

## 2011-2012 Policies and Priorities

The Governors Highway Safety Association (GHSA) is the states' voice on highway safety. The 501(c)(3) nonprofit association represents state and territorial highway safety offices. Members are appointed by their governors to administer their state's highway safety program. Areas of focus include occupant protection; impaired driving; speed enforcement; and drowsy, distracted and aggressive driving; motorcycle, pedestrian and bicycle safety; as well as highway safety information systems. GHSA's mission is to provide leadership in the development of national policy to ensure effective highway safety programs.

GHSA's members meet annually to discuss highway safety problems and issues and to adopt policy on highway safety issues of national concern and importance. The policy statements found in this document were adopted at the Association's meeting in September 2011. Future policy updates and revisions to this publication will be posted on the Association's website located at [www.ghsa.org](http://www.ghsa.org).

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## **A. National Highway Safety Program**

In 1966, 50,894 people were killed in motor vehicle crashes and the rate of fatalities per 100 million miles of travel was 5.5. It was projected that, over a 9-year period, the number of fatalities would increase to 100,000 a year if Congress did not do anything to address the problem. Taking heed of these dire predictions, Congress enacted the Highway Safety Act of 1966. This legislation created a unique partnership among federal, state and local governments to improve and expand the Nation's highway safety activities.

The Highway Safety Act of 1966 established the 402 State and Community Highway Safety Grant program and charged the states (including Puerto Rico, the District of Columbia, the Indian Nations and the U.S. territories) with implementation. It also required governors to be responsible for the administration of the federal highway safety program in each state. The governor, through delegation of powers, had the authority to designate a Governor's Highway Safety Representative (GR) to administer the federally-funded highway safety program.

Since 1966, Congress has revised the federal highway safety program a number of times, adding new incentive grants, penalties and sanctions. The basic structure of the program, however, has remained the same.

### **A.1 Federal Role in Highway Safety**

The Governors Highway Safety Association (GHSA) believes the federal government plays a critical role in highway safety and must continue to be directly involved in highway safety. The federal government should be an active partner with the states and others in the safety community in the development and implementation of safety programs. The federal government should provide national leadership on safety issues; offer technical assistance and training; develop national data systems and provide assistance to states in the development of their data systems, develop and demonstrate new programs and technologies; facilitate technology and information sharing; research issues; and evaluate highway safety program effectiveness. Additionally, the federal government should encourage performance-based programming and assist states in developing the capability to undertake such programming.

### **A.2 Authorization for Federal Highway Safety Programs**

GHSA strongly supports the existing Section 402 State and Community Highway Safety Grant program and urges it be reauthorized with few changes or refinements.

GHSA does not support earmarking or set-asides. The states should have maximum flexibility to administer the 402 program and similar federal highway safety programs within the parameters established by the national priorities and based on identified needs and problems.

GHSA supports the continuation of national priorities for the 402 program. These priorities help define the program and make it more understandable to Congress and the public. The priorities also help the states focus their efforts on a targeted number of highway safety issues.

GHSA believes the minimum percentage of funds that benefit locals should remain at 40%. The current program gives states the appropriate level of flexibility to make funding allocations based on individual state needs.

GHSA also recommends that the 402 program be based on multiyear contracting authority. Such a change would give the states more flexibility in programming their funds and would encourage them to undertake more long-term planning. It would allow the states to program more effectively for large, long-term expenditures such as traffic records improvements without interfering with their ability to program funds annually. Multiyear contracting authority would also address the problems of smaller states whose minimum allocation does not provide sufficient 402 funding to allow them to address many highway safety problems.

GHSA strongly urges Congress to consolidate and streamline federal highway safety grant programs in order to simplify the administration of these programs and to ensure that there is one grant application and a single application deadline and that all grant funding should be allocated on the first day of the new fiscal year.

### **A.3 Performance-Based Programming**

GHSA strongly supports the performance-based administration of the federal behavioral grant programs and urges their continuation and further enhancement. This approach gives states the flexibility to design and implement programs that specifically fit state needs, problems and resources. Performance-based programming links a state's goals more directly with its identified problems and resources, and encourages better evaluation of state programs. Performance-based programming facilitates local input and strengthens highway safety planning and accountability. States are strongly encouraged to use a minimum set of performance measures with which to identify problems, develop programs and measure progress.

### **A.4 Community-Level Highway Safety Programs**

GHSA strongly supports community-based programs. The local approach gives communities the flexibility to structure highway safety programs in a way that meets their needs in a manner consistent with the state's safety program. Communities can mobilize local resources and target those at highest risk in their community since they have the greatest familiarity with the resources, problems and opportunities within their jurisdictions. Once a community has established a local highway safety program, it is likely to institutionalize the program within the local bureaucracy, ensuring survival and longevity after federal funding has terminated. GHSA supports the continued federal emphasis on community-level programs and urges that adequate federal funding be made available for program implementation.

GHSA further urges the National Highway Traffic Safety Administration (NHTSA) and the Federal Highway Administration (FHWA) to accelerate their overtures to other federal agencies that provide funding to local community programs. Greater cooperation and collaboration among the federal funding agencies will foster and encourage the same at the state and local agency levels.

GHSA encourages state and local coalition-building and partnerships with a range of organizations (e.g., associations, faith-based organizations, businesses, etc.) Resources are few and the opportunities for collaborating and leveraging funds are great

### **A.5 Incentives and Sanctions**

GHSA strongly supports incentives and believes they are more appropriate than penalties and sanctions to positively influence highway safety programs. Incentives reward states that have appropriate laws and programs in place and encourage other states to enact or enhance such laws and programs.

GHSA recommends that incentive grant programs be performance-oriented rather than activity-or process-oriented. This would encourage states to satisfy specific goals rather than dictating how those goals are to be met.

GHSA supports existing sanctions that have been in place for many years and are effective, such as the sanction for failure to adopt state minimum drinking age laws. GHSA would vigorously oppose any effort to repeal the 21 National Minimum Drinking Age law.

In general, GHSA strongly opposes new sanctions, redirection or other strategies that mandate states to address a particular highway safety strategy within a specified time period. GHSA believes such sanctions and similar strategies are not an effective, targeted approach and are, in the long term, counterproductive.

## **A.6 Research and Demonstration Programs**

Under Section 403, NHTSA has broad discretion to deploy their research and demonstration resources to fit the changing needs of the highway safety program. This program has spawned the development of innovative programs and timely, relevant research that, in turn, has benefited state highway safety programs. GHSA strongly supports the enhancement of the Section 403 program and strongly opposes Congressional efforts to earmark Section 403 funding.

GHSA further recommends federal agencies coordinate, for the purposes of notification and feedback, with the appropriate state highway safety office when 403-funded demonstration projects are implemented within their jurisdiction. This would help prevent duplication of efforts within a state and assure that federally-funded projects complement each other to the greatest extent possible.

## **B. Injury Control**

GHSA strongly encourages collaborative efforts within the public health community to address the epidemic of motor vehicle-related fatalities and injuries and promote traffic safety.

### **B.1 Safe Communities**

The Association supports the Safe Communities concept, recognizing the effectiveness of community programs in addressing a range of safety problems. It brings transportation and traffic safety together with enforcement, education, engineering and emergency medical services (EMS).

### **B.2 Emergency Medical Services and Injury Control**

The EMS community plays an important role by helping prevent and respond to motor vehicle injuries. GHSA strongly encourages ongoing cooperative efforts among State Highway Safety Offices (SHSO) and state EMS divisions and providers to reduce crash-related trauma through the promotion of training, public awareness and other activities.

### **B.3 State Injury Control Programs**

GHSA strongly supports the efforts of injury prevention and control programs in public health departments. The Association encourages SHSO's to work with state health departments to establish ongoing injury prevention and control programs and develop and implement joint programs to reduce motor vehicle-related deaths and injuries including public health participation in the Strategic Highway Safety Plans.

## **C. Financing Highway Safety and Injury Control**

### **C.1 Budget Allocation**

Every year Congress allocates a portion of the federal budget to domestic discretionary programs, including transportation programs.. GHSA urges Congress to increase the budget allocation for transportation programs so that states can improve the Nation's deteriorated infrastructure, provide needed transportation services and address critical highway safety issues.

