

April 23, 2013

Docket Clerk
U.S. DOT Dockets
Room PL-401
400 Seventh Street, S.W.
Washington, D.C. 20590-0001

Re: Docket No. NHTSA-2013-0001, Uniform Procedures for State Highway Safety Grant Programs

The American Association of State Highway and Transportation Officials (AASHTO) is a non-partisan, non-profit association that represents the departments of transportation (DOTs) of all fifty States, Washington, D.C. and Puerto Rico. On behalf of AASHTO we appreciate the significant effort undertaken by the National Highway Traffic Safety Administration (NHTSA) in drafting the interim final rule on Uniform Procedures for State Highway Safety Grant Programs, including their efforts to seek input from the States through webinars and other means.

Safety is a top priority for AASHTO and for the State transportation agencies. With our partner organization, the Governors Highway Safety Association (GHSA), we are committed to reducing highway fatalities and serious injuries. Because approximately half of the Governors' Highway Safety Representatives are housed within the State departments of transportation, we have a special partnership with GHSA on safety policy matters. AASHTO and GHSA concur that the federal funds that support behavioral safety programs are crucial to success in meeting the goals of the federal and State safety programs regardless of which State agency is receiving federal funds.

In this spirit, AASHTO offers the following comments on the rulemaking.

- We appreciate that the final rule combines applications for federal highway safety grants, which will streamline the grant application process and lessen the administrative burden to the States.
- We urge NHTSA to reconsider the aspects of the regulation that increase the administrative burden on the States, lessen the States' ability to qualify for funds, and limit the States' ability to develop and manage programs most appropriate for their individual circumstances. Three examples include:
 - The requirement to submit Traffic Records Coordinating Committee documentation is an unnecessary increase in workload on states as well as on NHTSA personnel who will need to gather, store, and review this material.
 - As a condition for eligibility for certain of the safety grants, MAP 21 requires certain State legislative safety provisions to be enacted. The interim final rule does not provide the States with sufficient time to enable State legislative action in order to meet eligibility

requirements prior to submission of applications for FY 2014 safety grants by July 1, 2013. In most States, their legislative sessions began prior to release of the Interim Final Rule on January 23, 2013. Moreover, NHTSA made some substantive changes to required elements in State legislation resulting in some States that were previously in compliance now needing changes in their State legislation.

- In its interim final rule, NHTSA establishes requirements for specific restrictions on learner and intermediate licenses as a condition for qualifying for graduated driver licensing grants. We believe that a more data-driven approach in which States would set their own restrictions based on their unique conditions and problems would be more effective.
- The rule could do more to increase States' flexibility to administer their safety programs while enhancing State accountability to deliver safety results, which we believe is more in keeping with the spirit of MAP-21. We urge NHTSA to recognize that situations vary by State and a prescriptive approach will impair the ability of states to be eligible for grant funding and to successfully implement MAP-21 requirements. Flexibility coupled with accountability will enhance the ability of states to use innovative programs and processes to improve highway safety.

In conclusion, AASHTO urges NHTSA to modify the final rule to increase flexibility and ease administrative prescription to enhance the likelihood of success in delivering State highway safety programs.

Sincerely,

A handwritten signature in black ink, appearing to read "Bud Wright". The signature is fluid and cursive, with the first name "Bud" and last name "Wright" clearly distinguishable.

Frederick "Bud" Wright

Executive Director