 08- Mar 08	Apr 08 - Jun 08	Jul 08 - Sept 08	
<b>Traffic Tickets - Moving</b>	3504	3799	* 2020	**	9323
<b>Traffic Tickets - Parked</b>	1584	2476	* 946	**	5006
<b>TOTAL TRAFFIC -TICKETS</b>	<b>5088</b>	<b>6275</b>	<b>* 2966</b>	<b>**</b>	<b>14329</b>

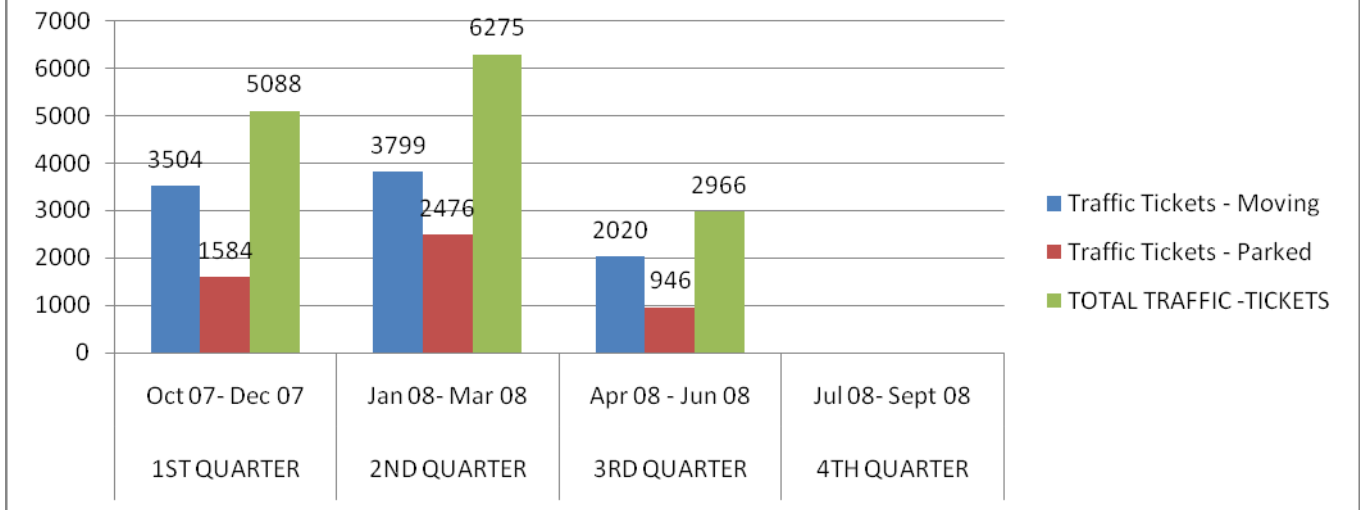
## FISCAL YEAR 2008 TRAFFIC CITATIONS

<b>ST. CROIX</b>	<b>1ST QUARTER</b>	<b>2ND QUARTER</b>	<b>3RD QUARTER</b>	<b>4TH QUARTER</b>	<b>TOTALS</b>
	Oct 07- Dec 07	Jan 08- Mar 08	Apr 08 - Jun 08	Jul 08- Sept 08	
<b>Traffic Tickets - Moving</b>	1290	1710	* 1179	**	<b>4179</b>
<b>Traffic Tickets - Parked</b>	161	210	* 168	**	<b>539</b>
<b>TOTAL TRAFFIC TICKETS</b>	<b>1451</b>	<b>1920</b>	<b>* 1347</b>	<b>**</b>	<b>4718</b>

<b>ST. THOMAS / ST. JOHN</b>	<b>1ST QUARTER</b>	<b>2ND QUARTER</b>	<b>3RD QUARTER</b>	<b>4TH QUARTER</b>	<b>TOTALS</b>
	Oct 07- Dec 07	Jan 08- Mar 08	Apr 08 - Jun 08	Jul 08- Sept 08	
<b>Traffic Tickets - Moving</b>	2214	2089	* 841	**	<b>5144</b>
<b>Traffic Tickets - Parked</b>	1423	2266	* 778	**	<b>4467</b>
<b>TOTAL TRAFFIC TICKETS</b>	<b>3637</b>	<b>4355</b>	<b>* 1619</b>	<b>**</b>	<b>9611</b>