### **C.2 Highway Trust Fund**

GHSA supports the continued dedication of the Highway Trust Fund revenues to surface transportation and related activities and opposes efforts that compromise the Highway Trust Fund. In addition, GHSA supports spending all available Highway Trust Fund dollars for our Nation's surface transportation systems and highway safety programs.

Highway Trust Fund revenues above a certain level are called Revenue Aligned Budget Authority (RABA). In the past, federal highway safety grant programs have not benefited from RABA

dollars. GHSA urges that federal highway safety grant programs receive a proportionate share of RABA funds on an annual basis.

Beginning with the Transportation Equity Act of the 21<sup>st</sup> Century (TEA-21), federal behavioral highway safety grant programs have been funded at guaranteed levels out of the Highway Trust Fund. This has ensured that such grant programs are funded at the authorized level and not at some reduced level. GHSA would vigorously oppose any effort to remove the funding guarantees or to shift behavioral grant funding from the Highway Trust Fund to federal General Funds.

### **C.3 Funding for Highway Safety Grant Programs**

GHSA's highest priority is to save lives, and to do that, it is absolutely necessary to increase the funding for federal driver behavior grant programs. Federal driver behavior highway safety grant programs have been consistently under-funded. Without adequate funding, the rate of progress that has been made in highway safety over the last three decades cannot be maintained in the future. More financial resources will be needed to address the remaining most difficult population group to reach — problem drivers — and to target other population groups.

### **C.4 Funding for Incentive Grant Programs**

The federal incentive grant programs have successfully helped reduce impaired driving, increase safety belt use and address other highway safety issues. GHSA urges Congress to robustly fund incentive grant programs.

### **C.5 Funding for Injury Prevention Programs**

Motor vehicle crashes are part of a much larger national epidemic of unintentional yet preventable injuries. To address the injury problem, Congress has created the National Center for Injury Prevention and Control of the Centers for Disease Control and Prevention. The Center funds injury research, provides grants to state and local public health agencies and works to increase the public's awareness about injury prevention. GHSA recognizes and supports the critical work performed by the Center. Additionally, the Association supports sufficient funding for the establishment of injury prevention and control programs in the health department in each state and territory.

### **C.6 Funding for Emergency Medical Services Systems**

Adequate EMS is a critical component of any highway safety program. Comprehensive EMS systems, including trauma care, can reduce the severity of injury following motor vehicle crashes if the services are delivered in a timely and appropriate manner. Federal funding for the development and implementation of statewide EMS systems programs and EMS data systems has been woefully inadequate, despite federal legislation authorizing the expenditure of funds for such purposes. GHSA urges Congress to provide adequate funding for the development and implementation of statewide EMS systems, including systems for trauma care and for the collection of EMS data, in order to make these services equally available to all highway users.

## **D. Occupant Protection**

As a behavioral factor affecting highway safety, occupant protection is a priority focus of the Association. Issues that fall into this category include, but are not limited to, safety belts, child restraint systems and air bags.

### **D.1 Mandatory Safety Belt Use Laws and Belt Use Policies**

GHSA strongly encourages all states to adopt and enforce primary safety belt use laws that apply to all occupants in all seating positions.

All states are encouraged to continue their high visibility enforcement of safety belt laws and to conduct sustained occupant protection enforcement efforts. In addition, states should undertake

nighttime enforcement campaigns since nighttime belt usage is typically lower than daytime usage.

In many, if not most states, the safety belt usage rate is such that only the most resistant person is unbuckled. These remaining holdouts require stronger measures. Consequently, GHSA encourages states to consider the assignment of drivers' license penalty points and/or increased fines for safety belt violations. GHSA also encourages states to conduct targeted education and enforcement campaigns for high risk populations such as teens and rural populations.

GHSA urges all state highway safety offices (SHSO) require that entities contracting with the SHSO's to initiate and maintain a mandatory safety belt use policy for that entity. This would include state and local governments, nonprofits and others.

GHSA encourages motor vehicle manufacturers to install safety belt reminder systems in all new vehicles to encourage the use of safety belts, particularly by part-time users. Additionally, GHSA urges Congress to amend current law so that manufacturers can install reminder systems without conflicting with statutory prohibitions against such systems.

### **D.2 Adjustable Upper Anchorages**

GHSA urges manufacturers to install adjustable upper anchorages in all new model vehicles because misuse of safety belts is a frequent problem that reduces the effectiveness of these lifesaving devices, particularly for older children and short stature adults.

### **D.3 Child Restraints**

GHSA urges the promotion of the proper use of child passenger protection systems; endorses child restraint clinics, fitting stations, other educational programs; and endorses education and awareness regarding the proper maintenance of restraints.

GHSA recommends that the motor vehicle manufacturing industry and NHTSA take additional steps to reconcile existing problems of compatibility between child restraints and the vehicles and vehicle restraint systems with which the seats are to be used. GHSA encourages these parties to maintain a close collaboration in order to prevent incompatibility problems from arising in the future.

### **D.4 Occupant Protection for Children**

Many state child restraint laws contain gaps in coverage or provide exemptions that allow children to go unrestrained in certain circumstances. GHSA supports the closing of these gaps and urges states to enact laws that cover every child in every seating position for all vehicles.

GHSA supports the policy that rear-facing infants should never be placed in the front seat of passenger side air bag equipped motor vehicles (unless the vehicle has no rear seat but has an air bag shut-off switch.) NHTSA and GHSA members are encouraged to undertake educational campaigns to inform parents of the dangers of putting infants and young children in the front seat.

GHSA strongly concurs that children 12 years old and under, particularly those riding in vehicles with passenger side air bags, should be encouraged to sit in the rear seat of motor vehicles. In order to increase restraint use by older children, GHSA supports research and development of restraint systems for children up to and including those 12 years of age or those above 65 lbs.

Based on currently available research, GHSA believes that compartmentalization provides adequate pupil protection on school buses. GHSA does not endorse the use of three-point belts on older buses unless and until further analysis demonstrates the injury-reducing potential, cost-effectiveness and value of such an addition.

GHSA encourages states to enact booster seat legislation in order to protect young children who are too large to be placed in child restraints.

GHSA endorses the LATCH (Lower Anchors and Tethers for Children) requirements and urges states to undertake educational programs explaining how LATCH-equipped child restraints should be used with LATCH-equipped vehicles.

GHSA encourages states to conduct assessments of their Occupant Protection for Children programs in order to ensure that they are using their federal resources strategically and in a way that meets needs.

#### **D.5 Air Bags**

GHSA urges NHTSA to test the efficacy of air bags using crash dummies of various sizes, belted and unbelted, in various positions at various speeds in order to duplicate real world crash experiences to the greatest practicable extent. GHSA further urges auto manufacturers, under the guidance of NHTSA, to develop, test and offer expeditiously advanced air bag technology that protects all-sized occupants in new model vehicles.

GHSA supports deactivation of air bags only under controlled circumstances (such as for medical conditions) in which NHTSA makes the final approval on deactivation requests in accordance with the federal regulations of November 21, 1997. GHSA also recommends establishing a registry with deactivation approval that customers of used vehicles could consult prior to purchase.

#### **D.6 Federal Occupant Protection Training Programs**

GHSA supports and encourages the certification and adoption of NHTSA's current occupant protection curriculum by the states and the inclusion of the curriculum or its equivalent in the required training for police recruits and for the in-service training of officers. Furthermore, GHSA supports holding regional or state police fleet safety workshops in those areas where additional commitment to occupant protection on the part of law enforcement executives would be desirable.

#### **D.7 Pickup Trucks**

Ejection from the cargo space of pickup trucks accounts for needless highway safety injuries and deaths, particularly of children and teenagers. GHSA strongly encourages all states and territories to adopt and enforce laws prohibiting all passengers from riding in the cargo areas of pickup trucks.

### **E. Impaired Driving**

Impaired driving is a serious problem threatening the safety of our nation's highways. There are, however, methods of combating this crisis, particularly in the areas of law enforcement, legislation, training programs and evaluation and treatment for offenders.

