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BEFORE THE  
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE  
SUBCOMMITTEE ON SURFACE TRANSPORTATION

SEPTEMBER 19, 1996

REAUTHORIZATION OF ISTEA

Mr. Chairman and Members of the Subcommittee, I welcome this opportunity to testify. With me are Adele Derby, NHTSA's Associate Administrator for State and Community Programs, James Nichols, NHTSA's Director of the Office of Occupant Protection, and Dennis C. Judycki, FHWA's Associate Administrator for Safety and System Applications.

This Committee demonstrated exceptional vision and leadership in developing the Intermodal Surface Transportation Efficiency Act (ISTEA). This legislation has supported major Federal and State highway safety programs. As we move toward reauthorization of ISTEA, we want to build on ISTEA's achievements and craft forward-reaching legislation that meets the nation's highway safety demands of the 21st century.

**THE NATIONAL CHALLENGE OF HIGHWAY SAFETY**

Today, you asked that we discuss the highway safety programs authorized by ISTEA. Highway safety must continue to be a major concern as we approach this important reauthorization. As Secretary Peña has stressed, if we want to maintain our quality of life and remain competitive in the global marketplace, safety is one of the national challenges in transportation that we must aggressively meet. Given increases in miles traveled, we have made good progress in improving safety on the nation's highways. Safety belt use has grown from 11 percent in 1982 to 68 percent in 1995; alcohol involvement in fatal crashes has dropped from 57 percent to 41 percent over the same period. The fatality rate per hundred million miles driven has declined steadily since 1966.

Despite this progress, much work remains ahead of us. Motor vehicle crashes are still the leading cause of premature death of America's youth. After years of steady decline, total highway deaths have increased. The easy gains in highway safety have been made: people who are the most likely to use safety belts and child safety seats are using them; people who were the most responsive to the message not to drink and drive have altered their behavior. Safety belt use has grown by only one percent per year in recent years. Improper use of child safety seats continues to be a problem. In 1995, the number of alcohol-related fatalities increased for the first time in 9 years. And currently more than 40,000 people die every year on the nation's streets and highways and nearly three and a half million are injured in police-reported crashes. Highway fatalities were 94 percent of all transportation deaths in 1994.

And the future will bring us new and difficult challenges. While we are experiencing an all-time high in the demand for safer vehicles and a public that is less tolerant of risky driving behavior and impaired driving, the number of teenagers-- an age group with high crash and fatality rates -- is increasing in numbers. There also is growing evidence that alcohol and other substance abuse is on the rise. New highway safety messages and programs will have to be created to target these populations and other groups that are harder to reach due to language or other barriers. New developments also will create challenges -- such as higher speed limits and attempts to weaken motorcycle helmet laws. And, finally, we are seeing available resources for State and local traffic law enforcement increasingly redirected due to other demands.

Motor vehicle fatalities are always tragic, yet they are only part of the picture. Crashes also result in costly injuries, productivity losses, lost travel time and increased congestion, placing a huge burden on the nation's economy -- over \$150 billion annually. Through public programs such as Medicare, Medicaid, and taxpayer-funded services like police and emergency response, much of this burden falls directly on the American taxpayer. Motor vehicle crashes cost taxpayers \$13.8 billion in public revenues in 1994, the equivalent of \$144 in added taxes for each household in the United States.

Highway safety improvements have been documented to be extremely cost-effective investments for the nation, reducing health care and business costs as well as reducing the tax burden. In fact, NHTSA's entire budget could be justified on the basis of the tax savings and reductions in Medicare and Medicaid costs alone that are produced by implementation of highway safety behavioral programs.

With continued, steady increases in travel, reversing these trends will be a challenge requiring Federal leadership. Clearly, we must continue to develop and implement aggressive and effective highway safety countermeasures, increase community involvement, and coordinate efforts and leadership at all levels of government if we are to continue our progress in highway safety.

#### THE FEDERAL ROLE IN HIGHWAY SAFETY

Federal leadership in providing assistance and in developing ways to improve the safety risks of the traveling public on our highways is a responsibility we take very seriously. Any reduction in the Federal commitment could jeopardize the progress we have made.

