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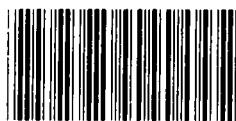
SUPPLEMENT TO THE REPORT BY THE 113552

Comptroller General

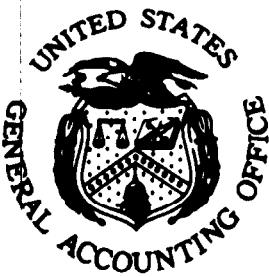
OF THE UNITED STATES

Highway Safety Grant Program Achieves Limited Success

GAO has issued concurrently with this supplement a report with the above title. The Department of Transportation and State highway safety representatives commented on the draft of this report, and this supplement contains GAO's evaluation of and response to these comments.



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CED-81-16A
OCTOBER 15, 1980

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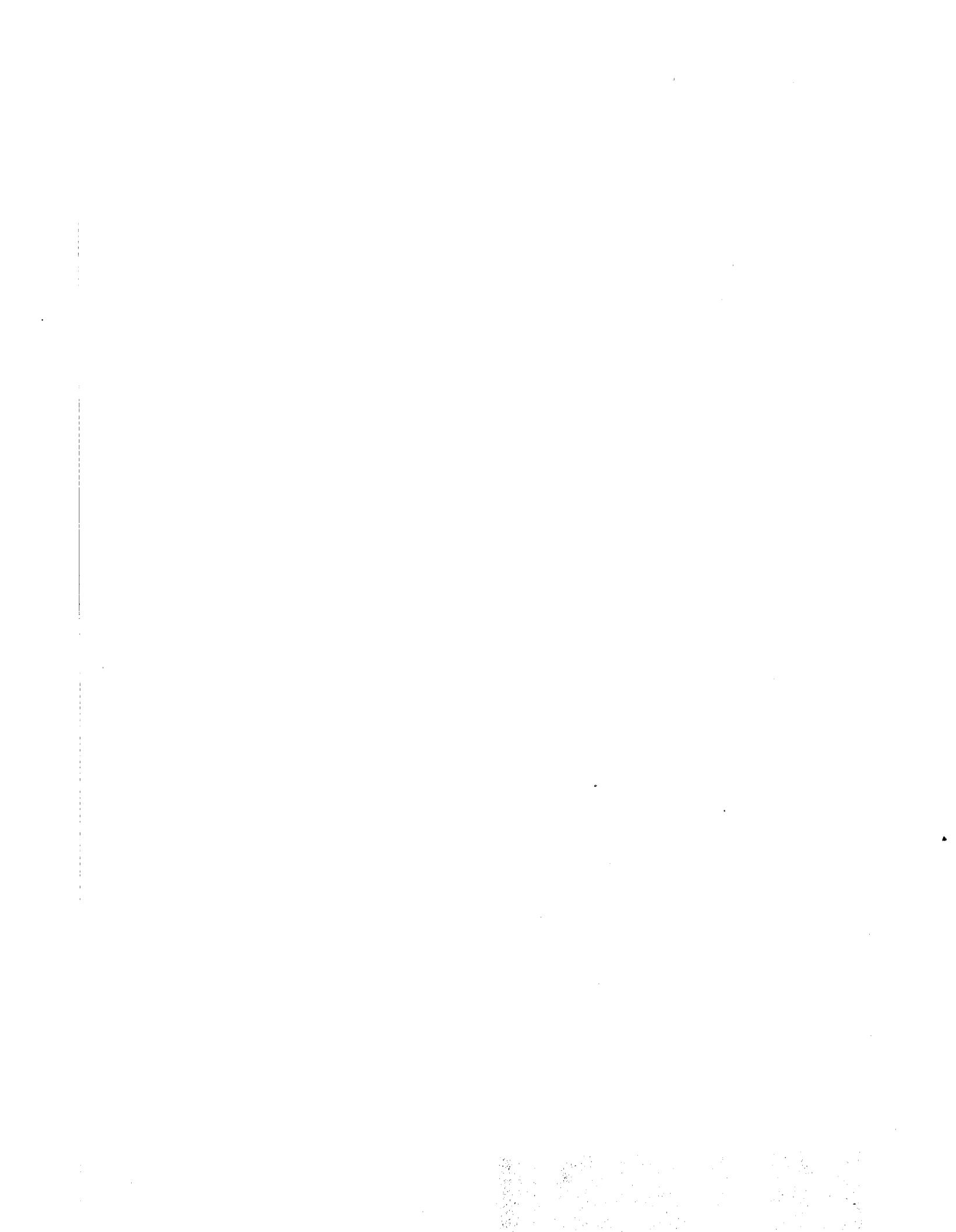
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REPORT

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GAO COMMENTS TO THE STATE HIGHWAY SAFETY
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GAO COMMENTS ON THE DEPARTMENT OF
TRANSPORTATION'S REPLY TO THE
JUNE 3, 1980, GAO DRAFT REPORT ENTITLED
"THE HIGHWAY SAFETY GRANT PROGRAM:
LIMITED SUCCESS IN ACHIEVING ITS OBJECTIVE" 1/

This supplement to the report entitled "Highway Safety Grant Program Achieves Limited Success" (CED-81-16) contains the Department of Transportation's (DOT's) reply to our June 3, 1980, draft report that was submitted to the agency for comments and our evaluation of that reply. Addressing DOT's reply in this separate supplement is necessary due to the reply's great length (44 pages) and DOT's general disagreement with the draft report statements. DOT's comments have also been addressed in the body of the report, as applicable.

Our approach in this supplement is to respond to DOT's reply on a comment-by-comment basis in the same order that DOT made the comments.2/ We have left DOT's reply intact, inserting our comments where appropriate. Where possible, we respond by restating portions of our June 3, 1980, draft report, rather than from our final report.

In this supplement, "draft report" refers to the report on which DOT's reply is based; "final report" refers to the report of which this is a supplement. Any changes to the draft report that resulted from DOT's reply are incorporated in the final report.

1/The title of the final report was revised during our internal review process.

2/Page number references quoted by the Department refer to pages in the June 3, 1980, draft report and are not necessarily the same as those of the final report.



**U.S. Department of
Transportation**

**Office of the Secretary
of Transportation**

Assistant Secretary
for Administration

400 Seventh Street, S.W.
Washington, D.C. 20590

July 11, 1980

**Mr. Henry Eschwege
Director
Community and Economic
Development Division
U.S. General Accounting Office
Washington, D.C. 20548**

Dear Mr. Eschwege:

We have enclosed two copies of the Department of Transportation's (DOT) reply to the General Accounting Office (GAO) draft report, "The Highway Safety Grant Program: Limited Success in Achieving Its Objective," dated June 3, 1980. The National Highway Traffic Safety Administration (NHTSA) has reviewed the GAO draft report and is in general disagreement with the findings and conclusions. NHTSA's position is discussed in detail in the enclosed statement.

Sincerely,

Karen D. Lee
for Edward W. Scott, Jr.

Enclosures

DEPARTMENT OF TRANSPORTATION REPLY

TO

GAO DRAFT REPORT OF JUNE 3, 1980

ON

THE HIGHWAY SAFETY GRANT PROGRAM:

LIMITED SUCCESS IN ACHIEVING ITS OBJECTIVE

SUMMARY OF GAO FINDINGS AND RECOMMENDATIONS

GAO assessed the Department of Transportation's administration of the safety grant program and concluded that (1) the program has no clear, specific direction; (2) evaluations generally have not determined whether funded projects have effectively reduced accidents; and (3) many measures which are believed to improve highway safety are not implemented.

The GAO report provides several recommendations to the Secretary of Transportation to improve the Federal administration of the safety grant program. The report also provides alternatives which the Congress could consider in determining the Federal Government's future role in highway safety.

Findings

1. Grant funds obligated under the Highway Safety Act of 1966 have increased substantially over the years -- from \$2 million in 1967 to \$200 million in 1979 -- yet the funds represent only two to three percent of the State and local governments' total expenditures on highway safety activities.
2. The trend toward overall reduction in motor vehicle death rates was apparent even before the safety grant program, and since 1976, death rates have been increasing each year. Motor vehicle accidents continue to cause over 50,000 deaths a year.
3. Changing, and sometimes conflicting, directions from the legislation, the DOT and the States have caused the highway safety grant program to address a multitude of safety activities with no specific goal to be achieved.
4. Few highway safety projects have yet been able to show a positive or lasting effect on accident reductions.
5. Many measures that are believed to contribute significantly to highway safety have not been implemented, or have been implemented incompletely, inefficiently, or only temporarily by the States.
6. GAO believes that Congress needs to consider what role the Federal

Government is to play in future highway safety activities and then alter the safety grant program accordingly.

Recommendations

The chance of measuring the effectiveness of this program as it is presently administered is remote. GAO believes that some corrective action should be taken and recommends that the Secretary of Transportation:

1. Establish criteria which describe how much problem identification and data analysis the States will need in order to address their highway safety problems and evaluate results, and work with the States to ensure that the criteria are followed.
2. Develop a plan which outlines what safety evaluations will be performed to determine the effectiveness of funded activities, and establish a method for coordinating that plan among States to avoid duplication.
3. Establish a method for disseminating successful as well as unsuccessful evaluation results among all States, and require that these results be considered before funding future safety activities.

Alternatives

1. If the Federal role is to continue administering the safety grant program, the Congress could decide to increase the DOT's administrative authority and improve its leadership role to make it more effective. This would require, among other things, that the Department be given the authority to prevent States from digressing from a single program direction established by the Congress.
2. If the Federal role is to assist in financing safety activities in State-identified problem areas, the Congress could decide that there is little further need for the DOT's involvement in the program other than to provide such things as technical assistance to the States regarding safety research information. Therefore, the States could be funded more directly.
3. If the responsibility for financing and administering future highway safety activities is ever to be turned over completely to the State and local governments, the Congress could decide that the 2 to 3 percent Federal contribution that this program represents is so small that the safety grant program could be discontinued.

[GAO COMMENT: This information is essentially a recapitulation of the draft report and therefore no comment is warranted.]

SUMMARY OF DEPARTMENT OF TRANSPORTATION POSITION

The GAO has reviewed the Highway Safety Grant Program and asserts that it has had limited success in achieving its objective. We recognize that much remains to be done in improving highway safety, but we believe that "limited success" has a pejorative connotation that does not agree with

the facts. GAO has viewed its findings from a negative viewpoint in almost every instance, whereas it is easy to demonstrate that there have been concrete accomplishments or measurable progress in many areas.

The two to three percent of the annual expenditure on highway safety that the Grant Program represents has, in our opinion, an influence far beyond its proportion of the total expenditure. Some projects have not succeeded, but this is to be expected when the objective is to expand the knowledge of human behavior in highway safety matters. We believe the GAO has taken a very biased view of the progress of the Highway Safety Grant Program and the environment in which it operates. Specific examples are provided in the point by point response section of this review.

[GAO COMMENT: Our draft report specifically stated that the Highway Safety Grant Program's objective is to assist States in implementing safety programs designed to reduce traffic accidents and related deaths, injuries, and property damage. Yet, our draft report also pointed out that, in 1979, the House Appropriations Committee questioned the program's cost and lack of proven effectiveness.

Motor vehicle accidents continue to cause more than 50,000 deaths a year. Because of those deaths and congressional concern, and because 13 years and nearly \$1.3 billion in Federal assistance had been spent on the Highway Safety Grant Program, we undertook a review to determine how the program could become more effective. Based on extensive work at nine State highway safety agencies and Federal Highway Administration (FHWA) division offices, four National Highway Traffic Safety Administration (NHTSA) and FHWA regional offices, and NHTSA and FHWA headquarters' offices, we grouped together problem areas that appeared to be most prevalent throughout the program, and which limited its success. The problem areas, as stated in our draft report were:

"Changing, and sometimes conflicting, directions from the legislation, the Department of Transportation and the States have caused the highway safety grant program to address a multitude of safety activities with no specific goal to be achieved. This situation is hampered by the fact that few highway safety projects have yet been shown to have a positive or lasting effect on accident reductions. Further, many measures that are believed to contribute significantly to highway safety have not been implemented, or have been implemented incompletely, inefficiently, or only temporarily by the States."

The problem areas identified and discussed throughout our draft report were well documented and revealed what factors Federal and State highway safety officials believed were contributing to the limited success of the Highway Safety Grant Program. Therefore, we do not agree that "limited success", as used in our draft report, has a derogatory connotation that does not agree with the facts presented.]

We also fault the GAO for the limited perception they have of the purpose, scope and objective of the 402 program. The GAO examines the program only from the aspect of accident reduction. While this is the true "bottom line" for highway safety programs in general, this is only one objective of the 402 program. In the aggregate all highway safety activities conducted at the State and local levels are intended eventually to contribute to crash reduction, or to reducing the consequences of crashes, as in emergency medical services. This includes the 402 funded activities. Although the 402 program provides at best only 3 percent of the total resources spent on highway safety, it constitutes a critical component of the overall effort. In order to truly assess the importance of the 402 program and its achievement, one must examine the full scope of what it accomplishes, and how it is done.

The GAO draft report fails to do that.

[GAO COMMENT: Because the "bottom line" objective of the Highway Safety Grant Program is to reduce traffic accidents and related deaths, injuries, and property damage, we conducted our review with this objective in mind. We realize that the Highway Safety Grant Program tries to improve State and local government efforts in many highway safety activities, but the point remains why isn't the program more effective in meeting its "bottom line" objective? Ironically, the NHTSA Administrator addressed the National Association of Governor's Highway Safety Representatives in September 1979 with this same perception. She stated:

"* * * I agree the fatality rate (per 100 million vehicle miles of travel) is down--from 5 1/2 in 1966 to 3 1/4 in 1978. But while the rate is down, more people are driving more miles and we're still killing 50,000 human beings each year. And that's not all. The historical decline in the fatality rate may have stopped. For the last three years, it's even been rising a little bit--from 3.23 in 1976 to 3.27 in 1978. Even assuming that the rate does not increase, with a three percent annual growth in miles travelled, by the year 1986, twenty

years after enactment of the program, over 63,000 Americans will die in highway crashes.

"Obviously, the death rate is an important measurement tool. But we cannot ignore the bottom line. We're not losing miles. We're losing lives."

* * * * *

"* * * Frankly, I don't know how long the Congress will continue to fund an undertaking that produces minimal identifiable results* * *."]

The 402 program has many aspects involving many agencies and people of varied constituencies, interests, abilities, and professions. To each of these groups the program has a different thrust. By the same token a single aspect of 402 may influence a number of the elements that determine the state of highway safety. These are considerations that must be kept in mind in evaluating the highway safety picture. We hope the following discussions will clarify the issues raised.

[GAO COMMENT: We recognize that many agencies and people are involved in the Highway Safety Grant Program. The scope of our review, and the many discussions we had with highway safety officials, attest to this recognition. Throughout our draft report we referred to those discussions as they pertained to the problem areas presented.]

The 402 Program in Perspective:

The highway safety problem is a public health problem. Motor vehicle accidents are, by far, the largest killer of people under 44 years of age in the United States. Motor vehicle accidents are the largest single cause of paraplegia, and a major cause of epilepsy. Approximately two million people suffer disabling injuries each year, and millions more are injured less severely. People spend three million days in hospitals annually as a result of traffic accidents. Not counting the nonquantifiable cost of pain and suffering which millions of families experience yearly, the overall loss to society from death and injury crashes has been estimated to exceed \$50 billion per year.

In summary, the total highway safety effort, of which the 402 program has been demonstrated to be an effective part, cannot be viewed only in the context of "productivity", "bottom line impact", and "payoff". The human consequences of highway crashes are too severe, too numerous, too real to be placed in that dispassionate context.

[GAO COMMENT: NHTSA stated that its program cannot be viewed only in the context of productivity, bottom line impact, and payoff. Yet, NHTSA's Administrator repeatedly speaks in such terms, and the NHTSA comment above addresses the fact that motor vehicle accidents are a major cause of paraplegia and epilepsy. Such conflicting statements made by NHTSA contribute to the difficulty in trying to measure the true effectiveness of this program.

The Highway Safety Grant Program has existed since 1966. During that time, nearly \$1.3 billion in Federal grants has been provided to State and local governments to reduce traffic accidents, deaths, injuries, and property damage. Since 1976, annual Federal grants have substantially increased and so have motor vehicle deaths and death rates. Therefore, the total highway safety effort appears to have reached its limit of effectiveness under its present management philosophy.

Our draft report identified the problem areas that hamper program success. These problem areas (discussed earlier in this supplement) need to be addressed and resolved if the program's effectiveness is to ever be measured.]

In 1966, the Congress established the 402 program to provide grant-in-aid funds to the States to assist them in improving their highway safety programs. These programs are designed to reduce the highway accident rate by improving driver and pedestrian behavior, not by vehicle design changes or highway safety engineering. The Federal funds appropriated for the 402 program represent only a very small percent of the total amount spent annually on safety programs by the States and communities. The State and local programs attack a vast array of safety problems, from alcohol safety patrols and school bus driver education to driver licensing and police traffic enforcement.

State highway safety programs are a conglomeration of many programs and projects at the State and local level. Unlike many other Federal grant programs, virtually every State department participates in highway safety activities, including motor vehicle, enforcement, education, public health, transportation, public works and the judiciary, among others. Recognizing the national scope of the problem and the program efforts made by the States over the preceding half century, Congress took official notice that the States had clearly demonstrated that they were not capable of implementing comprehensive, uniform highway safety programs which were adequately financed. In response Congress passed the 1966 Highway Safety Act.

The 402 program has always faced a problem in demonstrating its value and achievements. The primary reason is that the 402 program attempts to improve State and local programs in a variety of ways, each with its own objective. Yet, it is frequently evaluated on the basis of

only one or two of these, an approach which always leaves an imbalance between the objective sought, the funds spent and the accomplishments attained. A true assessment of the program requires that we look at all of the ways the 402 program attempts to improve State and local efforts:

- o It seeks to reduce crashes by making overall improvements in the States highway safety systems. In preventing death and injury through crash reduction, most 402 projects are too small individually to have a statistically provable effect. However, these individual projects are designed to induce larger State efforts, and the effects of the projects are cumulative. Although most 402 projects cannot be proven to reduce crashes, it is certainly well documented that the 402 program has helped to reduce fatalities related to speeding and motorcycle helmet use.

[GAO COMMENT: Our draft report dealt with this problem of not knowing what safety countermeasures work. As stated in our draft report:

"* * * Generally, DOT and the safety agencies were unsure as to which projects were successful or unsuccessful in reducing traffic accidents and related deaths, injuries and property damage because:

* * * *

--Individual projects reportedly are not large enough, nor are they continued long enough, to measure effectiveness."

Further, NHTSA's statement that the 402 program (Highway Safety Grant Program) has helped reduce fatalities related to such factors as motorcycle helmet use is difficult to comprehend when statistics indicate that 27 States have repealed or weakened their helmet-use laws since 1976. Those actions hardly seem likely to improve the State highway safety systems..]

- o It provides additional resources with which the States can expand their safety programs. In H.R. 1700 the Congress noted that the State programs were "handicapped by gaps and deficiencies and inadequate financing". The 402 funds, limited as they are, are used to fill these gaps and correct the deficiencies.

[GAO COMMENT: Our draft report recognized the resources that this program provides the States. The draft report stated:

"After 13 years of Federal assistance in the highway safety area, nearly \$1.3 billion has been obligated under the safety grant program. From fiscal year 1967 through 1979 annual obligations increased greatly--from \$2 million to \$200 million. These Federal funds, however, represent only 2 to 3 percent of the total funds which the State and local governments spend to further support the safety grant program * * *."]

- o It promotes consolidation of the planning function. This consolidation is achieved among the diverse agencies implementing the overall program by requiring approval of a planning document for all 402 funded activities as a condition of the grant. Prior to the coordination of the 402 program, there was no coordination mechanism for highway safety activities at the State level.

[GAO COMMENT: Our draft report recognized that NHTSA currently requires States to prepare planning documents. The draft report stated:

"DOT's Highway Safety Program Manual establishes policy and procedures for the submission of each State's Highway Safety Plan, which is the basis for Federal funding of the State's highway safety program."

However, our draft report also identified shortcomings in the planning requirements, which NHTSA failed to address in its comments above. Our draft report stated:

"DOT has not established specific criteria to determine how significant a problem must be before a State can use grant funds to try to resolve it. Further, most of the safety agencies we reviewed still lack the capability to adequately identify their problems. Nevertheless, Federal grant funds can be used to implement almost any safety project regardless of the impact it may have on reducing accidents."]

- o It provides a uniform set of guidelines, the Highway Safety Standards, for the States to use in planning their programs. These standards include the 6 uniformity areas in which the uniformity of application by the States is more important than the specifics of the program. Four of these six areas are under NHTSA: Rules of the Road, Traffic Accidents and Records Systems, Vehicle Registration, Titling and Anti-theft, and Driver Licensing. In 1966 average compliance with

the standards was 47 percent. Today it is 87 percent. Since 1966 the States have also made major improvements in their compliance with the Rules of the Road chapter of the Uniform Vehicle Code.

[GAO COMMENT: Throughout the draft report we made reference to the 18 uniform standards or 6 uniform requirement areas that the States were addressing or encouraged to address in their highway safety plans. In addition, we stated that the Highway Safety Act of 1966, as amended, did not require that every element of every standard be addressed by every State. Since that amendment became effective, many State legislators have regressed from implementing certain elements of the uniform standards that studies have deemed important, such as motorcycle helmet-use laws and periodic motor vehicle inspections.]

- ◊ It encourages the evaluation of State and local programs. Evaluation is encouraged in order to determine whether changes have resulted in increased program efficiencies, changed driver behavior and/or reduced accidents. These evaluations can be costly, and many are inconclusive. However, it will ultimately be much less costly to pursue the evaluation course set by NHTSA than to continue to invest \$2 billion a year in programs which no one can be certain will be effective.

[GAO COMMENT: The draft report supports the statement that the Highway Safety Grant Program encourages evaluation, and we agree that NHTSA should pursue an evaluation course rather than continue to invest money in programs that no one can be certain will be effective. However, NHTSA faces major problems in carrying out its evaluation responsibilities in the highway safety area. These problems were discussed in a separate chapter of our draft report, which concluded:

"After 13 years of experience in highway safety, NHTSA and the safety agencies still do not have the necessary capability to conduct evaluations under the safety grant program, and Federal research efforts have, for the most part, been useless in helping State and local governments select successful highway safety projects. Thus, safety agencies continue to implement a wide range of projects without knowing which have been successful or unsuccessful in reducing accidents. Until NHTSA takes the lead in developing a credible and organized evaluation program to determine which countermeasures work and establishes a method for disseminating and using that

information, the safety program effectiveness will likely remain unknown. NHTSA plans to devote more resources to this area, but we were told that its plans may be hampered by funding limitations.]

- o It encourages the implementation of program improvements. State and local programs tend to become institutionalized, to be continued year-after-year without change. The 402 funds provide the additional resources to implement changes, or start new programs, and to test their effectiveness in increasing system efficiency. In other words, it provides the "risk capital" or "seed money" for innovative efforts that might not otherwise be attempted for fear of failure and criticism.

[GAO COMMENT: Our draft report revealed problems in this "seed money" concept, as described by NHTSA. Our draft report stated:

"NHTSA's policy is to have State and local governments eventually take over funding safety projects. Therefore, the safety grant program would operate under a "seed money" concept. Exceptions permitted under NHTSA's policy, however, could allow safety projects to be funded indefinitely, and many safety efforts may not continue after Federal grant funds are discontinued. A NHTSA associate administrator said that NHTSA did not have sufficient resources to determine the extent to which State and local governments take over the funding of projects.]

- o It promotes the collection of accident statistics by the States. Few States collected accident statistics prior to the start of the 402 program, a deficiency Congress addressed extensively when it passed the Highway Safety Act of 1966. Developing accident data systems takes a long time. These systems have just begun to reach the point where they can be used for safety problem identification and program evaluation. This will result in the States doing an increasing number of scientific crash reduction evaluations which, in turn, will lead to better estimates of the effectiveness of the 402 program. Comparison of the advances made from 1966 to the present shows that the number of States with automated vehicle operator files has grown from 12 to 49, with automated vehicle files from 12 to 45, and with automated accident files from 9 to 52. Almost \$100 million in 402 funds has been spent in this modernization effort.

[GAO COMMENT: Although States may be improving their accident statistics capabilities, many States are still having problems. As our draft report stated:

"* * * eight of the nine safety agencies we reviewed either lacked adequate problem identification capabilities, lacked access to traffic record data, or lacked both. In addition, safety agency officials in South Dakota, Texas, Colorado, and Maryland said that information in their traffic record systems was either unreliable or there was no way to assess its reliability. We believe that unless reliable data is available, safety agencies will not be able to identify their most significant or solvable problems."]