#### **E.1 .08 Laws**

GHSA encourages all states to maintain provisions setting the Blood Alcohol Content (BAC) level for DUI at .08 per se or lower.

#### **E.2 Detecting Drunk Drivers**

Detection of drunk drivers is an important component of any impaired driving system. Passive alcohol sensors, preliminary breath test devices, roadside evidential breath testing instruments and in-car video cameras have all been shown to be effective tools for identifying drunk drivers. GHSA supports the use of these devices and encourages states to enact enabling legislation allowing the use of such devices.

#### **E.3 Administrative License Suspension or Revocation**

GHSA supports prompt administrative license suspension or revocation for persons arrested for driving under the influence (DUI), refusing to take sobriety tests or failing such tests. GHSA urges all states to enact such provisions to reduce the instances of impaired driving.

#### **E.4 Vehicle Sanctions**

GHSA encourages states to enact penalties that will deter convicted DUI offenders from driving such as plate or registration confiscation, vehicle impoundment or immobilization or ignition interlock devices and vehicle seizure.

Ignition interlock devices have been found to reduce impaired driving recidivism. GHSA supports the use of ignition interlock devices by states for convicted or administratively sanctioned first time offenders and strongly encourages states to enact interlock laws for that purpose. Following a short, hard suspension period, convicted or administratively sanctioned offenders should be issued drivers' licenses that limit travel to work, school or alcohol treatment facilities and, at the same time, should be required to use an ignition interlocks. To the extent practicable, ignition interlock programs should be offender funded.

GHSA also urges the federal government to fund further research on the use of interlock devices by convicted or administratively sanctioned drunk drivers.

GHSA supports research on advanced impaired driving detection technology and urges Congress to adequately fund such research.

#### **E.5 High BAC and Repeat Offenders**

GHSA supports enhanced penalties for first time offenders with high BAC levels (e.g. .15 and above) and repeat DUI offenders and urges states to enact high BAC laws. These penalties should be graduated, based on the BAC of the driver and/or the number of convictions. The penalties should include increased fines, license revocation, home detention and electronic monitoring, vehicle sanctions (such as registration cancellation and license plate seizure, impoundment, immobilization and ignition interlocks), intensive supervised probation, professional evaluation and treatment. GHSA strongly advocates the integration and coordination of administrative, criminal justice and treatment systems affecting these higher risk drunk drivers.

#### **E.6 Open Container Laws**

GHSA encourages all state and local governments to pass laws that prohibit the consumption of alcoholic beverages and the possession of open alcoholic beverage containers in the passenger compartments of motor vehicles.

#### **E.7 Driving While Suspended**

Impaired drivers who drive with a suspended or revoked license are a growing problem in this country. Vehicle sanctions (e.g. license plate seizure; vehicle impoundment, immobilization, or seizure, ignition interlocks) have been shown to be effective against driving while suspended. States should ensure that their vehicle sanction laws also apply to those impaired drivers who drive with a suspended or revoked license.

#### **E.8 Enforcement of DUI Laws**

GHSA supports the use of sobriety checkpoints or saturation patrols in a comprehensive traffic safety program to detect and apprehend alcohol and other drug-impaired drivers. GHSA further encourages states and localities, to the extent current resources permit, to establish dedicated DUI patrols whose sole responsibility is to enforce DUI laws.

#### **E.9 BAC Testing and Reporting**

Improved BAC testing should be a priority for every state because BAC data will give states an accurate picture of the impaired driving problem in their state. All states are encouraged to enact mandatory BAC testing laws for dead and surviving drivers and pedestrians involved in a fatal crash or where there is a likelihood of a fatality. States are encouraged to support law enforcement officers, medical examiners and coroners with the training and equipment they need for BAC testing and reporting. States should also develop specific procedures for the FARS (Fatality Analysis Reporting System) analysts so they can accurately report BAC test results. States are also encouraged to convene state forums on BAC testing which would bring all the

responsible agencies together to identify and overcome state BAC testing and reporting problems.

GHSA also urges states to: 1) enact tougher penalties for drunk driving offenders who refuse to take BAC tests and 2) make test refusal admissible in court. The penalties should be greater than those for failing a BAC test. The intent is to discourage test refusal and to close a significant loophole in state DUI laws.

The provisions of state insurance law (referred to as Uniform Accident Sickness Policy Provision Laws or UPPL) or insurance codes that deny payment for the treatment of intoxicated persons should be repealed because such laws/codes hamper state BAC reporting efforts. States should also explicitly prohibit insurance companies from excluding coverage for injuries suffered under the influence of alcohol and/or drugs. Without an explicit prohibition, medical personnel may be reluctant to test BAC levels on injured persons in emergency settings.

#### **E.10 Designated Driver Programs**

GHSA supports community-based designated driver and safe rides programs and urges states and localities to implement them for persons aged 21 and above.

#### **E.11 Server Training Programs**

GHSA recommends that NHTSA, state highway safety agencies, industry representatives, liquor control agencies and grassroots organizations with an interest in the issue of server training meet and develop a model program and establish strategies for implementing such a server training a model program. States are also encouraged to enact mandatory server training laws.

#### **E.12 DUI Courts**

DUI courts are a promising strategy to change the behavior of offenders who are repeatedly arrested for driving while impaired by addressing the offender's abuse of alcohol. Typically in a DUI court, there is prompt intake and assessment, court-ordered individualized sanctions for offenders, frequent drug and alcohol testing, treatment and aftercare services and frequent monitoring and ongoing judicial interaction with the offender. Prosecutors, defense attorneys, judges, probation, law enforcement and treatment professionals usually function as a team to systematically change the impaired driver's behavior. The individualized sanctions are structured to maximize the probability of rehabilitation and minimize the likelihood of recidivism.

These courts can involve specialized court calendars or dockets for individuals, juveniles or families rather than specifically designated district courts.

GHSA supports DUI courts and urges states to work with their state criminal justice agency counterparts to implement them where appropriate. GHSA also recommends that NHTSA evaluate DUI courts to determine their effectiveness.

#### **E.13 DUI Offender Monitoring**

Dedicated DUI detention facilities, home confinement and electronic monitoring, intensive supervised probation and close monitoring by individual judges have all been shown to significantly reduce recidivism by convicted DUI offenders. States should enact a DUI offender monitoring program and offenders should be required to bear some of the program costs.

#### **E.14 Plea Bargaining and Diversion Programs**

Diversion programs allow a drunk driving offense to be dropped if the offender agrees to enter an education, treatment or other rehabilitation program. Plea bargaining allows a DUI offender to avoid being convicted by accepting the penalty for a lesser or non-alcohol offense. Both of these approaches allow offenders to escape impaired driving penalties and undermine many elements of a comprehensive DUI system. States should restrict plea bargaining and limit diversion programs to first-time offenders with low BAC's or, where possible, eliminate such programs altogether.

### **E.15 Court Monitoring**

Court monitoring is a mechanism for tracking DUI cases to determine how many are handled within a particular time frame, how many go to trial, what kind of sentences are being handed down and whether the sentences are consistent with authorized sanctions.

It is an effective tool for strengthening the adjudication of DUI cases. States are encouraged to use court monitoring to the extent practicable.

### **E.16 Alcohol Screening, Assessments and Treatment**

Screening and brief interventions (SBI) in emergency settings have been shown to effectively reduce a first time offender's future alcohol consumption and the incidences in which he/she drives impaired. A comprehensive alcohol assessment can determine if an offender is an alcohol abuser. Offender assessments — including first time offenders — combined with treatment have been shown to be effective in reducing recidivism. States should enact new laws or strengthen existing laws requiring all offenders to receive a screening and brief intervention, or if warranted from the SBI results, an alcohol assessment, as soon after arrest as practicable. Where appropriate, offenders should be referred to certified treatment facilities and (except for indigent offenders) should bear of the costs of treatment.

### **E.17 Self-Sufficient Impaired Driving Programs**

While federal impaired driving incentive grants provide an important source of funding for state impaired driving programs, the federal funding has been insufficient to meet state needs. States are encouraged to enact impaired driving programs funded by fees and fines on offenders. This source of funding can supplement federal funding and provide states with a much broader base of resources with which to fund impaired driving programs.