The Department has some key safety activities underway, but more must be done. Last November, following enactment of the NHS Act, Secretary Peña announced his **Action Plan to Reduce Highway Injuries and Related Costs**. Let me highlight a few items from the plan. After repeal of the National Maximum Speed Limit, the Secretary contacted the Governor and legislative leaders in each State, urging them to move cautiously when considering speed limit increases and to review available cost-benefit data.

As part of the **Action Plan**, in July of this year, NHTSA awarded almost \$700,000 to States to improve their ability to track motor vehicle crashes, causes, and costs. This knowledge is vital to policy makers so they have the necessary information to make sensible decisions about safety policies. In addition, the Secretary and agency officials met with representatives of more than 70 national organizations to discuss new approaches to the challenge of improving highway safety. Follow-up discussions are being held around the nation with local and State leaders. These meetings are not only generating exciting ideas but also

establishing new networks at the State and local level committed to improving safety.

NHTSA's principal mission is to reduce traffic crashes and the deaths and injuries that result from them. We do this by carrying out several legislative mandates. Under our highway safety statutes, NHTSA is responsible for administering three of the core highway safety programs that ensure the continuation of this Federal commitment, along with several related programs. I would like to highlight each of these current programs very briefly before discussing our thoughts concerning their reauthorization.

#### ***State & Community Highway Safety Grant Program (Section 402)***

The keystone of NHTSA's efforts in highway safety, currently jointly administered with FHWA, is the State and community highway safety grant program, known by its U.S. Code provision as the "Section 402" program. Under this program, NHTSA and FHWA give (1) technical assistance to States and local communities to develop and implement their highway safety programs and (2) formula grants to States, set by statute, for their conduct of programs in priority areas that are most effective in reducing traffic crashes and resulting deaths, injuries, and property damage. The priority areas, identified by NHTSA and FHWA through public rulemaking, currently include: occupant protection; alcohol and other drug countermeasures; police traffic services; emergency medical services; traffic records; motorcycle safety; speed control; pedestrian and bicycle safety; and roadway safety.

The grant funds support State planning to identify and quantify a State's highway safety problems, provide start-up or "seed" money for new programs, and give new direction to existing safety programs. At least 40 percent of these funds are required by statute to be used for local and community projects.

The Section 402 program is highly successful, with both NHTSA and FHWA field staffs involved in the program. NHTSA and FHWA believe that it is more necessary than ever for the safety and highway staffs of State and local government and interested advocacy groups to work together to improve highway safety.

Our Section 402 program is a textbook example of how a small

amount of Federal funding can save a great many lives. From 1975 to 1994, use of safety belts, motorcycle helmets, child safety seats, and the minimum drinking age laws have contributed to saving an estimated 90,000 lives. In addition to the pain and suffering these programs prevented, the resulting economic benefits produced by their reduction in fatalities are about \$70 billion. This is more than seven times the cost of NHTSA's entire highway safety program, including grant programs and the State matching funds from 1966 through 1994. And fatalities are only a fraction of the total cost associated with highway crashes.

The Section 402 program and our administration of the program has evolved since its original enactment in 1966. In 1995 we worked with the States to design a new streamlined, performance-based management process. Underlying the new process is the recognition that States and communities are in the best position to identify and target their key highway safety problems. This major new management initiative reflects a shift in Federal assistance from approving programs to improving performance. It is an outcome-based approach.

States now prepare a benchmark report that sets their own highway safety goals and performance measures. They also develop a plan describing the programs they will undertake. However, the plan does not require Federal approval. This change has improved agency relationships with the States and allowed NHTSA's regional staff to devote more time to providing technical assistance, sharing best practices, technology, data, evaluations, and developing new partners for highway safety. A measure of success of this new approach is that the original pilot of 16 States has expanded to 40 States, plus the District of Columbia and three territories. The 402 pilot program is a prime example of a partnership in which each partner performs their most value-added role.

#### ***Highway safety research and development (Section 403)***

The Highway Safety Research and Development Program (Section 403) is the foundation upon which State, community, and private sector highway safety activities are based. Under this program, NHTSA develops, demonstrates and evaluates programs to improve traffic safety. Programs include those to reduce impaired

driving, increase the use of safety belts and child safety seats, manage speed and reduce aggressive driving, promote and improve traffic records and data systems, and demonstrate innovative approaches such as safe communities.