- o It has catalyzed State efforts in dealing with high priority safety problems and influenced State and local funding for safety programs. In the past 10 years there has been substantial growth in the number of jurisdictions adopting alcohol countermeasures and implementing key alcohol standard elements. Both local police traffic manhours and the number of serious violation citations written have increased 63 percent. Emergency responses to traffic accidents and other medical emergencies have improved dramatically, with the result that the United States Emergency Medical Service System is now judged the finest in the world.

[GAO COMMENT: Our draft report dealt extensively with the States' efforts to address the mandated "high payoff" safety programs that are a part of the high priority problems referred to in NHTSA's comments. NHTSA, however, failed to address the problems that are prevalent in this area. Our draft report stated:

"Since 1976, legislation or DOT has required that specific grant funds be spent in four areas: school bus driver training, seat belt usage, high payoff programs, (such as alcohol countermeasures and selective enforcement), and 55-mile-per-hour compliance. This requirement that grant funds be spent in areas that the Federal Government has identified as problems often results in safety agencies

--addressing areas where they have identified little or no problem (for example, school bus driver training),

--spending additional funds in areas where they believe adequate funding already exists (for example, 55-mile-per-hour enforcement), and

--implementing countermeasures which they are not sure will be effective (for example, alcohol and seat belt usage campaigns)."

Thus, while we do not totally disagree with NHTSA's statement that the Highway Safety Grant Program may have catalyzed State efforts in dealing with high priority safety problems, our draft report addressed the legislative and DOT requirements to spend specific amounts of funds in high payoff areas, as that requirement has created problems within the State safety agencies.]

- o It focuses the States' allocations of resources towards major safety programs and countermeasures which have the greatest payoff potential. In FY 1979, over 95% of all 402 obligations were allocated to priority program areas: Police Traffic Services, 55MPH Enforcement, Emergency Medical Services, Alcohol Safety, Driver Education, Planning and Administration, Driver Licensing, Traffic Records, Pedestrian and School Bus Safety.

[GAO COMMENT: NHTSA must keep in mind that the Highway Safety Grant Program contributes only 2 to 3 percent of the States' highway safety funds. In addition, the House Appropriations Committee questioned the program's cost and lack of proven effectiveness. We fail to understand how NHTSA can repeatedly take credit for so much with so little.

Our draft report identified the safety grant funds that have been obligated to priority program areas, as follows:

"In fiscal years 1976, 1977, and 1978, \$85.2 million in grant funds were mandated for "high payoff" programs. NHTSA identified three areas to be addressed with high payoff funds: alcohol countermeasures, 55-mile-per-hour speed limit compliance program, and selective traffic enforcement patrols. A fourth program area was reserved for other problems to be identified by the States."

Apparently, NHTSA has broadened its definition of "high payoff" programs to include every funded area except its 5-percent deduction for Federal administration costs. Although we realize that States are allocating grant funds to all of the areas NHTSA mentioned, we do not believe that such areas as planning and administration, driver licensing, schoolbus safety, and traffic records can be identified as "major safety programs and countermeasures which have the greatest payoff potential."]

- o It encourages the sharing of knowledge (technology transfer) -- the exchange of "success stories" as well as the failures.

[GAO COMMENT: Our draft report stated:

"Safety agency officials in Illinois, Ohio, South Dakota, and Colorado told us that they seldom received other States' countermeasure evaluation results. While some evaluation reports are distributed either by NHTSA regional offices or by State agencies within regions, we found that generally safety agencies do not receive the results of evaluation done outside their region. Yet, nearly all of the safety agency officials we interviewed agreed that an exchange of evaluation information among all States would be extremely useful in selecting future countermeasures.

"As part of NHTSA headquarters planned evaluation capabilities, officials hope to develop a list of safety projects to evaluate or monitor. These projects are to be visited by NHTSA headquarters evaluation staff to determine how an evaluation strategy should be developed and how evaluation results should be disseminated among all States. Such plans, unfortunately, have not yet been formalized in writing, and the NHTSA officials in charge of the evaluation staff expressed concern that limited travel funds could delay the planned visits."

In addition, our draft report stated:

"NHTSA regional officials from the four regions visited, as well as safety agency officials from New Mexico, Illinois, Ohio, Utah, and Pennsylvania, all expressed dissatisfaction with NHTSA's research efforts. Safety agency officials said either that they had not benefited from the research program; that research had failed to show what countermeasures were effective in reducing accidents; or that they had received little feedback on research efforts."

Based on those Federal and State highway safety officials' comments, we do not believe this objective is being accomplished. For this reason, we recommended in our draft report that the Secretary of Transportation

establish a method for disseminating successful as well as unsuccessful project evaluation results among all State safety agencies.]

These, then, are the major objectives of the 402 program. To focus only on crash reduction is to place the program, its individual project and countermeasure components, and its accomplishments out of context. It is not possible to assess the true value of the program without measuring it against its accomplishment in each of these areas.

[GAO COMMENT: The major objectives of the Highway Safety Grant Program, as defined by NHTSA, have been discussed in detail throughout our draft report. However, our purpose for reviewing the program was to determine where improvements could be made. In that regard, the purpose of our draft report was to identify major program weaknesses and make recommendations or suggest alternatives to correct them.

The NHTSA Administrator says that the bottom line objective of the program is to save lives. The program has had limited success in dealing with this bottom line objective and, therefore, needs to be improved.]

Alternatives:

The GAO has proposed that the Congress may wish to consider some administrative alternatives to the current State and community highway safety program. The three alternatives are:

1. Increase Federal leadership and administrative authority, or
2. Fund the program more directly, or
3. Discontinue the program.

We believe that the overall operation of the 402 program is effective, and that on the whole it strikes a reasonable balance between the need for program direction and the need for flexible management. None of the options the GAO suggests offers any advantages over the existing program. The program is continually reviewed and will be subjected to close review once again during the development of the highway legislative proposals due in January.

[GAO COMMENT: Our final report identified three major deficiencies that presently limit the Highway Safety Grant Program's effectiveness. Those deficiencies are: (1) the program needs direction from the Congress, (2) evaluations generally have not determined whether funded projects have effectively reduced accidents, and (3) many measures that are believed to improve highway

safety are not implemented. We made several recommendations to the Secretary of Transportation that should help correct part of these deficiencies. However, we feel that after 13 years and \$1.3 billion in Federal assistance for highway safety, the Congress may wish to consider some rather drastic administrative alternatives to the present structure. (Those three alternatives are mentioned above). Otherwise, the safety grant program will continue to address a multitude of safety activities with no clear specific direction or goal. Chances of measuring the success of this program as it is presently administered is, at best, difficult.]

POSITION STATEMENT

CHAPTER I: INTRODUCTION

Lack of Specific Goal (Page 1):

GAO states that the Highway Safety Act of 1966, Section 402, does not establish any specific goal to be achieved.

While the Safety Act itself does not establish specific goals in terms of reduction in the numbers of deaths, injuries or accidents, the intent of Congress is clearly expressed in House Report No. 1700, of July 15, 1966.

In view of the States' fragmented approach to traffic safety problems, Congress intended that a coordinated program be initiated in accordance with uniform safety standards, and that the Federal Government (NHTSA/FHWA) assume a position of leadership in the field. The coordination function was reiterated during the passage of the 1978 Act. The related House report clearly stated that the intent of Congress was that the State Highway Safety Agency have the authority to coordinate all State safety programs, regardless of funding source.

[GAO COMMENT: Our draft report stated:

"In 1965, motor vehicle accidents caused over 49,000 deaths--a toll which represented nearly one-half the accidental deaths reported that year. Congress subsequently expressed the need for strong Federal leadership to control these losses, and enacted the Highway Safety Act of 1966 (23 U.S.C. 401 et seq.).

"Specifically, under section 402 of the 1966 act, each State is directed to implement a

highway safety program designed to reduce traffic accidents and related deaths, injuries, and property damage. The act, however, does not establish any specific goal to be achieved. The act authorizes Federal financial assistance to carry out the State safety programs."

Also, the draft report stated:

"Section 402 of the 1966 act requires each State to have a highway safety program, approved by the Secretary of Transportation, in accordance with uniform Federal standards promulgated by the Secretary."

Thus, in our draft report we recognized the congressional intent, as NHTSA describes. Our statement that "the act does not establish any specific goal to be achieved" indicated that, without a specific goal, the Highway Safety Grant Program could be viewed as a never-ending source of safety project funding.

NHTSA's statement regarding the congressional intent to have State highway safety agencies coordinate all State safety programs regardless of funding source was thoroughly discussed in our draft report, as follows:

"The House Committee on Public Works and Transportation in 1978 observed that each State needed a highway safety agency which would have responsibility for all State highway safety activities. House Report 95-1485 (August 11, 1978) and the subsequent amendment to the 1966 act make it clear that the State highway safety agency was to be the one central authority to bring together and coordinate the development of all the States' highway safety programs, regardless of the funding source. In spite of this congressional direction, the States' safety agencies are still without significant responsibility beyond the safety grant program.

"In nearly all of the safety agencies we visited, we identified the lack of 'position power' as a problem. The Texas Traffic Safety Section staff said the following:

- The safety agency does not have authority to control and coordinate the planning, implementation, and evaluation of the programs or projects that use safety funds.
- The safety agency lacks the legal authority to require State and local agencies to make needed changes for correcting identified problems.
- The safety agency cannot prevent participating agencies from discontinuing projects without its approval.

"The Texas staff also said that they could rely only upon their powers of persuasion or coercion to encourage participation in the program."]

Thus, the goal is to establish a coordinated nationwide highway safety program with certain basic uniform safety standards in order to bring all of the States to a uniformly high level of highway safety. It is patently impossible to establish a realistic accident reduction goal. The Congress has assumed that, as the goal of improved highway safety is achieved, a relative reduction in deaths, injuries, and accidents will follow.

This goal is being approached, and in many instances largely reached, particularly in terms of compliance with the Standards and in the establishment and functioning of State Highway Safety Agencies in the States.

[GAO COMMENT: Since 1976 death rates have steadily increased each year, despite a substantial growth in Federal grant funds and have caused the Congress to question the program's lack of effectiveness.

Regarding States' compliance with the uniform standards, our final report states:

"* * * DOT has not required States to comply with its uniform safety standards since 1976. In that year, the 1966 act was amended to make it clear that the Secretary had broad discretionary authority and was not compelled to require States to address every element of every uniform standard in their safety programs.

"Since the amendment became effective, many State legislators have regressed from implementing certain elements of the uniform standards which studies have deemed important, such as motorcycle helmet usage laws and periodic motor vehicle inspections."

Regarding the establishment and functioning of State highway safety agencies, our draft report pointed out that safety agencies are still without significant responsibility beyond the safety grant program. (This point was covered in the preceding statements.)]

Fatality Trends (Pages 1 and 4):

By citing the relatively level rate of highway deaths and outside factors that have contributed to variations in annual death rates, GAO has misinterpreted fatality figures and trends for the period 1957 to 1979, with the result that the statements made and conclusions reached are erroneous. GAO states that motor vehicle accidents now cause over 50,000 deaths a year (a toll greater than that reported prior to the 1966 Highway Safety Act), that the vehicle death rate reductions from 1966 through 1976 are a continuation of the downward trend which was apparent many years prior to the start of the 402 program, and that motor vehicle death rates have steadily increased since 1976.

[GAO COMMENT: The motor vehicle death and death rate statistics were taken from published documents of the National Safety Council and the Department of Transportation.]

The motor vehicle death rates prior to the establishment of the agency were not on the decline at all. In fact since 1958, they had remained relatively stable and, in fact, showed a slight increase. According to National Safety Council data, the motor vehicle death rate for 1958-1966 is as follows: (deaths per 100 million vehicle miles travelled)

1958	5.56	1963	5.41
1959	5.41	1964	5.63
1960	5.31	1965	5.54
1961	5.16	1966	5.70
1962	5.32		

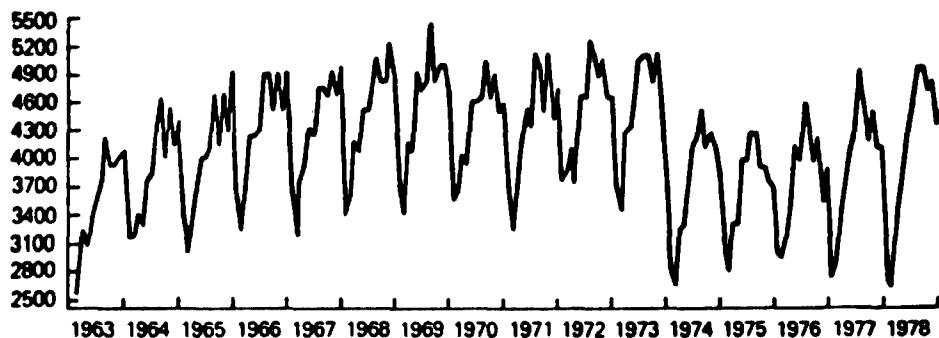
For the 1958-61 period, a decline is noted; however, from 1961-66, the trend was reversed and the fatality rate increased. Overall, the 9-year picture portrays a relatively constant level.

[GAO COMMENT: The motor vehicle death rates described by NHTSA are reflected in the rates shown in chart 3 of our draft report. However, for some reason, NHTSA has chosen to use the 9-year period, 1958-66, to show

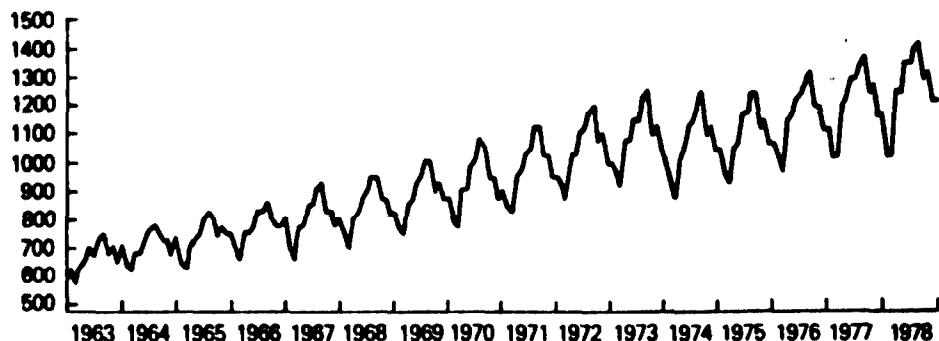
that motor vehicle rates increased rather than to use the 16-year period, 1950-65 (as shown in the draft report), to present a better trend indicator. As reflected in chart 3 of our draft report, death rates per 100 million vehicle miles traveled declined from 7.59 in 1950 to 5.56 in 1958. Thereafter, until the Highway Safety Act of 1966 was enacted, the death rate did remain at a relatively constant level, as stated by NHTSA. This statement, however, does not alter the information presented in our draft report, as it was already considered in our trend analysis.]

Although fatalities in 1979 (50,745) exceeded the fatality level of 49,163 in 1965, the year prior to the 1966 Act, the important factor of "exposure" must be considered in dealing with comparisons of fatalities. Exposure is best defined on the basis of miles traveled, rather than on the number of vehicles registered or population. The following figure clearly illustrates the trend in fatalities as well as the trend in Vehicle Miles Traveled (VMT).

U.S. Total Fatalities (30 Day Definition)



U.S. Vehicle Miles Travelled (100 Millions)



One must look at both graphs together (fatalities and VMT) for the following four time periods. During the 1963-1966 period, both fatalities and VMT were increasing at a steady pace which produced a constant fatality rate. In fact, as noted above,

the fatality rate remained relatively constant from 1958 through the establishment of DOT in 1967. During the period 1967 through 1973, fatalities remained at a fairly constant level while VMT continued an upward trend, resulting in a declining fatality rate. During the period 1974 through 1978, fatalities dropped significantly as a result of the energy crisis and the imposition of the 55 mph National Maximum Speed Limit. While VMT dropped during the embargo and resumed an upward trend when the embargo ended, the fatality rate remained fairly constant at this new lower level.

For the period 1977 through 1979, fatalities began to increase at a faster rate than VMT, resulting in an increase in the fatality rate. However, significant events and situations outside the purview of the 402 program contributed significantly, if not entirely, to this increase. Twenty-seven States repealed their mandatory motorcycle helmet laws. To date there has followed a 46% increase in motorcycle fatalities. The down-sizing of cars and the increasing ratio of compacts and subcompacts in the car and truck mix on the highways have introduced greater risks in terms of injury severity. Truck and van fatalities have also been on the increase. To merely utilize the level of fatalities as an appropriate impact measure of 402 funding would be highly simplistic, inaccurate, and misleading.

[GAO COMMENT: We used both motor vehicle deaths and death rates to measure the impact of the Highway Safety Grant Program. We do not believe that our analyses were highly simplistic, inaccurate, or misleading, as charged by NHTSA, because they were based on statistical data used or compiled by the National Safety Council and DOT. We believe that charts 2 and 3 in the draft report clearly show what has happened. In addition, our draft report stated:

"Motor vehicle deaths dropped below the 1965 level only during the 4-year period immediately following the foreign oil embargo against the U.S. in 1973 and the subsequent enactment of the 55-mile-per-hour national maximum speed limit law in 1974 (P.L. 93-239). These two events, however, cannot be attributed to the safety grant program.

"When motor vehicle death rates per 100 million vehicle miles traveled, per 10,000 registered vehicles, and per 10,000 U.S. population are compared, the picture has been somewhat brighter but is dimming. From 1966 through 1976--the first 10 years of the safety grant program--motor vehicle death

rates showed substantial reductions, yet this trend was apparent many years prior to the program. In addition, other factors, including road and vehicle improvements and economic conditions, may have also influenced some of these rate reductions. Unfortunately, since 1976, motor vehicle death rates have steadily increased each year."]

In summary, the improved highway safety programs at the State and community level have reduced death and injury on the nation's highways through programs undertaken with Section 402 funds or stimulated by the 402 program. Had the pre-1966 fatality trend been allowed to continue, tens of thousands more people would have died in the intervening years. From another perspective, had the same fatality rate been in existence in 1979 as in 1966, the nation would have experienced 81,800 fatalities rather than the 50,800 fatalities of 1979. While credit for the reduction must also accrue to the interstate construction program and new vehicle safety standards, it is obvious that the Federal/State cooperative highway safety effort is having an impact on these national trends.

[GAO COMMENT: We do not disagree with NHTSA's summary comments, but NHTSA does not know how much, if any, of its 402 grant program contributed to the impact on injuries and fatalities. In any event, however, the purpose of our review was to identify problem areas within the Highway Safety Grant Program that appeared to be most prevalent throughout the States. This purpose was accomplished through extensive discussions with NHTSA, FHWA, and State highway safety officials and was presented in our draft report. Although the detailed data analyses provided by NHTSA add to our existing analyses, they do not refute our overall draft report message.]

Oil Embargo, 55 MPH, and the 402 Program (Page 4):

The GAO implies that the motor vehicle death rate dropped below the 1965 level during the four year period following the foreign oil embargo solely because of the embargo and the enactment of the 55 mph speed limit. These two factors undoubtedly had a major influence on the reduction. However, the safety and fuel saving effects which became apparent after enactment of the 55 mph speed limit are attributable to motorists' compliance, and the slower speeds achieved through enforcement of the 55 mph speed limit by the States. A substantial portion of the 55 mph compliance programs developed and implemented by the States has been funded by the Safety Grant Program. Since 1974, \$67 million in 402 funds have been spent on 55 mph compliance efforts. This amounts to nearly 20 percent of all funds expended by the States for compliance. Although most of the funds were

allocated for speed limit enforcement activities, substantial amounts were also used for public information programs which are designed to encourage increased voluntary compliance. GAO has completely overlooked the critical role the Safety Grant funds play in financing the national 55 mph compliance effort.

[GAO COMMENT: Apparently NHTSA failed to recognize the discussions in our draft report pertaining to high payoff programs and the 55-mile-per-hour national maximum speed limit. The draft report stated:

"High payoff programs

In fiscal years 1976, 1977, and 1978, \$85.2 million in grant funds were mandated for "high payoff" programs. NHTSA identified three areas to be addressed with high payoff funds: alcohol countermeasures, 55-mile-per-hour speed limit compliance program, and selective traffic enforcement patrols. * * *

"55-mile-per-hour national maximum speed limit

In 1978, legislation was enacted which required all States to meet certain 55-mile-per-hour compliance levels each year or lose part of their annual Federal aid highway funds. Both legislation and NHTSA have mandated funds to address 55-mile-per-hour compliance since 1979. The following chart illustrates funding levels for 55-mile-per-hour compliance as well as the other safety activities funded through NHTSA.

	<u>55-MPH Compliance</u>	<u>Other NHTSA-funded safety activities</u>
(millions)		
FY 1979	\$40	\$127
FY 1980	20	167 "

Our discussions that followed those statements, however, addressed the problems that the State safety agencies had in spending safety grant funds in mandated areas, which was one of the main points in our draft report.]

Little Evidence of Highway Safety Improvement (Page 4):

GAO contends that there is little evidence that increased funding has resulted in a corresponding improvement in highway safety. There is sufficient evidence to refute that statement. The 402 program has accomplished the following:

Fatalities: From 1963 to 1967 fatalities rose steadily -- 248 more each month. Beginning in 1967, this trend decreased to only 20 more each month, and then reversed in 1974 and 1975. Had the pre-1966 trend been allowed to continue, tens of thousands more would have died in the intervening years. Part of this reduction must be credited to safer cars, safer roadways, and the 55 mph speed limit. As stated earlier, had the same rate been in existence in 1979 as was in 1966 the nation would have experienced 81,800 fatalities rather than the 50,800 fatalities we saw in 1979.

[GAO COMMENT: This data provides no further evidence that NHTSA's safety grant program improved highway safety. In fact, it indicates that safer cars, safer roadways, and the 55-mile-per-hour speed limit are the main elements in highway safety. The point remains that there is little evidence of highway safety improvement as a result of the presently structured highway safety program. Our draft report stated:

"* * * since 1976, motor vehicle death rates have steadily increased each year.

"* * * Federal funds provided under the safety grant program are only a small portion of the total funds spent on highway safety. Nevertheless, these funds have grown substantially since 1976, with little evidence that increased funding has resulted in a corresponding improvement in highway safety."]

Program Management: Before the 402 program, there was no overall coordination of highway safety activities at the State level, no detailed analysis of the highway safety problem, and no systematic plan for developing and implementing solutions to that problem. Instead, every agency with highway safety responsibilities was forced to rely on its own experience in deciding on the programs it would undertake.

With the advent of the 402 program each State established a highway safety agency which is responsible for providing coordination and guidance. NHTSA requires each State to analyze its accident data, identify its most important problems, develop solutions to those problems, and evaluate the effectiveness of the actions taken.

[GAO COMMENT: Our draft report recognized this NHTSA requirement. It stated:

"Safety agencies are required by DOT to identify the States' most pressing problems, select appropriate countermeasures, and evaluate program effectiveness."

However, NHTSA failed to mention in its comment that State highway safety agencies are not responsible for all safety activities. The draft report stated:

"The House Committee on Public Works and Transportation in 1978 observed that each State needed a highway safety agency which would have responsibility for all State highway safety activities. House Report 95-1485 (August 11, 1978) and the subsequent amendment to the 1966 act make it clear that the State highway safety agency was to be the one central authority to bring together and coordinate the development of all the States' highway safety programs, regardless of the funding source. In spite of this congressional direction, the States' safety agencies are still without significant responsibility beyond the safety grant program."]

Greater Uniformity: The 402 program has also contributed to greater uniformity in State highway safety programs. For example, the States have made major improvements in their compliance with the Rules of the Road chapter of the Uniform Vehicle Code (UVC).

The 402 program has assisted in achieving increases in compliance with all the Federal Highway Safety Program Standards. In 1966 average compliance with those Standards was 47 percent. Today it is 87 percent.

[GAO COMMENT: We agree with NHTSA that the Highway Safety Grant Program has achieved some success in getting States to comply with its uniform standards. However, our concern, which is discussed in the draft report, is that State legislators are beginning to regress from implementing certain elements of the uniform standards that studies have deemed important, such as motorcycle helmet-use laws and periodic motor vehicle inspections.

Also, in all fairness to today's 87 percent average compliance level quoted by NHTSA, the "Status of Highway Safety Programs Standards" report of January 1977, compiled by NHTSA, stated:

"In many instances, States' implementation of a specific standard may not necessarily indicate 100% compliance with that provision. It may merely show that the state has adopted a plan or program to achieve the incorporation of the standard within its highway safety program throughout its political jurisdiction."