### **E.18 Underage Drinking**

GHSA shares the national concern about underage drinking and joins other national organizations in addressing this pervasive problem comprehensively.

With respect to underage access to alcohol, GHSA encourages states to support a systematic approach to reducing access and availability through frequent compliance checks and programs such as Cops in Shops which are directed at the sale, purchase, and consumption of alcohol by persons under the age of 21. Sellers of alcohol to underage persons should face substantial fines and the suspension of the business or liquor license and states should consider graduated penalties which increase with each conviction. GHSA strongly opposes the internet sale and direct shipment of alcoholic beverages to underage youth and urges that steps be taken to penalize sellers who engage in such practices.

With respect to underage public policy initiatives, GHSA supports the continuation of state laws that specify zero alcohol use for drivers under age 21. GHSA strongly supports the continuation of uniform minimum drinking age of 21 and urges that such laws prohibit the purchase, possession and consumption of alcoholic beverages by those under 21, the sale or provision of alcohol to minors by adults and underage drinking in private clubs and establishments. GHSA supports beer keg registration laws that require the identity of the purchaser to be recorded and encourages states to enact such laws.

GHSA also urges states to enact or strengthen their dram shop liability laws so that commercial establishments can be held liable if they sold or provided alcohol to a minor who subsequently caused injury. States also should enact social host laws that hold parents and guardians liable for underage drinking in their house and anti happy hour laws that eliminate drink specials in which alcohol is rapidly consumed over a short period.

With respect to underage enforcement, GHSA supports programs to enforce underage drinking laws (such as shoulder tap and controlled dispersal programs) and programs that facilitate underage enforcement (such as juvenile holdover programs and teen courts). GHSA urges states

and localities to use nuisance and loitering laws as a means of discouraging youth from congregating outside alcohol outlets in order to solicit adults to purchase alcohol. GHSA encourages states to strengthen efforts to prevent and detect the use of false identification by minors in order to purchase alcohol. States are also encouraged to publicize any underage drinking law that is enacted.

With respect to community interventions, GHSA urges communities to assess the underage drinking problem in their community and adopt evidence-based, effective countermeasures. NHTSA and other federal agencies should offer technical assistance to communities and encourage community assessments through materials and processes developed by GHSA and others.

With respect to college programs, colleges and universities should adopt evidence-based, comprehensive approaches to prevent underage drinking. These could include alcohol screening, educational strategies combined with other interventions, enforcement, policies that limit access to alcohol for those under 21 (particularly on campus or in the vicinity of the college or university), and social norming. NHTSA, the National Institute on Alcohol Abuse and Alcoholism and other federal agencies should continue to evaluate college programs to determine which are effective and which are not.

With respect to program coordination, GHSA urges that federal underage drinking programs be coordinated through an interagency task force and that one federal agency (e.g. U.S. Department of Health and Human Services) should be the designated lead agency. GHSA also urges that a federal clearinghouse on underage drinking (including drinking and driving) be established so that resources about the issue can be accessed from a single federal point of contact. The lead agency should coordinate efforts to evaluate underage interventions and should make such information widely available to states and localities and through the clearinghouse. The lead agency should also issue an annual report to Congress on the extent of underage drinking and the progress that is being made to combat this problem.

With respect to resources, GHSA urges that additional federal resources should be devoted to addressing the problem of underage drinking (and drinking and driving) in a comprehensive manner.

#### **E.19 DUI Task Forces**

States are strongly encouraged to establish statewide DUI task forces of state and local officials, law enforcement, prosecutors, judges, motor vehicle administrators, treatment officials and other stakeholders deemed appropriate by the state. The DUI task force should be responsible for managing improvements in the state's DUI system by conducting a comprehensive assessment of the state's DUI system, establishing performance benchmarks for the system, setting up communications mechanisms between different components of the DUI system, making recommendations for improvements and ensuring that steady and reasonable progress is made in implementing the recommendations. States should periodically review the activities of the task force.

#### **E.20 Alcohol Advertising**

GHSA strongly encourages the alcohol and spirits industry to restructure advertising messages to discourage drinking and driving and to market all alcoholic beverage responsibly. GHSA offers to work with other organizations in the transportation and highway safety communities to develop plans and support for responsible corporate advertising.

In addition, GHSA opposes any advertising aimed at the underage youth market. GHSA urges the alcohol industry and its trade associations to support a voluntary alcohol advertising standard that prohibits alcohol advertising if more than 15% of the intended audience is underage. Further, GHSA urges the Federal Trade Commission or other appropriate federal agency to monitor

underage exposure to alcohol advertising on a continuing basis and periodically report to Congress and the public.

### **E.21 Taxes on Alcoholic Beverages**

GHSA is opposed to any legislative initiative to reduce the cost(s) of all regulated alcoholic beverages by lowering alcohol excise taxes. GHSA supports all efforts to reduce underage drinking and driving; therefore, the Association finds that lowering the cost(s) of all alcoholic beverage is extremely poor public policy and should not be enacted.

If states enact legislation that affects alcohol taxation, as a direct or indirect result of federal alcohol legislation, the resultant funds should be made available for impaired driving education and enforcement purposes.

### **E.22 Alcohol Equivalency**

Federal agencies such as NHTSA and the National Institute of Alcoholism and Alcohol Abuse (NIAAA) of the U.S. Department of Health and Human Services have adopted the definition of an alcoholic drink as: 12 oz. of beer = 5 oz. of wine = 1.5 oz. of distilled spirits such as whiskey, gin or vodka. GHSA supports public education messages designed to increase awareness of alcohol equivalency as defined by the federal government and urges state motor vehicle administrations to include alcohol equivalency information in their drivers' manuals.

### **E.23 Federal Impaired Driving Training Programs**

GHSA supports and encourages the certification and adoption of the NHTSA DUI Detection and Standardized Field Sobriety Testing (SFST) curriculum or its equivalent and the inclusion of the curriculum or its equivalent at the required recruit and in-service police officer training levels. Additionally, GHSA supports training for judges and prosecutors on the science of impairment, enforcement laws and techniques, effective sentencing, drug impairment and other relevant impaired driving issues.

### **E.24 Victims' Rights**

GHSA recognizes the importance of programs that assist victims and educate the public on the impact of impaired driving on victims. The Association recommends that states coordinate such programs as part of their comprehensive effort to address the impaired driving problem in their state.

### **E.25 Drug-Impaired Driving**

GHSA supports elevating drug-impaired driving to a national priority. GHSA encourages states to: 1) amend statutes to provide separate and distinct sanctions for alcohol- and drug-impaired driving that could be applied individually or in combination to a single case; 2) develop standard protocols or procedures for drug testing laboratories to use in identifying drugs that impair driving; 3) provide increased training to law enforcement on identifying drugged drivers; 4) increase the testing and reporting of drug testing information on fatally injured drivers; and 5) provide increased training for prosecutors to help in the successful prosecution of drug-impaired drivers.

GHSA supports the use of the NHTSA Drug Evaluation and Classification (DEC) training program that trains Drug Recognition Experts (DRE) to detect and apprehend drug-impaired drivers. As a means of expanding the enforcement of drug-impaired driving laws, GHSA calls on states to train officers in the 16-hour Advanced Roadside Impaired Driving Enforcement (ARIDE) program.

GHSA believes that new technologies can help streamline drug-impaired driving enforcement and adjudication and encourages the testing industry to continue developing and improving drug testing devices so they can eventually mirror the efficiency and affordability of alcohol testing devices.

GHSA also believes more research needs to be conducted on drug impaired driving. Some of the specific issues that need to be evaluated include: the scope of the drugged driving problem, the

effects of drugs on driving, the effectiveness of drugged driving per se laws in those states that have enacted such laws, the accuracy, reliability and cost-effectiveness of drug detection tests and the feasibility of establishing national standards for various controlled substances involved in drug-impaired driving.

