



TESTIMONY OF

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ON BEHALF OF

**THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION
OFFICIALS**

REGARDING

OPPORTUNITIES TO IMPROVE TRANSPORTATION SAFETY

BEFORE THE

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE**

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Chairman Boxer and Members of the Committee, thank you for the opportunity to testify on opportunities to improve transportation safety. My name is Kirk Steudle. I am Director of the Michigan Department of Transportation, and am speaking today on behalf of the American Association of Highway and Transportation Officials (AASHTO) which represents the state departments of transportation (DOTs) of all 50 states, Washington, D.C. and Puerto Rico.

In my capacity as Chair of AASHTO's Standing Committee on Highway Traffic Safety, I want to thank you for holding this hearing on transportation safety consideration as you prepare to take up reauthorization of the federal-aid surface transportation programs. There is no more important issue than highway safety, and heightening the awareness highway safety is of utmost importance for the health and prosperity of the nation.

First, I should note that several changes safety funding have been essential contributors to the continued downward trend and historic low in highway fatalities in the US. The new, core Highway Safety Improvement Program established in SAFETEA LU as part of the Federal-Aid Highway Program and funded at \$1 billion per year, funding increases for programs under the National Highway Traffic Safety Administration (NHTSA), the Federal Motor Carrier Safety Administration (FMCSA), and additional funding under the Recovery Act (ARRA) have all had positive safety outcomes. But we must do more.

SAFETEA-LU made significant strides in enhancing the nation's focus on safety. The legislation significantly increased funding for safety programs, created a new apportioned safety program, and required all states to develop an evidence-based strategic highway safety plan. State DOTs are using these funds to implement effective solutions designed to drive down fatalities. The legislation is still in its infancy, thus making it difficult to assess the progress that each program has had in reducing fatalities and crashes, but we are very optimistic these measures and those we are recommending for future legislation will bring us closer to meeting and surpassing our goals. The AASHTO Board of Directors passed in May of 2007, the goal of halving fatalities over two decades. This translates to saving 1000 lives per year from the base number--we know that together we can do this.

In 2010, the Michigan Department of Transportation will spend nearly \$70 million on safety, targeting signing improvements, pavement markings, modernizing signalized intersections, median cable barrier installations and specific safety improvements on our roadways. Such focused expenditures over the years of SAFETEA LU have helped in reducing highway fatalities on Michigan roadways to 871 in 2009, the lowest number since 1924 (when fatalities were 863). A variety of factors have contributed to this decline, including fewer miles driven, Michigan's high use of seat belts at 97.9 percent, strict enforcement of traffic laws, roadway engineering and vehicle safety improvements.

The steady national level of 42,000 plus fatalities per year has hopefully ended with 34,000 deaths being the new plateau reached in 2009. This new level is the result of many factors, not the least of which is the economic downturn resulting in less travel overall and less travel by the freight industry and the young. But these unique circumstances will not last.

As a nation we must do better; with the support of the US Congress we can do better—our future depends on it.

BACKGROUND

The National Highway Traffic Safety Administration reports that there were 33,963 highway fatalities in 2009, approximately 9 percent fewer than 2008. In Michigan, fatalities dropped from 980 in 2008 to 871 in 2009, an 11 percent reduction. This is excellent news for all of us, but instead of celebrating we need to continue to work on reducing this number to zero. It is too early to have much detail on the 2009 data, but if trends continue from 2008, we will continue to see an increase in seat belt use and a decrease in alcohol-related highway fatalities. However, 32 percent of highway fatalities involved alcohol. Speeding contributed to 31 percent of all fatal crashes. Motorcyclist fatalities were 14 percent of the total, making motorcyclists 37 times more likely to be killed than passenger car occupants. Twenty-three percent of the people killed on our highways were between the ages of 16 and 24, and 13 percent were age 65 or older. (7)

The societal cost of crashes in just the larger metro areas is a staggering \$164.2 billion annually (based on 2006 data). This is nearly two and a half times greater than the \$67.6 billion price tag for congestion, as reported by AAA^{1&2}. The national cost for crashes equates to an annual per person cost of \$1,051, compared to \$430 per person annually for congestion. I don't mean to downplay the cost congestion by any means, but curing the safety problem will also greatly reduce the congestion problem. Over half of congestion is caused by non-recurring incidents. Both safety and congestion need to be addressed aggressively if the nation is to prosper.