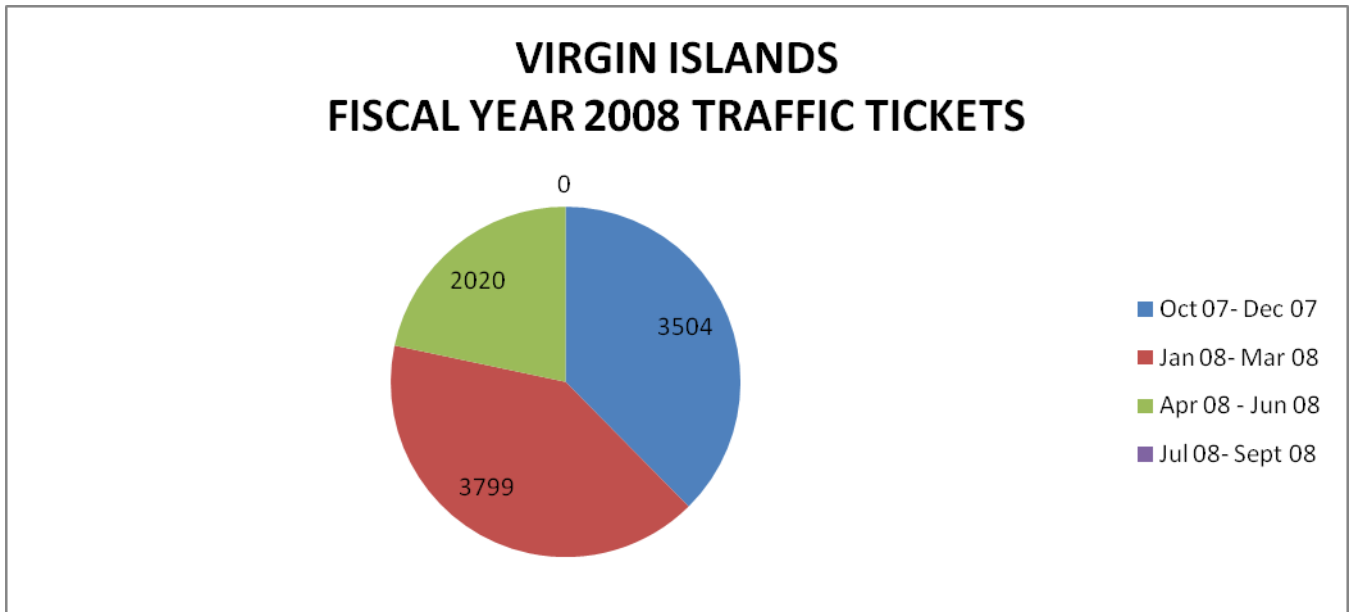
Source: Data provided by the Virgin Islands Superior Court.  
 \* June 2008 was not included in 3<sup>rd</sup> quarter total. Data not available yet.  
 \*\*4<sup>th</sup> Quarter data not available yet.

## VIRGIN ISLANDS FISCAL YEAR 2008 TRAFFIC CITATIONS



Source: Data obtained from the Virgin Islands Superior Court.

## VIRGIN ISLANDS FISCAL YEAR 2008 TRAFFIC TICKETS



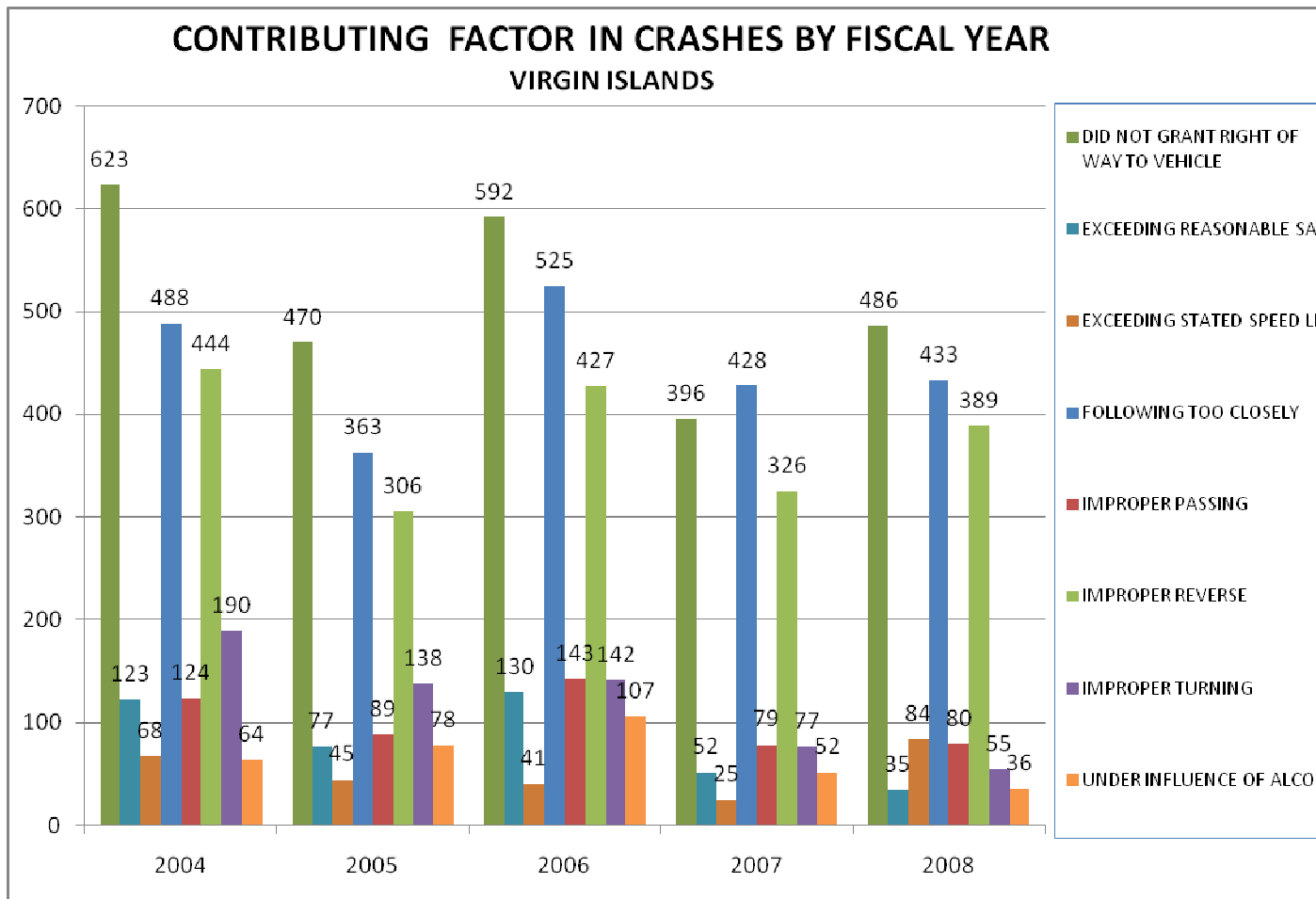
Source: Data obtained from the Virgin Islands Superior Court.