## **F. Speed, Speeding and Aggressive Driving**

### **F.1 Speeding-Related Crashes**

A significant percentage of all crashes are speeding-related. These crashes are a serious problem and have contributed to the slowdown in the reduction of motor vehicle fatalities. GHSA recommends that NHTSA should make speeding-related crashes a priority and conduct research on effective countermeasures, identify best practices and provide technical assistance to states that wish to address the issue. NHTSA should also examine a number of issues such as: the impact of speed fines and points, the effect of decriminalizing speed violations, the coordination of speed campaigns with those for safety belts and impaired driving and potential changes to vehicle standards to limit the speed of passenger vehicles. Further, NHTSA should approach speed in an integrated manner by working closely with FHWA on speeding-related engineering issues and with FMCSA on the problem of speeding commercial motor vehicles.

GHSA supports the authorization of a federal incentive grant program to help states combat the problem of speeding. Such a program should encourage state and local speed enforcement initiatives, the use of automated speed enforcement, and implementation of local speed education campaigns and speed management workshops.

### **F.2 Speed Limits**

Speed limits should be part of a comprehensive speed management program including highway engineering, speed enforcement and public education. They should be established based on several factors including, but not limited to: highway design, highway operations, highway conditions, differences at state or municipal borders and traffic safety. Decisions regarding speed limits should consider the likely safety consequences (crashes, injuries, deaths and economic costs) of different speed limits. Speed limits should be perceived as reasonable by the public and be well publicized and vigorously enforced.

### **F.3 Speed Advertising**

GHSA strongly encourages motor vehicle manufacturers and advertisers to restructure advertising messages to encourage safety instead of speed. GHSA offers to work with other organizations in the transportation and highway safety communities to develop plans and support for responsible corporate advertising.

### **F.4 Use of Speed Detection Devices**

GHSA supports state and national efforts to prohibit the sale and/or use of speed detection devices (e.g. radar and laser detectors) by the public because such devices undermine law enforcement efforts to control motor vehicle speeds and enhance highway safety.

### **F.5 Aggressive Driving**

GHSA recognizes that aggressive drivers who do not follow the rules of the road are a hazard to all motorists, bicyclists and pedestrians on the roadway. GHSA encourages additional research into the issue and the sponsorship of effective countermeasures to detect, apprehend and discourage the aggressive driver.

## **G. Bicycles, Pedestrians, Personal Conveyances and Motorized Devices**

Bicyclists and pedestrians are frequently injured on streets and highways and constitute a substantial percentage of injuries and deaths from traffic collisions in many urban areas. The progress made in reducing traffic trauma in other areas has not been reflected in pedestrian and bicycle injuries which have been declining at a much slower rate. GHSA strongly supports bicycling and walking as fundamental means of transportation, not as alternative modes. Roadways, structures and facilities should include bicycle and pedestrian elements in their basic design.

### **G.1 Protective Helmets**

GHSA supports the use of helmets by all persons of all ages who ride bicycles and other unconventional vehicles and supports testing to assure all helmets meet mandatory federal safety requirements. GHSA encourages states to support the use of helmets, adopt helmet laws and continue to provide bicycle safety awareness programs. States are also encouraged to collect data on bicycle helmet usage to the greatest practicable extent.

### **G.2 Bicycle Safety**

GHSA supports implementation of bicycle safety education programs and enforcement of mandatory bicycle helmet laws. The problem of bicycle safety should be researched, continually monitored and evaluated to determine the effectiveness of countermeasures and to document the progress that has been made in reducing the size and scope of the problem. Special bicycle safety programs aimed at young children and teenagers should also be implemented at the state and community levels.

### **G.3 Pedestrian Safety**

GHSA supports efforts to raise public awareness about the problem of pedestrian safety and encourages implementation of community-based pedestrian safety countermeasures.

Additionally, the Association urges state and local jurisdictions to implement special pedestrian safety emphasis programs for young children and older adults since these groups constitute the largest percentage of pedestrian fatalities and injuries.

GHSA also supports further research on pedestrian issues as well as monitoring and evaluating progress toward reducing pedestrian fatalities and injuries.

GHSA supports enforcement of traffic laws to protect pedestrians, in particular those laws protecting pedestrians crossing roadways at crosswalks.

### **G.4 Personal Conveyances**

A personal conveyance is a human powered or motorized device primarily designed to be used other than in the traffic way. Examples of personal conveyances include ride-able toys (e.g. inline skates, scooters), motorized ride-able toys (e.g. motorized skateboards, motorized toy cars, and motorized scooters) and devices for personal mobility assistance (motorized and non-motorized wheelchairs and handicapped scooters, self-balancing personal transporters). States should require that users of personal conveyances be trained in the safe use of their vehicle. States should also consider requiring protective helmets for users of all ride-able toys.

### **G.5 Integration of Personal Transporters**

GHSA recognizes the innovation and promise that self-balancing personal transportation devices offer for future transportation needs, particularly among the elderly and disabled communities. GHSA urges that more research and evaluation be conducted before states permit self-balancing personal transporters to be operated on sidewalks. GHSA also stresses the necessity of training for personal transporter users and roadway design changes that will safely accommodate the devices without endangering pedestrians, bicyclists and the transporter operators themselves.

## **G.6 Motorized Devices**

Many new motorized (mechanically or electrically powered) transport devices have become available and are widely used by the public. Examples of motorized transport devices include golf carts, low speed vehicles, go carts, mopeds, all-terrain vehicles and pocket motorcycles. At a minimum, states should require motorized transport devices to be registered and drivers of such vehicles to be licensed.

## **G.7 Low Speed Vehicles**

Low speed vehicles (LSV) are defined by NHTSA as those that are able to travel at 25 mph or less. Low speed vehicles are exempt from almost all federal safety standards applying to cars, and they are not required to meet any crashworthiness tests.

GHSA recommends that LSV's meet additional federal vehicle conspicuity standards so that they are more visible to nighttime drivers. Further, GHSA urges states to review their regulations for low speed vehicles to ensure that more vehicles are registered, licensed and limited to roadways where there would be few potential conflicts with higher speed vehicles.

# **H. Motorcycle Safety**

Motorcyclists are over-represented in traffic crashes and, coupled with the greater vulnerability of the motorcyclist, this represents a serious highway safety problem. Hence, GHSA encourages funding for development, implementation, and evaluation of statewide comprehensive motorcycle safety programs. At a minimum, these programs should address rider training, protective gear use, impaired riding, operator licensing, motorist awareness and conspicuity.

## **H.1 Motorcycle Helmet Laws**

GHSA urges states to support the use of DOT-certified helmets by motorcycle riders of all ages, oppose efforts to repeal their universal motorcycle helmet laws and adopt motorcycle helmet laws for all riders. States should vigorously enforce their motorcycle helmet laws to ensure that motorcyclists are not using helmets that do not meet DOT standards.

## **H.2 Motorcycle Operator Training**

All states should require motorcycle operator training for minors, novice, and re-entry riders by qualified instructors.

NHTSA, along with motorcycle organizations and other stakeholders, should develop a model motorcycle operator training program and quality control guidelines for instructors, deploy them at selected locations and then evaluate their effectiveness. Once the model curricula and instructor guidelines are complete, then states are encouraged to use them. States should also examine their motorcycle crash data to determine if the model training program should address specific state problems by emphasizing certain situations or skills. States should be encouraged to enhance their training to ensure that state-specific needs are met.

## **H.3 Impaired Motorcycle Programs**

Impaired motorcyclists are a substantial proportion of total motorcycle fatalities and injuries. States should develop and implement programs for the impaired motorcyclist that include enforcement, sanctions (including fines and vehicle sanctions), and publicity about the enforcement effort. States are also encouraged to develop, deploy and evaluate other initiatives that discourage drinking and riding.

## **H.4 Licensing of Motorcyclists**

All states should require motorcyclists to obtain a motorcycle operator license and endorsement before they ride on a public highway. In order to obtain the license, motorcycle operators should be required to pass knowledge, skills and vision tests unless the motorcyclist can demonstrate

that he/she has completed a state-approved operator training program. States should actively enforce their motorcycle operator licensing laws.

NHTSA, along with motorcycle organizations and other stakeholders, should develop a model motorcycle operator licensing and testing program that includes graduated licensing for motorcyclists. NHTSA should ensure that this program measures the minimum skills and knowledge needed for safe riding and should evaluate its potential impact on crashes, fatalities and injuries. Once completed, states should be encouraged to implement the model program statewide, periodically evaluate its effectiveness, and modify the program as necessary.