For example, Michigan recently passed a "Quick Clearance" law, which for non-injury crashes, requires the vehicles be removed from the traveled roadway as soon as possible. This will alleviate both congestion at the crash site and the associated secondary crashes. Many other states also have such Quick Clearance laws. Quick Clearance has 4 levels – Move over/slow down law; Driver Removal law; Authority Removal law; and Hold Harmless law. The safety costs I mentioned include medical, emergency and police services, property damage, lost productivity, and quality of life, among other things. NHTSA has estimated the cost of all crashes---not just those in the larger cities--- to be about \$230.6 billion per year³ in year 2000 dollars.

The World Health Organization (WHO) forecasts that roadway fatalities and disabling injuries will be the second leading cause of productive days lost by 2015, second only to heart disease⁴. Furthermore, WHO also estimates the cost of road crash injuries at roughly 1-2% of gross domestic product in developed countries. According to the National Safety Council, vehicle crashes are the Number 1 cause of death in the United States for 3 to 34 year olds. Vehicle crashes are among the top three causes of death throughout a person's lifetime.⁸ They are also the Number 1 cause of work-related deaths.⁹ Solving the safety problem will foster real economic growth in this country.

AASHTO SAFETY PROGRAM RECOMMENDATIONS

In October, 2008 the AASHTO Board of Directors, composed of the chief executives of the departments of transportation from the 50 States, the District of Columbia and Puerto Rico approved a series of bold Congressional actions to continue our progress in reducing highway fatalities. These recommendations follow here:

1. National Agenda on Highway Safety

Congress should adopt a National goal of halving fatalities over two decades; call for and fund a National Summit on Highway Safety (\$500,000) to include the US DOT, Members of Congress, State transportation and safety officials, and safety advocates; and fund a joint AASHTO-GHSA Safety Center of Excellence at \$3 million per year.

AASHTO first adopted in May, 2007 the goal of halving fatalities over two decades, and we have worked with our public sector safety partners to have their leadership adopt this goal as well. To date many have done so, including the Governors Highway Safety Association (GHSA), American Association of Motor Vehicle Administrators (AAMVA), Commercial Vehicle Safety Alliance (CVSA), National Association of County Engineers (NACE); ; the International Association of Chiefs of Police (IACP) and the National Association of State Emergency Medical Safety Officials (NASEMSO)

In addition, it matches the goal presented to the Congress by the National Surface Transportation Policy and Revenue Study Commission. The goal also was supported at a Visioning Conference⁵ held in Cambridge MD in 2007 which was attended by over 50 Industry/governmental/and transport user associations representing all surface modes. Defining a national safety goal brings additional focus to the charge.

In support of a national summit, the last time the White House held a surface transportation safety summit was in 1956—in conjunction with the launching of the Interstate Highway System. It would be fitting for the Congress to lead such a charge again as we fund the renewal and enhancement of that system for our future prosperity!

2. Highway Safety Funding

Increase the flexibility and level of funding for all safety programs commensurate with increases in the other core programs' funding in order to meet the national safety goal.

All the states have developed and implemented a Strategic Highway Safety Plan. These were not developed in isolation by the state departments of transportation, but are collaboratively developed, statewide plans that depend on local participation since not all crashes happen on state highways. These plans prioritize and lay out strategies and action plans for addressing a state's most pressing safety needs ranging from infrastructure improvements and engineering to education and behavior; from enforcement activities to emergency response strategies. A priority for one state can be

very different than for another. For example, trees and moose hits contribute to a large percentage of fatalities in the northeastern states.