The behavioral research and programs conducted under Section 403 are the backbone of a Federal, State, and community partnership to prevent death and injury on our highways, and they help lead the national effort to continue our successes in the face of many new challenges. NHTSA transfers the research findings and information on effective countermeasures and best practices to States and communities for use in their own programs, both Federally-funded (through Section 402 and other grants) and locally-funded. The information is also transferred to many national organizations for implementation through their local affiliates. Technical assistance and demonstrations of promising techniques are also key components of the Section 403 program.

#### ***Alcohol-impaired driving countermeasures***

No review of highway safety would be complete without mentioning the leading factor in fatal and serious injury crashes--drunk driving. Alcohol is the drug abused most frequently by our children, and is responsible for 35 percent of the highway deaths among our youth, ages 15-20. Forty-one percent of all fatal motor vehicle crashes continue to be alcohol-related, and 32 percent of these fatal crashes involve a drunk driver or pedestrian with a high blood alcohol concentration (BAC greater than 0.10 percent). That means alcohol impairment plays a role in over 17,000 traffic deaths every year.

Still, significant progress has occurred in recent years, largely as a result of two events: (1) the development of laws such as the National Minimum Drinking Age Law and enforcement techniques to increase the likelihood of arrest and effective disciplinary action; and (2) the growth of public sentiment against drunk driving, led by citizen activist groups such as Mothers Against Drunk Driving (MADD). These efforts have produced significant reductions in drunk driving fatalities and injuries.

The National Minimum Drinking Age Law -- credited with saving more than 10,000 lives in the past ten years -- shows how important the Federal role is in the area of highway safety. Only a concerted, national effort could have addressed the tragic problem of "blood borders" as young drivers crossed State lines to drink in States with lower drinking ages and then, upon returning, added to the toll of alcohol-related motor vehicle injuries and fatalities. The National Minimum Drinking Age Law is a major landmark in the nation's war on impaired driving.

NHTSA's implementation of its drunk driving prevention incentive grant program, under Section 410 of title 23 has provided important financial incentives to States for the development of improved laws and programs dealing with impaired driving. In addition to reauthorizing the Section 410 incentive program, ISTEA amended it in a way that increased the ability of the States to meet the program's requirements. Many States actively pursued new or improved laws to reduce drinking and driving, such as administrative license revocation (ALR), .02 BAC laws for under age 21 drivers, and .08 BAC laws. Prior to the ISTEA amendments, only two States had qualified for Section 410 funding. Since the passage of ISTEA, a total of 37 States plus the District of Columbia will have qualified for Section 410 grant funds for one or more years.

NHTSA also is encouraging the States to pass "zero tolerance" laws. These laws establish that any measurable amount of alcohol in the blood, breath, or urine of a driver under age 21 would be an "illegal per se" offense. Most of these laws also provide for immediate drivers license suspension periods for drivers under 21 who exceed the applicable blood-alcohol concentration (BAC) limit of .02, the lowest detectable level. These measures, initiated by President Clinton, were an important part of the National Highway System (NHS) Designation Act. So far in 1996, 10 States have passed "zero tolerance" laws to combat drunk driving, for a total of 37 States plus the District of Columbia.

Recently, in 1995, we came together with a wide range of partners -- representatives from States, private organizations, other Federal agencies -- to set a new goal for the reduction of the involvement of alcohol in crashes. The group called itself "Partners in Progress" and set a goal of reducing the number of

alcohol related fatalities to 11,000 by the year 2005. The group also discussed and recommended strategies in a number of different areas to achieve this ambitious goal. This is another example of a true partnership approach, one that we are carrying forward into our approach to the next ISTEA.

Mr. Chairman, we must continue to do all we can to expand the commitment to drunk driving countermeasures by the States and the Federal government. Despite all the good progress we are seeing, alcohol-related motor vehicle crashes have started to increase. In 1995, 17,274 fatalities occurred in these crashes, compared to 16,589 in 1994. This increase represents a visible part of a larger societal problem. As the agency charged with improving highway safety, we are doing everything we can to break the linkage between drinking and driving. With everyone working together, we are confident that significant reductions in alcohol-related crashes can be achieved.