#### **H.5 Motorcycle Awareness Programs**

States should undertake awareness programs to promote motorcycle helmet use, publicize state motorcycling licensing laws, discourage impaired riding, and encourage the use of protective and conspicuous clothing as well as increased conspicuity of the motorcycle. Additionally, states should undertake public information campaigns to raise motorists' awareness about sharing the road with motorcycles and should ensure that novice driver education and training courses include instruction on sharing the road with motorcycles.

#### **H.6 Motorcycle Research**

NHTSA should conduct a study on the causes of motorcycle crashes so that effective countermeasures can be developed and implemented.

## **I. Traffic Safety and Law Enforcement**

The proper enforcement of traffic safety laws is crucial for the safety and well-being of the public. Conducting the appropriate activities in a professional manner can lead to reductions in crime, as well as enhancing the safety of the roadways.

### **I.1 Professional Traffic Stops**

GHSA believes that traffic enforcement should be performed in an unbiased and professional fashion. No law enforcement agency should condone race, ethnicity, gender or socio-economic class as a reason for stopping a motorist.

### **I.2 Traffic Enforcement Effects on Crime**

Numerous studies and individual state enforcement efforts have definitively shown that traffic enforcement activities can result in an increase in the number of criminal subjects apprehended and reductions in crime. "Looking Beyond the Ticket" is a demonstrated, cost-effective way to address a community's overall crime problem. GHSA encourages state and local jurisdictions to incorporate traffic enforcement as part of their overall effort to combat crime, save lives and reduce injuries.

Further, GHSA encourages State Highway Safety Offices to partner with state and local law enforcement and criminal justice agencies in a joint analysis of criminal justice and crash data. These agencies should be encouraged to deploy their resources in those locations that will have the biggest impact on reducing motor vehicle crashes, deaths, injuries and crime. NHTSA and the U.S. Department of Justice should develop guidelines and other technical assistance to help states undertake these types of joint data analysis and resource allocation efforts.

### **I.3 High Visibility Enforcement**

High visibility enforcement is a proven, effective countermeasure and a cornerstone of state occupant protection, impaired driving and speed enforcement efforts. States are encouraged to highly publicize their enforcement activities, particularly those relating to occupant protection and impaired driving, in order to increase the effectiveness of those efforts.

## **J. Truck Safety**

### **J.1 Commercial Motor Vehicle Licenses**

GHSA supports Commercial Drivers Licenses (CDLs). Through the CDL program, many unsafe commercial motor vehicle drivers have been removed from the roadways. The program has proven to be an important safety tool for promoting safe commercial vehicle traffic.

GHSA recommends that the Federal Motor Carrier Safety Administration (FMCSA) consider further improvements in the CDL record-keeping system to eliminate the problem of multiple license issuances and to establish minimum standards for state driver history records of commercial motor vehicle drivers.

FMCSA should work with governors and state legislatures to develop standards that would restrict CDL holders from traffic violation “bypass or diversion” programs that prevent driving offenses from appearing on their driving records.

Additionally, FMCSA should examine the merits of a graduated licensing system for CDL applicants. Issuing an interim or probationary license with restrictions on activities and violations before attaining a full CDL may have safety benefits.

### **J.2 Motor Carrier Safety Assistance Program**

GHSA believes that the Motor Carrier Safety Assistance Program (MCSAP) has been a catalyst for improving motor carrier safety in our states. The Association supports the program and urges that it be funded at the authorized levels. While GHSA supports the restructuring of MCSAP into a more performance-based program, we strongly oppose any effort to create performance-based disincentives within MCSAP.

GHSA members are encouraged to work closely with their MCSAP partners and to coordinate data and highway safety plans as required by federal statute. This collaboration will enhance states’ ability to address safety comprehensively.

GHSA also supports the use of MCSAP funds for enforcement of traffic laws relating to commercial motor vehicles. The Association encourages law enforcement agencies to enforce aggressively laws involving commercial motor vehicles, particularly at high crash locations. Under the federal surface transportation legislation, MCSAP funds can be used to enforce traffic laws with any vehicle in the vicinity of a commercial motor vehicle. GHSA supports this expansion of MCSAP enforcement and encourages coordination of MCSAP enforcement efforts with enforcement efforts funded by federal behavioral grant programs.

### **J.3 Data Collection**

GHSA encourages FMCSA to establish a more accurate annual census of motor carriers, increase the percentage of truck crashes that are reported and link safety compliance, rating and inspection data to crash data in order to identify high risk carriers. FMCSA should also encourage states to improve the collection of truck crash data by motivating them to adopt the Model Minimum Uniform Crash Criteria (MMUCC)— the federal guidelines that incorporate the uniform data elements recommended by the National Governors’ Association— when states revise their state Police Accident Report forms and by providing incentives for the timely reporting of crash data. Additionally, FMCSA should undertake a comprehensive study to identify the factors that contribute to truck crashes. This would allow the Administration to prioritize its policies and programs concerning those factors that make the highest contributions to such crashes.

### **J.4 Training**

As required by federal statute, FMCSA should expedite the development of a comprehensive driver-training program for novice commercial motor vehicle drivers. This would improve the

ability and expertise of commercial drivers on the road and ensure that they are thoroughly familiar with federal motor carrier safety regulations and safe driving behavior.

### **J.5 Enforcement**

FMCSA should continue to place a high priority on the enforcement of federal commercial motor vehicle safety regulations, increase the number of compliance reviews that are conducted each year with a special emphasis on high risk carriers and increase the fines, particularly for repeat offenders. FMCSA should periodically evaluate the fines that are assessed of non-compliant carriers to ensure that they have the appropriate deterrent effect and increase the fines as necessary.

### **J.6 Fatigue**

Fatigue has been identified as a major factor in single truck crashes and it may be a significant factor in all truck crashes. The current hours-of-service requirements may be one of the variables contributing to driver fatigue. Federal limits on hours-of-service are governed by regulations that do not reflect current research on fatigue and circadian rhythms. FMCSA should revise the existing hours-of-service regulations so that, at a minimum, they allow 12 off-duty hours (including eight hours of uninterrupted rest time) in any 24-hour period and do not allow any increase from the driving time currently permitted.

On-board recorders that track the hours of operation of heavy trucks can help to enforce hours-of-service regulations and eliminate falsification of log books in which drivers track hours driven. GHSA encourages the use of on-board recorders or other electronic monitoring systems to keep automatic records of truck hours-of-service.

The lack of adequate rest areas also contributes to commercial motor vehicle driver fatigue. FMCSA should continue to assess the adequacy of both public and private sector rest areas. Further, Congress should consider allowing joint public-private partnerships to finance rest areas on roadways with an identified need.

### **J.7 Insurance**

Federal minimum insurance requirements for motor carriers help protect the consumer and determine the carrier's fitness for service. FMCSA should frequently examine liability insurance minimums, determine if they are adequate and revise as appropriate.

Additionally, states should be encouraged to adopt mandatory minimum liability insurance coverage levels for intrastate commercial vehicles that are equivalent to the federal minimum levels for commercial vehicles being operated in interstate commerce.

### **J.8 Truck Size And Weight**

GHSA is concerned with the potential effect that increased truck size and weight could have on highway safety. Many states have increased speed limits, increasing the speed differential between large trucks and other motor vehicles. This raises concern regarding any increases in truck size or weight.

GHSA encourages the enforcement of current truck size and weight regulations. The Association opposes increases in the current federal truck size and weight limits unless and until it can be shown that such increases will not compromise safety.

GHSA also encourages jurisdictions to install commercial vehicle weigh-in-motion and electronic screening technology that, in addition to identifying overweight problem vehicles, can aid in reducing the potential hazards of slower moving commercial vehicles exiting and entering the roadways.

### **J.9 Hazardous Materials**

GHSA recognizes that hazardous materials traveling throughout our country are a necessity, but also increase the potential for serious problems. It is critical that response teams are well trained and equipped to ensure appropriate response in the event of an incident. Enforcement of hazardous materials regulations on the roadways is also critical to minimizing the potential threat of serious hazardous materials incidents.