We assume that this statement is still valid today.]

Catalyzed on State Action: The 402 program has done much to channel State spending into the right kind of highway safety programs. It has produced changes in the highway safety systems which have prevented substantial numbers of accidents and injuries.

It appears fair to conclude that the State and Community Highway Safety Program has:

1. Shown growth in the quantity and quality of State highway safety programs initiated;
2. Reduced death and injury on the nation's highways through programs undertaken with Section 402 funds or stimulated by the 402 program;
3. Catalyzed State efforts in dealing with high priority safety problems and influenced State and local funding for safety programs; and
4. Created the potential for further increasing the effectiveness of both State and local 402 highway safety expenditures as a result of the management process currently being applied to State planning activities as a condition of grant approval.

[GAO COMMENT: We recognize that the Highway Safety Grant Program has had some successes. However, our concern, as pointed out in the draft report, is that motor vehicle deaths and death rates have increased annually since 1976, despite increased Federal funding during the same period. The deaths and death rates are what the NHTSA Administrator terms the bottom line objective of the safety grant program. This situation, coupled with rising demands for greater restraints on Federal spending, caused the House Appropriations Committee in 1979 to question the program's increased cost and lack of proven effectiveness.]

Program Improvements: In addition to the overall accomplishments listed above, the program has also achieved significant improvements in the following specific program areas:

Emergency Medical Services (EMS)

- o 402 money spent between 1967-1979: \$142 million.
State matching funds: \$426 million.
- o Number of ambulance attendants who have had basic emergency medical care training has increased from 13 percent in 1969 to 85 percent today.
- o Number of ambulances which meet minimum design standards has increased from four percent in 1966 to 85 percent.
- o EMS State coordinators increased from 4 in 1966 to 56* now.

* "State" means any one of the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa.

Alcohol Safety

- o 402 money spent between 1967-1979: \$90 million.
State matching funds \$180 million.
- o Driving Under the Influence (DUI) arrests have risen from 561,000 in 1969 to 1,333,000 in 1979.
- o All States are now using breath testers instead of blood samples to determine Blood Alcohol Concentration (BAC).
- o Thirty States have established alcohol safety schools for DUI offenders which are self-supporting (through client fees, etc.)
- o Fourteen States have enacted Preliminary Breath Testing (PBT) laws which allow police officers to test for BAC before making arrests.
- o Fifty-four States have now established .10 percent (instead of .15 percent) BAC as the legal limit for driving under the influence, an increase of 48 states since 1966.

Police Traffic Services

- o 402 funds spent between 1967-1979: \$357 million.
State matching funds: \$4½ billion.
- o Traffic police are now doing selective enforcement patrols at high accident locations and achieving reductions in accidents and injuries.

- o Traffic police are also receiving special training in new traffic law enforcement techniques, including enforcement of alcohol related violations. State police speeding arrests have increased from 5.7 million in 1973 to over 8 million in 1979.
- o States have spent \$67 million of 402 funds since 1974 on the 55 mph program (as part of the \$357 million overall figure).

Motorcycle Safety

- o All but six States now require special licensing exams for motorcycle operators. Only 11 did so in 1966.
- o All but three States required all cyclists to wear helmets in 1975, up from four in 1966. Today, only 20 still do. This resulted from Congress' action to rescind the Secretary's authority to withhold funds from States which failed to enact laws, although the authority was never used. The motorcycle death rate dropped dramatically from 1966 through 1975. It has increased 46% (or 500 deaths per year) since 27 States revoked their helmet use laws.

Traffic Records

- o In 1966, 12 States had automated vehicle driver files. Today, 49 do.
- o In 1966, 12 States had automated vehicle registration files. Today, 45 do.
- o In 1966, 9 States had automated vehicle accident files. Today, 52 do.

States have spent \$96 million of 402 funds in this modernization effort.

[GAO COMMENT: While we recognize that the Highway Safety Grant Program has achieved improvements in specific program areas, the above remarks have no relevance to the issues discussed in our draft report. NHTSA has included the information in an attempt to prove the positive effects of the program, but it has failed to recognize that

1. the program needs direction from the Congress,
2. evaluations generally have not determined whether funded projects have effectively reduced accidents, and

3. many measures that are believed to improve highway safety are not implemented by the States.

Our draft and final report discussed these issues in great detail. It appears that NHTSA, through its safety grant program, is taking credit for any improvements dealing with highway safety. We question such an implication, especially since NHTSA provides only 2 to 3 percent of the total funds spent on highway safety.]

1980 Report to Congress (Page 4):

GAO gives no recognition to the fact that NHTSA submitted a report to Congress in January 1980, entitled "An Assessment of State and Community Highway Safety Programs FY 1975-FY 1979," which responded to the House Appropriation Committee's questioning the safety grant program's increased cost and lack of proven effectiveness. GAO should reference this Report and either accept the Report as answering the questions or challenge the Report's findings.

[GAO COMMENT: We have added information to the Introduction chapter of our final report to recognize the assessment report. The final report states:

"In January 1980, DOT responded to the Committee by issuing 'An Assessment of State and Community Highway Safety Programs, FY 1975-FY 1979.' The primary focus of the DOT report was on program costs and benefits for fiscal years 1975-79. The report recognized the difficulty in trying to demonstrate how the safety grant program had contributed to accident reduction by stating:

'Unfortunately, the dynamic environment in which crashes occur, the diverse and complex nature of the factors contributing to crashes, and the lack of solid empirical data confounded by factors over which government has no control, all combine to make it extremely difficult in a truly scientific way to relate combined human factors oriented safety program activities to this illusive "bottom line" of accident reduction.'

"Despite this recognition, the assessment report concluded that the safety grant program had, among other things, shown growth

in the quality and quantity of State safety programs, reduced death and injury on the Nation's highways, and catalyzed State efforts in dealing with high priority safety problems."]

"Must" Items (Page 6):

The GAO states, "In late 1972, NHTSA attempted to speed up implementation of certain standards by issuing a "must" list of 13 highway safety activities that the States would be required to implement within a fixed timeframe." "Speed up" does not reflect the real basis on which the "must" items were issued to the States. In 1972 NHTSA believed that after six years the States should have progressed to a certain level of standards compliance, and, accordingly, 13 key areas were selected for increased effort. The Highway Safety Act, in 1972, was structured around the safety standards, and section 402(a) of the Act required that "Each State have a highway safety program approved by the Secretary..." and "Such program shall be in accordance with uniform standards...." Given these requirements in the Act a "reasonable progress" judgement was made, and it was determined that the States could and should have progressed to a reasonable level of standards compliance by certain dates.

[GAO COMMENT: We deleted the word "up" from the final report. The final report now reads, "In late 1972, NHTSA tried to speed implementation of certain standards * * *." This wording appears in NHTSA's 1977 evaluation report.]

The 1966 Act was amended by the 1973 Act which prohibited the Secretary from revising existing standards or issuing new standards without Congressional approval. The 1973 Act was issued as a result of Congress's dissatisfaction with DOT over the degree of consultation with them prior to issuance of the final two standards: No. 17 on Pupil Transportation and No. 18 on Accident Investigation and Reporting.

[GAO COMMENT: We have added information in the final report to clarify the reason the Congress amended the act in 1973.]

Sample Fatality Increases (Page 9):

We do not agree with the GAO findings that the fatalities increased 28 percent in the four western States (New Mexico, Colorado, South Dakota, and Utah) from 1975 to 1978. For the record, from the States' data in their HSPs, the numerical change in the totals for the four western States was +281 from a 1975 base of 1,679 or a 17 percent increase. For the midwestern States (Illinois, Ohio, and Texas), the increase was 12 percent (an increase of 872 from a 1975 base total of 7,322). For the

two northeastern States (Maryland and Pennsylvania), the increase was three percent (an increase of 93 over a 1975 base total of 2,773).

[GAO COMMENT: NHTSA is referring to the scope section of our draft report, which stated:

"We chose the nine State coverage because of the following variances:

--Four of the States are in the West, where motor vehicle fatalities increased 28 percent from 1975 to 1978; three of the States are in the Midwest, where fatalities increased 10 percent; and two of the States are in the Northeast, where there was no increase in fatalities."

This information was taken from a NHTSA document that was based on NHTSA's Fatal Accident Reporting System data. The document showed that, from 1975 to 1978, motor vehicle traffic fatalities increased 28 percent in the West, 10 percent in the Midwest, and zero percent in the Northeast. (Underscoring added for emphasis.) We, therefore, used the data that was applicable to the areas covered in our review, assuming it was correct.

In May 1979, however, NHTSA issued a special edition of its "Highway Safety Facts," which corrected its prior statistics as follows:

"Fatality increase in the West = 25 percent
Fatality increase in the Midwest = 11 percent
Fatality increase in the Northeast = 3 percent"

Our final report reflects NHTSA's corrected increases.

In NHTSA's response to our statement, we noted that NHTSA included South Dakota in the Western States and Texas in the Midwestern States. According to NHTSA's regional boundaries, as shown in its published "Highway Safety Facts," South Dakota should have been included in the Midwestern States and Texas in the Western States. Our report statement reflects NHTSA's published regional boundaries.]

CHAPTER 2: THE PROGRAM HAS NO CLEAR DIRECTION

Multidirectional Approach (Page 10):

The GAO states that the program has a multidirectional approach which:

- o dilutes efforts in any given area
- o is complicated by DOT's lack of criteria for identifying significant safety problems, and
- o is complicated by NHTSA regional offices' inconsistent approval of State safety projects.

GAO supports this by listing the areas that States must apply their safety efforts towards: (1) implementing DOT's 18 uniform standards and 6 requirements, (2) funding specific problems identified by either the legislation or DOT, and (3) addressing those other problems they have identified. As expressed, the GAO makes the program appear as a hodge-podge list of standards, requirements and problems.

The highway safety field does cover a large number of activities operated by a diverse set of agencies.. This is so because a large number of factors affect safety conditions on the highways. Consequently, it can not be approached simplistically.

[GAO COMMENT: This section merely summarizes information presented in the draft report, and no comment is necessary.]

GAO's statement, however, implies that NHTSA has mandated fields of endeavor for the States that are far beyond the scope that is intended and practiced. Further, it gives no recognition to the graduated approach to State highway safety planning used in the 402 program.

[GAO COMMENT: We do not believe the draft report implies that NHTSA has mandated fields of endeavor beyond the scope that is intended. With regard to the graduated (or three-tiered) approach, the draft report stated:

"State highway safety agencies (safety agencies) thus apply their safety efforts to (1) implementing DOT's 18 uniform standards and 6 requirements; (2) funding specific problems identified by either the legislation or DOT; and (3) addressing those other problems they have identified.

* * * *

"This requirement that grant funds be spent in areas that the Federal Government has identified as problems often results in safety agencies

--addressing areas where they have identified little or no problem (for example, school bus driver training),

--spending additional funds in areas where they believe adequate funding already exists (for example, 55-mile-per-hour enforcement), and

--implementing countermeasures which they are not sure will be effective (for example, alcohol and seatbelt usage campaigns)."]

First, the 6 uniform requirements involve elements which are included within the 18 standards -- they are not additional requirements. They are elements which have been emphasized because their uniform application is critical from a national perspective.

[GAO COMMENT: Our final report reflects the fact that requirement areas are part of the 18 standards, as follows:

"The Secretary recommended to the Congress that the 18 uniform standards be replaced with 6 uniform requirement areas that must be satisfied by all States. These requirement areas were developed from selected aspects of the standards, and consisted of:

--Rules of the road.

--Driver licensing.

--Vehicle registration, titling, and theft.

--Traffic control devices.

--Highway design, construction, and maintenance.

--Traffic records systems."]

In addition, the NHTSA has structured the State Highway Safety Planning process to logically and sequentially address problem areas grouped in their broad, relative order of importance. Planning emphasis has been shifted from implementation of all elements of all standards across-the-board to maintaining a specified level of effort in all areas, with special emphasis on system uniformity from State-to-State, broad national problems, and finally, specific, State identified, priority problems. In promoting State planning, the NHTSA management philosophy involves a three-tiered development effort:

- o The first level involves addressing the requirement for uniformity among the States. This is needed to meet minimum requirements throughout the United States in six elements of the 18 uniform standards. Two of the requirements are administered by the Federal Highway Administration. The following four elements are administered by NHTSA.
 - Rules of the Road
 - Driver Licensing
 - Motor Vehicle Registration, Titling and Anti-theft
 - Traffic Records
- o The second level involves addressing national problems that should surface as a result of the data analysis/problem identification process in virtually every State. They are:
 - 55 MPH National Maximum Speed Limit Compliance (mandated by Congress)
 - Safety Belt Usage (mandated by Congress)
 - Alcohol
 - Motorcycle Safety

The Congress has recognized the importance of both the 55 mph speed limit compliance and programs to encourage increased safety belt usage and has mandated that the States address these problem areas in their highway safety programs. Alcohol-related and motorcycle accidents continue to be national problems that should be identified as distinct problems from the analysis of data in virtually every State. Thus, the second level activities are fully compatible with the problem identification concepts of the Highway Safety Plan (HSP) and do not embrace a "multidirectional approach" as stated by GAO.

- o The third level of activities in a State's planning approach involves those additional problems that the State has identified and ranked by priority to be addressed within the limits of available resources. This level affords the State the flexibility needed to ensure a fully comprehensive highway safety program that is responsive to the individual State's identified needs.

[GAO COMMENT: Wording in the draft report and the final report recognizes the three-tiered process, which we believe is multidirectional and causes States to have unnecessary problems. In all the States we visited, safety agency officials expressed concern over their identified problem areas (third level of the process) being preceded by the Federal Government's mandated problem areas (first and second level of the process).]

The three-tiered approach is not "multidirectional," but is an attempt to ensure that the States do not regress in the implementation of uniform standards as they work toward solving problems of national emphasis as well as problems identified for special emphasis by the State.

[GAO COMMENT: We believe that a management approach requiring safety agencies to address the 18 uniform standards or 6 requirements, problems identified by either legislation or DOT, and their own identified problems is multidirectional. In addition, those State highway safety officials who commented on this portion of our draft report agreed with our findings.]

Finally, some problems of inconsistent approval by NHTSA regional offices have existed in the past. Steps have been taken to minimize these inconsistencies, the most recent being the issuance on May 1, 1980, to the NHTSA Regional Administrators of Criteria for Approval/Disapproval of Highway Safety Plans.

[GAO COMMENT: We have reviewed the document mentioned above and found that it does not address problems with inconsistent NHTSA regional office approval of projects as discussed in our draft report. This recent issuance does, however, state that NHTSA's Office of Traffic Safety Programs (TSP) "will develop and implement a management review process of State HSP's (highway safety plans) and regional office approval processes in order to assess consistency of approval policy." Hopefully, as a result of this review, NHTSA will develop criteria for review and approval of highway safety plans that will assure their consistency.]

Federal Identification of Problem may Conflict with Actual
Needs (page 10)

The statements on page 10 attributed by GAO to the NHTSA Regional Administrators in Chicago Heights and Denver (formerly Lakewood) that, "... less than one-third of the grant funds are available to solve problems identified by the safety agencies, should they differ from those identified by the legislation or DOT," is not correct. According to both Regional Administrators they

were repeating often expressed complaints by Governors' Highway Safety Representatives. This complaint does not represent the belief of either of these Regional Administrators.

[GAO COMMENT: In our discussions with these NHTSA officials we believed their comments were based on their knowledge of the program rather than on the opinions of State officials. The final report reads:

"* * * NHTSA regional administrators in Chicago Heights, Illinois, and Lakewood, Colorado, in expressing complaints frequently made by safety representatives, said that less than one-third of grant funds are available to solve problems identified by the safety agencies should they differ from those identified by the legislation or DOT."]

The Congress has recognized the importance, nationally, of both the 55 mph speed limit compliance and programs to encourage increased safety belt usage, and it has mandated the States to address these problem areas in their highway safety programs by specifically appropriating funds for both areas. In FY 1979, these programs accounted for approximately 26% of the grant funds available to the States. In FY 1980, they accounted for approximately 12.5%, exclusive of school bus money for FY 79 and 80.

[GAO COMMENT: This section summarizes or supplements information presented in the draft report, and no comment is necessary.]

The other national emphasis programs of NHTSA -- alcohol and motorcycle accidents -- do not require any specified expenditure of funds. These problems will be identified in virtually every State through its own data analysis process anyway, and should, therefore, be addressed in the States' HSPs. Nevertheless, some Governors' Representatives (GR) have understood the alcohol and motorcycle programs to be mandated by NHTSA and consider funds spent in these areas as reductions in the amount of funds available to address problems identified by the safety agencies.

[GAO COMMENT: During our review we did not discuss NHTSA's national emphasis programs with safety agency officials. Instead we discussed "high payoff" programs in which funds were mandated.

As stated in our draft report, safety agency officials believe that they should not be required to spend funds in problem areas if they are unaware of a countermeasure that might solve the problem or if they feel that the

funds could more successfully deal with problems in other areas.]

Some GR's also consider that programs started in prior years that commit the expenditure of funds over a two or three year period to constitute a reduction of funds available to address their problems.

[GAO COMMENT: This view was not mentioned by any of the Governors' representatives during our discussions with them.]

In our opinion, when they claim that only one-third of the funds are available to solve problems, they mean only one-third of the grant funds are available to support new activity in areas other than those that are mandated by Congress, that respond to NHTSA emphasis areas, or that support activities started in prior years.

[GAO COMMENTS: Regardless of the portion of funding involved, the point made in our draft report is that safety agency officials believed the requirement to spend funds in mandated areas resulted in the safety agencies'

- addressing areas where they have identified little or no problem (for example, schoolbus driver training),
- spending additional funds in areas where they believe adequate funding already exists (for example, 55-mile-per-hour enforcement), and
- implementing countermeasures that they are not sure will be effective (for example, alcohol and seatbelt use campaigns).

In addition, requirements that safety grant funds be spent in mandated areas contribute to the program's current multidirectional approach to solving highway problems.]

School Bus Driver Training (Page 11):

The GAO states that none of the safety agency officials they talked to in the nine States had identified a need to expand school bus driver training. We are certain GAO recognizes the individuality of the States and that there are both large States and small States that have treated pupil transportation in widely different ways.

Although school bus driver education is a priority in our pupil transportation safety program, NHTSA did not request that Congress make the special training funds available to the States. The Executive Director of the National School Transportation Association (NSTA) was instrumental in convincing Congress that it should fund school bus driver training.

We understand the position of those Governor's Representatives who have opposed this categorical funding and their desire to have more flexibility in the use of these funds if Congress appropriates them. We, too, would support Section 406 funds being used for a broader educational effort in pupil transportation. Some States have a good bus driver program but need assistance in improving the pupil, mechanics and supervisor training programs.

In future GAO surveys we recommend that those directly responsible for implementing the pupil transportation program in the States, the State directors of pupil transportation, be interviewed with respect to needed funds.

[GAO COMMENT: As stated in our draft report, in 1977 GAO reported findings to DOT on schoolbus driver training programs. As a part of that review, we talked with officials of State offices of education and transportation in California, Georgia, Illinois, Maryland, North Carolina, Ohio, Pennsylvania, and Texas. State transportation officials believed that their schoolbus driver training programs were adequate within the context of total highway safety programs and that schoolbus driver training had a lower priority than other highway safety programs. We did not discuss schoolbus driver training with these same officials again during the course of this review, since we had already reported their views to the Secretary.]

Seat Belt Usage (Page 12):

The GAO states that safety officials in New Mexico, Illinois, Texas, and Maryland did not know what was the most effective way to get people to wear seat belts. NHTSA has expended a lot of effort on transmitting this information. Perhaps what they were really saying was that there are, at present, no politically acceptable and effective ways of obtaining large increases in usage. Safety belt officials in all States have been provided information concerning which programs are likely to be effective and which are likely to be ineffective in encouraging safety belt usage. This information was provided in two series of safety belt and child restraint workshops conducted by the NHTSA for State (and private organization) personnel during FY 1979.

These workshops clearly pointed out that the only known way to achieve dramatic increases in safety belt usage rates (e.g., rates of 70 percent or more) was through the passage and enforcement

of safety belt usage laws. The rationale for this is clearly pointed out in a number of documents, which were provided to State officials through the 1979 workshops.

The NHTSA workshops also pointed out, however, that modest gains in safety belt usage (e.g., to rates of 20 percent to 30 percent usage) could possibly be obtained from comprehensive programs including public information and education programs for specific target groups (e.g., school education programs), and public and private employee regulation programs.

A number of studies, both foreign and domestic, have suggested that public information programs alone are not likely to result in significant increases in safety belt usage. On the other hand, it is apparent from the foreign safety belt usage experience that public information programs are necessary precursors to legislative efforts. Also, it is felt that public information programs provide support for other, potentially more effective measures such as direct education programs and employee regulatory programs.

Participants in the 1979 NHTSA workshops were exposed to a number of countermeasure options, of which public information was one. As a result of these workshops (and other events), the States have not only been increasing their public information efforts (which were nearly non-existent), but many have been developing comprehensive educational programs for elementary and secondary schools and for other target groups, such as physicians and new parents (to promote the use of child restraints). In fact, it is in the latter areas where the most dramatic increases in emphasis have been occurring.

Since most States have seen legislative efforts for mandatory safety belt usage as being politically unsavory at the present time, there has not been extensive efforts in this area. However, at least a score of States have introduced legislation requiring the use of child restraints for children under the age of four years. Two States (Tennessee and Rhode Island) have already passed and enacted such legislation and others appear to be on the verge of doing so. This is considered to be an important "foot-in-the-door" for future safety belt usage efforts, both legislative and non-legislative.

The most recent and complete estimation of the number of lives which could be saved as a result of mandatory safety belt usage laws can be found in the 1977 "Task Force Report on Safety Belt Usage Laws" (revised in 1978, DOT-HS-804-088). This report takes into account the many complexities in making such estimates.

In spite of the recent increases in safety belt promotional programs, the most recent NHTSA survey data suggest that safety belt usage is still declining. These survey results cover the period up to the end of 1979. Since many of the FY 1979 activities did not get underway until late in 1979 and most of the FY 1980 efforts are still not fully implemented, any effectiveness which

those programs might have, probably would not have been observable by the end of 1979.

What is bothersome is that there appears to be a trend towards decreased safety belt usage, apart from any promotional efforts. Our surveys have suggested that this may be due to a combination of: (1) dissatisfaction with the comfort and convenience aspects of existing belt systems; (2) fear of entrapment by belts and (3) laziness. In addition it appears that the majority of the motoring public sees the probability of their being involved in a crash as being very low and they are not convinced that the use of belts can make a difference. These are relatively strong determining factors that NHTSA believes can be overcome only by education, as well as public information programs, especially in the absence of a climate receptive to safety belt use legislation.

NHTSA intends to increase its emphasis on safety belt usage encouragement programs by means of a new series of workshops to begin late in FY 1980.

[GAO COMMENT: As reported in chapter 4 of our draft report, we recognize that mandatory seatbelt use coupled with strict enforcement has been successful in other countries.

Although NHTSA may be correct in its assumption that the safety agency officials knew of "no politically acceptable" way to increase seatbelt use, the officials did not choose to say so, and we therefore cannot presume any conclusions. Our main concern in this segment of the draft report, however, is that States are continually funding public information campaigns to spend their mandated seatbelt funds, yet the safety agency officials do not believe the programs are effective. In fact, since 1978, funding in this area has increased, yet seatbelt use has decreased.]

High Pay-Off Programs (Page 12):

The GAO addresses several issues related to high payoff programs which we believe require clarification. Since FY 1976, Congress has appropriated a total of \$128.6 million to be programmed for high payoff countermeasures such as selective enforcement, alcohol enforcement, NMSL-55 mph enforcement and safety belt usage.

FY 1976	--	\$ 16.2 million
FY 1977	--	\$ 26.0 million
FY 1978	--	\$ 43.0 million
FY 1979	--	\$ 43.4 million
		<u>\$128.6 million</u>

[GAO COMMENT: In our draft report we discussed the funds mandated in fiscal year 1979 for 55-mile-per-hour national maximum speed limit compliance and seatbelt use as separate issues because legislation or NHTSA required that specific amounts be spent in each of these areas. The other funds, for fiscal years 1976-78, did not require a specific expenditure for each "high payoff" category. Thus, the remainder of the funds (totaling \$85.2 million) were discussed under the general category "high payoff programs."]

The designation of funds for countermeasure activity in these areas reflects State and national consensus regarding the potential of increased financial support of these areas. In response, the States have actually obligated even higher levels of 402 funds to these high payoff areas. The proportion of 402 funds obligated for these activities, including shared support for State planning and administrative activities, has grown from approximately 25% in 1976 to 40% in 1979.