***Drug evaluation and classification (DEC) and National Driver Register (NDR)***

NHTSA is also continuing to work with the States in a way that assures continuity of highway safety programs with minimal Federal help. For example, ISTEA authorized funding for an expanded drug evaluation and classification (DEC) expert training program and for the National Driver Register (NDR). The DEC program, which enhances deterrence by training police to recognize drivers impaired by drugs other than alcohol, has been successfully transferred to the States.

The NDR is a central repository of information on individuals whose license to operate a motor vehicle has been suspended, canceled, or denied by any State. Under the NDR's new Problem Driver Pointer System (PDPS), States retain substantive driver licensing information and the NDR electronically "points" an inquiring State to the State of record to obtain any requested licensing information. This new system has been successful, with over 30 million inquiries per year, 80 percent interactive, and all States converting to the new system by year's end.

In October of 1995, Representative Oberstar introduced an Administration bill to allow for an organization representing the States to assume the NDR's timeshare and help desk functions.

Under the bill, other NDR functions would continue to be administered by NHTSA.

#### MOVING AHEAD - OUR VISION FOR THE FUTURE

Much of our past success has been due to NHTSA's ability to serve its Federal, State and community partners through development and collaboration on effective programs at State and local levels based on the agency's research. However, after a decade of progress, additional safety gains will be more difficult. Those who still fail to buckle up or who still drink and drive, are increasingly more difficult to reach effectively. To meet these challenges, NHTSA and FHWA are coordinating many of our highway safety activities, working cooperatively on mutual areas of concern in both headquarters and the field to better serve our customers. While NHTSA's responsibilities are mainly focused on the driver and the vehicle, FHWA's are on the roadway.

NHTSA also has refined its efforts and expanded its partnerships to include groups such as law enforcement, fire and rescue personnel, schools, traffic safety advocates, employers, and property and casualty insurers. More recently we have expanded our national partnerships with public health professionals, health care providers, day care providers, and culturally diverse groups. Our new safe communities initiative brings local health, medical and business partners together with the public sector to address community-level traffic injury problems. We also have expanded our messages and programs to target those groups most at risk for injury such as youth and rural population, and have improved our customer service to communities, States, and national organizations.

Over the years, we have seen great progress in getting our fatality rate down. And it is at an historically low level. But not only has that level been stagnant the last few years, the total number of fatalities has increased in each of the last three years.

We know the future will bring not only more drivers on our roads, and more miles driven, but more younger drivers -- a demographic group with higher crash and fatality risks.

Recent experience indicates that we are moving away from top-down mandates toward placing decision-making at the State and local levels. States and localities, with Federal technical support, are in the best position to determine their own problems and the best means to attack them. The next ISTEA should provide the States with the flexibility to address highway safety problems in the most effective and appropriate ways.

But in the decision-making process, public policy must be driven by good science and the appropriate tools to do the job. That means, among other things, good data. That also means sharing "best practices." One important Federal role is to help assure that States and communities have those tools. Another is to assure that the resources are available to do the job. The reauthorization of ISTEA can help provide these tools.

Our Strategic Plan emphasizes outreach and listening to and involving customers and partners in the planning programs and activities of the agency. And our participation as a pilot agency in the Government Performance and Results Act (GPRA) has focused our attention on our customer service activities, with emphasis on our most value-added activities. This is in keeping with our current actions and our approach to the next ISTEA legislation. The Section 402 pilot is an example of a true partnership to get the job done for improvements in the safety bottomline. Partners in Progress is another example of the use of a partnership in both setting alcohol goals and bringing to bear maximum resources to achieve them.

DOT has been working to provide leadership and to bring stakeholders to the table. Secretary Peña has hosted a number of meetings bringing together current and potential leaders in the highway safety field. As part of this process, we have been traveling around the country listening to our customers -- the users and providers.

To date, the Department has held twelve Regional Forums; one more will take place this month. At our forum on safety, we heard strong support for Federal involvement in safety. Through outreach to our State and organization partners we have heard repeated support for each of our highway safety programs.