# CONTRIBUTING FACTORS IN CRASHES BY FISCAL YEAR

## Virgin Islands

CONTRIBUTING FACTORS	2004	2005	2006	2007	2008
IMPROPER REVERSE	444	306	427	326	389
DID NOT GRANT RIGHT OF WAY TO VEHICLE	623	470	592	396	486
IMPROPER TURNING	190	138	142	77	55
EXCEEDING REASONABLE SAFE SPEED	123	77	130	52	35
EXCEEDING STATED SPEED LIMIT	68	45	41	25	84
FOLLOWING TOO CLOSELY	488	363	525	428	433
IMPROPER PASSING	124	89	143	79	80
UNDER INFLUENCE OF ALCOHOL	64	78	107	52	36

Sources: Data was obtained from the accident crash report and uniform crash report databases.  
 Note: Not all crash reports were entered for 2008 in the crash report databases; therefore amounts reported above are subject to change.

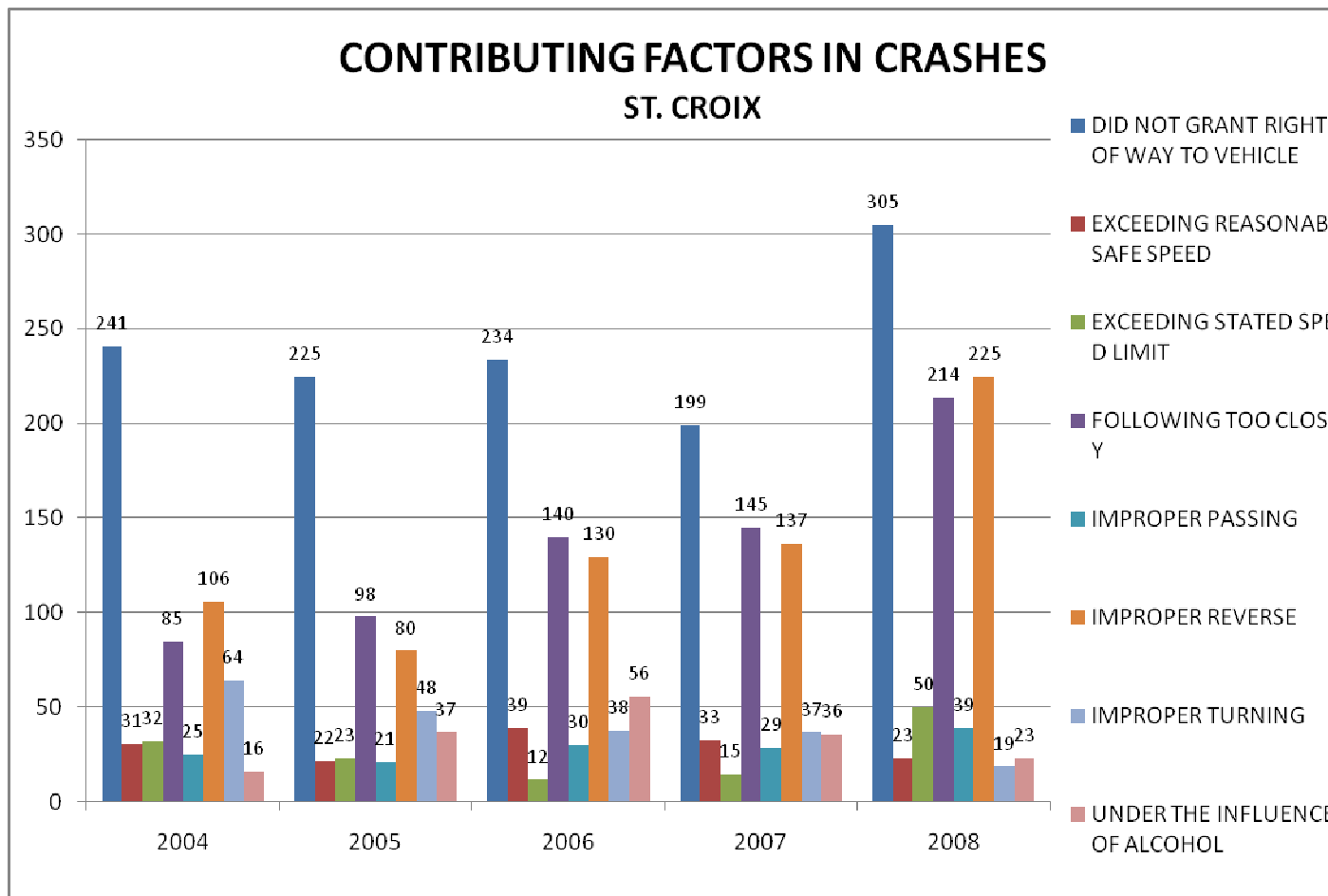


# CONTRIBUTING FACTORS IN CRASHES BY FISCAL YEAR

## ST. CROIX

CONTRIBUTING FACTORS	2004	2005	2006	2007	2008
DID NOT GRANT RIGHT OF WAY TO VEHICLE	241	225	234	199	305
EXCEEDING REASONABLE SAFE SPEED	31	22	39	33	23
EXCEEDING STATED SPEED LIMIT	32	23	12	15	50
FOLLOWING TOO CLOSELY	85	98	140	145	214
IMPROPER PASSING	25	21	30	29	39
IMPROPER REVERSE	106	80	130	137	225
IMPROPER TURNING	64	48	38	37	19
UNDER THE INFLUENCE OF ALCOHOL	16	37	56	36	23