However, one common thread among all state safety plans is the recognition that the majority of fatalities occur off the freeway and interstate systems, and on local roadways (typically a 60/40 percent split). In our quest to reduce all vehicle crashes, injuries and fatalities, future resources must target not only the freeways and interstates, but also these local systems. States following their safety plans should have the ability and flexibility to apply safety funding to where their most critical needs lie, and where they can have the biggest impact. However, we want accountability, and the public is demanding it. Therefore, spending should be performance-driven to assure the most pressing needs are being addressed.

Specific Highway Safety Improvement Program (HSIP) funding recommendations include:

- Increase HSIP funding commiserate with the other core programs and include sufficient enhancements to continue the current funding level for the High Risk Rural Road Program;
- Update the Safe Routes to School Program to increase its focus on pedestrian safety and coordination with the State's Strategic Highway Safety Plan;
- Eliminate the requirement for developing and reporting the top five percent locations in each state currently exhibiting the most severe highway safety needs. The intended goals of this requirement are mostly addressed through the development and implementation of a state's Strategic Highway Safety Plan (SHSP) and HSIP;
- To address those safety needs of our rail/highway partners and local governments and our walking and biking youths, continue the dedication of funding to the rail-highway grade crossing and Safe Routes To School programs.

In addition, we recommend consolidation of NHTSA funding to the degree possible and streamlining of the grant application process.

3. Strategic Highway Safety Plan Continuation

Continue the requirement that states develop and implement Strategic Highway Safety Plans (SHSP) consistent with their long-range transportation planning and short-range programming processes. Require each State to update their plans at least once during the new authorization cycle and establish an aggressive State-determined fatality reduction goal to help achieve the national goal.

An extraordinary amount of work and effort went into the development of the SHSP plans. They don't belong on a shelf. They need to be followed, revisited and measured. In Michigan, we strive to update our strategic plan every 3 years and have 12 active, interdisciplinary action teams addressing the 12 strategic focus areas most relevant to Michigan. AASHTO is also encouraging each State's Department of Transportation and

Governors Highway Safety Office (where this cabinet position is located outside the DOT) to host a peer review with adjacent states, thereby furthering collaborative and partnership efforts and benefiting on sharing best practices.

4. Highway Safety Data Collection and Sharing

Support the further development of the NHTSA State Data System.

This system should include traffic and roadway characteristics, and injury outcome data. We want to encourage all states to participate in the NHTSA Data System, and to address and encompass the issues of collection, quality, management and linkage. AASHTO recommends \$20 million per year to enhance the NHTSA State Data System; that the collection of data needed to support safety analyses for all public roads are eligible for HSIP and NHTSA safety funding; and that funding (\$500,000) be provided to AASHTO and GHSA to develop guidance for states on implementing a data-collection-analysis system. We also recommend statutory changes that are necessary in order to protect individual privacy while providing for the disclosure of information related to crashes.

Good data is the foundation for determining how and where money and efforts need to be focused.

5. Highway Safety Laws and Adjudication

Support a national effort, led by NHTSA, to develop and recommend model statutes and best practices to the States on ways to drive down fatalities, including rigorous enforcement and adjudication of those laws. (\$750,000 per year)

Local and state law enforcement agencies are a key and critical component in reducing fatalities. They experience many challenges in their daily activities that can have an impact on highway safety, from critical law enforcement (work zones, speed, red light running, distracted driving/cell phone use and aggressive driving) to exposure when having someone pulled over. They also play a key role in creating or compiling good crash data.

In many municipal and local courts, penalties against the traffic safety laws that are in place are commonly reduced, thus minimizing the emphasis on practices that have shown to work to save lives. Efforts to put responsibility back on drivers should be encouraged and supported.

6. Highway Safety Improvement in Vehicles

Incorporate technical safety improvements in vehicles more expeditiously through federal incentives, and through regulatory and research and development initiatives.

Provide General Fund assistance either through tax credits or on a cost sharing basis to early adopters of auto and truck vehicle advanced safety systems.

A recent example of a helpful federal initiative is the U.S. Department of Transportation rulemaking requiring electronic automated stability systems in all vehicles produced after 2012. The U.S. DOT estimates that this regulatory action will save at least 5,000 deaths per year from the base.