[GAO COMMENT: Safety agency officials told us that in some instances they obligated funds to these program areas because they were mandated areas, not because funding in the "high payoff" areas would in fact have a high payoff. As stated in our draft report, safety agency officials said that these high levels of obligations resulted in the safety agencies'

- spending additional funds in areas where they believed adequate funding already existed (for example, 55-mile-per-hour enforcement), and
- implementing countermeasures that they were not sure would be effective (for example, alcohol and seatbelt use campaigns).]

We disagree with the GAO statements that States are having difficulty justifying funds for problem areas identified by NHTSA and Congress -- or that these areas do not correspond to those identified by the State safety agencies. The level of State program efforts and expenditures being applied in these program areas is inconsistent with these statements.

[GAO COMMENT: This level of activity also may indicate that all States are required to spend at least a certain amount in these areas. As the following excerpt from our draft report clearly shows, it is not GAO but several safety agency officials administering the program who made the statements:

"The Deputy Director, and the Chief, Programs Section, of Maryland's safety agency, told us it was sometimes difficult to justify spending this amount of funds to address the NHTSA-identified problem areas. The Chief, Program Services Division of Pennsylvania's safety agency said that NHTSA's high payoff areas did not always correspond with those identified by the safety agencies. In addition, safety agency officials in New Mexico and Illinois said they did not know how to solve alcohol-related problems and that results of selective enforcement activities were only temporary.]

Two problem areas showed significant increases in funding during the period between FY 1975 and FY 1979: Alcohol and Police Traffic Services. This coincides with the results of NHTSA's 403 Alcohol Safety Action Projects, which were demonstrations to highlight the drunk driving problem and to encourage State and local governments to apply funds to this problem. We found that 12 of the 35 projects had statistically significant decreases in nighttime fatal accidents, that the "systems approach" was successful, and that programs could be self-sustaining through a fee system. The increase in Police Traffic Services expenditures coincides with increased emphasis on Alcohol and 55 mph enforcement along with results from Section 403 demonstrations which showed that Selective Traffic Enforcement Programs (STEP) were effective and efficient ways of deploying scarce police resources that achieved measurable results. Between 1974 and 1977, State arrests for speeding increased only 1.4%; but, between 1977 and 1979, speeding arrests increased 8.5%, because of 55 mph enforcement activity.

"An Assessment of State and Community Highway Safety Programs FY 1975-FY 1979" of January 1980, included summaries of typical State and community projects implemented over the past three years. For example:

Maryland: State police initiated a selective enforcement program known as "Operation Yellow Jacket," directed at speed, specifically enforcing the 55 mph national speed limit, and alcohol, i.e., the drunk driver. Selected high accident locations were patrolled by officers at appropriate times and traffic accidents were reported reduced by 38%.

Pennsylvania: In order to identify municipalities with the most severe traffic safety problems, a unique computerized ranking system has been designed. Categorically selected localities can then be approached to initiate improvement programs with some degree of assurance that existing programs can be impacted by applying appropriate resources and counter-measures.

It should be apparent from these two summaries, that the statements attributed to the Maryland and Pennsylvania officials are inconsistent with their programs.

[GAO COMMENT: We do not believe that there is any inconsistency in the statements of the safety agency officials. The Maryland and Pennsylvania officials' statements dealt with the level of funding mandated and the difficulty in justifying such high spending levels in the "high payoff" areas; they did not say that they were unable to justify any expenditures in the area.]

The statements by the safety agency officials in New Mexico and Illinois to the effect that they did not know how to solve alcohol related problems deserve some elaboration. NHTSA's experience with the ASAP program indicated that social drinkers could be deterred through increased enforcement and education, but that no countermeasure had achieved significant success with the problem drinker.

[GAO COMMENT: These safety agencies believe that the alcohol problem is so large or complex that they cannot have a significant impact on it. Also, national statistics indicated that half of all motor vehicle fatalities are alcohol-related.]

55 Mile-Per-Hour National Maximum Speed Limit (Page 13):

GAO reports that the Deputy Director of the Colorado Safety Agency said that his State was currently meeting the 1982 compliance level, and therefore should not be required to spend its funds in the enforcement area. He reportedly said it created hard feelings within the State government when they are forced to spend money in an area that is already in compliance.

Since no time frame is given for the interview, it is not clear what the Deputy Director means by "currently meeting the 1982 compliance level." However, the 1982 compliance criteria require that the percentage of monitored vehicles exceeding 55 mph shall not exceed 40 percent and Colorado did not meet that criteria in either the 1979 reporting year or the 1st reporting quarter in 1980. Because the allocation of FY 80 funds took place during the period when Colorado was not in compliance with the 1982 compliance criteria, the Deputy Director was factually incorrect in his statement.

[GAO COMMENT: The Deputy Director was factually correct in his statement. FHWA data covering the first half of fiscal year 1980 stated that Colorado was exceeding the 1982 compliance criteria. Second quarter figures indicated that the percent of vehicles exceeding 55 mph was 33.9 percent and the year-to-date figure was 37.1 percent.]

In any event, the clear intent of Congress and the national goal is to achieve at least 70 percent compliance. Obviously, it is in the national interest to achieve the increased safety and fuel conservation benefits associated with higher compliance levels as soon as possible. In order to achieve the 70 percent level, all States, including Colorado, must develop and sustain comprehensive long range compliance programs which are designed to achieve progressively increasing compliance goals. Such programs require advance planning, time to acquire necessary manpower and equipment, and periodic evaluation. They cannot be instantly turned on or off merely because the State does or does not meet the compliance level demanded at the precise moment. Much higher compliance levels must be met each year and all States, including Colorado, must be aiming for and programming to meet the higher goals. No State can afford to gamble on backing off from its program until it no longer meets the annual compliance criteria.

[GAO COMMENT: It may not be necessary for all States to use safety grant funds, especially at the currently mandated level, to achieve the congressional goal. As previously stated, this practice results in safety agencies' spending additional funds in areas where they believe sufficient funding already exists.]

The GAO also reported that some States were having difficulty in expending mandated 55 mph funds. Direct Federal funding assistance for 55 enforcement administered outside the purview of State safety agencies has been persistently sought by all State law enforcement officials, including the chief of the Colorado State Patrol, each and every year since the enactment of the 55 mph limit. This is the specific reason Congress authorized such directed assistance in the Highway Safety Act of 1978. It is most unfortunate that the GAO did not contact the chief of the Colorado State Patrol or any other State enforcement officials on this important question. The bulk of the enforcement workload is borne by State police and highway patrol agencies. Accordingly, they are best qualified to explain both the amount and duration of funding assistance needed to achieve the 55 mph compliance levels established by the Congress. In our opinion, discussions with law enforcement officials would have resulted in a much different and more accurate perspective on this issue.

[GAO COMMENT: Our review did not include federally funded programs outside the purview of the State safety agencies. Funds mandated under this program are administered by the State safety agency, so this is where we applied our review effort. As indicated by the following excerpt from the final report, some safety agency officials administering the safety grant program were having difficulty spending the mandated funds.

"Spending grant funds to enforce the 55-mile-per-hour speed limit posed a problem for some States in fiscal year 1979. South Dakota, Utah, and New Mexico were hesitant to increase the size of their State police or highway patrols for the sole purpose of enforcing the speed limit, and Ohio was unable to recruit qualified personnel. Therefore, the safety agencies generally were limited to either funding projects that paid overtime to patrol officers or having to carry over large balances of unused grant funds to subsequent fiscal years. Safety agency officials said that it was often difficult to find patrol officers willing to work enough overtime hours to spend all the mandated funds."

We do not see how discussions with law enforcement officials would have altered these facts.

As a point of further clarification, the Colorado safety agency to which NHTSA referred was not identified as one of the safety agencies that had difficulty spending 55-mile-per-hour compliance funds.]

DOT Has Not Established Criteria to Determine Significant Problems (Page 14):

The criteria for significance cannot be applied uniformly to all States, but tests of practical significance can be applied by each State to the problems it has identified. For American Samoa, with five to seven traffic fatalities a year, a reduction in three fatalities is highly significant. In California, with more than 5,000 fatalities annually, a similar reduction has little practical significance. The importance of tests of both statistical and practical significance are stressed in both the Problem Identification and Evaluation Workshops conducted by NHTSA.

[GAO COMMENT: As stated in our draft report:

"DOT has not established specific criteria to determine how significant a problem must be before a State can use grant funds to try to resolve it."

NHTSA's workshops apparently have not been fully successful, as shown by the examples in our draft report. Until NHTSA develops criteria on safety agencies' use

of information on the statistical and practical significances of a problem, as well as the likelihood of success in solving the problem in selecting projects for funding, the program will continue to go in many directions with little likelihood of measurable success.]

When the Highway Safety Program Manual, Volume 102, Highway Safety Plan, was issued in February 1978, it required that the States analyze data in a minimum of 14 areas. This was not intended to be all inclusive, but provided the basis for a high level of confidence ensuring that the major potential problem areas would be considered.

Workshops in Problem Identification and the Highway Safety Plan were conducted for NHTSA Headquarters and Regional staffs and State personnel for nine pilot States in November and December 1976. The NHTSA Regions held additional workshops for State personnel beginning in 1977. They have continued, as needed, to the present time.

The Problem Identification curriculum was developed around a manual entitled, Problem Identification Manual for Traffic Safety Programs. In addition, to aid the States in performing data analysis to identify problems, NHTSA developed under contract and made available to all States, the Data Analysis and Review Technique (DART) -- a computer software package.

Overrepresentation is a valid technique for identifying highway safety problems, but it is by no means the only technique. To be valid, however, a further test of statistical significance must be applied.

States vary in their capability to perform meaningful problem identification as they do in any other function. Some have very sophisticated analysis capability "in house". Others have virtually none. For those lacking "in house" capability, NHTSA has encouraged the use of qualified consultants and university research staffs to assist in this area.

The States establish their own priority ranking of problems that have been identified. Therefore, it is entirely possible that a problem may be addressed in the HSP of State A, but a similar problem in State B may be assigned a lower priority and not addressed in its HSP. It must be remembered that the problems in the various States differ and, except for a few such as alcohol, motorcycle accidents, safety belt usage, and excessive speed, it is unlikely that the same (or similar) problems would necessarily be identified or be assigned the same priority by all States.

In response to statements by safety agency officials in South Dakota, Texas, Colorado, and Maryland that information in their traffic record systems was either unreliable or there was no way to assess its reliability, it was recognized by NHTSA officials (and discussed at the Regional Administrators meeting in June

1978) that many States had deficiencies of varying degrees in their data systems. As a result, a survey was made of the data deficiencies in each State and an Accident Data Improvement Plan (ADIP) was developed for each State. In each ADIP, an assessment was made of the State's data quality. Although each of the ADIPs is 30 to 50 pages in length, some typical examples of specific data deficiencies identified are:

Texas: Data may lack a uniform base for conducting problem identification analysis across years. This is due, in part, to the practice in Texas of including an accident in the accident records file on the basis of property damage (\$250 in Texas). This results in inconsistency because of the differing damage valuations the police officers, who are not experts in automobile repair, and the frequent changes in the law establishing the minimum level for reportings.

Maryland: The log milepost reference is not yet completed on all roads in Maryland (expected completion in FY 1982). This introduces errors in reports of accident locations.

South Dakota: Inaccurate entries on the accident report form reduce the reliability of the data. Those elements most often inaccurate are classification of the injury, driver license number, and accident location.

Colorado: Data elements left blank on accident report forms create problems in data reliability. One of the elements often left blank, or in error, is the pedestrian code.

[GAO COMMENT: The above information supplements our position that, unless reliable data is available, safety agencies will not be able to identify their most significant or solvable problems.]

Further, the GAO reports that "Safety agencies tend to perform their analyses in such detail that the expected reduction would have very little impact on overall State accident reduction." The following comments on the GAO examples are provided for clarification:

Texas construction sites -- This is an activity within the FHWA area of responsibility, but, nevertheless, the same rationale would apply regardless of responsibility. It is true that the sample size of 71 fatalities is probably too small to use in goal setting -- and there is no indication that Texas did use fatalities. This is an inference made by GAO. What they failed to consider is that the Construction Barricading Program is a Problem Solution Plan (PSP) within the Passive Traffic Control Devices Module. The objective of the PSP is not, and should not be, expressed

in bottom line terms. The stated objectives are: (1) to implement 33 urban and one rural construction barricading program, and (2) to bring 100% of these contracting communities into compliance with the Texas traffic control device standards.

Of even greater significance than the potential impact on fatalities is the impact on injuries. GAO ignored the data which showed 2,640 total accidents with injuries at construction sites, with 1,922 (72.8%) occurring in urban areas and 718 (27.2%) occurring in rural areas. That is a significant number of rural injury accidents.

Illinois: 5-9 year old pedestrians -- If the goal of a reduction of 3 fatalities is achieved for an expenditure of \$75,000, we would consider this to be extremely cost effective.

Utah: Richfield STEP -- The GAO criticism that Richfield only had 87 accidents/year and, thus, involves an insignificant potential accident reduction for a \$15,000 expenditure of 402 funds has some validity. The sample size is small, but so are most cities and towns in Utah. Richfield ranked 32nd in total accidents. Utah is implementing 18 STEPS in local jurisdictions. A consideration in the implementation of any program is the jurisdiction's willingness and ability to participate. Of necessity, this frequently results in moving further down the line in addressing problems that are not necessarily the major problems.

[GAO COMMENT: As pointed out in our draft report, NHTSA's emphasis on problem identification and data analysis, coupled with its lack of criteria on significance, results in safety agencies' funding projects that will have little impact on overall accident reduction, such as

- the Texas project, which did not have a reduction goal for accident fatalities (according to NHTSA),
- the Illinois project, whose goal represented one-tenth of one percent of the State's overall traffic accident problem, and
- the Utah project, whose goal was to decrease accidents by 4 out of a total of 46,000.

Furthermore, our inference that Texas was trying to reduce construction accidents is accurate. The Texas plan states:

"In order to impact construction barricading accident(s), OTS will assist approximately 34 cities and counties * * *."

We assume that the desired impact would be to decrease such accidents, not increase them.

In addition, it is important to note that the 2,640 injury accidents in 1977 represent only 2.5 percent of Texas' total 106,923 injury accidents. Thus, working on the injury problem would probably also have little impact on the overall accident reduction.]

On page 17, the GAO claims that there are Regional approval inconsistencies between Regions III and VI. The policies do not differ, as charged by GAO (based on a statement by a New Mexico safety official), in determining the existence of a problem. Overrepresentation is only one of the indicators acceptable to Region VI, along with magnitude, trends, etc. They do not accept population growth alone as an adequate indication that a problem exists. In the example cited by GAO, Region VI asked New Mexico to do some analysis of the situation in the growing population area and then report their findings. This was not done. To fund programs based solely on population growth amounts to a Federal subsidy for things the State and/or communities should be doing themselves.

[GAO COMMENT: NHTSA has failed to deal with the issue of inconsistency between regions. A great deal is said about Fort Worth but nothing about Lakewood; hence there is no reconciliation of the inconsistency we reported. Furthermore, NHTSA has dealt with the wrong regions, as the other region we discussed--Lakewood--is Region VIII, not Region III. This fact was made clear in our draft report, which said:

"The lack of specific criteria for determining which problems should be addressed has also caused confusion in safety project approvals. We found, for example, that NHTSA's regional offices are not always consistent in approving projects because they have different views on what constitutes significance. The New Mexico safety agency wanted to fund a selective enforcement project in a rapidly growing community in order to prevent the number of accidents from rising. Safety agency officials said that NHTSA's Fort Worth, Texas, regional office would not allow projects to be funded in areas which were not yet overrepresented in accidents. In other words, the safety agency had to wait for accidents to happen before it could implement countermeasures to prevent them. As a

contrast, safety agencies in NHTSA's Lakewood, Colorado, region said they were allowed to use their grant funds for projects in locations which were not yet overrepresented."

As NHTSA stated earlier in its comments on our draft report, it does recognize that "problems of inconsistent approval by NHTSA regional offices have existed in the past." NHTSA's May 1, 1980, memo on "Criteria for Approval/Disapproval of Highway Safety Plans" states that action will be taken to develop and implement a management review process of State HSP's and regional office approval processes to assess consistency of approval policy. We believe this is an appropriate action. Possibly, as a result of developing and implementing this process, NHTSA could develop specific criteria to determine which problems should be addressed with safety funds and thus eliminate inconsistencies in approving projects.]

In the ambulance examples cited by GAO, 70 ambulances for Pennsylvania were in accordance with the State's approved EMS Plan which each State is required to develop. In the case of New Mexico, they were not. Therefore, the Region VI Office performed a more in-depth analysis of the proposed New Mexico project. Their analysis disclosed that the proposed ambulances were for use in very remote areas of the State in which they had only about 5 traffic accidents per year. It appeared that the major use of the ambulances would be for general ambulance calls rather than traffic related accidents -- an area outside the scope of 402 funding. Therefore, Region VI requested the New Mexico officials to provide further justification, which they failed to do. It is not the policy of any NHTSA Regional Office to give carte blanche approval to any equipment purchase, whether 2 or 70, unless it can be justified and is within the scope of the 402 program.

[GAO COMMENT: According to statistics contained in New Mexico's 1980 HSP, the ambulances referred to in our draft report were part of an effort to provide service in four counties where 132 of the State's 661 fatalities occurred in 1978, as well as 5,145 of the State's 57,158 accidents. This action indicates to us that the need for additional ambulance services is significant.]

Program is being Guided in Multiple Directions (Page 17):

We disagree with the GAO conclusion that the safety grant program is being guided in multiple directions by legislation, DOT, and the States. Each authority is directing resources toward the solution of specifically identified problems. The fact

that the Congress identified the lack of compliance with the 55 MPH National Maximum Speed Limit and the lack of safety belt usage as major safety related problems does not imply disagreement with the other safety programs. The problems were so evident that they mandated the use of a portion of the highway safety funds to address the problems. The same is true of the emphasis programs of NHTSA (alcohol, motorcycle accidents, 55 mph compliance and safety belt usage) and the uniformity requirements set by NHTSA (Rules of the Road, Driver Licensing, Motor Vehicle Registration, Titling, Anti-theft and Traffic Records). Though there may be State resentment at being directed by Congress and/or NHTSA to address these major national problems, the guidance is not multidirectional. The Congress and NHTSA are using a part of the highway safety funds to direct emphasis toward the solution of problems perceived at the national level. The remaining funds are available for the States to address additional problems identified from the State's own data that may be unique to each individual State.

[GAO COMMENT: Funding of projects, identified by three different entities in a wide range of areas, causes the safety grant program to lose focus and go in multiple directions. We think chapters 1 and 2 of our draft report support these conclusions. Furthermore, some States see this multidirectional approach as a problem.]

Recommendation to the Secretary of Transportation (Page 18):

GAO recommends that the Secretary, "Establish criteria which describe how much problem identification and data analysis the States will need in order to address their safety problems and to evaluate results; and work with State safety agencies to ensure that the criteria are followed."

Criteria have been established for the application of a step-by-step procedure to be used by the States in the analysis of data for the purpose of identifying highway safety problems. The requirement for a structured approach to problem identification is set forth in Volume 102, Highway Safety Plan, issued by NHTSA February, 1978. The actual procedures for implementation of a problem identification approach are contained in the manual titled, "Problem Identification Manual for Traffic Safety Programs," issued by NHTSA in December 1976. Following the publication of that document, workshops were conducted to explain and describe the concepts and procedure to State analysts.

Concurrently with the establishment of problem identification as an integral part of the overall highway safety programs management process, an operational tool was being developed to facilitate States' implementation of the prescribed analytical procedures. The DART (Data Analysis and Reporting Techniques) system, which is a package of computer programs for retrieving and analyzing stored accident data, was created and installed in 24 States. Several other States have expressed interest in acquiring this

software system, while still others already have adequate technology in place to carry out problem identification effectively. For States with the DART system, specialized assistance is now being offered to utilize this capability in following the problem identification methodology defined by NHTSA. The problem identification process is now undergoing review to determine further refinements needed in the guidelines. They will suggest additional statistical tests which can be used in the analysis of data, and insure that national research into highway safety problems is considered in the State problem analysis process.

[GAO COMMENT: We recognize that NHTSA is trying to implement sound program management through its problem identification process. However, the States we reviewed had difficulty in this area, and DOT's present criteria do not determine how significant a problem should be before grant funds are used to resolve it.]

Regarding the documents described in NHTSA's comment, we are aware of their existence but believe that they, in part, are reasons for the present lack of focus in this program. As our draft report stated:

"DOT's Highway Safety Program Manual establishes policy and procedures for the submission of each State's Highway Safety Plan, which is the basis for Federal funding of the State's highway safety program. The manual requires that States' efforts to identify problem areas consider, at a minimum, analyzing data in the following areas:

Pedestrian accidents	Roadside and roadway hazards
Motorcycle accidents	Alcohol involvement
Pedalcycle accidents	Youth involvement
Passenger car accidents	Defective vehicle involvement
School bus accidents	Suspended/revoked driver involvement
Truck accidents	Safety belt usage
Problem drivers	Speed involvement

Further, DOT's problem identification manual identifies additional problem areas including:

Emergency medical services	Driver licensing
Law enforcement	Vehicle registration
Adjudication	High accident locations

Volume II of the problem identification manual also identifies 53 model problem identification reports that can be generated through data analysis. It states that 'these model reports are by no means the only reports that should be generated but represent a small sample of potentially useful reports' to identify problems. It also states that problem identification is limited only by the availability or lack of availability of data within the traffic records system."

Thus, under these criteria, States can use grant funds to implement almost any safety project, regardless of its impact on reducing accidents. In NHTSA's ongoing review of the problem identification process, we believe steps should be taken to establish criteria as we have recommended to ensure that States are receiving clear guidelines in the future.]

CHAPTER 3: PROGRAM EFFECTIVENESS HAS YET TO BE DETERMINED

This Chapter should be retitled "Status of Individual Project/Countermeasure Effectiveness."

Despite GAO's title, Chapter 3 concerns itself not with program effectiveness, but with project or countermeasure effectiveness. On the issue of program effectiveness, there is substantial, convincing evidence that highway fatalities are far lower than they would have been if the trends which existed in the early 1960's continued without the benefit of the Highway Safety Program.

[GAO COMMENT: Chapter 3 of the draft report addressed, for the most part, the problems that DOT and the safety agencies face in their attempt to evaluate the effectiveness of the highway safety projects and activities funded under the grant program. Our draft report stated:

"Generally, DOT and the safety agencies were unsure as to which projects were successful or unsuccessful in reducing traffic accidents and related deaths, injuries, and property damage because:

- NHTSA regional offices and the States generally lack the capability to conduct detailed impact evaluations.
- DOT has not implemented a planned and coordinated approach to evaluating the countermeasures that are underway.
- Federal highway safety research efforts have provided little usable information to States and local governments for selecting the 'best' projects.
- Individual projects reportedly are not large enough, nor are they continued long enough, to measure effectiveness."

Although the chapter concerns itself with project evaluations, the problems we discussed relate to the evaluation efforts that affect overall program effectiveness. We fail to see how NHTSA can separate projects from the total safety program. We do not believe a title change is warranted.]

On the issue of countermeasure effectiveness, the GAO quotes from the Agency's January 1980 Report to Congress on the 402 Program, which describes the difficulties of proving countermeasure effectiveness in crash reduction. Then the GAO ignores the evidence presented in Chapter Four of the report which describes the effectiveness of a number of countermeasures both on crash reduction and driver behavior including the 55 mph speed limit, motorcycle helmet laws, alcohol enforcement programs, pedestrian programs, and others. It is true that the bulk of the programs funded under 402 do not lend themselves to scientific "impact level" evaluation. Nevertheless, considerable progress has been made in identifying effective projects. The GAO should recognize the limitations inherent in conducting impact level evaluations of 402 projects, as well as the progress that has been made in evaluating projects which reduce the number of crashes, change driver behavior, or simply improve system efficiency.

[GAO COMMENT: Our draft report stated:

"In its recent assessment of the safety grant program, NHTSA said that the process of providing scientific proof that a countermeasure has prevented accidents is costly, time consuming, risky, and subject to error."