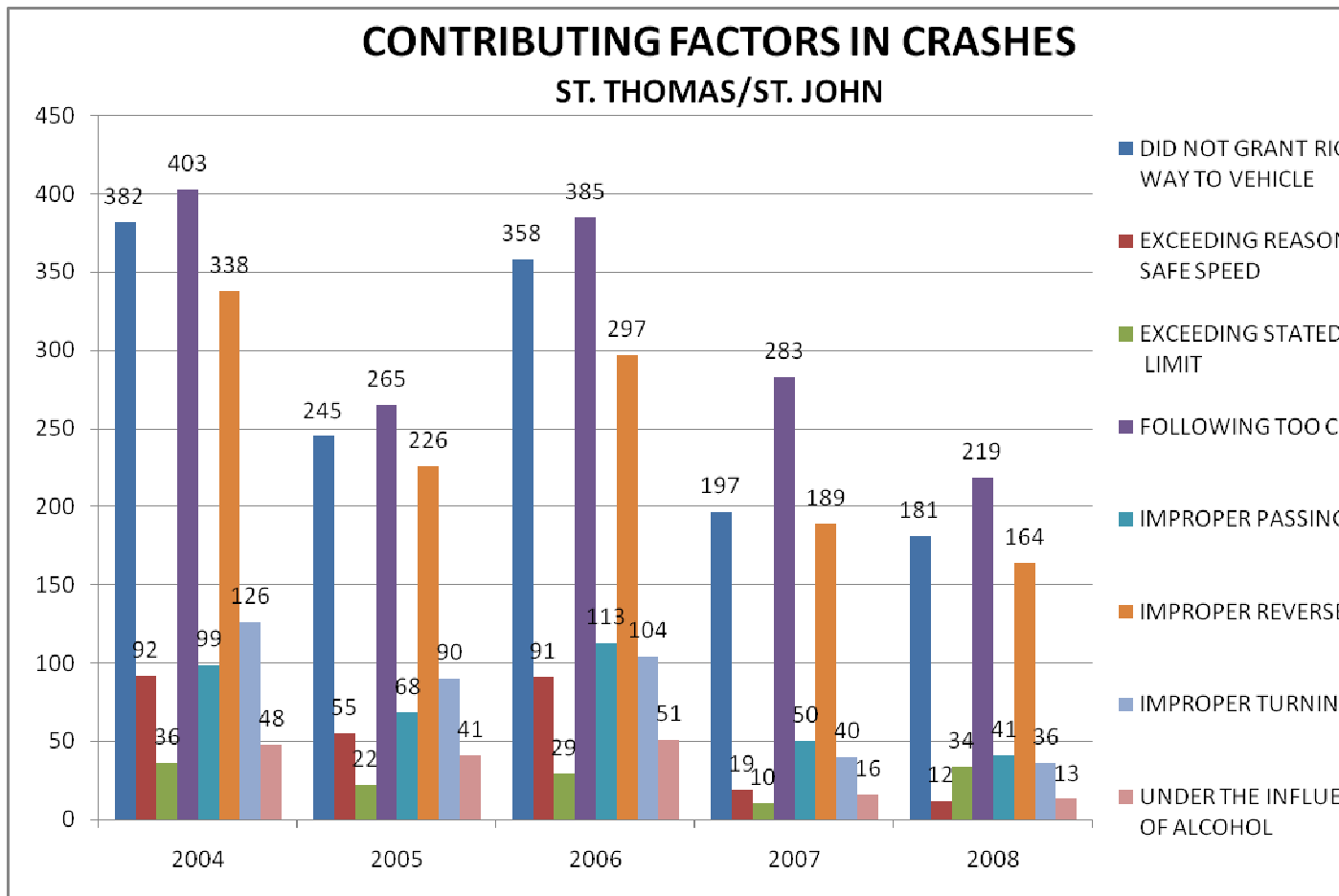
Sources: Data was obtained from the accident crash report and uniform crash report databases.  
 Note: Not all crash reports were entered for 2007 & 2008 in the crash report databases; therefore amounts reported above are subject to change.



# CONTRIBUTING FACTORS IN CRASHES BY FISCAL YEAR

## ST. THOMAS/ST. JOHN

CONTRIBUTING FACTORS	2004	2005	2006	2007	2008
DID NOT GRANT RIGHT OF WAY TO VEHICLE	382	245	358	197	181
EXCEEDING REASONABLE SAFE SPEED	92	55	91	19	12
EXCEEDING STATED SPEED LIMIT	36	22	29	10	34
FOLLOWING TOO CLOSELY	403	265	385	283	219
IMPROPER PASSING	99	68	113	50	41
IMPROPER REVERSE	338	226	297	189	164
IMPROPER TURNING	126	90	104	40	36
UNDER THE INFLUENCE OF ALCOHOL	48	41	51	16	13





## *Planning and Administration*

### *Program Overview*

The Planning and Administration program are include those activities and costs necessary for the overall management and operations of the Highway Safety Office. These activities include:

- ◆ Identify the territory's most significant traffic safety problems;
- ◆ Prioritizing problems and developing methods for the distribution of funds;
- ◆ Developing the annual Highway Safety Plan (HSP);
- ◆ Selecting individual projects for funding;
- ◆ Evaluating accomplishments;
- ◆ Developing the annual Highway Safety Plan Evaluation (HSPE);
- ◆ Increasing public awareness and community support;
- ◆ Participating on the Traffic Records Coordinating committee and task forces;
- ◆ Coordinating public information and education programs;
- ◆ Generally promoting and coordinating traffic safety in the Virgin Islands.