GHSA supports the continuation of quality federal training for hazardous materials inspectors and the provision of technical assistance to states so that they may be able to develop their own high-level training programs that are consistent with federal standards.

GHSA also encourages federal hazardous materials inspectors to work with states to investigate the safety of hazardous materials shippers as well as carriers. Expansion of safety inspections is necessary in order to address all aspects of the hazardous materials transportation problem.

### **J.10 Speed Detection Devices in Commercial Motor Vehicles**

GHSA supports the ban of all speed detection devices (e.g., radar detectors, laser detectors, etc.) in commercial motor vehicles. GHSA supports the use of speed governors in commercial motor vehicles over 25,000 GVW.

### **J.11 Sharing the Road with Commercial Motor Vehicles**

FMCSA has a public information campaign to educate other road users on the physical limitations of large trucks and how to share the road with them. GHSA supports this campaign and encourages its members to participate actively in and promote the campaign in order to reduce the number of crashes involving large trucks.

### **J.12 Truck Conspicuity**

GHSA supports federal regulations which would require all new and previously marked commercial motor vehicles over 26,000 lbs to have specific reflective markings on the sides and rear of truck trailers. The required reflective markings will reduce the number of truck-passenger car crashes, injuries and fatalities by allowing motorists to detect commercial motor vehicles better at night and under conditions of reduced visibility.

### **J.13 Impaired Driving**

.04 BAC per se is considered the legal level of impairment under federal commercial motor vehicle safety law and regulations. GHSA supports that per se level and urges states to enforce it.

### **J. 14 Distracted Driving For Commercial Vehicles**

GHSA supports the federal ban on texting by drivers of commercial motor vehicles. The Association encourages the coordination of distracted driving educational and enforcement campaigns funded under MCSAP with those funded by federal behavioral grant programs.

### **J. 15 Safety Belt Enforcement**

GHSA recommends that state enforcement of mandatory safety belt laws focus on all drivers, including drivers of commercial motor vehicles. GHSA also urges commercial motor vehicle shippers and carriers to adopt and enforce mandatory safety belt use policies.

## **K. School Bus and School-Related Safety**

### **K.1 School Bus Loading and Unloading**

GHSA supports comprehensive training for children, teachers, parents and school bus drivers in the proper loading and unloading of school buses and feels that such comprehensive training should be made a regular part of each state's school transportation safety curriculum. This

training should include, but not be limited to: the procedures for loading and unloading a school bus; other related areas such as getting to and from the bus; waiting for the bus; and bus riding behavior as it relates to safety.

### **K.2 School Bus Vehicle Safety and Safety Equipment**

GHSA endorses the National Transportation Safety Board (NTSB) and National Academy of Sciences (NAS) recommendations for retiring pre-1977 buses as expeditiously as public finances allow; regulating pre-1977 buses in private use by requiring annual safety inspections and compliance with minimum vehicle safety equipment standards; increasing coordination of research efforts and cooperation in designing safer school buses; and including school bus drivers under all licensing and driver qualification phases of the Commercial Drivers License regulations.

GHSA also endorses the use of school bus safety devices such as stop-arms, cross-view mirrors, crossing control arms, electronic sensors and other devices, and encourages states to implement the use of these devices.

### **K.3 Safe Routes to School**

States should take steps to enable children to walk and bicycle to school safely. State Highway Safety Offices are encouraged to participate in the planning, development and implementation of federally funded projects and activities that improve safety in the vicinity of schools. In particular, SHSO's should provide public awareness campaigns and outreach to press and community leaders, traffic enforcement in the vicinity of schools and curricula for students on bicycle and pedestrian safety.

## **L. Traffic Records**

### **L.1 Uniform Data Collection and Reporting**

States rely heavily on traffic records in order to identify highway safety problems, select program alternatives and evaluate the effectiveness of safety programs. GHSA believes that accurate federal and state data collection, reporting, analysis and linkage are critical to the success of highway safety programs and also provide the basis for program evaluation and cost-benefit analysis.

Crash data standardization is needed to measure progress in highway safety across the nation. GHSA encourages state and local jurisdictions to implement the uniform crash data elements of the Model Minimum Uniform Crash Criteria (MMUCC). States are also encouraged to collect the uniform data elements of the National EMS Information System (NEMSIS).

GHSA also supports the development of integrated state traffic records systems with linkage between databases such as MMUCC, NEMSIS, driver, vehicle, roadway, citation and adjudication and other injury databases.

### **L.2 DUI Information Systems**

GHSA supports states' efforts to create and implement DUI information systems for the purpose of tracking offenders from arrest through imposition and completion of administrative or judicial sanction, identifying the problems associated with impaired driving and effectively evaluating countermeasures. NHTSA has developed guidelines for a model state DUI information system. GHSA supports the model guidelines and urges the federal government to provide adequate funding for implementation of state automated DUI information systems that are consistent with the model guidelines to the maximum extent practicable. Additionally, NHTSA should provide the necessary leadership to promote DUI information systems, convey their importance to states, collaborate with other federal agencies to link DUI-related databases, provide technical assistance and promote best practices.

### **L.3 DUI Records Retention**

In order to identify repeat offenders, it is important to retain drunk driving records for a long time and allow for long “look back” periods. States are urged to retain drunk driving records to allow at least a 10-year look back period.

### **L.4 Driver Records**

GHSA supports the concept of one driver, one driver’s license record. GHSA supports the development of an electronic system for the collection of driver licensing and driver history information since such a system will facilitate the exchange of driver licensing and history information between states. However, the development and implementation of such a national system will be extremely costly. Hence, the federal government should provide adequate funding to states so that they can develop an appropriate electronic system that meets both federal requirements and state needs.

## **M. Roadway Safety**

### **M.1 Work Zone Safety**

GHSA supports an emphasis on work zone safety and encourages public/private partnerships to address this problem. GHSA encourages enhanced public awareness of work zone safety through training, education, enforcement and the media. GHSA also encourages innovative approaches, such as the use of new technologies, to reduce injury exposure of persons in the work zone.

### **M.2 Strategic Highway Safety Planning**

Coordination and integration of roadway safety, work zone safety, truck safety, rail grade crossing, emergency medical services and other safety programs with driver behavior programs are critical if safety activities are to reach safety goals and have a positive impact at the state and sub-state levels. GHSA strongly encourages every state to coordinate its overall highway safety program by developing a strategic performance-based highway safety document (a Strategic Highway Safety Plan or SHSP) that sets statewide safety goals and coordinates specific safety plans required by federal statute. The state Highway Safety Plan/Performance Plan (HSP/PP) should be coordinated with the comprehensive statewide safety plan and should strive to reach the safety goals expressed in the strategic state safety document. States should revise their SHSPs at least once in between federal reauthorizations.

### **M.3 Intelligent Transportation Systems**

GHSA supports the concept of intelligent transportation systems as an effective means of addressing many transportation problems and urges government leadership to provide for improved safety by establishing and supporting an adequately funded national research and demonstration program to develop intelligent transportation systems. Such systems involve infrastructure-to-vehicle communications and vehicle-to-vehicle communications. When fully deployed, such systems could substantially increase crash avoidance capabilities and ultimately save lives. GHSA supports the continued leadership of the U.S. Department of Transportation to arrange demonstrations and otherwise further technology transfer in this area.

### **M.4 Highway Rail Grade Crossing Safety**

GHSA urges states to continue to address the problem of grade crossing safety; develop plans for systematically correcting safety problems at public grade-crossings; utilize federal, state and other funds for implementing their grade crossing safety improvement plans; and enforce grade crossing laws. GHSA strongly supports Operation Lifesaver and continued federal funding for the program.

## **M.5 Automated Enforcement**

The Association urges states to utilize automated enforcement to address the problem of red light running and speeding.