Federal general fund support for early adopters of advanced safety systems can help spur needed economic growth in the languishing auto industry and support our national goal of saving lives through a safer vehicle fleet.

7. Highway Safety Research, Development and Technology

Enhance the level of funding for safety research, development and technology, and expand the coordination between research entities. Increase funding for safety research in the following areas: ITS and IntelliDrive R&D, FHWA research, SHRP2 Research, NHTSA research, and FMCSA research, and eliminate safety research designations that have not been identified as part of the National Agenda on Highway Safety.

Specific recommendations include:

- Increase the overall FHWA research program to \$200 million per year.
- Support overall SHRP 2 implementation funding for all areas, not just safety, at a level of \$75 million per year and as a takedown from federal-aid apportionments.
- Increase the overall NHTSA research program to \$20 million per year.
- Increase the overall FMCSA research program to \$15 million per year.
- Provide \$1 million to FHWA to quantify and qualify the benefits of the safety aspects of other modes (non-motorized)
- Provide \$1 million to NHTSA to study certain vehicle and behavioral safety issues
- Amend Section 112 of Title 23, USC to allow greater flexibility in use of proprietary products on road improvement projects that are beneficial to the public interest, especially those that can provide safety benefits to the public⁶.

8. Safety Improvements in Drivers Licensing

Provide \$5 Million to complete the modernization of the Commercial Driver Licensing Information System (CDLIS), which is needed to fully implement "One Driver-One Record." Provide \$14 Million in General Fund support through the Department of Homeland Security for the final phase of development of the information hub which will allow motor vehicle agencies to implement a one-driver one license system.

ADDITIONAL RECOMMENDATIONS

AASHTO has a long history of collaboration to advance highway safety goals. Five national organizations that represent state highway safety organizations that comprise the State Highway Safety Alliance – AASHTO, the American Association of Motor Vehicle Administrators (AAMVA); the Commercial Vehicle Safety Alliance (CVSA); the Governor’ Highway Safety Association (GHSA); and the National Association of State EMS Officials (NASEMSO) along with the International Association of Chiefs of Police (IACP) recently agreed to a set of principles for the next reauthorization of federal highway safety programs. The joint principles, which are consistent with the AASHTO positions on highway safety, demonstrate that we have a common agenda for highway safety, including the adoption of national goal of halving motor vehicle fatalities by 2030, increased funding, streamlined program administration, strengthened strategic highway safety planning, enhanced data collection, increased investment in safety research, and the use of incentives not sanctions. I have attached our *Joint Statement of Principles and Recommendations for Surface Transportation Reauthorization*.

We also want to recognize the leadership of Senator Baucus in addressing highway safety issues in his bill, S. 791, the “Surface Transportation Safety Act of 2009.” I would like to point out that AASHTO’s Board of Directors has approved policies that are supportive of the provision in Senator Baucus’ bill that would grant the states greater flexibility to use proprietary products that are beneficial to the public interest, including those that can provide safety benefits. We do have some concerns with other provisions and look forward to working with Senator Baucus and the Committee on those issues.

CONCLUSIONS

Safety is not just a catch phrase or a feel good word. The number of fatalities is not just data or a rate to compare over the years. Safety on our transportation system means we go home to our families every day. It means that we will live through our less than perfect moments to drive another day.

Drivers should take responsibility for their actions, and we as a nation should take responsibility for a safe transportation system. We need to break through the plateau. A clear way to success is to do something different and to push through that steady level of over 34,000 deaths per year with more focus and intensity – to bring people home. This is possible. Our ultimate vision should be...Zero Fatalities!

Thank you for the opportunity to appear before the Committee and let me assure you that AASHTO is a very strong safety advocate. We are eager to be part of the solution, and we stand ready, in concert with our State Safety Alliance partners, to assist you in your legislative deliberations.

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Recommendations for the Surface Transportation Reauthorization

The undersigned organizations support the following recommendations for the highway safety portions of the next surface transportation reauthorization legislation:

ESTABLISH NATIONAL PERFORMANCE GOAL AND STATE TARGETS

The State Highway Safety Alliance urges Congress to establish a **national** goal of halving motor vehicle fatalities by 2030 and authorize a federal program that enables state and local governments to attain that goal.