### Goals and Performance Measures:

The goals are to provide management and support services for the activities necessary to operate the traffic safety program in the Virgin Islands. The performance goals include:

- ◆ To provide effective and efficient management to the Virgin Islands Highway Safety Programs.
- ◆ Provide the operation and administration of the Virgin Islands Highway Safety Program in compliance with territorial and federal laws, regulations and procedures.
- ◆ Ensure that the policies and procedures for the operation of the Highway Safety Programs are current.
- ◆ Maintain a system of training and development for Highway Safety Program staff and project personnel.
- ◆ To develop the annual Evaluation Report by December 31, 2009.
- ◆ To utilize all available means for improving and promoting the Virgin Islands traffic safety program.

*Program Administration*

	<p><b>Project Title: Program Administration</b></p> <p><b>Project Description:</b> The funds will be used to administer the highway safety program for the US Virgin Islands. Funds will also be used to travel to conferences such as GHSA annual conference, Lifesavers, NAWHSL, Regional Meetings and any other NHTSA sanctioned meetings, workshops or conferences.</p> <p><b>Project Cost: \$55,000.00</b></p> <p><b>Funding Source: Section 402 grant</b></p>

## *Impaired Driving (AL)*

### Problem Identification

The trends in the Virgin Islands alcohol related crashes, alcohol related fatalities, and alcohol related injuries are shown in Table 1 below. It is suggested that the alcohol related crash figures may be significantly higher; however, the law does not permit for testing all drivers involved in fatal crashes. Law enforcement efforts have not been as vigorous as planned, due in part to the lack of equipment and manpower to conduct field sobriety check points. Nonetheless the tables present a clear picture of the alcohol related traffic incidences that is cause for concern.

#### Alcohol-Related Crashes/Fatalities/Injuries

	2004	2005	2006	2007	2008
# Alcohol Related Crashes	37	50	49	49	45
# Alcohol-Related Injuries	19	21	18	6	6
# Alcohol-Related Fatalities	2	1	1	0	1

### Performance Goals

- ◆ To increase D.U.I. enforcement activities.
- ◆ To reduce the number of alcohol related crashes by 2% by the end of the fiscal year 2009.
- ◆ To increase the number of DUI arrest by 30% in 2009.
- ◆ To provide DUI offenders with behavior modification training aimed at assisting offenders to be more accountable for their actions, make them aware of the societal consequences of their actions thereby reducing the number of incidents relating to driving under the influence of alcohol.

### Performance Objectives

- ◆ Enforce D.U.I. laws
- ◆ Remove intoxicated drivers from operating vehicles on the roadways
- ◆ To provide planning, coordination, monitoring, and evaluation of the Virgin Islands Impaired Driving Program

- ◆ To increase Territory-wide DUI enforcement (number of arrests/police visibility. To draw public attention to the territory's enforcement operations, and emphasize the risk of being caught and punished for driving under the influence.
- ◆ To provide territory-wide coordination of Standard Field Sobriety Testing (SFST) training and related training to law enforcement officers.
- ◆ To develop and distribute educational information to the general public and specific target groups identified as high risk.
- ◆ To assist in the acquisition of DUI-related enforcement equipment and training to support territory-wide DUI enforcement operations.

### *Behavior Modification Intervention*

#### *Program Overview*

The Division of Mental Health has submitted a grant requesting funding to re-train their counseling staff so that they can provide Behavior Modification training to offenders. This program is sanctioned by the Superior court and will be used as part of the sentencing guidelines.

Goals and Performance Measures:

- ◆ To change the behaviors and attitudes of offenders as it relates to DUI, thereby reducing the incidences of drunk driving.
- ◆ To reduce the number of repeat offenders and hold offenders accountable for their actions.

#### *Planned Countermeasures*

**1) Project Title: Program Management**

**Project Description:** The funds will be used for program operations including reporting, monitoring, technical assistance and development of plans and applications for alcohol related countermeasures. Funds will also be used to coordinate community education/prevention efforts about impaired driving and other related training as approved.

**Project Cost: \$75,000.00**

**Project Funding Source: NHTSA 402 Grant**

**2) Project Title: DUI Enforcement**

**Project Description:** The Virgin Islands Police Department will conduct DUI initiatives, during national mobilizations and identified local holidays when alcohol consumption is highest. Field sobriety checkpoints will be administered and there will be a minimum of ten sobriety check points throughout the year. Funds will also be used for equipment and related training as approved.

**Project Cost: \$480,000.00**

**Project Funding Source: NHTSA 402 Grant**

**3) Project Title: Behavior Modification Intervention**

**Project Description:** the funds will be used to provide refresher training to counselors at the Division of Mental Health, to provide DUI offenders with Behavior Modification re-training. This will be done as part of the offender's sentencing guidelines

**Project Cost.** \$60,000.00

**Funding Source:** Section 402 grants and will be included in the alcohol Program Area for purposes of the Highway Safety Program Cost Summary



## Occupant Protection (OP) & Child Passenger Safety (CPS)

### Problem ID

Programs designed to increase safety belt use remain a high priority in the Virgin Islands. The Observational Surveys conducted between 2004 and 2007, resulted in an increase from 87% in 2004 to 93% in 2007. In the same time period, the nationwide rate increased from 80% to 82%. During FY'06 A Scientific Seat Belt survey was conducted in the Virgin Islands resulting in a usage rate of 80.2% as indicated by Table OP-1-2. Table OP-3 details injuries due to motor vehicle crashes. In 2007, there were 5 people killed in crashes in the Virgin Islands. In 2008, total injuries were 774 a decrease of approximately 20% from FY'07's total of 963 injuries.