Therefore, we recognized NHTSA's difficulty in attempting to prove which countermeasures most effectively reduce accidents. In analyzing the remaining information in NHTSA's January 1980 Report to the Congress, we chose not to use NHTSA's "evidence" of safety countermeasure effectiveness because the data contained numerous qualifying statements. For example, when NHTSA discussed the 55-mile-per-hour speed limit compliance summaries, it stated:

"* * * In 1979, * * * speed categories declined, closely approaching the 1975 levels. The earmarking of 402 funds for 55 mph compliance in FY 1979, and the establishment of mandatory sanctions for noncompliance to 23 U.S.C. 154(f) criteria, were factors in stimulating 55 mph enforcement efforts in 1979 and may have contributed to this result."
(Underscoring added for emphasis.)

When NHTSA discussed the motorcycle helmet-use laws, it stated:

"Aside from calling on the States to consider reenacting their mandatory helmet usage laws, NHTSA is urging that the 402 funds be used to support voluntary usage programs. Whether public appeals for voluntary usage can produce results remains to be determined."
(Underscoring added for emphasis.)

When NHTSA discussed the alcohol enforcement programs, it made the following statements:

--"** * no educational treatment program aimed at problem drinkers was found to be effective in reducing drunk driving."
(Underscoring added for emphasis.)

-- "A major impediment to the evaluation of alcohol programs is the lack of blood alcohol data on the drivers involved in crashes. A high BAC (blood alcohol concentration) is the best evidence that alcohol could have played a role in the accident. Without such data, the evaluator is dependent on the investigating officer's judgement that the driver 'had been drinking.' Since many projects involve training and motivation of police officers to detect drunk driving, these projects are likely to find more drivers in accidents who 'had been drinking,' thereby making it appear that drunk driving accidents have risen. To avoid such subjective biases, many investigators use 'surrogate' measures such as single-vehicle, late-night accidents which are most likely to be alcohol related in comparison to accidents which occur during the day. The aforementioned difficulties in finding an adequate criterion for alcohol related crashes have limited the number of studies of the effectiveness of alcohol programs." (Underscoring added for emphasis.)

-- "Most of the alcohol safety programs involving increased enforcement evaluated by the States show small, short-term reductions in alcohol-related accidents." (Underscoring added for emphasis.)

When NHTSA discussed the pedestrian programs, it stated:

"* * * Because of the multiple causes of pedestrian accidents, any single safety program can only affect a relatively few accidents."

"* * * Effective safety measures appear to be available for certain types of pedestrian accidents and several of these have been employed by the States using 402 funds." (Underscoring added for emphasis.)

We did not choose to "ignore the evidence presented" in the NHTSA report to the Congress, as NHTSA charged,

but chose not to use it because of the numerous ambiguities between cause and effect. We believe the problems identified in chapter 3 of our draft report (described in our preceding comments) are valid and do not change as a result of NHTSA's program assessment report.]

No Plan Established for Determining and Selecting Countermeasures (Page 19):

The GAO finding that "DOT has not yet established a plan for determining and selecting effective countermeasures..." overlooks the management system currently in place. This system requires the use of scientific procedures for identifying safety problems (a key requirement for a good evaluation), and evaluating countermeasure effectiveness. Several manuals covering the subjects of project identification and evaluation have been issued, and courses on these subjects have been provided to State personnel. This system will ensure, in time, that the States implement only effective safety measures directed at their specific problems. It will take time because the States must improve their analytic capability, and it will take time to accumulate the data necessary for evaluation.

[GAO COMMENT: Our draft report stated:

"Because DOT has not yet established a plan for determining and selecting the most effective countermeasures, many States tend to implement the same type of countermeasure to solve many different highway safety problems."

The draft report also stated:

"At least six of the States we visited were evaluating or planned to evaluate similar safety projects because NHTSA has not implemented a planned and coordinated approach to evaluating countermeasures."

* * * *

"As part of NHTSA headquarters planned evaluation capabilities, officials hope to develop a list of safety projects to evaluate or monitor. These projects are to be visited by NHTSA headquarters evaluation staff to determine how an evaluation strategy should be developed * * *."

Thus, our draft report points out that the lack of a NHTSA plan for determining and selecting effective countermeasures has caused problems within the States. Strengthening the current NHTSA management system to address an evaluation strategy such as that referred to by NHTSA officials would help alleviate this problem.]

Definition of Selective Enforcement (Page 19):

The GAO has stated that "Selective enforcement generally means providing overtime pay to police officers and purchasing patrol vehicles and related equipment." This definition is incorrect. Selective enforcement is a concept which defines the traffic accident problem in terms of high frequency accident locations during selected time periods and applies enforcement against related accident-causative violations. A selective enforcement program may or may not involve overtime pay and/or the purchase of vehicles and equipment. It may consist simply of the application of new tactics and/or the concentration of existing resources on a particular problem at a particular location at a particular time of day. The GAO statement tends to mislead the reader into believing that selective enforcement has the basic purpose of paying overtime and buying equipment.

[GAO COMMENT: The final report states:

"Selective traffic enforcement generally means assigning resources such as traffic officers to enforce particular laws, for example, speeding or drinking violations, at particular locations and times, to assure optimum reductions in traffic accidents."]

List of Countermeasures Funded (Page 19):

The long list, described by GAO as an "endless array," of countermeasures given on pages 19, 20, and 21 appears to be presented as an indication that the program is unorganized. This list can equally be used as an indication of the scope and breadth of the program. Highway safety involves at least a dozen major safety problem areas which, in most communities, are the concern of an equal number of major agencies. A set of safety projects all in one or two problem areas would fail to address many important aspects of the safety problem. Should we concentrate all of our resources on alcohol projects and ignore driver licensing, seat belt usage and speed compliance? To do this would indicate a lack of responsiveness to local needs, which is a prerequisite for effective action.

[GAO COMMENT: The reference to "an endless array of countermeasures" was revised during our internal review of the draft report. The final report states:

"In addition to selective enforcement countermeasures, many States continue to fund a broad range of other countermeasure projects or activities without knowing whether they are effective. Although the total number of projects has not been tabulated, for fiscal year 1979 NHTSA identified more than 1,700 projects costing at least \$20,000 each. We noted many of these projects during our review of the safety agency files. Safety projects included (but were by no means limited to) * * *."

This paragraph and the following list of projects give the reader an indication of the scope and breadth of the safety grant program. However, our main concern is that many of the projects continue to be funded without NHTSA or the States knowing whether they are effective. That point was not addressed in NHTSA's response.]

Examples of Projects (Page 21):

Uniform and properly installed traffic control devices, delineators, and pavement markings are required by FHWA standards, and are recognized as critical safety features for all highways.

[GAO COMMENT: Our review of the State safety agency files covered projects funded under FHWA's as well as NHTSA's uniform standards area. No additional comment is warranted.]

Lack of Capability to Conduct Necessary Evaluations (Page 22):

In this section GAO notes with apparent approval that FHWA does not require evaluations of projects funded under its part of the safety grant program, because these efforts are generally a part of a larger construction project. This is not entirely accurate. FHWA has an office with the specific responsibility for evaluation of these projects. In fact, this office is attempting to have local jurisdictions collect the necessary data.

[GAO COMMENT: In our discussions with FHWA regional and division office personnel, we were told that, generally, evaluations done on individual safety projects alone were not practical. Therefore, in our draft report we stated that FHWA, for the most part, did not require safety agencies to evaluate FHWA projects funded solely under the safety grant program. Instead, evaluations would include safety projects as well as related projects funded under other FHWA programs, such

as highway construction. Our draft report compared FHWA's evaluation approach with NHTSA's approach, the latter requiring safety agencies to independently evaluate projects funded under the safety grant program. We did not advocate using either approach but merely indicated that differences exist.]

However, if NHTSA used the same approach as GAO claims for FHWA, no measure would ever be made of the value of the 402 program, and the dollars spent. Evaluation can be an important method for increasing program effectiveness.

[GAO COMMENT: Our draft report recognized the importance of evaluating program effectiveness but points out that NHTSA and State safety agency evaluation capabilities are currently limited. As it now stands, NHTSA and the States lack the capability to measure the value of the 402 program and the dollars spent.]

The GAO correctly points out that there is currently a lack of capability to conduct evaluations at both the State and NHTSA Regional Office levels. However, this capability varies widely from place to place. Some States such as California, New York, and Michigan have been conducting high quality evaluations since well before the establishment of NHTSA. They have research groups in the Safety Offices or Departments of Transportation that rival in quality the Federal Government resources. Other States, particularly the smaller ones, lack this capability. However, as the GAO notes in the case of Texas, some States are beginning to hire qualified evaluation personnel. Others, as in the case of North Carolina, contract with local universities, where high quality research specialists are available.

[GAO COMMENT: This information provides additional support for our findings. No further comment is necessary.]

NHTSA is attempting to help the States develop evaluation capability by providing both basic and advanced evaluation courses. In addition, in February 1980 NHTSA established a new office level evaluation unit, the Office of Program and Demonstration Evaluation, to advise State and NHTSA Regional Office evaluation and program specialists. This office will also assist by providing, on a limited basis, computer assistance in analyzing data.

The capability at the Regional level has also been increased with the addition of evaluation specialists to the staffs of Regions III, IV, VI, VII, VIII and X, three at the masters level and three at the doctorate level. A position has been designated in each Regional Office for a specialist in evaluation and, in time, the evaluation capability of these other Regions will also increase. Visible progress is being made toward developing adequate evaluation capability at the State, Regional and national levels.

[GAO COMMENT: This comment provides additional information on NHTSA's current attempts to improve its evaluation capabilities and is reflected in our final report.]

The first paragraph on page 23 states that the former Director of State Program Assistance became the head of a new evaluation office. The facts are that the former Director of State Program Assistance became the Director of the Office of Driver and Pedestrian Programs, not the Director of the Office of Program and Demonstration Evaluation which is concerned with evaluation of State programs. The statement that Headquarters funding and staffing for the evaluation area has been increased is true, however.

[GAO COMMENT: By revising our final report to include NHTSA's current attempts to improve its evaluation capabilities, we eliminated the sentence in question.]

No Planned and Coordinated Approach to Evaluating Countermeasures has been Implemented (Page 24):

The GAO is correct in identifying the need for better dissemination of information on evaluation and for NHTSA to improve coordination of State efforts.

The evaluation of similar projects by more than one State does not constitute "duplication of effort." To imply that it does indicates a lack of understanding of the nature of research evidence. To obtain a true indication that a countermeasure is effective, a countermeasure evaluation must have two characteristics: "internal" and "external" validity. "Internal" validity concerns whether scientific proof has been presented that the countermeasure, a motorcycle education project, for instance, was effective in the community in which it was tested. "External" validity refers to whether a countermeasure that worked in one community can be applied to another. Just because it worked in Orlando, Florida, can we be sure it will work in Minneapolis? The answer, of course, is that we can not. There is so much variety in urban and rural communities, weather and road conditions, traffic laws, and local political systems within the 57 jurisdictions covered by the Highway Safety Program, that we cannot predict with confidence that the same results from one 403 demonstration or 402 project in one environment will be achieved in any other environment. Moreover, because of variations in local laws, institutions and conditions, a given countermeasure will rarely be implemented in exactly the same way in every State. The question then becomes: How much change can be tolerated in the countermeasure environment without modifying the results?

The number of replications necessary under differing conditions to demonstrate that the countermeasure is applicable to all jurisdictions, or to show in which jurisdictions it would not be effective, would depend on the nature of the safety countermeasure.

Standard alterations to highways probably have the broadest application under a variety of conditions, though even here differences in weather and terrain must be considered. Countermeasures which depend on appeals to highway users to change their behavior are probably the least susceptible to universal application, as they depend most on local conditions to achieve the desired effect. For these reasons, repetition of evaluations from State to State is not necessarily unwarranted duplication.

The real program development issue then becomes whether there is, or is not, adequate evidence already in existence to lead one to believe that the program will succeed in a particular State or locality. Moreover, regardless of the previous evidence available from other localities, some State legislatures and city councils may be unwilling to appropriate money for a project unless there is solid evidence that it has already worked in their State or city. In these cases, 402 funds as a means of determining whether a program will work in a particular location ("risk" money) are particularly useful.

These considerations, of course, do not justify unlimited expenditures for evaluation. And because evaluation is expensive, the States must have the best available information on which to base their decisions on which projects justify evaluation. To assist in providing this information, NHTSA is currently surveying all on-going State evaluations. The survey will be available to the States. NHTSA intends to issue a report on State project evaluation needs, which will indicate which types of countermeasures seem to have been adequately evaluated, which safety measures need evaluation, and under what types of local conditions such tests are needed. This report should assist the States in selecting projects for evaluation. While it is NHTSA policy to allow the States to select the programs they will evaluate, the availability of this report on evaluation needs should help prevent unnecessary duplication and permit NHTSA to give special assistance to those States willing to take on the "most needed" evaluations. NHTSA will also provide a clearinghouse for State evaluation results and will issue periodic reports of State evaluation research beginning in FY 1981.

[GAO COMMENT: This information only adds to our findings about the need for a planned, coordinated approach to evaluating countermeasures. It does not disagree with the statements in our draft report; therefore, no further comment is necessary.]

Highway Safety Research Efforts have Provided Little Useable Information (Page 25):

NHTSA disagrees with the GAO statement that highway safety research efforts have provided little usable information to the States and communities. GAO made this statement in a Draft Report dated March 17, 1980, titled "Highway Safety Research and Development -- Better Management Can Make it More Useful." Our comprehensive

response to that draft report listing the basis for our disagreement has been made to the GAO. Since this issue is extensively covered in that GAO report, and since this issue is not directly pertinent to an analysis of the 402 program, NHTSA suggests that this reference to the 403 program be excluded from this report.

[GAO COMMENT: In our discussions with NHTSA regional officials and State safety agency officials, the lack of knowledge regarding NHTSA's research efforts was identified as a problem. Because research results, successful or unsuccessful, should play an important role in determining future safety grant program activities, we included a brief description of this problem area. We recognize that NHTSA's research program is extensively covered in another GAO report as well as in a lengthy supplement to that report, but we believe that the research statements made in this draft report further support our conclusion that NHTSA's past research efforts have not helped State and local governments select successful highway safety projects.]

Individual Projects may not be Large Enough or Continued Long Enough to Measure Effectiveness (Page 26):

In discussing the measurement of countermeasure effectiveness, it is necessary to specify what level of evaluation is being done: "impact" or "administrative." Impact evaluations measure the effectiveness of countermeasure projects on the "bottom line" of highway safety -- deaths and injuries. Administrative evaluations measure activity relative to the resources expended, e.g., the number of drunk driving arrests made, where increased efficiencies in the system are the desired effect of the countermeasures.

NHTSA identified the problems associated with attempting impact evaluations of all 402 funded projects in the introduction to Chapter Four of its 1980 Report to Congress on the 402 Program. Because most of the individual projects funded by the States with 402 funds are not large enough or of sufficient duration to measure impact effectiveness, this level of evaluation should not be considered for the majority of 402 projects.

However, all projects funded under 402 are to be administratively evaluated by the States, and the requirement that this be done is included within each of the uniform highway safety standards, in addition to that required by subsequent program guidance established by NHTSA. Only one "impact" evaluation is currently being required from each State each year and this level of evaluation will normally be applied only to projects which continue more than one year, and which contain sufficient crash data to detect impact.

NHTSA also requires that States make annual statewide effectiveness evaluations. However, these assessments can not substitute

entirely for the individual project impact evaluations. While some States will show dramatic statewide fatality reductions (relative to national trends) over a two or three year period because of the large number of factors which can affect the total number of accidents experienced by a large community (weather, the economy, fuel shortages, changes in vehicle mix), it is often difficult to demonstrate that a given statewide reduction was produced by the highway safety program and not some extraneous factor. In the long run, individual project evaluations will provide the best indication of the effectiveness of the 402 programs.

[GAO COMMENT: This particular segment of our draft report stated that State

"* * * safety agencies are generally attempting to evaluate effectiveness of the safety program on a project-by-project basis, despite continued recognition from all levels that it is difficult, if not impossible, to show any effect."

Our draft report also stated that several safety agency officials had suggested different ways to evaluate the program. They included:

- Grouping together similar projects in all States and forming conclusions from the whole rather than project by project.
- Evaluating the results of entire State-wide safety efforts rather than project by project.
- Evaluating the results of several projects or programs (regardless of funding source) rather than project by project.
- Emphasizing administrative performance rather than trying to measure accident results scientifically.
- Applying expert judgment in lieu of scientific evaluations."

In the State responses to this segment of the draft report, there was general agreement with the findings presented.]

Conclusion (Page 27):

The GAO report has correctly identified the difficulties which this agency and the States face in developing the evaluation procedures prescribed by NHTSA. There will be many evaluation failures at the national as well as the State level. It is bound to be costly but ultimately much less costly than continued investment of two billion dollars a year in programs which no one can be certain will work. Management of the nation's safety program will always be part art and part science, but the States (no less than the Federal Government) are requiring new emphasis on scientific management and demonstration of effectiveness. Limited as the evaluation results have been to date in traffic safety, relative to what has been hoped, more progress has been made in this field than in nearly any other field of public health or social behavior programs.

[GAO COMMENT: NHTSA agreed with our conclusions. No further comment is warranted.]

Recommendations to the Secretary of Transportation (Page 28):

Recommendation #1: GAO's recommendation that the Secretary develop a safety evaluation plan and coordinate it among the States assumes that no program direction currently exists to determine countermeasure effectiveness, or that no mechanism has been planned for coordinating the results among the State safety agencies. This is not true. NHTSA's current program thrust already addresses the underlying issues raised by GAO.

[GAO COMMENT: Our draft report recommendation actually stated:

"We recommend that the Secretary of Transportation:

--Develop a plan which outlines what safety evaluation will be performed to determine the effectiveness of funded activities; and establish a method for coordinating those evaluations among State safety agencies to avoid duplication of efforts."

In NHTSA's response to the segment of our draft report entitled "No Planned and Coordinated Approach to Evaluating Countermeasures has been Implemented," NHTSA stated:

"The GAO is correct in identifying the need for better dissemination of information on evaluation and for NHTSA to improve coordination of State efforts."

In the latter part of that response, NHTSA concluded:

"* * * NHTSA is currently surveying all on-going State evaluations. The survey will be available to the States. NHTSA intends to issue a report on State project evaluation needs, which will indicate which types of countermeasures seem to have been adequately evaluated, which safety measures need evaluation, and under what types of local conditions such tests are needed. This report should assist the States in selecting projects for evaluation. While it is NHTSA policy to allow the States to select the programs they will evaluate, the availability of this report on evaluation needs should help prevent unnecessary duplication and permit NHTSA to give special assistance to those States willing to take on the 'most needed' evaluations. NHTSA will also provide a clearinghouse for State evaluation results and will issue periodic reports of State evaluation research beginning in FY 1981."

If NHTSA carries out these evaluation efforts as planned, we believe our recommendation could be adequately addressed. However, at the time of our review, such plans had not been formalized in writing, and NHTSA's former Director of State Program Assistance expressed concern that limited travel funds could delay the plans. Therefore, while it may be true that NHTSA's current program thrust addresses the issues raised in our draft report recommendation, much of that thrust is still in the planning stage. By developing an evaluation plan as we recommended, the plan will become formalized for the State safety agencies to follow.]

Recommendation #2: Regarding the recommendation that the Secretary establish a method for disseminating evaluation results among the States, NHTSA is very aware of the need for effective project evaluation and control. We have, in fact, established the initial mechanism which should provide the project analysis necessary to prevent waste of manpower and dollars. Technology Transfer Workshops have also been initiated to disseminate successful project information across the country, and four workshops have been conducted to date. They have been very well received by the States and seem to have great potential as a primary building block in our scheme for disseminating project evaluation results.

NHTSA already has in existence a well developed base for implementing a full scale system for identifying State evaluation projects, the rate of progress, and final determination of effectiveness. An automated project identification system, called the National Project Reporting System (NPRS), has the ability to identify all projects identified as "impact" type and to list whether or not they are to be evaluated. It will be possible in the future to develop a sub-file in the NPRS which would identify projects to be evaluated, and, on a semi-annual basis, prepare a report indicating success or failure of each project. The data would then be communicated to all States for development of a "do or don't do list."

Such a system could do much to avoid duplicating projects with little or no payoff. However, because of the scope of the program (57 State and political jurisdictions) and the length of some of the projects, it will not always be practical to postpone project initiation in one State to await project completion in another.

[GAO COMMENT: Our draft report recommendation stated that NHTSA should:

"Establish a method for disseminating successful as well as unsuccessful project evaluation results among all State safety agencies; and require that such results be considered before funding future safety projects."

We support NHTSA's plans to develop a subfile that would identify projects to be evaluated, and we also encourage the preparation of a semiannual report that indicates project successes and failures, as NHTSA has outlined. These actions, if carried out, could provide States with the evaluation results they currently lack but need to carry out effective safety projects.

In response to NHTSA's last statement that "it will not always be practical to postpone project initiation in one State to await project completion in another," we are not advocating that projects be postponed as NHTSA states. We are advocating, however, that when successful or unsuccessful evaluation results are available, those results should be considered before funding future projects.]

CHAPTER 4: OTHER MATTERS THAT AFFECT THE HIGHWAY SAFETY PROGRAM:

The GAO states that State legislators have regressed from implementing certain standards and from encouraging the most effective Programs. GAO cites a number of examples to demonstrate this. NHTSA believes that some clarification is required in each of these examples, as indicated below:

[GAO COMMENT: Regression in implementing standards is only one of six factors that we said had an impact on the program. The following other five factors discussed in our draft report were:

- Traffic courts have let offenders off with insignificant or no penalties.
- Some safety agencies have not used all the safety grant funds available to them.
- Safety organizations outside the safety grant program oppose regulations which would increase the safety agencies' authority to coordinate all State safety activities.
- DOT has not determined whether State and local governments are continuing safety projects once the safety grant funds have stopped.
- State and local agencies may not have provided an adequate share of financial support for individual projects.]

Motorcycle Helmet Usage Laws (Page 30):

The GAO report should clearly state that helmet law repeals were a direct result of Section 210 of the Highway Safety Act of 1976 which withdrew authority from the Department to require that the States mandate helmet use. Motorcyclists and legislators have interpreted the 1976 Act as a statement by Congress that helmet use by motorcyclists is not important.

[GAO COMMENT: The draft report clearly pointed out what has happened as a result of the 1976 amendment to the act. DOT's inability to require States to comply with every element of its Motorcycle Safety standard has caused 27 States to repeal or weaken their motorcycle helmet-use laws. Regardless of how motorcyclists and legislators have interpreted the amendment, the fact remains that the States' action has increased motorcycle fatalities.]

Because of the critical effect of helmet use on motorcycle fatalities, DOT believes it is extremely important for the States to seek readoption of helmet laws. Unhelmeted riders incur two to four times more head injury of any kind and three to nine times more fatal head injury than do helmeted riders. Helmet use in States with mandatory laws is more than 90 percent. When it is not required by law, helmet use is about 50 percent.

[GAO COMMENT: We agree that using motorcycle helmets is important.]

Motor Vehicle Inspection:

The last two sentences of the first paragraph on page 30 should be revised by GAO to reflect a more accurate picture of Periodic Motor Vehicle Inspection (PMVI). PMVI has long been considered by NHTSA to have a significant impact on reducing accidents. A NHTSA study found that 5 to 12% of all accidents were caused by vehicle defects, with the braking system and tires accounting for two-thirds of this percentage. Since the passage of the Highway Safety Act of 1976, seven States have repealed their inspection laws although studies in two of these States show that vehicle inspection reduces vehicle defects. In addition, NHTSA has quantified the effect of inspection on accident reduction as part of its diagnostic inspection demonstration program.

The Kenneth E. Johnson Environmental and Energy Center of the University of Alabama in Huntsville conducted a study of the effect of inspection on the accident rate in the city. Accident data of vehicles inspected at the diagnostic inspection center during a 20-month period were compared to accident data of uninspected vehicles of the local population. The accident rate of inspected vehicles was lower by 9% than the accident rate of uninspected vehicles. This experience was substantiated by a study done by the University of New Brunswick, Canada. The study, using two years of accumulated accident data, found that accident rates correlated significantly with vehicle defects. Areas of New Brunswick which had vehicles in better condition also had lower rates for fatalities, injuries, property damage and total accidents.

[GAO COMMENT: In mentioning tires and brake inspections, we were referring to a 1976 DOT study entitled "The National Highway Safety Needs Report." To recognize that States have also done studies on vehicle inspections, our final report has been revised to read:

"Motor vehicle inspections of tires and brakes have long been considered by DOT to have a major impact on reducing property damage accidents. Yet in recent years, at least seven States either have repealed their inspection laws or have decided to

discontinue their pilot programs, even though studies in two of those States showed that vehicle inspections reduce vehicle defects."]

Seat Belts As An Effective Countermeasure (Page 30):

GAO states that seat belt usage rates have declined.