Our partners have expressed the need to continue to address alcohol and impaired driving in the next ISTEA through strong support for the Section 410 program. In addition, they have suggested that other areas of national, State, and local priority could be addressed through incentive or similar programs. Areas proposed have included developing the capability to develop good highway safety data, occupant protection, and creating a means to address emerging problems such as aggressive driving. Our deliberations on the structure of the next ISTEA should take these suggestions into account.

We see the next era of highway safety to be a partnership, where each party provides true value added to the goal of reducing the tragedies that occur each day on our streets and highways.

#### **THE REAUTHORIZATION OF ISTEA**

Overall, ISTEA provided a solid foundation for a successful Federal role in highway safety. We believe that the best way to address our future challenges in safety is to build on ISTEA's foundation. There should be no question of turning back. The reauthorization of highway safety programs must retain the key elements that ISTEA initiated, giving the States the flexibility needed to address their most pressing highway safety problems. Moreover, we will pursue a closer working relationship with other Federal safety offices as we develop our reauthorization proposal. We hope to include actions where there are mutual safety interests, such as driver behavior and public outreach efforts.

#### ***Intergovernmental partnership***

ISTEA recognized the importance of the Federal-State partnership in highway safety in its reauthorization of the Section 402 State and community highway safety grant program. Reauthorization of ISTEA must continue to look at ways to advance this vital partnership. It can do this by ensuring that NHTSA continues to be a meaningful resource for the States and by assuring that the States have the highway safety technical support and information they will need.

The ISTEA-funded Crash Outcome Data Evaluation System (CODES) project is an excellent example of this partnership. Through this project, ISTEA provided funds to study motorcycle helmet and safety belt effectiveness through use of linked police crash and medical treatment data. Originally, seven States successfully linked highway safety and medical data with NHTSA technical assistance. Subsequently several more States have performed this linkage and applied the data to a better understanding of several important behavioral and highway design safety issues. Continued support for data linkage efforts and other data improvement initiatives are critical to the State/federal partnership to improve highway safety.

A good example of the recent use and value of the CODES project occurred last fall in the State of Maine. At that time, Maine used its that data to justify passage of the State's safety belt use law.

***Enhance commitments to safety and planning***

The highway safety structure for the next ISTEA should support States and communities to address their highway safety problems in the most efficient and effective ways. Currently, Federal support for highway safety is channeled in three ways: infrastructure investments, motor carrier safety and inspection programs, and the NHTSA grant programs noted earlier in my testimony. We are working within the Department toward a structure that would support flexibility in the use of these funds and that would promote coordination of planning processes within the States, so that States and communities can make the safety investments with the biggest payoff. The separate planning processes that now take place should be coordinated, so that States and communities can begin to develop a more comprehensive, unified approach to highway safety.

ISTEA enhanced the commitment to safety and planning by amending the Section 410 impaired driving incentive program in ways that increased the ability of the States to meet its requirements. Reauthorization of ISTEA must continue to support such flexible programs, such as the Section 410 incentive program, and increase the ability of State and local officials to choose drunk driving prevention programs that make sense for their communities.

***Encourage research and development***

ISTEA reauthorized NHTSA's Section 403 highway safety research and development program to ensure future advances and continuing improvements in those highway safety areas that support the Department's Section 402 State and community programs. We must continue our commitment to the kinds of research and development that improve highway safety, closing the gap between state-of-the-art and current practice.

**CONCLUSION**

ISTEA provided a strong foundation for a successful Federal role in highway safety. Its central highway safety elements -- intergovernmental partnership, a strong commitment to safety and enhanced planning, and a strong commitment to research and development -- should be extended. Federal-State performance partnerships and improved data will provide the best means for further gains in safety.

As part of our process for learning what aspects of ISTEA are working and what can be improved, we traveled around the country to listen to the views of our citizens. At our forum on safety, we heard strong support for Federal involvement in safety.

We recognize that highway safety needs are great, and we will continue to do our best to improve our record in highway safety. We also will continue to ask how we can increase the benefits provided by available resources. The crucial and ongoing need for safe travel on the nation's highways extends beyond any one State's borders. Strong Federal leadership in partnership with State and local governments is essential in this key area.

Mr. Chairman, this concludes my statement. My colleagues and I would be happy to answer any questions.