In order to maximize safety benefits, jurisdictions should use enforcement cameras appropriately and effectively. GHSA therefore endorses the following principles:

- Cameras should be used at high crash sites or in situations where traffic law enforcement personnel cannot be deployed safely. There should be a traffic engineering analysis of each site before traffic cameras are installed and citations issued.
- Cameras are not to replace traditional law enforcement personnel or to mitigate safety problems caused by deficient road design, construction or maintenance.
- Use of cameras should be preceded by a public information campaign. The campaign should continue throughout the life of the automated enforcement program.
- Cameras should not be used as a revenue generator. Compensation paid for an automated traffic law system should be based on its value and not on the amount of revenue it generates nor the number of tickets issued. Revenues derived from the automated enforcement program should be used solely to fund highway safety functions.
- The implementing jurisdiction should undertake an evaluation of the enforcement program within three years of the program's initiation. If reductions in red light running and speeding do not occur, then the program should be terminated.

## **N. Driver Licensing and Education**

### **N.1 Driver Education/Training**

GHSA supports the model driver education/training curriculum that would complement and be integrated with graduated licensing laws. The curriculum should continue, at a minimum, to focus on vehicle handling and crash avoidance, driver behavior and risk reduction, roadway features and their safety implications, and vehicle-road user interactions for all types of vehicles and road users (e.g., car-truck, pedestrian-car, etc.). There should continue to be learning components specifically geared to the parents of young drivers. The curriculum should continue to take advantage of current adult learning research and should utilize new technologies such as the Internet and computer simulations. NHTSA should continue to demonstrate the model curriculum in selected locations, evaluate the results and then make refinements in the model curriculum as needed.

GHSA supports the minimum certification standards for driver education teachers/instructors. These standards should also be deployed in selected states, evaluated and revised accordingly. The research-based model curriculum and teacher/instructor certification standards should then be made widely available to states. NHTSA should continue to provide technical assistance to states to help them utilize the model curriculum and teacher/instructor standards and make other improvements in their driver licensing systems.

### **N.2 Driver License Compact and Nonresident Violators Compact**

GHSA strongly encourages membership in the Driver License Compact and encourages the adoption of a one license/one record policy and a classified Driver Licensing Program.

### **N.3 Graduated Driver Licensing for Novice Drivers**

GHSA supports graduated driver licensing for novice drivers, particularly teenaged drivers. Recognizing that driving is a complex task and that skills increase with experience, GHSA encourages all states and jurisdictions to enact a 3-staged graduated driver's license legislation and implement a graduated driver's license program that includes such components as: a specific minimum age for a learner's permit, a provisional permit that is granted several months after the learner's permit and before a full license; mandatory on-the-road driving that supplements driver

education/training during the learner phase; adult supervision of learners; nighttime driving restrictions; mandatory safety belt use; restricted number of passengers; distinctive provisional driver's license; zero tolerance for alcohol; and license suspension for any impaired driving conviction or implied consent refusal. GHSA encourages the federal government to conduct research on the appropriate age for a learner's permit, an intermediate license and full licensure so that there is better evidence for basing driver age decisions at the state level than currently available.

#### **N.4 Younger Drivers of Commercial Motor Vehicles**

FMCSA proposed to allow younger drivers (19-20 year olds) to drive commercial motor vehicles (CMV) on a pilot basis. The intent of this pilot was to alleviate the shortage of CMV drivers by expanding the pool of eligible drivers.

Although GHSA understands the driver shortage problem, the Association is opposed to any consideration of licensing younger drivers for CMVs. Motor vehicle crashes are the leading cause of death for 15-20 year olds. Any expansion for younger drivers, therefore, will put the riskiest drivers on the road, regardless of the level and intensity of training.

#### **N.5 Medically Impaired Driver Testing**

Since medical impairment has become more frequently identified as a contributing factor in vehicle crashes, GHSA supports vehicle operator testing and licensing systems that include methods for identifying physical or mental conditions that may impair the safe operation of a motor vehicle. GHSA also encourages every state to establish a Medical Advisory Board (MAB) with the capacity to assist motor vehicle administrators in: 1) developing medical guidelines/policies for driver licensing and 2) determining the safety fitness of operators that have been identified as having a medical condition that may impair their ability to drive.

## **O. Driver Safety Issues**

### **O.1 Fatigued Drivers**

Fatigued, drowsy drivers of all types of vehicles are a major cause of crashes on the nation's roadways. GHSA encourages continued research and study into the issue of the drowsy driver and the development of appropriate and effective countermeasures.

### **O.2 Mature Drivers**

GHSA is aware that it is projected by the year 2020, nearly 50 million Americans over 65 will have or be eligible for a driver's license and almost one-half of them will be age 75 or older.

The needs of mature drivers could be addressed by making highway signs bigger and brighter; maintaining roadway signs and markings to the highest level of accepted performance; passing safety belt use laws; adopting state uniform vision standards; and researching crash protection for mature drivers. In addition, early warning programs should be developed to help mature drivers better understand their driving capabilities. Improvements should be made in the licensing process so that safe mature drivers are kept on the road as long as possible.

The Federal Highway Administration (FHWA) should provide technical assistance to states to help them implement the Older Driver Design Guide, and FHWA should evaluate the effectiveness of these improvements. NHTSA should work with the American Association of Motor Vehicle Administrators (AAMVA) to develop improvements to state licensing processes for mature drivers.

### **O. 3 Young Adult Drivers**

GHSA recognizes that the 21-34 year old age group is over-represented in traffic crashes and is one of the highest risk-taking group of drivers. GHSA supports all efforts to identify causes and

implement appropriate countermeasures, including enforcement and education, to reach this special target population and to reduce its involvement in traffic crashes.

#### **O.4 Work Place Safety Programs**

GHSA recognizes that traffic crashes are the leading cause of death, injury and loss of lifetime productivity in the workplace. GHSA supports workplace safety efforts aimed at reducing traffic crashes on and off the job.

As part of a company's or agency's employment policies, employers should forbid impaired driving, ban text messaging and discourage the use of cell phones and other electronic devices when driving except in emergency situations, require mandatory seatbelt usage and obedience to all traffic laws and safe driving practices.

#### **O.5 Distracted Driving**

There are many distractions which may prevent a driver from focusing on the complex task of driving: changing the radio or a CD, talking to passengers, observing an event outside the vehicle, using an electronic device, etc. Navigational and other interactive devices, called telematics, in the vehicle are available in most vehicles and more will be available in the near future. These devices may also distract drivers.

The federal government should fund considerably more research to determine the scope and nature of the distracted driving problem, effective countermeasures and the effect of telematics on driving behavior. Further, the federal government should fund a comprehensive media campaign to educate the public about the dangers of distracted driving and the way to manage driver distractions. GHSA opposes federal legislation that would penalize states for not restricting the use of cell phones or other electronic devices.

Producers and providers of electronic devices should also undertake a major educational campaign to inform the public about the proper use of these devices.

As part of their federal traffic safety grant agreement, states should encourage grantees to adopt policies that ban text messaging while driving. State agencies should also be encouraged to enact bans on texting and driving that are similar to the federal ban.

As part of a state's graduated licensing law, novice drivers should be prohibited from text messaging or using cell phones and other electronic devices for non-emergency purposes while driving.

GHSA supports state legislation that would ban text messaging for all drivers, electronic devices used for entertainment purposes with video screens that are within view of the driver and school bus drivers from text messaging or using electronic devices except in an emergency.

GHSA believes that, when on the road, all drivers should not text message, use cell phones or other electronic devices, faxes, computers or other distracting devices except to report a crash to emergency responders. If a driver must use such devices to make a call or report an emergency, the driver should first stop in a parking lot or other protected area.

## **P. Miscellaneous Issues**

### **P.1 License Plates**

GHSA recognizes the importance of license plates in traffic safety enforcement. GHSA urges states to require front and rear plates, assuring that the plates are readable and reflective, using distinctive numbers that are retrievable through computer systems, thus preserving the value of license plates to the law enforcement community.

### **P.2 Assessments and Training**

GHSA encourages its members to take advantage of all of the assessments (e.g., traffic records, impaired driving, occupant protection, EMS, driver education, CPS, motorcycle, pedestrian, as well as road safety audits.) to examine the strengths and weaknesses of their programs and to facilitate strategic short- and long-term planning.

GHSA encourages its members to take advantage of GHSA training (e.g. Executive Seminar on Program Management) to strengthen state programs and enhance them by facilitating short- and long-term planning