[GAO COMMENT: A DOT survey indicated that the number of people using seatbelts declined from 14 percent in 1978 to 10.9 percent in 1979.]

It should be noted that there are a number of determinants operating, which are causing persons to elect not to use their safety belts. Our surveys have suggested that the following reasons may account for a large portion of the failure of such persons to use their belts: (1) discomfort and inconvenience of existing belt systems; (2) fear of entrapment in case of submersion or fire; and (3) laziness. We also feel that the perceived low risk of being involved in a crash, coupled with the lack of knowledge of the dynamics of crashes also account for a portion of the apathy regarding belt usage.

The only demonstrated means for significantly increasing safety belt usage is to pass laws requiring their use. Documentation of the history of the effort to obtain safety belt usage laws in the States can be found in the 1978 Task Force Report on Safety Belt Usage Laws. It is pointed out in this report that: (1) an effort was launched by the Congress and the Department of Transportation in 1973 to encourage the passage of such laws in the States; (2) Congress, in 1974, ordered the Department to cease providing incentives for such laws; (3) the experience with the safety belt interlock system and, more recently, with the motorcycle helmet law suggests that the public (and the Congress) is not very amenable to the passage of laws which restrict rights and privileges, even if the safety benefits are great; (4) surveys of State governors and legislators indicate that nearly all of them feel that safety belt usage laws are undesirable and unacceptable to the constituents of their States at the present time.

The above factors represent very formidable obstacles to pressing for safety belt usage laws at the present time. The approach which the NHTSA and many States are now taking in response to this situation is to encourage safety belt usage by means of comprehensive education and public information programs with the view that these programs may gain support for future legislative efforts by familiarizing the public with the issues concerning safety belt usage. There is some support for this from the foreign experience. Employee education programs (both public and private) are also being encouraged.

In addition, many State legislatures are considering bills to require the use of proper child restraints for motor vehicle passengers under the age of four. These laws, in addition to increasing the protection of young children, provide a starting point for encouraging the safety belt habit at an early age and may provide an example for future belt use legislation.

[GAO COMMENT: The agency's comments illustrate a commitment to seatbelt use. Furthermore, the agency recognizes that legislative support is needed but is unlikely to be forthcoming except on a very limited basis. This is additional information and is entirely consistent with GAO's position that lack of State legislative support has had an adverse effect on highway safety.]

NHTSA's 1979 Data (Page 30):

The reference to NHTSA, in the last paragraph on page 30, should be revised to reflect that the 55 mph speed data is collected by FHWA and then used by NHTSA in the speed monitoring program.

[GAO COMMENT: We agree and changed the wording in the final report to show that FHWA collects the data for NHTSA's use.]

55 MPH Compliance and Hiring of Officers for Enforcement (Page 31):

GAO states that, "Even so, 69 percent of the vehicles were still exceeding the (55 mph) limit." Only in one State -- Texas -- was there 69 percent noncompliance in 1979 -- and this was within the level required by the Highway Safety Act of 1978. Nationwide, less than six percent exceed 60 mph and less than two percent exceed 65 mph. We think that significant progress on 55 compliance has been made, and we are at a loss to understand why GAO should phrase their comment as if the current level of compliance were a minimal achievement.

[GAO COMMENT: NHTSA's assessment report stated that 69 percent of the vehicles in 1979 exceeded the 55-mile-per-hour speed limit. The assessment report also stated that 29 percent of the vehicles exceeded 60 miles per hour and 8 percent exceeded 65 miles per hour. These figures are significantly greater than the figures in NHTSA's comments. We had no reason to question NHTSA's assessment report statistics. However, a closer look at NHTSA's assessment report shows that the noncompliance figures included only speed data from rural interstate highways, so we indicated that fact in our final report.]

GAO states that, "Some State legislators have objected to using the 55 mile-per-hour compliance funds provided under the Highway Safety Act to hire additional police officers." It is true that some State legislators have objected to using 55 mph compliance funds to hire additional police because long term Federal funding cannot be guaranteed and the States are reluctant to hire additional people whom they might have to lay off within two or three years when Federal funds cease. This reason should be stated in the report.

[GAO COMMENT: This information further supports information in our draft report and has been included in the final report.]

Traffic Courts Let Offenders Off Too Easily (Page 31):

The GAO has stated the opinion of the "safety agencies," presumably the Governor's Representatives for Highway Safety in those States. A better perspective might have been obtained had the GAO talked to the judges and the police. It is true that the courts are the "weak link" in the enforcement chain, but there are many reasons why this is so.

[GAO COMMENT: NHTSA agreed that courts are a weak link. We have already gained a broad perspective of the court problem as a result of our previous report entitled "The Drinking-Driver Problem--What Can Be Done About It?" (CED-79-33, Feb. 21, 1979). Furthermore, we had no reason not to believe the safety agency officials' statements as these officials are responsible for managing the safety grant program and should be knowledgeable of the obstacles affecting its success.]

Traffic Courts are the busiest courts in this nation. Eighty-three percent of the 13,220 courts of limited jurisdiction hear traffic cases. Over half of these limited jurisdiction courts estimate that more than 50% of a judge's time is devoted to traffic cases. In many urban courts traffic cases clog the calendars. Resort is frequently made to the legal stratagems of plea bargaining, judge shopping, postponements, diversion, and de facto declassification of the offense by the nonuse of imprisonment as a sanction.

Judges are not insulated from the communities in which they work and live. This is especially true of elected judges. Though the American public wants to reduce the mayhem on our highways, they generally do not consider the violation of most traffic laws to be criminal acts. There is acceptance of the need for "rules of the road"; there is acceptance of the requirement for appropriate sanctions to be applied to violators of those laws; but our citizens will neither apply nor will they accept the stigma of criminality or conviction for minor traffic offenses. As a result, criminal procedure and the sanctions

associated with the criminal law are thought to be inappropriate. Even in the trial of offenses considered serious, such as driving while intoxicated, judges are reluctant to invoke the penalties of jail or license suspension knowing that both may deprive the defendant of his livelihood and thereby work a hardship upon his family.

[GAO COMMENT: We chose to discuss in our draft report the factors that detract from highway safety. Traffic courts are one of many sources of limited support, and NHTSA's comments further substantiate this problem.]

National Program Standard 307 on "Traffic Courts" makes no mention of sanctions. It contains only one requirement which is the reporting of all convictions for moving traffic violations to the State traffic records system. A new, updated, and more comprehensive standard is desired and needed.

[GAO COMMENT: Our draft report did not suggest that a new standard was needed, nor did we even mention sanctions in this section. Courts already have the authority to do more than the standard requires but apparently have chosen not to do so. Furthermore, if States choose to do less, NHTSA has no authority to prevent them from doing so regardless of what the standards say.]

Safety Agencies Have Not Used All Available Grant Funds (Page 31):

We do not disagree with the auditor's finding, but believe the report should present more clearly the facts that were used to arrive at the finding. NHTSA has been aware of this problem for at least ten years and has taken appropriate actions through Headquarters, Regions, and the States to reduce these excessive balances. These actions include management reviews, memoranda, notices, changes in directives, workshops, and meetings. The Regional Offices have been on the front line encouraging the States to base their highway safety plans on identified State problems and to program their implementing projects early in the fiscal year.

[GAO COMMENT: As we pointed out earlier, the purpose of chapter 3 was to recognize the factors that detract from highway safety. We know that many other facts could have been included, but we wanted to stress that States which do not claim reimbursement in some cases may have yet to carry out their safety projects. Our draft report says:

"DOT allows safety agencies to obligate funds based on their approved safety plans rather than on their actual projects started. Funds for planned projects

which are not started may simply be added to subsequent safety plans. Consequently, next year's plan may represent not only what the safety agency would like to do with new funds, but also what it plans to do with the previous year's remaining funds."

Such delays detract from highway safety. To report this particular matter in voluminous, unnecessary detail would only burden the reader, particularly since NHTSA does not disagree with the finding.]

The GAO report fails to identify what is meant by "unclaimed funds" as compared to our term "unliquidated obligations."

[GAO COMMENT: We added a footnote to the table in the final report to show that unclaimed funds are equivalent to NHTSA's term "unliquidated obligations." We used the term to make the problem more understandable to readers without government budgeting knowledge.]

Since this is a reimbursement type grant program, funds cannot be claimed until spent. However, there are three parts to this problem, two of which are not mentioned in the report.

[GAO COMMENT: We did not mention the other two aspects in our draft report because we considered them relatively unimportant, as discussed in the following comments.]

The first part is the States' failure to promptly claim reimbursement for funds expended. This problem is more prevalent in the larger and richer States which have large operating cash balances.

(GAO COMMENT: We do not feel that this problem has any significant effect on highway safety. The projects have already been carried out and whether the States choose to claim reimbursement is a matter of poor State financial management beyond the purview of this program. In our final report, however, we do recognize that this problem is one reason Colorado has an unclaimed fund balance.)

The other is the matter of "inactive projects," where State management has failed to monitor implementation.

[GAO COMMENT: We emphasized this matter in our draft report. Large amounts of unclaimed funds may indicate that safety activities are not being carried out and therefore these activities are of no use to the motorizing public.]

DOT does allow obligations to States on the basis of a planning document, rather than an individual project approval. This one-time obligation reduces paperwork for the States and NHTSA. However, this method requires follow-up activities to monitor progress. The tone of the report leads the reader to think this practice is not good management. Individual project approval would not solve all of the problems of unliquidated obligations, in the examples of Pennsylvania and Ohio, for instance.

[GAO COMMENT: We believe that allowing obligations based on a planning document versus individual project approval are only two alternatives. There may be other alternatives such as obligating funds on a quarterly or monthly basis for all those projects expected to begin. As NHTSA mentioned, the agency's current system causes additional work when actual progress is to be checked.]

Another cause of excessive unliquidated obligations, which is not mentioned in the report, is the use of Incentive Funds and the manner in which they were obligated. They are obligated at time of award and not based on a prepared or approved plan for using them. Because of this there were delays in getting projects underway. As of September 30, 1979, almost 18 million dollars were still not liquidated in the Incentive Grant Program.

[GAO COMMENT: Unclaimed incentive funds appear to be only a small part of the overall problem because these funds represented less than 8 percent of the entire unclaimed funds balance.]

As of May 31, 1980, the total amount of unliquidated obligations under the NHTSA and FHWA Section 402 grant programs was approximately \$319 million. Of that amount, approximately \$247.5 million was under firm subagreement between the States' highway safety agencies and other State agencies or local political subdivisions who are performing work on a multitude of projects. In other words, 77.5% of the available funds are at work, and funds will be obligated on a continuing basis as work progresses on the activities. Every effort will be made to get the balance of the funds under subagreement prior to the end of the fiscal year. We recommend that the GAO report recognize NHTSA's efforts to solve this long identified and difficult problem.

[GAO COMMENT: This response indicates that about \$71.5 million has not been put under subagreement since the Congress made funds available last fall. Furthermore, NHTSA should know that a subagreement does not necessarily mean that projects are underway. Parties to subagreements can still fail to start or carry out the intended work or fail to make the intended equipment purchases, as discussed in our draft report.]

Safety Organizations Outside the Program Oppose Safety Agency Coordination of All Safety Activities (Page 33):

The GAO comments that the State safety agencies, under DOT's proposed rule, will not actually have the authority to review and comment on most of the safety activities of other State and local agencies. This is not true.

[GAO COMMENT: We have revised the final report to read:

"DOT has currently proposed a rule that, if implemented, will prohibit safety agencies from managing the safety activities of other State and local agencies that are funded by other sources."]

The State Highway Safety Agency Final Rule currently being prepared for publication requires that each Highway Safety Agency shall be authorized to:

- (a) develop and implement a process for obtaining information about the highway safety programs administered by other State and local agencies,
- (b) periodically review and comment to the Governor on the effectiveness of highway safety plans and activities in the State regardless of funding source,
- (c) provide or coordinate the provision of technical assistance to other State agencies and political subdivisions to develop and carry out highway safety programs, and
- (d) provide financial assistance to other State agencies and political subdivisions in carrying out highway safety programs.

[GAO COMMENT: We consolidated points (c) and (d) and eliminated or changed a few words for ease of reading and clarification. Our final report reads:

*** the safety agency will only be authorized to

--keep informed of other agencies' highway safety programs,

--assist other agencies financially and technically in developing and carrying out programs, and

--review and comment to the Governor on the effectiveness of highway safety activities throughout the State, regardless of funding source.]

The key parts are (a) and (b): obtaining information about all highway safety programs, and reviewing and commenting to the Governor on their effectiveness. Given the size of the program and their position in State government, even these requirements establish a great deal of responsibility, and will require a significant level of effort for the State Highway Safety Agencies. The basic coordination mechanism will be put in place through this Final Rule -- and it can be effective, depending on how the Governor uses the information furnished by the safety agency, and whether the safety agency works with other State agencies and political subdivisions in a constructive way.

[GAO COMMENT: While this change could result in a great deal of work and may be effective, the results remain to be seen. The new requirements fall far short of giving the safety agencies any real influence outside their own programs. As our draft report pointed out:

"If DOT's most recently proposed rule is put into effect, the responsibilities of the safety agencies operating this program will likely remain unchanged, with little or no additional influence to coordinate safety activities. In New Mexico, Texas, and Pennsylvania, safety agencies are now three or four levels removed from the Governor, who is responsible for seeing that the State carries out this program. This indicates that safety agencies could have difficulty keeping informed of safety activities being implemented at higher State levels.

In nearly all of the safety agencies we visited, we identified the lack of 'position power' as a problem. The Texas Traffic Safety Section staff said the following:

- The safety agency does not have authority to control and coordinate the planning, implementation, and evaluation of the programs or projects that use traffic safety funds.
- The safety agency lacks the legal authority to require State and local agencies to make needed changes for correcting identified problems.
- The safety agency cannot prevent participating agencies from discontinuing projects without its approval.

The Texas staff also said that they could rely only upon their powers of persuasion or coercion to encourage participation in the program."]

Regarding the coordination function of the safety agency, it was judged inadvisable to demand this requirement through the Rulemaking process, in the absence of specific legislation establishing safety agency authority and responsibilities for coordination. The objections to a coordination requirement were especially reflected in the many adverse comments received in our initial Notice of Proposed Rulemaking, which attempted to establish such a requirement. Even with specific legislative authority, it might be difficult to implement the coordination function, given the relative size of the program (in terms of funding), the size of State staffs, and the relative position of the State Highway Safety Agencies in the State governmental organizations.

[GAO COMMENT: We are already aware of the objections caused by NHTSA's attempt to give the safety agencies more authority to coordinate all State safety activities, including those outside the program. We believe our draft report adequately points this fact out by stating:

"DOT's initial proposed rule was much stronger; however, it caused numerous protests from traditionally independent State agencies such as highway departments and State Police, as it would have given the safety agency the authority to coordinate their safety programs. Many State officials expressed doubts about the capability of their existing safety agencies to undertake such a role, and no State seemed to support an increase in staff which they felt would be necessary to effectively carry out that role. Several State officials predicted that requiring the safety agency to review other State agencies' safety programs before they were implemented would be impossible because it would take too long and because many programs were already underway or had no beginning point."]

State and Local Governments May Not Be Continuing Safety Projects After Safety Grant Funds Stop (Page 35):

In the first part of this section, GAO lists several examples of projects that safety agencies have been allowed to continue with safety grant funds for long periods. In each of the examples cited by GAO in which funding has been continued over a period

of six to ten years, the activity has involved training. This does not mean that the same training is repeated to the same audience. Driver education programs have been implemented in different areas with different audiences over a number of years. Emergency Medical Training (EMT) was virtually nonexistent in 1966. The curriculum started as a modest 20-hour course. It was then expanded to a more comprehensive 81-hour course. With the growth of the training curriculum and the spread in coverage, different target audiences were trained. This is in keeping with the "seed money" concept.

[GAO COMMENT: This concept of a seed money program is so loose that we doubt whether some State or local governments will ever be forced to make a decision to independently continue a project. We question what kind of training course would not have an audience (student) turnover. Even if a training course didn't have a turnover, a State could continually lengthen it by a few minutes or hours and still be within NHTSA's seed money concept.]

In January 1980, NHTSA issued an Order addressing Section 402 Project Length in which the length of any project which receives Federal funding support shall be limited to the planning cycle covered by the State's HSP (four to six years maximum). It also requires the grantors and grantees to agree prior to obtaining Federal funds on how long and how much Federal support may be provided. The policy is consistent with the Comptroller General's recommendations for cost assumption planning contained in his Report to Congress on Federal Seed Money.

[GAO COMMENT: While NHTSA's policy goes in the direction of a seed money program, it allows numerous exceptions, including projects in planning and administration, 55-mile-per-hour enforcement, schoolbus driver training, and safety belt use. Considering all of these exceptions, there seems to be implicit planning for State and local governments not to assume costs, which is contrary to the seed money approach.]

GAO cites examples where State and local governments may not be continuing safety projects after safety grant funds stop. The comments of officials cited by GAO in Illinois, Pennsylvania, Texas and Maryland, to the effect that safety efforts were terminated when Federal grant funds stopped, do not reflect NHTSA policy. The projects, when started, are intended to be supported with Federal 402 funds for a specified period of time (usually not more than three years). If found to be successful, the projects are expected to be continued with State and/or local funds until the problem being addressed is reduced to an acceptable level.

However, not all projects show positive results. These should not be continued and are usually dropped when Federal funding

support terminates. States have been encouraged to try innovative approaches. By their very nature, the risk is higher for these projects than for the tried and tested approaches. The survival rate for innovative projects is, therefore, lower than for more conventional projects.

The point should also be made that States and local jurisdictions have come under extreme financial pressure resulting from the spiraling inflationary trend of recent years. Despite good intentions when projects were undertaken, some local jurisdictions have had to reassess their priorities and discontinue support for highway safety activities for lack of funds.

[GAO COMMENT: This seems to be an area where there may be a wide gap between policy and practice. To challenge NHTSA's policy our draft report stated the following:

"Following are comments from safety agency officials in Illinois, Pennsylvania, Texas, and Maryland which cast doubt on whether safety efforts are continued when Federal grant funds stop:

- The program is no longer funded under the seed money concept; when Federal funding stops, so do the projects.
- The majority of selective traffic enforcement programs stop when Federal funding stops.
- Many enforcement projects pay for overtime; once Federal funds stop, so does the overtime."

Unfortunately no one has implemented a system to show the extent to which NHTSA policies are followed. To the extent that projects are not continued with State or local funds, Federal funds spent to continue those projects would not be available to start other safety projects. Thus, such practices may illustrate either a lack of program support or the existence of financial pressures on States and local communities. Our draft report stated:

"Regardless of whether safety agency officials thought projects continued after the safety grant funds stopped, no safety agency had any systematic procedures which required them to document that projects were actually being continued."]

Program Costs May Not Be Adequately Shared (Page 36):

Except for planning and administration (P&A) activities, the remainder of the States' Highway Safety Programs do not require a project-by-project match. Rather, the 75/25 Federal/State match is on a total program basis. The Highway Safety Act is silent on a State's obligation to require a specific match on a recipient agency's subgrants. Therefore, the States impose different requirements as best suit their internal management policies. They are not consistent and there is no legislative or administrative requirement that they be consistent from State-to-State.

[GAO COMMENT: The 75/25 Federal/State program match can be met with expenditures not directly related to the safety grant program. (For example, police department salaries.) Therefore, specific program costs may not be adequately shared, although the safety grant program is publicized as being carried out by cost sharing.]

P&A activities currently require a specific match. However, the Highway Safety Act of 1978 (Title II of the Surface Transportation Assistance Act of 1978, P.L. 95-599) was not enacted until November 6, 1978. Many State legislatures had adjourned prior to that date, and were, therefore, unable to provide a specific match for planning and administration during the first year. This was the reason for the granting of shared match exemptions during the first year. No additional exceptions are contemplated.

[GAO COMMENT: The point made in our draft report is that States and localities need not put significant money into the safety grant projects beyond their own ongoing safety efforts, except for their matching planning and administration costs. Our draft report stated:

"For fiscal year 1979, we estimate that of the \$167 million in Federal funds obligated by NHTSA, the States were required to obligate \$5.7 million of their funds to meet the planning and administrative cost-sharing requirement."]

Conclusions (Page 37):

These shortcomings cited by GAO do exist in various degrees, and they are certainly acknowledged. We recognized that "some" State legislators, traffic courts, safety agencies, etc. have not performed in an ideal or desirable way. However, and unfortunately not recognized in the GAO report, there are many positive benefits in the program. Many traffic courts, legislators, safety agencies,

etc., have performed well: through the establishment and use of DWI court referral schools; through the passage and sustaining of key legislation, e.g., in the alcohol area; and through well coordinated programs where projects are continued and supported with State and local resources. Evidence of very positive benefits can be found throughout the January 1980 report to the House Appropriations Committee -- "An Assessment of State and Community Highway Safety Programs, FY 1975 - FY 1979."

[GAO COMMENT: The point of this chapter was to pull together and illustrate the dynamic support that is necessary to have a fully effective safety program. Undoubtedly, parts of that system are working better than others and, at the same time, not everyone is working totally against the program. We recognize a need for more discussion of the positive aspects of the program as mentioned earlier in NHTSA's comments. We dealt with those comments in the introduction of this supplement.]

We agree that the program could be improved, particularly through strengthening the authority and functions of the State Highway Safety Agency. The Final Rule on the State Highway Safety Agency is a positive step in this direction.

[GAO COMMENT: We pointed out earlier that this improvement remains to be seen since the safety agencies still have no real authority outside the highway safety grant program.]

NHTSA and the States are making progress. We have gone from an adversary, sanction-oriented, standard-implementation approach to one of improved management, utilizing analytical techniques both for the development of programs as well as for their evaluation. The program is still relatively new, and it must be given a chance to grow.

[GAO COMMENT: We see this response as a lack of program direction that has continued over 13 years.]

We are developing and beginning to utilize scientific evaluation techniques, and the State safety agencies are just now, in spite of their subordinate organizational positions, obtaining qualified analytical personnel.

[GAO COMMENT: We think it will be extremely difficult to achieve results in this area without some sort of planned and coordinated evaluation approach.]

CHAPTER 5: HIGHWAY SAFETY PROGRAM ALTERNATIVES FOR CONSIDERATION
BY THE CONGRESS

The GAO has proposed that the Congress may wish to consider some administrative alternatives to the current State and community highway safety program. We disagree with the proposed administrative alternatives. First, the findings made by GAO are not based on a complete understanding of the scope, history, and achievements of the program. Second, we have recently initiated a change in the program, with authorization from Congress, and we do not yet have sufficient information to make a sound decision to further restructure the program.

In 1966 the Congress took official notice of the fact that Federal leadership was required if the Nation was to have comprehensive, uniform highway safety programs which were adequately financed. In H.R. 1700 on the Highway Safety Act of 1966 Congress said:

"Millions and millions of words have been written about safety. We have had the automobile for more than 60 years, and for almost all of that time many of the States and their political subdivisions have had programs of some kind designed to regulate the use of the automobile in the interest of public safety. For 40 years the various safety-related organizations, both public and private, have been trying to persuade the several State legislatures to adopt at least minimum uniform regulatory statutes, with lamentable lack of success."

"All States have some statutes; a few States have fairly extensive statutes; only a handful of States have undertaken comprehensive highway safety programs and even these are handicapped by gaps and deficiencies and inadequate financing."

The situation has improved but not to the point where national leadership can be withdrawn, either by discontinuing the program or by changing to a block grant structure. Discontinuation (GAO alternative number three) would simply return the nation to the earlier status. Change to a block grant program (GAO alternative number two) would continue to provide the States with some of the additional resources they need. But, without the uniform guidance, without the inducement to do comprehensive planning, without a mechanism to coordinate the array of activities which make up a comprehensive program, and without the manpower development and technical guidance support they need to do individual State problem identification, project evaluation, and subsequent program improvement, the prospects for continuing a viable uniform highway safety operation would be extremely remote.

We do not believe that it would be wise for Congress to increase Federal leadership and administrative authority (GAO alternative number one) at this time. The Secretary proposed a restructuring of the highway safety program to Congress in 1977, with which

Congress only partially agreed and authorized. The rationale for maintaining our current program approach until we evaluate it is found in the Conference Committee Report on House Bill 11733 which was adopted in 1977. The Committee expressed concern that the Department's recommended changes in the highway safety program raised "the spector of another wave of potentially disruptive administrative changes without clear evidence that these changes will materially affect the bottom line..." The Committee Report further stated: "For this reason it is the considered judgement of the Committee that the existing highway safety standards should be retained at this time, but with very wide discretion given to the Secretary to carry out the intent of (the Department's) proposed shifts in emphasis within the present framework. This will permit a time for experimentation, a time for evaluation, and in due course, a time to come back to Congress with sound recommendations for change based on these antecedant efforts."