### OP -Territory wide Scientific Survey Results

Year	2006	2007
Usage Rate Territory wide	80.2%	82.3%

### OP Injury Severity Trends

Year	Total Injuries
2003	1468
2004	1250
2005	1252
2006	1088
2007	963
2008	774

### Performance Goals

- ◆ To reduce the percentage of serious injuries resulting from motor vehicle crashes from 963 in 2008 to 700 in 2009.
- ◆ To increase the use of child restraint devices for children 0-4 years old and to encourage the use of Booster Seats for children between 4-8 years old.

### Performance Objectives

- ◆ To increase the safety belt usage rate from 82.3% in 2007 to 85% in 2009.
- ◆ To increase correct child safety seat usage.

### Planned Countermeasures

<b>1) Project Title: Occupant Protection Program Management</b>
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**Project Description:** Occupant Protection Program Administration will include the coordination of activities, certification training and projects that promote the usage of restraint systems, and the enforcement of same. Administration also include the development and facilitation of public information and education projects, and providing status reports and updates on project activity to the Highway Safety Administrator and the NHTSA Regional Office. Additionally, program administration will include monitoring project activity, preparing and maintaining project documentation, and evaluating task accomplishments. Funding will be provided for personnel services, employee-related expenses, professional and outside services, travel, materials, supplies, and other related operating expenses.

**Project Cost: \$180,000.00**

**Project Funding Source: NHTSA 402 Grant**

**2) Project Title: VI Office of Highway Safety (VIOHS) Child Restraint Program**

**Project Description:** The program will address the reimplementation of the Territory's Hospitals, Nursery Division, and Newborns Discharge Program. It will also address non-use and incorrect use of child safety seats and booster seats. VIOHS will continue to implement child passenger services in a standardized, comprehensive and systematic way. This will include the establishment of child safety fitting stations (5), quality management system for fitting stations, community-based check-ups, certification training and continuing technical education and training. VIOHS will use grant funds to purchase child safety seats for the fitting stations.

**Project Cost: \$30,000.00**

**Project Funding Source: NHTSA 402 Grant**

**3) Project Title: Scientific Seat Belt Survey**

**Project Description:** This project will address the contract with the University of the Virgin Islands to conduct a Scientific Seatbelt Survey in the Territory as it is an agreement as part of our annual certification so as not to jeopardize the term of agreement and subsequently be placed in a high risk status of risk losing federal funds.

**Project Cost: 57,000**

**4) Virgin Islands Police Department Seat belt Enforcement Program**

**Project Description:** The VIPD will enforce the mandatory seat belt law using overtime, funded by the 405 grant. This is to supplement their regular seat belt enforcement activity. Enforcement will be done on a year round basis and will include participation in the national "Click It or Ticket" Mobilization.

**Project Cost: \$444,000.00**



<b>CONTRIBUTING FACTORS</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
IMPROPER REVERSE	444	306	427	326	389
DID NOT GRANT RIGHT OF WAY TO VEHICLE	623	470	592	396	486
IMPROPER TURNING	190	138	142	77	55
EXCEEDING REASONABLE SAFE SPEED	123	77	130	52	35
EXCEEDING STATED SPEED LIMIT	68	45	41	25	84
FOLLOWING TOO CLOSELY	488	363	525	428	433
IMPROPER PASSING	124	89	143	79	80
UNDER INFLUENCE OF ALCOHOL	64	78	107	52	36

### Problem ID

Among all types of crashes in the Virgin Islands from FY'04-FY'08 there continue to be four predominant contributing factors: following too closely, improper reverse, speeding, and did not grant the right of way (violating traffic controls). In fatal crashes, a greater variety of driver errors contributed to crash casualties.

### Performance Goals

- ◆ Reduce the number of traffic crashes by 10% for FY'09
- ◆ To reduce the percentage of speed-related fatal crashes and injuries to 30% by the end of calendar year 2009.
- ◆ Reduce the amount of crashes caused by the disregard of red lights and stop signs and failure to yield the right of way.
- ◆ Train traffic investigators in traffic related courses.
- ◆ To reduce the high level of crashes due to the Virgin Island's four predominant contributing factors as referenced in Table PT-1, by 30% with an emphasis on speeding.

### Performance Objectives

- ◆ To increase speed enforcement and arrests by 30% by FY'09
- ◆ Increase traffic light and stop sign enforcement by 10% with monitoring.
- ◆ Increase monitoring of unmarked intersection by 10% by FY'09
- ◆ Select a number of traffic investigative courses for officers to attend.
- ◆ To provide planning, coordination, and evaluation for projects funded under the Police Traffic Services Program.

- ◆ To increase enforcement of violations that result in the majority of the Territory's crashes, and to assist the VI Police Department with traffic enforcement resources such as equipment, training and overtime funding.
- ◆ To assist the VIPD with traffic safety public awareness efforts.
- ◆ To provide the resources necessary to support territory-wide law enforcement training.

## Planned Countermeasures

### **1) Project Title: The Virgin Islands Police Department Speed and Crash Enforcement Initiative**

**Project Description:** To increase speed enforcement and arrest, thereby reducing the number of motor vehicle collisions, resulting in fatalities and injuries caused by speeding drivers. VIPD will conduct high visibility speed checkpoints using designated Officers Cite violators. Funds will be used to train officers to efficiently investigate and supervise traffic crashes. Law enforcement will also be participating in operation "Arrive Alive", and will select areas known for speeding, on a quarterly basis for special speed enforcement.

Public information and education will also be an integral part of the speed enforcement program. A Program Coordinator will be hired this fiscal year to assist in the accomplishment of program task

**Project Cost: \$350,000.00**

**Project Funding Source: NHTSA 402 Grant**

# TRAFFIC RECORDS PROGRAM

## Problem Identification

The highway safety performance-based program planning process is dependent upon timely, accurate and complete traffic records data. Significant action has taken place to improve parts of the traffic records system in the Virgin Islands, although much remains to be accomplished, data improvements are being made in areas related to electronic data capture, citation tracking, and FARS.