RECOMMENDATION

We believe that the overall operation of the 402 program is effective, and that on the whole it strikes a reasonable balance between the need for program direction and the need for flexible management. None of the options the GAO suggests offers any advantages over the existing program. The program has been under continuing review and will be subjected to close review once again during the development of the highway legislative proposals due in January.

[GAO COMMENT: As we stated earlier in this report supplement, we have identified three major deficiencies that presently limit the Highway Safety Grant Program's effectiveness. Those deficiencies are:

- The program needs direction from the Congress.
- Evaluations generally have not determined whether funded projects have effectively reduced accidents.
- Many measures which are believed to improve highway safety are not implemented.

In our draft report, we made several recommendations to the Secretary of Transportation that should help correct those deficiencies. However, we feel that after 13 years and \$1.3 billion in Federal assistance for highway safety, the Congress may wish to consider some rather drastic administrative alternatives to the present structure. Otherwise, we believe the Highway Safety Grant Program will continue to address a multitude of safety activities with no clear direction or goal. Chances of measuring the success of this program as it is presently administered is, at best, difficult.]

GAO COMMENTS TO THE STATE
HIGHWAY SAFETY REPRESENTATIVES' REPLIES
TO THE JUNE 3, 1980, GAO DRAFT REPORT ENTITLED
"THE HIGHWAY SAFETY GRANT PROGRAM: LIMITED
SUCCESS IN ACHIEVING ITS OBJECTIVE" 1/

This supplement to the report entitled "Highway Safety Grant Program Achieves Limited Success" (CED-81-16) also contains the State highway safety representatives' replies to our June 3, 1980, draft report that were received from eight of the nine State safety agencies we reviewed. State comments pertaining to the draft report conclusions are addressed in the final report. Other State comments requiring further clarification to specific segments of the draft report are also included in the final report, where applicable.

We have briefly summarized the remaining comments, as warranted, in this supplement. In addition, we have included the State replies in their entirety, 2/ excluding their enclosures.

1/The title of the final report was revised during our internal review process.

2/Page number references quoted by the States refer to pages in the June 3, 1980, draft report and are not necessarily the same as those in the final report.

GAO SUMMARY OF STATE COMMENTS

From the Illinois Department of Transportation, the director, division of traffic safety, stated that he believed the report was a fair and thorough discussion of the issues.

From the Maryland Department of Transportation, the Secretary of Transportation/Governor's representative for highway safety provided several suggestions that helped clarify some of the safety issues discussed in the report. We included those suggestions as needed.

From the Pennsylvania Department of Transportation, the Secretary of Transportation stated that the report accurately reflected the practices and the status of the safety grant program in Pennsylvania, with certain exceptions. Those exceptions, as applicable, have been reflected in the report.

From the South Dakota Department of Public Safety, the director, division of highway safety, stated that our correlation of fatalities from 1965 to 1979 (as discussed on p. 1 of the report) did not do justice to the total highway safety program. He stated that when other factors were considered, such as vehicle miles traveled, driver populations, and number and type of vehicles, program success was obvious. He failed to recognize that the first two of those factors were already addressed in the draft report.

The South Dakota highway safety director also stated that our comment about the increased annual safety grant obligations--from \$2 million in 1967 to \$200 million in 1979--was misleading because funding for the first 2 years was spent for start-up administration, not for specific projects, and also because we had excluded inflationary factors that would have shown the actual increase in terms of constant dollars. We added a sentence on p. 1 of the report to clarify this issue. (However, as pointed out in the report, our main concern is that the substantial increase in annual obligations since 1976 has not resulted in a corresponding improvement in highway safety.)

Additional comments made by South Dakota's highway safety director were incorporated into the report as appropriate.

From the Utah Department of Public Safety, the commissioner stated that, although we had mentioned Federal expenditures for highway safety, we had not mentioned State and local expenditures. Based on our review discussions with Federal officials, we were unable to locate any documentation that would have given us a reliable estimate of all State and local expenditures, other than NHTSA's general statement that the Federal funds represent about 2 to 3 percent of the total highway safety costs.

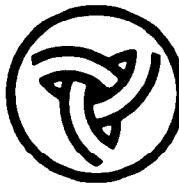
The Utah public safety commissioner also stated that the Federal funding as we had presented it was misleading, as it did not adjust for inflation. He stated that a more equitable comparison of annual grant funds increases should have begun with 1969, the first year that substantial programming took place. (In 1969, the program was funded at \$65 million as compared with the \$2 million funded in 1967.) These comments are comparable to the ones made by South Dakota's director of the division of highway safety, and they are recognized on p. 1 of the report.

The Utah public safety commissioner made several other comments that were incorporated into the applicable sections of the report. In conclusion, the commissioner stated that the report was a relatively concise document but that many of the positive aspects of the highway safety program were lacking. In response, we believe that there is currently a lack of scientific evidence available to show "positive aspects," and our report's purpose is to address the program's problem areas.

From the Colorado State Department of Highways, the director, division of highway safety, stated that the report identified problems that should be addressed by NHTSA, FHWA, and the States. He made several comments to specific segments of the report, and they were incorporated as necessary. In conclusion, the director stated that the influence of safety agencies had been declining over the past 5 years and every effort should be made at the Federal level to help restore these agencies to a role of safety leadership and advocacy.

From the Ohio Department of Highway Safety, the director made several comments about specific statements in the report. Suggested word changes were incorporated as appropriate to clarify these statements.

From the Texas State Department of Highways and Public Transportation, the engineer-director stated that, in general, the report contained information accurately reflecting many of the problems the States have encountered in implementing the program as directed by Federal legislation and guidelines.



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois/62764

June 26, 1980

Mr. Henry Eschwege
Director
Community and Economic Development
Division
U. S. General Accounting Office
Washington, D. C. 20548

Dear Mr. Eschwege:

Thank you for sending me the draft: "The Highway Safety Grant Program: Limited Success in Achieving its Objective". I believe it to be a fair and thorough discussion of the issues.

Cordially,


Karsten J. Vieg, Director
Division of Traffic Safety



Maryland Department of Transportation

The Secretary's Office

July 2, 1980

Harry Hughes
Governor

James J. O'Donnell
Secretary

Mr. J. Kevin Donohue
Team Director
U. S. General Accounting Office
Room 2330, Nassif Building
400 7th Street, S. W.
Washington, D. C. 20590

Dear Mr. Donohue:

The following comments on the draft of a proposed GAO report titled "The Highway Safety Grant Program: Limited Success in Achieving Its Objective" are submitted in response to Director Eschwege's June 3 letter to me. To facilitate review and consideration, the comments correspond in order and titles (paraphrased, in some instances) to the subjects as addressed in the draft report.

INTRODUCTION (p. 1ff)

- * In the interest of accuracy, the opening sentence should indicate that highway traffic accidents are the leading cause of accidental deaths in the United States.
- * The second statement should be deleted or qualified to avoid its present misimplication as to the proportion of highway traffic accidents for which drivers can be held responsible. Though often used outside the scientific community, the 90% figure cannot be properly documented and is a result of misinterpreting and misusing data from police reports on investigated accidents. Such reports are essentially concerned with any improper driver action at the time of an accident. They seldom are based upon a study of the extent to which the driver's action of itself actually caused an accident. The influence, or even presence, of vehicular/environmental factors contributing to particular accidents normally cannot be ascertained by those police officers who initially investigate and prepare reports on the accidents.
- * The verbal and graphic information concerning changes in the national highway safety scene since passage of the Highway Safety Act of 1966 is misleading. While the information on numbers of deaths for the individual years is accurate, such figures alone have little, if any, significance with respect to improvement or worsening of the highway safety situation, in general or as regards the effects of federal funds in particular. Much more meaningful are the data on motor

-more-

My telephone number is (301) - 787-7397

JUL 7 1980

Post Office Box 8755, Baltimore-Washington International Airport, Maryland 21240

Letter to:
Mr. J. Kevin Donohue
July 2, 1980
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vehicle fatality rates and the fact that had the death rate trend for the period of 1961-1966 continued, there now would be over 100,000 traffic deaths per year --or double the actual number being experienced. It should be noted also that the unorthodox ordinate scales on Charts 2 and 3 of the report tend to distort the magnitude of changes in deaths and death rates for their respective calendar periods.

Program Emphasis

- * The State of Maryland supported the basic changes that have been made in highway safety program emphasis, as described in the draft report, and has found such changes to be beneficial to administration of Maryland's highway safety program, as well as to securing optimum values from the expenditure of federal highway safety funds.
- * With reference to the first paragraph on p. 7, Maryland was one of the states against which the U. S. Secretary of Transportation instituted sanction proceedings, in the belief that one of the State's alcohol/driving laws did not meet the applicable federal standard. Although such proceedings were cancelled following a minor change in the involved state law, the potential withholding/loss of federal highway safety funds implied by such action created a disruption in the state's highway safety program from which it took at least two years to recover. New highway safety programs and projects could not be instituted, existing projects were seriously delayed or terminated, and both state and local agencies withdrew or reconsidered their commitments to participation in the federally-funded parts of the state highway safety program. (Some are still wary of such participation.)

Scope of Review

- * The State of Maryland was pleased and privileged to be one of the nine states selected for participation in the GAO audit, and this Department's Transportation Safety Division appreciated the opportunity to present its views to the auditors. We were quite favorably impressed with the professional manner and attitude of those GAO representatives who conducted the audit work in our offices.
- * With regard to the auditors' efforts to appraise the performance of projects in Maryland's FY 1979 and FY 1980 Highway Safety Plans, it should be noted

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that, at the time of the auditors' visit to our offices (November, 1979), few of the FY 1979 projects had been completed and Maryland had not yet received authorization to proceed with obligation of its FY 1980 federal funds. Hence, most of the projects in those Plans had not reached a stage where their performance could be evaluated.

PROGRAM DIRECTION (p. 10ff)

- * Concerning the three particular approaches reportedly used by state highway safety agencies, in Maryland the federal standards per se are not a basis for ascertaining safety problems or for developing appropriate countermeasures. The standards do not necessarily indicate Maryland's safety needs nor would compliance with them automatically produce the greatest safety benefits from limited expenditures. The standards are, however, a good checklist for assuring that certain highway safety aspects and potential problem areas are not neglected during problem analyses and improvement planning. While the standards are also useful in determining whether particular types of projects are eligible for federal funding, most any type of traffic safety-related activity seemingly is covered by one or more of the standards.

Federally-identified Problems vs. Actual Needs

- * Maryland's experience supports the basic statements concerning states' inability to spend adequate amounts of their federal highway safety funds on their particular highway safety needs, due to federal requirements that certain amounts of such funds be spent in particular areas of highway safety. Maryland is among those states which sometimes has difficulty in justifying and/or expending the amounts of Section 402 funds that the Congress has dictated be spent on school bus driver training, enforcement of the 55 m.p.h. speed limit, and seat belt usage. This does not mean that these safety matters are unimportant or unworthy of federal funding support but, rather, that the amounts of federal funds dedicated to such areas would produce greater safety benefits if spent for other purposes. Reasons for such circumstance, varying somewhat by year and safety area, include: relatively low magnitude of problems in these (categorical) areas, prior obligation and use of federal and/or other funds to substantially alleviate the problem, and insufficient pre-advisement by the federal government as to the amounts and acceptable uses of the dedicated funds.

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- * The above-indicated factors influencing state expenditures for school bus driver training, seat belt usage, and 55 m.p.h. enforcement also affected state efforts in the earlier "high payoff programs". Since the relative seriousness, if not existence, of any "national" traffic safety problem varies from one state to another (and usually among jurisdictions within a given state), it is axiomatic that there can be no propriety in requiring states to spend a specified amount or proportion of their Section 402 funds on a particular highway safety matter. Such requirements can serve to deter or delay the spending of Section 402 funds, lessen the safety effectiveness of highway safety programs, and discourage the types of methodical problem identifications and analyses which states are supposed to conduct.

Criteria to Determine Significant Problems

- * Beyond basic identification and characterization, the extent to which a specific problem can and should be analyzed depends upon its nature, the amount and reliability of available data, and the degree of sophistication necessary for designing an effective countermeasure. Generally, the level of success of a safety improvement measure is directly related to the depth of the problem analysis on which it is based. However, analyses which go beyond that needed for the type of problem involved usually are wasteful of time and funds; analyses which exceed the pertinency and definiteness of problem data can easily lead to erroneous conclusions and ineffective countermeasures. It would be difficult for NHTSA, FHWA, or any other agency to establish equitable, practicable criteria that could be employed in problem identification and project funding.
- * One of the most effective uses for federal highway safety funds is to anticipate and preclude the emergence of traffic safety problems. If preventative safety measures (for which there often is no historical accident data) are to receive due attention and funding, it is important that caution be exercised in establishing accident experience as a criterion for determining highway safety problems or project funding.

Conclusions

- * Inasmuch as, understandably, the copy of the draft report received by Maryland does not include the entire Conclusions section of Chapter 2, our comments relate only to those conclusions which appear on p. 17.

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- * Although measuring the effectiveness of the safety program is complicated by the "multiple directions" factor cited, resolution of that problem would not significantly ease the difficulty of determining the effectiveness of the program or its individual elements in terms of traffic fatalities, injuries, and property damage. Principal factors that preclude definitive measurements include the multitude of constantly-changing factors outside the program which influence traffic safety, the impracticability of stabilizing all other influences when seeking to ascertain the specific effects of a particular safety measure, the multi-faceted nature of many improvement measures, and the residual values of certain types of safety activities (such as traffic safety education).

PROGRAM EFFECTIVENESS (Chapter 3)

- * We concur in the NHTSA's reported view as to the difficulty of scientifically proving that a particular countermeasure has prevented or reduced accidents. It is unfortunate that various safety organizations and officials have been placed in a position, often a defensive posture, where they have found it necessary or politic to attribute changes in the safety record to particular measures (or to a lack thereof). At times, this has resulted in some highly questionable and exaggerated claims as to the actual or potential accident/death reduction benefits of such topical measures as the NMSL, seat belt usage laws, etc. It is hoped that highway safety officials will not be impelled to make such specific claims in order to justify the numerous types of important highway safety activities being conducted at all levels of government.
- * There is an apparent misunderstanding of the term "selective enforcement", which generally means the application of traffic law enforcement on a selective basis in order to assure optimum benefits --as by assigning traffic officers to enforce particular laws, at particular locations, and at particular times according to data indicating that such assignment will be most likely to reduce the number and/or severity of traffic accidents. It is a sound practice for all traffic law enforcement programs and does not inherently involve additional manpower or equipment.
- * It is probable that each of the types of projects listed on pages 19 through 21 could have important safety benefits and could be a valuable use of highway safety funds under certain conditions. The variety of projects that have been funded attests to the wide range of factors in highway safety and the importance of providing considerable latitude in the purposes for which federal highway safety funds can be used.

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Evaluation Capability

- * Maryland recognizes the high importance of evaluating the effects and values of its highway safety programs, projects, and activities. Circumstances which to date have made it impossible to achieve as much as we desire in this respect include: the necessity of devoting limited safety agency manpower to time-consuming highway safety program activities on which the federal government has placed greater emphasis and stringent requirements, lack of adequate incoming data for meaningful evaluations, and the futility of conducting extensive evaluations for program priorities and project selections as long as the federal government continues to dictate priorities and fund usage.
- * Although each highway safety project agreement executed through this Department's Transportation Safety Division includes a requirement that the project agency evaluate and report on its success in achieving project objectives, many state agencies and most local government agencies in Maryland are unable to conduct scientific evaluations. This is due largely to manpower limitations, lack of evaluation expertise, and the need to spend an inordinate amount of time on studying and complying with the many applicable federal government regulations.
- * Steps being taken in Maryland to expand and otherwise improve its evaluation capabilities include; planned reestablishment of the Transportation Safety Division position under which technical evaluations are to be performed, and special evaluation training of state and local personnel having principal responsibilities for project direction. To some extent, attainment of these objectives is dependent upon federal government laws and administrative directives --as regards, for example, the amount and share of Section 402 funds available for such purposes, the nature and types of functions that must be performed by state highway safety agencies, etc.

Coordination of Evaluation

- * Maryland would benefit greatly from receiving the results of meaningful program/project/activity evaluations conducted by others and would be pleased to provide information on its own evaluations to a coordinating office for distribution in any form. Sound evaluations of highway safety efforts by any federal government or state government agency, at least, should be included in the compilation/dissemination program.

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- * Due principally to the widely-varying environmental, traffic, demographic and legislative characteristics among states, and often between political subdivisions within a given state, particular types of countermeasures which are highly successful (or unsuccessful) in one state may have opposite consequences in another state; hence, care should be taken in any use of project evaluation results to promote similar projects among other states.

Research Information

- * The various research information needs and remedial recommendations in the report are consistent with Maryland's views and experiences. One of the greatest needs is for improved (NHTSA and FHWA) coordination of Section 403 projects with the Section 402 programs and for the involvement of state highway safety agencies in the Section 403 project planning and development process. There have been a number of instances in which Section 403 projects have been planned and conducted in Maryland without the knowledge of the state's highway safety agency, even where other state agencies were directly involved.

Individual Project Evaluations

- * The statements concerning the difficulties inherent in evaluating certain individual projects are quite valid, as are the suggested ways to improve program evaluations.

Conclusions

- * While we concur as to the need for improved evaluation capabilities in both federal and state agencies, we are uncertain as to whether NHTSA is the most appropriate agency to take the lead in developing and establishing an evaluation program. In any instance, state highway safety agencies, FHWA, and possibly others should be allowed to participate fully in defining such a program.

OTHER MATTERS (Chapter 4)

Legislators

- * Federal government stipulations that states adopt laws with particular provisions naturally create resentment among many state legislators; when coupled with threats of federal fund loss, they can result in opposition by some legislators who otherwise would have supported the desired law.

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- * Federal government agency efforts to influence the passage of particular laws in a given state should be made only with the knowledge and concurrence of the Governor or his designated representative on such matters.

Courts

- * Seemingly untoward court actions of the type noted in the draft report can best be corrected through appropriate educational efforts, directed to the public as well as to courts personnel.

Fund Usage

- * Since the Section 402 funds are administered through a reimbursement program and the reimbursements cannot be made until after expenditure claims have been duly processed, a comparison of unclaimed funds to obligational limitations does not present a true picture of expenditures. A more meaningful criterion is the proportion of a state's funds which have been obligated to ongoing projects through project agreements and which, therefore, are in the process of being spent. In this regard, as of September 30, 1979 (the reference date cited on page 32 of the report), Maryland had obligated some 95% of its FY 1979 Section 402 funds, the remainder being reserved for possible project overruns, inflationary price increases in authorized equipment purchases, and other contingencies. Thus, Maryland had no Section 402 funds "available" as of September 30, 1979.

Organizations Outside the Program

- * While Maryland's state highway safety agency does not have the responsibility for all state highway safety activities, the Section 402 program provides at least a "carrot" which the safety agency has used to influence the traffic safety activities of other state agencies.
- * As Maryland understands U. S. DOT's most recent proposed rule regarding state highway safety agency responsibilities, the rule would not "prohibit" the safety agency from "actually reviewing and commenting on most of the safety activities of other state and local agencies" if this were desired by a state.

Continuity of Projects

- * It is true that many projects, especially those in counties and municipalities, are not continued with state or local funds once federal funds

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are no longer provided. However, often such continuation is not possible or desirable because of the nature of the project. In many cases, by conducting a project under the state program, the state or local agency acquires the needed means for identifying problems, developing and designing successful countermeasures, evaluating results, and other sound practices that they can then apply to their existing and future programs and activities. A federally-funded project can be an excellent device for helping to assure that the extent and nature of highway safety problems are recognized, that adequate state/local funds are programmed therefor, and that such funds are expended for purposes and in ways which produce maximum safety benefits.

Cost Sharing

- * In Maryland, the Section 402 funds are equivalent to less than 2% of the state and local funds being expended for highway safety.
- * Any "hard match" requirement for a local government agency Section 402 project normally will reduce the total amount of expenditures in highway safety (and, thereby, for safety improvements) by that agency since the "matching" likely would come from funds that otherwise would have been used for some other highway safety purpose.
- * The statement (at the top of p. 37) concerning Maryland's transfer of certain planning and administration functions is not correct. Certain functions are being transferred to those state agencies having professional expertise in particular areas of highway safety, but there has not been any transfer of state planning or administration functions to project directors, nor is any such transfer being considered. These transfers were decided upon prior to establishment of the matching requirement and apparently will not affect state matching. (Enclosed is a table indicating the particular highway safety program activities which are being assumed by selected state agencies and those which are being retained by the Transportation Safety Division.)
- * The principal reason for Maryland's "cost sharing" requirement for emergency medical equipment (including ambulances) is the especially-low proportion of EMS equipment usage that is for highway safety-related purposes.

Conclusions

- * In assessing the extent to which the national highway safety program has been implemented, it should be recognized that, when the program was conceived, there was expectation of some \$500 million in federal funds being made available annually and that states would be able to use the funds according to their particular safety improvement needs.

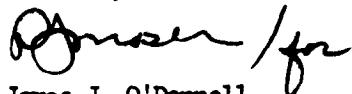
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- * Some of the circumstances cited as "problems" from the standpoint of national program implementation are not necessarily detrimental to achievement of the program's objectives; however, they may well indicate the desirability of considering possible changes in the program --particularly with respect to the propriety, reasonableness, practicability and safety justification of certain federal government requirements currently imposed upon the states.

I trust that the above comments are fully and properly responsive to Director Eschwege's request. If possible, I would appreciate receiving a copy of the final version of the GAO report, in its entirety or as censored. In the interim, please be assured that the restrictions placed on usage of the draft report will continue to be carefully observed by this agency.

Sincerely,



James J. O'Donnell
Secretary of Transportation
and
Governor's Representative for
Highway Safety

JJO'D:bam

Enclosure

cc: Deputy Secretary Dewberry
Assistant Secretary Moser
Director William L. Carson



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
HARRISBURG, PENNSYLVANIA 17120

OFFICE OF
SECRETARY OF TRANSPORTATION

July 2, 1980

Mr. J. Kevin Donohue, Team Director
U. S. General Accounting Office
Room 2330, Nassif Building
400 7th Street, S.W.
Washington, D.C. 20590

Dear Mr. Donohue:

We have reviewed your draft report entitled "The Highway Safety Grant Program: Limited Success in Achieving its Objective", and with certain exceptions agree that the portions of the Pennsylvania program described in the report accurately reflect the practices and the status of the safety program in Pennsylvania.

On page 14, the size of our state police force is controlled by the state legislature through budget approval. Present authorized force is 4173 personnel, however due to budget constraints the present complement is 3690.

I believe, in the second paragraph on page 17 regarding the placement of ambulance vehicles throughout the state is somewhat misleading. Detailed criteria for the placement of ambulance vehicles are developed by the Pennsylvania Department of Health staff which serves as the program manager for emergency medical services. The criteria details the strategy for selecting locations of ambulance vehicles to improve local services and to reduce response time. This procedure together with the draft HSP is reviewed jointly with the Department of Health staff and the NHTSA Region III administrative office staff prior to forwarding the HSP to the Region III Administrator for approval.

It should be noted that 402 funds are used to underwrite only 50% of the cost of ambulance vehicles. The other 50% is a hard match from sources of funding developed by the Department of Health.

On page 24, second paragraph, the statement should indicate that we have qualified persons available to perform evaluations, however they are unable to complete evaluations because they are assigned other duties which are essential to the safety program. Since current fiscal constraints preclude adding more personnel at this time we are requiring that project evaluations be performed by the grantee in certain instances.

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I am attaching a copy of the ambulance placement criteria mentioned previously for your further review and study. I would suggest that the second paragraph on page 17 be modified substantially or perhaps even eliminated from the report.

I appreciate the opportunity to review this draft analysis.

Sincerely,


Thomas P. Larson, P.E.
Secretary of Transportation

Enclosures



Department of Public Safety

DIVISION OF HIGHWAY SAFETY

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July 2, 1980

Mr. J. Kevin Donohue, Team Director
U.S. General Accounting Office
Room 2330, Nassif Building
400 7th Street, S.W.
Washington, D.C. 20590

Re: South Dakota Comments on GAO Draft Report

Dear Mr. Donohue:

South Dakota's State Highway Safety Agency (SHSA) has had a chance to review the June 3, 1980 Draft report on "The Highway Safety Grant Program: Limited Success in Achieving Its Objective". South Dakota's SHSA would choose to take the opportunity in responding to the report.

Following are our comments concerning the contents of the report as they apply to the "Highway Safety Grant Program" in general and South Dakota in particular:

- * On page one there is introductory discussion concerning the Highway Safety problem from 1965 - 1979. Fatalities due to traffic crashes are perceived today to be at approximately the same level as where the Highway Safety Grant Program began in 1966. This correlation does not do justice to the total Highway Safety Program. Many Highway Safety Programs have been tried since that time, some proven and continued, others that have not shown acceptance or effectiveness have been discontinued. Chart 3 on page five indicates there has been significant achievement since 1966 where the Fatality Rate has decreased in the U.S. by 60% from 5.53 to 3.33 deaths per million vehicle miles traveled (MVM). In South Dakota during the same period, we experienced a reduction of 58% from a 6.50 Fatality Rate in 1977 to 3.76 deaths per MVM in 1979. When other factors are considered such as exposure (vehicle miles traveled), driver populations, number and type of vehicles, etc. program success is obvious.
- * The comment that all State and Community Programs within the Nation had grown from \$2 million to \$200 million annually is misleading because the first two years of funding was expended for start-up administration and not for specific projects. The base funding

amount should be \$65 million in FY 1969. The GAO report fails to state what the actual increase in terms of constant dollars excluding inflation was since 1968. Therefore, the percent of increase implied in Chart 1 might be considerably less than 300% in terms of constant 1968 dollars.

- * Chart 2 is misleading because it does not include the number of fatalities per year for the 13 years prior to 1966. This data would help to explain the reason for the NHTSA act.
- * Program emphasis has changed since enactment of the 1966 act. Pages 4-8 review the transition from Standards (compliance) to the present day process of problem identification. Today, states have the flexibility to identify their own problems through development of traffic records information systems. It was easier in the past to be objective when considering whether a state was in compliance with a Federal Highway Safety Standard. The current procedure of individual states utilizing traffic records is a much more natural means of managing the Highway Safety Grant Program. The report does not reflect the State's total acceptance of the problem identification process.
- * Federal identification of problems may conflict with actual needs. The report questions the value of Highway Safety Programs that Congress had endorsed, such as the School Bus Driver Training Program. We are in agreement that these type of categorical funding limits the states from properly managing the Highway Safety resources.
- * Pages 13-14 categorize South Dakota as having funded projects that paid overtime to State patrol officers for enforcement of the 55 MPH speed limit. This has not been done in South Dakota.
- * On page 15, South Dakota was perceived as having a common problem where we..."lacked adequate problem identification capabilities and lacked access to traffic record data or both". Also, South Dakota's information was termed unreliable. There was no mention of improvements planned or achieved. We feel that significant progress has been made in the past 9-10 months. South Dakota did the required Problem (Analysis) Identification for the FY 1981 HSP totally in-house during the past 5-6 months. This was accomplished through the development of Highway Safety staff with data analysis training.

As the report appears to South Dakota, it is not totally representative or reflective of the actual discussions between State/Federal officials. The inference where the South Dakota Safety Agency Program Manager discussed the decision making process as it relates to funding projects is unjust. The Program Manager discussed both

objective and subjective rationale that is considered when determining if a project is to be funded. The report suggests data analysis isn't used in the decision making process whereby projects are funded in the HSP. Traffic Records is a valuable resource which we consider in prioritizing projects.

- * On page 23, concerning Regional Assistance to the States for Problem Identification/Evaluation, the report indicates that little had been done to provide this assistance in the past. It also appeared questionable if this capability would be available in the near future. We, in South Dakota, believe that this has not been the case, and indeed an individual has been placed with the Regional VIII NHTSA staff to provide the services. NHTSA has also been involved in Regional and National workshops to provide training for Problem Identification procedures and evaluation techniques.
- * South Dakota takes exception to the comments on evaluation, especially about the capabilities of states to conduct impact evaluations. We believe that significant progress has been made in the few larger communities in our rural State where Selective Traffic Enforcement Programs have been implemented. As FY 1980 will be a final phase-out year for continuation of four initial STEPs, it is too early to predict the final status of the programs once there is no more Federal Highway Safety Program funding. It is programmed that the concept of STEP in South Dakota will, however, continue at the local level.

We have tried to objectively critique the report and comment on statements and generalities that appear throughout the report. In summary, we believe that in Chapter 3 on page 19, Program Effectiveness Has Yet to be Determined, is not proven. When an analysis of Chart 3 on page 5 of the report is made comparing an equal number of years prior to the enactment of the 1966 Act and after the 1966 Act, the amount of change is much greater in the three relationships noted on the graph after the enactment rather than prior to it. Using the 12 years prior to 1966 and the 12 years after 1966, it can be noted that the fatalities per one million miles traveled decreased by .6 fatalities per million miles between 1954 and 1966 or 9%, whereas from 1966 - 1978 a decrease of 2.38 or 41% is noted. A similar situation is noted when the number of fatalities per 10,000 registered vehicles is analyzed. The period from 1954 - 1966 showed a net decrease of .58 fatalities or 9.5% per 10,000 vehicles, whereas the period from 1966 - 1978 showed a decrease of 2.3 fatalities or 42% per 10,000 vehicles. Finally, comparison data on the number of fatalities per 10,000 U.S. population reveals that from 1954 - 1966 an increase of .5 fatalities or 22% occurred while from 1966 - 1978 there is a net decrease of .5 fatalities or 19%. Therefore, the actual effectiveness of the Highway Safety Program is proven by the analysis of Chart 3.

Mr. J. Kevin Donohue
July 2, 1980
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If you have any comments or questions, please contact me at your convenience.

Sincerely,


ROBERT C. CLARK, Director
Division of Highway Safety

RCC:na



SCOTT M. MATHESON
Governor

THE STATE OF UTAH

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LARRY E. LUNNEN
Commissioner

June 30, 1980

Mr. J. Kevin Donohue, Team Director
U.S. General Accounting Office
Room 2330, Nassif Building
400 7th Street, S.W.
Washington D.C. 20590

Dear Mr. Donohue:

I am pleased to have been given the opportunity to respond to a draft copy of a report entitled "The Highway Safety Grant Program: Limited Success in Achieving its Objective". Because Utah was one of the States which was included in the study, I feel that such an invitation to comment will prove to be most constructive.

The introductory portion of the document deals with a general overview of the Highway Safety Program and directs emphasis toward such subjects as fatality rates and program funding, pre and post 1966. On pages 1 and 4 reference is made to the fact that Highway Safety funds represent only a small percentage of funds spent by State and Local Government. There is documentation pertaining to federal expenditures, but none related to State or Local expenditures. In Utah, activities funded prior to 1966 basically included programs in driver licensing, driver education, and traffic enforcement. Such programs, however, are substantially more sophisticated at present than was the case prior to 1966. Since that time, federal funds have greatly assisted in advances made by such programs, and have also initiated a much broader counter-measure approach in many other fields not previously involved with traffic safety. In addition, many State and Local funds expended in highway safety since 1966 have been stimulated by the 402 seed money concept.

It was mentioned that \$1.3 billion have been spent on the Highway Safety Grant Program. Adjusting for inflation, this figure is closer to \$825 million. The report indicated that there has been a tremendous increase from \$2 million to \$200 million in funding levels. This is misleading, due to the fact that 1969 was the first year in which substantial programming took place. A more equitable comparison is \$65 million (1969) to \$200 million (1979). Adjusting for inflation, based on the 1967 dollar, the increase would be from \$59 million in 1969 to \$92 million in 1979. If the purpose of these comparisons involves the relationship of funds, purchasing power and programs, inflationary adjustments should be made.

Much of the introductory emphasis rests with total fatalities rather than fatality rates. It is true that there are more deaths now than there were prior to 1966, simple because there are more drivers, vehicles, and miles driven. On page 4 paragraph 2 a more realistic comparison is made by

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normalizing for the amount of vehicle exposure which shows the fatality rate dropping. The paragraph goes on to say that this trend was apparent many years prior to the program, and that since 1976 the outlook has been dimming.

The traffic death rate in Utah from 1940 to 1965 averaged 7.28 deaths per 100 million vehicle miles. From 1966 to 1976 this rate was nearly cut in half to an average of 4.05. Also, from 1977 to 1979 the average rate fell to 3.73 deaths per 100 million vehicle miles. You can readily see that a substantial difference exists from one decade to another. An argument which has often been used to explain the decreased motor vehicle death rate during the 1970's addresses the energy crisis as the major contributor. I do not subscribe to this assumption. A time series analysis of fatalities occurring in Utah from 1973 to 1979 has shown that traffic deaths would have been much higher if conditions had remained constant throughout the decade. From 1974 to 1979 a total of 3,170 traffic fatalities were projected, as opposed to 1,820 which actually occurred. This represents a decrease of 1,350 deaths. While it was not scientifically possible to accurately gauge the reduced number of fatalities according to the many 402 funded programs, it was concluded that the totality of safety efforts accounted for a majority of the reduction. This is due to the fact that the only reduction in miles traveled in Utah, during the 1970's, took place in 1979. Miles traveled, which is a readily identifiable result of demand for gasoline, increased an average of 8% per year in Utah during the decade. Because miles traveled by Utah motorists did not decrease during this period, the energy crisis and the availability and cost of fuel are presumed to have had only a marginal effect on reduced fatalities, leaving safety factors as the only other alternative.

Chapter 2 of the report indicates a lack of clear direction in Highway Safety Programs. With some qualification, I agree with the contents of this chapter. Throughout the chapter, NHTSA seems to be criticized for not establishing criteria for determining problems, and consequently criticized with regard to criteria which has been established. The theme seems to be more clear, detailed and standardized direction nationally. There should, in fact, be more prioritization on a state by state basis, and not necessarily on a national level. I base this observation on the fact that needs and problems vary substantially, and are dependent on various criteria unique to different States. The one thing that is not needed is the promulgation of additional standards on a national level. For example, the 40% requirement has no logical basis in attempts to reduce accident frequency or severity. I agree that earmarking of funds is not the desirable approach due to the limitations imposed on a State's ability to address unique priorities. .

On page 16 reference is made to the Utah Highway Safety Plan and the fact that there were 87 accidents in Richfield, Utah, out of a total of 46,000 statewide. The report states that this represents .002% of all accidents. The correct figure is actually .002 or .2%. It may be true that this is still a very small percentage of the total accident picture, however, the report makes no mention of city by city prioritization, the fact that Richfield is located on a main artery, the severity level of the 87 accidents, and the duration of the project.

On page 19, it is alluded to that STEP projects have never been evaluated and that they are a popular but unproven method. Many good evaluative efforts have been made and have shown that selective enforcement can, in fact, reduce the identified types of accidents both in frequency and severity. It is true that they have been shown to be of temporary duration only, as is pointed out in the report. However, this should not mean that they should not be used, especially when directed toward a specific problem which may also be of a temporary nature.

In Chapter 3, a discussion is presented related to program effectiveness. In listing some of the projects on pages 19 through 21, and the accompanying comments, there is indication made that there is little chance of measuring a project's impact on accidents. I agree with the statement that program effectiveness has never really been determined, and evaluation on many (not all) counter-measures has not demonstrated conclusive results that can be attributed totally to the program. However, accidents are fairly rare occurrences with a multitude of factors affecting the cause and outcome of each. Therefore, it must be appropriate to measure the impact of the project on one or more of the many related factors with the logical assumption that a program does affect the ultimate objective of reducing accidents.

Chapter 4 addresses the regression of various State Legislatures from the congressionally mandated standards effort. There is validity in that finding, particularly with respect to motorcycle helmet laws and periodic motor vehicle inspection programs. It should be noted that generally the standards have been accepted by all States as logical approaches to uniformity of inter-jurisdictional concerns, and that the level of highway safety uniformity is much greater at present than was the case prior to 1966. Essentially, the trend in moving away from some standards by various states refines itself to the philosophy of "state rights", and an underlying reality of different needs and problems within different states. The above, however, is a matter of jurisdictional discretion and has little to do with the effectiveness of Highway Safety Programs.

It was also brought forth that traffic courts are not penalizing sufficiently. While this is a re-occurring problem with which highway safety agencies concern themselves, it is an area that is relentlessly pursued in terms of improvements. In Utah's experience with the Alcohol Safety Action Program it was found that where there was good law enforcement, judicial training, and information dissemination, traffic courts were most cooperative in imposing penalties prescribed by law. In addition, heavy penalties, in and of themselves, have not necessarily been a good deterrent, especially in regard to the drinking driver. Alternative programs have been needed and have, in fact, been created through the Highway Safety Program.

The report alludes to the absence of significant responsibility on the part of the State agencies with respect to the grant program. I am not opposed to the concept of centralizing the role of the State Highway Safety Agency in each State. I am concerned about Federal Government intervention in the Governor's responsibilities regarding effective administration of Highway Safety Programs. In my opinion, the placement, makeup, and assigned responsibilities of the State Highway Safety Agency should be the responsibility of the Governor and legislative body of each state. This, and only this organizational standard, will assure that State Highway Safety needs are met in an efficient, effective and timely manner.

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J. Kevin Donohue
June 30, 1980

The problem of unused funds or under-runs as mentioned in the report appears to be over-emphasized. The figures on page 32 appear to be a cumulative total of under-runs over the entire period of the program, compared to one-year's budget. This is an extremely slanted and unrealistic comparison. Where states have, in fact, had a very large under-run, this could be seen as a need for improved management controls but is not that general or serious a problem throughout the states.

In conclusion, I would submit that the Highway Safety Program may not be the perfect situation, as few programs are. I remain convinced, however, that there have been many positive effects of such efforts since 1966. A substantial curtailment of related activities would, without question, hamper the progress which has been made, and consequently raise the frequency of accidents, injuries and fatalities to intolerable levels. My general feeling regarding the GAO report is that it is a relatively concise document which obviously portrays a great deal of time and preparation. It is also apparent, however, that many of the positive aspects of the Highway Safety Program, as related to jurisdictions involved in the report, were entirely or partially lacking in many instances. I appreciate very much the opportunity to comment on the subject at hand.

Sincerely,



Larry E. Lunnen
Commissioner

LEL/rb

cc: Jim Adsit
Robert C. Clark
Albert E. Goke
Walter R. Hjelle
Cordell Smith



COLORADO STATE DEPARTMENT OF HIGHWAYS
DIVISION OF HIGHWAY SAFETY

State & Community Programs
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July 3, 1980

Alcohol-Driving Countermeasures
(303) 757-9481

Mr. J. Keven Donohue, Team Director
U. S. General Accounting Office
Room 2330, Nassif Building
400 7th Street, S.W.
Washington, D. C. 20590

Dear Mr. Donohue:

Thank you for the opportunity to respond to the draft report the Highway Safety Program transmitted with your letter of June 3, 1980.

Our comments are as follows:

Report Reference:

Page 1 - last sentence - "Despite these combined safety efforts, motor vehicle accidents now cause over 50,000 deaths a year. A toll greater than that reported prior to the 1966 Act. See Chart 2.

Comment: GAO should read House Report 1700 (89th Congress) which projected an annual death figure of over 100,000 if some action were not taken.

Page 3 - Chart 2: motor vehicle deaths 1965-1979. Statistically it is invalid to use gross numbers rather than try to normalize the number of deaths based on exposure. Therefore any comparison of deaths should also consider death rates. A trend line comparing the projections of H.R. 1700 and actual numbers would show a very different picture.

Page 4 - The report states that from 1966-1976, the first 10 years of the safety grant program, motor vehicle death rates achieved substantial reductions, yet this trend was apparent many years prior to the program.

Comment: The late 1950s and early 1960s were some of the more prosperous years in the United States, travel (vehicles miles traveled) increased and the death rate was actually increasing from 1960-1966. It was only after 1966 that the death rate began its downward trend.

4201 EAST ARKANSAS AVENUE DENVER, CO 80222

Mr. J. Keven Donohue
July 3, 1980
Page Two

Page 10 - The report states that the program has no clear direction.

Comment: We maintain that the act itself and the 18 national standards have provided a clear direction to the intent of Congress and the resulting program. The lack of clear direction comes from mandating programs for which there has not been an identifiable problem.

Page 12 - The report refers to a study cited by a Bureau Director in Illinois and the essence of the study is that public information programs have not been successful.

Comment: As a matter of clarification, the actual study should have been identified as a reference.

Page 15 - The report states that eight of nine safety agencies reviewed either lacked adequate problem identification capabilities, or lacked access to traffic record data or lacked both.

Comment: GAO should state the criteria used to determine what is an adequate staff for problem identification capabilities. It is inconsistent to state in the report that there is no criteria established to conduct problem identification activities and then comment that states do not have the staff or capability to do problem identification.

Page 17 - "Conclusions" state that the safety grant program is being guided in multiple directions by the legislation, DOT and the states.

Comment: We agree that the states are addressing a multitude of problems. However when you are operating in a program as complex as traffic safety and the related 18 standard areas, there will be a variety. All these activities should be evaluated as a total program to determine effectiveness.

Page 19 - A statement is made to the effect that "selective enforcement generally means providing overtime pay to police officers and purchasing patrol vehicles and related equipment."

Comment: We would strongly disagree with this definition of selective enforcement. Selective enforcement in simple terms is applying state and local resources, manpower, etc., to identified problems at certain times of the day, week, and against those causal factors contributing toward traffic crashes.

Page 19 - Lists selective enforcement countermeasures. In the majority of cases the items listed are nothing more than activities and not actual countermeasures. For example, "purchasing cameras to ensure better evidence in traffic accident investigation" is not a countermeasure but simply one activity. The countermeasure would be developed after the data is obtained from improved accident information. A listing of these as countermeasures demonstrates that the Governmental Accounting Office has difficulty in differentiating between a countermeasure and an activity.

Evaluation - General Comment:

We agree that the dissemination of the evaluation reports containing both positive and/or negative findings is an area that has not been handled effectively.

Page 27 - The report lists five ways that the state suggested to do evaluations.

Comment: We agree with the assessments and feel that they will produce a much better analysis as to how the program is doing and what kind of successes it is enjoying.

Pages 31 and 32 - The report addresses unspent balances, stating they are excessive and reflect program management difficulties. The chart at the bottom of Page 32 makes reference to unclaimed funds. A clarification appears to be in order. These unclaimed funds have been obliterated and have been spent. The state and local agencies that are recipients have not billed the appropriate SHSA. Thus this agency cannot, in turn, voucher the Federal government for reimbursement. This whole section is misleading. Also, you have not addressed why the problem exists. (For example, late appropriations by Congress cause state agencies to delay start up of projects and programs; change of program emphasis by DOT; different fiscal years used by state and local agencies.)

Pages 33 and 34 - You allude to the proposed rule making of NHTSA-FHWA on a State Highway Safety Agency (SHSA). The proposed rule as promulgated initially was much stronger than the one finally adopted. You state that the reason for adoption of the weaker version of that rule is due to the opposition encountered by such agencies as the Highway Department, State Police, etc. Perhaps these agencies are unwilling to accept a SHSA as the focal point for traffic safety in the states.

Mr. J. Keven Donohue
July 3, 1980
Page Four

If the SHSA acted only in a mode of passing out federal money, most agencies would feel comfortable with that role. However, that was not the intent of Congress.

Page 35 - You state that the Colorado State Department of Education has been funded for over 10 years to conduct driver education training. This is an error. Colorado has funded support personnel in the Colorado Department of Education to ensure that driver education remains a viable part of local school districts programs. And providing technical assistance to local school districts in areas other than Driver Education.

As an overall comment, the report uses such words as most, all, many, but does not really quantify anything. It is deceptive and misleading to use vague terms.

With the above concerns and reservations in mind, we feel that your report does identify problems that should be addressed by NHTSA, FHWA and the states. We believe that there are successful safety programs that are being implemented by certain states and that reductions can be demonstrated. It remains for NHTSA and FHWA to identify those programs and to transfer that technology to all other states. The influence of SHSA has been declining over the past five years and every effort should be made at the federal level to assist in restoring these agencies to a role of safety leadership and advocacy.

Thank you for the opportunity to comment.

Sincerely,



Cordell Smith, Director
Division of Highway Safety

CS:1ke



OHIO DEPARTMENT OF HIGHWAY SAFETY

JAMES A. RHODES
GOVERNOR

Earl H. Reich
~~STATE HIGHWAY SAFETY DIRECTOR~~
DIRECTOR

State Highway Patrol

Bureau of Motor Vehicles

July 7, 1980

Mr. J. Kevin Donahue, Team Director
United States General Accounting Office
Room 2330 - Nassif Building
400 7th Street S.W.
Washington, D.C. 20590

Dear Mr. Donahue:

Thank you for the opportunity to review the draft of the proposed report entitled, "The Highway Safety Grant Program: Limited Success in Achieving Its Objective." Upon review, the Ohio Department of Highway Safety has the following comments with respect to specific statements made in the report:

"...Ohio, were hesitant to increase the size of their...highway patrols for the sole purpose of enforcing the speed limit..." (page 14). Ohio's hesitancy does not result from lack of desire to increase the patrol, but rather because of the State's lack of success in recruiting qualified manpower.

"In Ohio, the courts often suspended jail sentences required by law for drunk driving convictions..." (page 31). Rather than suspend jail sentences for such convictions, Ohio courts have a tendency to reduce convictions from drunk driving to reckless operation in order to avoid the mandatory three-day jail sentence.

"...Ohio...have variable cost sharing requirements, depending on the local community."(page 37). Ohio's variable cost sharing depends on the type of program; i.e., 55 MPH, selective enforcement, or educational.

"...All states must still spend the mandated funds on 55 mile per hour enforcement rather than for other safety activites." (page 13). While this statement is, per se, correct, this Department feels that such expenditures should be flexible depending on what each individual state perceives as its immediate priority objectives.

JUL 14 1980

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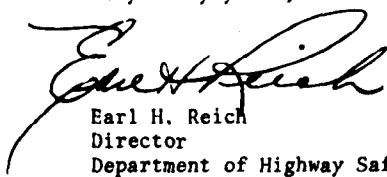
Mr. J. Kevin Donahue
July 7, 1980

Page 2

"...a research study had shown that (seatbelt) public information campaigns have not been successful." (page 12). Ohio has found that such lack of success relates to National Highway Traffic Safety Administration restrictions on the use of federal 402 funds for the purchase of advertising time for traffic safety messages. Please refer to Ohio Department of Highway Safety letter of January 25, 1980, for a detailed Department position on this topic.

It is the hope of the Ohio Department of Highway Safety and its Office of the Governor's Highway Safety Representative that the above comments and suggestions will be helpful in clarifying the areas to which they are addressed. We are pleased to have been of assistance.

Very truly yours,



Earl H. Reich
Director
Department of Highway Safety



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STATE DEPARTMENT OF HIGHWAYS
AND PUBLIC TRANSPORTATION

AUSTIN, TEXAS 78701
August 8, 1980

ENGINEER-DIRECTOR
M. G. GOODE

IN REPLY REFER TO
FILE NO.

GAO Report "The Highway Safety
Grant Program: Limited Success
in Achieving Its Objective"

Mr. J. Kevin Donohue, Team Director
U.S. General Accounting Office
Room 2330, Nassif Building
Washington, D.C. 20590

Dear Mr. Donohue:

In accordance with the information in Mr. Henry Eschwege's letter of June 3, 1980, we offer the following comments regarding the draft of the proposed report:

1. In general we found the report contained information accurately reflecting many of the problems the states have encountered in implementing the traffic program as directed by Federal legislation and guidelines.
2. Page 34 of the report contains the following statement:

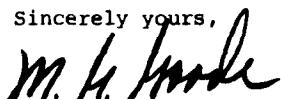
The safety agency does not have authority to control and coordinate the planning, implementation, and evaluation of the programs or projects that use traffic safety funds.

We believe this statement is somewhat misleading and recommend that it be replaced by the following:

While the safety agency has authority to control and coordinate the planning, implementation, and evaluation of programs or projects funded with section 402 funds, it generally does not have this authority for programs or projects which are state or locally funded and these programs represent the majority of traffic safety expenditures in most states.

3. We believe that the use of the word "coercion" in the last paragraph on page 34 is erroneous and recommend that it be deleted.
4. We believe that the conclusions on pages 37 and 38 should include statements to the effect that the Highway Safety Program is basically a needed and worthwhile endeavor, but that it needs much stronger support from the Federal level in defining and communicating which types of programs are successful in preventing traffic accidents. In addition, the states need to be given more authority to achieve the results desired by Congress.

Thank you for giving us this opportunity to comment on the proposed report. If we may provide any other information, please let us know.

Sincerely yours,

M. G. Goode
Engineer-Director

(347491)



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