Currently the VI Police Department, BMV, Superior Court and Attorney General offices, cannot electronically transmit and receive pertinent traffic reports and citation, which is vital to the everyday function of these agencies. The Traffic Investigation Unit within VIPD cannot retrieve information on vehicle registrations and drivers licenses real time. BMV is not able to receive the citation reports and point system information that should be automatically transferred into the Drivers License Database. Superior Court cannot access real time driver and vehicle ownership information to attach liens and serve warrants on outstanding tickets or any other traffic violations. Case disposition are only transferred to the Police Department upon request.

Currently, all traffic citations are written manually, which makes it difficult to account for all citation forms issued. Furthermore, there is no timely processing and accuracy of citation and adjudication data.

The Virgin Islands Traffic Records Coordinating Committee (TRCC) which comprise of representatives from key agencies within the traffic system, have identified critical areas that must addressed in order for data capture and analysis to be done effortlessly.

## Performance Goals

- To increase the accessibility and the time it takes to process information within the agencies, by linking the Police Department, BMV and Superior Court (SC) database using linkage software, to connect the citation (VIPD) and adjudication and disposition (SC) systems.
- ◆ To design, develop and implement a traffic citation/ adjudication data subsystem which can deliver traffic citation and adjudication on data in a timely fashion to all users by the year 2009.
- ◆ To continue to make available to stakeholders complete traffic information, to aid in their resource allocation and decision making process.

## Performance Objective

To create an inter-agency Web based portal which will connect all necessary agencies and provide for the transfer of traffic based data by September 31, 2009.

To create or purchase user friendly e-citation software and hardware that can be deployed and used throughout the territory by January 2009.

To capture 100 % of all Traffic Citations electronically, by the end of calendar year 2009.

## Planned Countermeasures

- ◆ Goals and objectives listed above will be accomplished through the use of section 408 funds once approved by NHTSA and section 406 funds.
- ◆ To upgrade the BMV files to allow the officers to scan the vehicle or drivers information into the database to populate the necessary fields into the traffic report, and to provide real time information for officers on patrol.
- ◆ Provide funding for the Coordinator to assist in the full development of the traffic records Program. This will include planning, program implementation, monitoring and evaluation of traffic records activities.
- ◆ Section 408 funds will be used to address those areas listed in the application made to NHTSA in June 2008.
- ◆ To purchase e-citation technology that will automate the citation process

**Project Cost: \$785, 000.00**

**Project Funding Source:\$285, 000.00 NHTSA 406 grant**

**\$500,000.00 NHTSA 408 grant**

## Youth Alcohol

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### Problem Identification

#### Substance Use Indicators

Alcohol continues to be the most commonly used substance among Virgin Islands public high school students, with 46% of students reporting past 30 day use in 2007. Rates in the Virgin Islands are now approaching or surpassing US mainland rates. As summarized below, the following indicators increased significantly from 2006-2007: current use, binge alcohol use, and being a passenger in a car with a drinking driver. Current alcohol use rates were higher among 11<sup>th</sup> – 12<sup>th</sup> graders and Hispanic students. Especially risky alcohol use, such as binge drinking and drinking and driving, was highest among males, 12<sup>th</sup> graders, and Hispanic students.

#### Summary of Substance Use Rates Among Virgin Islands Public High School Students, 2007

Private/parochial School summary:

Substance	Indicator	Percent 2007	2006-2007 Change
Alcohol	Current Use	41.4	decrease
	Use before age 13	33.4	-
	Binge Use	15.6	-
	Driving after drinking	11.3	decrease
	Passenger with drinking driver	24.5	-
	Use on school property	6.4	-

Substance	Indicator	Percent 2007	2006-2007 Change
Marijuana and Other illicit	Current Marijuana use	17.4	-
	use before Age 13	11.0	-
	Driving after smoking marijuana	7.6	-
	Passenger with driver	22.1	-
	Smoking marijuana		
	Marijuana use on School property	6.0	-

Current Marijuana Use + fonta	9.0	-
Lifetime hallucinogen use	3.5	-
Lifetime methamphetamine use	2.1	-

*This data was provided by the VT YRBS published March 2008, data pages are in parenthesis.*

### **Planned Countermeasures**

**During FY'09 The Unity Coalition of St. Croix has submitted a proposal to conduct sting operations as well as merchant education for those merchants that sell alcohol to minors. The project is also proposing to pay for other related project activities such as training, monitoring and the cost of the development and dissemination of educational and training materials. Funds will also be used to coordinate community education/prevention efforts about the dangers of underage drinking and driving**

### **Program Description**

**Program Budget: \$40, 000.00**

**Program Funding Source: NHTSA 402 grant**

## Pedestrian/Bicycle Safety

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### Program Description

The incidences of crashes involving Bicycles and Pedestrians have been significantly low or nonexistent for the past three years. This can be attributed to the fact that the office of Highway Safety along with the Virgin Islands Police Department have used every possible medium to educate the public about safe walking and riding. The Office of Highway Safety will continue to conduct an aggressive PI&E campaign, to further increase the public's level of awareness.

### Planned Countermeasures

- ◆ Funds in this purpose area will be used to continue the territory's Public Information and Education (PI&E), campaign to sustain the low incidences of injuries and fatalities.

**Project Cost: \$10,000.00**

**Project Funding Source: \$10,000.00 NHTSA 402 grant**

**State Certifications**

Revised 8/25

**STATE CERTIFICATIONS AND ASSURANCES**

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

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

- 23 U.S.C. Chapter 4 - Highway Safety Act of 1966, as amended;
  
- 49 CFR Part 18 - Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
  
- 49 CFR Part 19 - Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Nonprofit Organizations
  
- 23 CFR Chapter II - (§§1200, 1205, 1206, 1250, 1251, & 1252) Regulations governing highway safety programs
  
- NHTSA Order 462-6C - Matching Rates for State and Community Highway Safety Programs
  
- Highway Safety Grant Funding Policy for Field-Administered Grants



### Certifications and Assurances

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

The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation (23 USC 402(b) (1) (B));

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

**The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State as identified by the State highway safety planning process, including:**

- **National law enforcement mobilizations,**
- **Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits,**
- **An annual statewide safety belt use survey in accordance with criteria established by the Secretary for the measurement of State safety belt use rates to ensure that the measurements are accurate and representative,**
- **Development of statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources.**

**The State shall actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect.**

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

Cash drawdown will be initiated only when actually needed for disbursement, cash disbursements and balances will be reported in a timely manner as required by NHTSA, and the same standards of timing and amount, including the reporting of cash

disbursement and balances, will be imposed upon any secondary recipient organizations (49 CFR 18.20, 18.21, and 18.41). Failure to adhere to these provisions may result in the termination of drawdown privileges);

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

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

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

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

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

The State will provide a drug-free workplace by:

- a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

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

local health, law enforcement, or other appropriate agency.

- g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f) above.

### **BUY AMERICA ACT**

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

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

### **POLITICAL ACTIVITY (HATCH ACT).**

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

### **CERTIFICATION REGARDING FEDERAL LOBBYING**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

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

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative

agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

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

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

### **RESTRICTION ON STATE LOBBYING**

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

### **CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

#### **Instructions for Primary Certification**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Instructions for Lower Tier Certification

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

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

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

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

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any

lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

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

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

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

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



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

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**ENVIRONMENTAL IMPACT**

The Governor's Representative for Highway Safety has reviewed the State's Fiscal Year 08's highway safety planning document and hereby declares that no significant environmental impact will result from implementing this Highway Safety Plan. If, under a future revision, this Plan will be modified in such a manner that a project would be instituted that could affect environmental quality to the extent that a review and statement would be necessary, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969 (42 USC 4321 et seq.) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517).

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**Governor's Representative for Highway Safety**

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Date

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

**HIGHWAY SAFETY PROGRAM COST SUMMARY**  
HS Form 217

State: VI Number 5034-F5104-08 Date: August 1, 2008

Program Area	Approved Program Costs	State/Local Funds	Federally Funded Programs		Federal Share to Local	Current Balance
			Previous Balance	Increase/(Decrease)		
PA	55,000	-	0.00	0	100%	55,000
AL	615,000	-	0.00	0	100%	615,000
OP&405	711,000	-	0.00	0	100%	711,000
PT	350,000	-	0.00	0	100%	350,000
TR&406	785,000	-	0.00	0	100%	785,000
YA	40,000	-	0.00	0	100%	40,000
PS	10,000			0	100%	10,000
<b>Total NHTSA</b>	<b>\$2,566,000.00</b>		<b>0.00</b>	<b>0</b>		<b>\$2,566,000</b>

State Official Authorized Signature:

NAME: Barbara McIntosh  
TITLE: Administrator  
DATE: \_\_\_\_\_

Federal Official Authorized Signature:

NHTSA -  
NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
DATE: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

***VIRGIN ISLANDS OFFICE OF HIGHWAY SAFETY***

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***JAMES H. McCALL***  
***COMMISSIONER***

***BARBARA McINTOSH***  
***HIGHWAY SAFETY***  
***ADMINISTRATOR***



## Certifications and Assurances

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

The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation (23 USC 402(b) (1) (B));

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

**The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State as identified by the State highway safety planning process, including:**

- **National law enforcement mobilizations,**
- **Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits,**
- **An annual statewide safety belt use survey in accordance with criteria established by the Secretary for the measurement of State safety belt use rates to ensure that the measurements are accurate and representative,**
- **Development of statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources.**

**The State shall actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect.**

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

Cash drawdown will be initiated only when actually needed for disbursement, cash disbursements and balances will be reported in a timely manner as required by NHTSA, and the same standards of timing and amount, including the reporting of cash

disbursement and balances, will be imposed upon any secondary recipient organizations (49 CFR 18.20, 18.21, and 18.41). Failure to adhere to these provisions may result in the termination of drawdown privileges);

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

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

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

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

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

The State will provide a drug-free workplace by:

- a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

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



local health, law enforcement, or other appropriate agency.

- g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f) above.

### **BUY AMERICA ACT**

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

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

### **POLITICAL ACTIVITY (HATCH ACT).**

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

### **CERTIFICATION REGARDING FEDERAL LOBBYING**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

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

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative

agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

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

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

### **RESTRICTION ON STATE LOBBYING**

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

### **CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

#### **Instructions for Primary Certification**

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Instructions for Lower Tier Certification

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

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

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

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

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any

lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

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

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

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

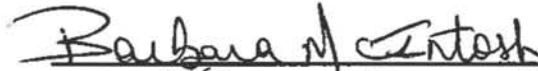
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily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

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

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**ENVIRONMENTAL IMPACT**

The Governor's Representative for Highway Safety has reviewed the State's Fiscal Year 08's highway safety planning document and hereby declares that no significant environmental impact will result from implementing this Highway Safety Plan. If, under a future revision, this Plan will be modified in such a manner that a project would be instituted that could affect environmental quality to the extent that a review and statement would be necessary, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969 (42 USC 4321 et seq.) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517).

  
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for Governor's Representative for Highway Safety

8/1/08

\_\_\_\_\_  
Date