State highway safety-related agencies should set **state performance targets** in their federally-funded highway safety plans that would enable them to move toward attainment of the national goal. The Federal Highway Administration (FHWA), the National Highway Traffic Safety Administration (NHTSA) and the Federal Motor Carrier Safety Administration (FMCSA) should work cooperatively with state safety-related agencies to identify performance measures with which to measure state progress. At the end of each federal fiscal year, states should report results using agreed-upon performance measures. Rather than penalizing states if they are unable to reach their safety targets within a fixed time period, the federal safety agencies and their state agency counterparts should cooperatively identify creative strategies for enhancing results at the state level.

INCREASE SAFETY FUNDING

Although progress has been made in highway safety, more than 37,000 people—more than 100 a day—were killed and 2.4 million were injured in motor vehicle crashes in 2008. Most of these crashes were preventable. Increased funding must be authorized to enable states to reverse these troubling statistics and meet national safety goals and state highway safety targets. The State Highway Safety Alliance urges Congress to **double** federal highway safety program funding. Increased highway safety funding for the grant programs administered by FHWA, NHTSA and FMCSA would enable states to improve safety on the roadways, address hazardous driving behavior and ensure that unsafe commercial motor vehicles are taken off the road.

STREAMLINE PROGRAM ADMINISTRATION AND ENHANCE FLEXIBILITY

The Alliance urges Congress to **consolidate** separate categorical highway safety programs to the greatest extent possible. Federal programs should have a single application and application deadline. Congress should identify eligible activities for the consolidated funding, but states should have the **flexibility** to determine how much funding should be used for each eligible activity so that funding is targeted toward the most critical highway safety problems. Require-



ments on states related to Maintenance of Effort (MOE), if not dispensed with altogether, need to be simplified and made so they incentivize state and local safety activities. They also should be based on activity levels or outputs and not purely on funding.

STRENGTHEN STRATEGIC HIGHWAY SAFETY PLANNING

The Strategic Highway Safety Plan (SHSP) requirements of the Sec. 148 Highway Safety Improvement Program have been a positive force for addressing safety in the states. The State Highway Safety Alliance supports those requirements and recommends that they be **strengthened**. States should continue to convene broad committees to oversee the state highway safety planning effort. At a minimum, these committees should consist of representatives of state **and local** agencies responsible for engineering, education, enforcement, emergency medical systems, licensing, and commercial vehicle safety. The SHSP should address highway safety issues on **all public roads**, target funding to areas of highest need as identified by state and local data, and set statewide safety **performance targets**. Any separate federally-funded safety implementation plans (e.g., the Highway Safety Plan, the Commercial Vehicle Safety Plan, the State Transportation Plan) should **support** the SHSP performance targets, and states should **update** their SHSPs at least once during the reauthorization period.

SUPPORT ENHANCED DATA COLLECTION AND ANALYSIS

The collection of performance data is central to the effective functioning of federal performance-based programs. In order to track and analyze performance, states need to be able to collect more complete, reliable and accurate data, have automated and linked data systems, exploit emerging data collection technologies and utilize better data analysis tools. Data improvements are complex and expensive. Federal funds for these improvements have been inadequate. This is a **priority** for states and the State Highway Safety Alliance urges Congress to fund state data improvements at **significantly higher levels** than current ones.

INCREASE INVESTMENT IN SAFETY RESEARCH AND DEVELOPMENT

State highway safety programs are stronger and more effective if they are built around **evidence-based strategies**. Research to produce the evidence of countermeasure effectiveness has been difficult because federal funding for highway safety research is so limited.

More countermeasure research is urgently needed. Research is also needed to evaluate emerging safety technologies, demonstrate and evaluate new strategies for reducing highway deaths and injuries, develop model laws and model programs and identify and document best practices. Additional driver and vehicle-related research is needed to enhance the safety of drivers and vehicles and to strengthen federal regulations. The State Highway Safety Alliance strongly supports **increased funding** for federal highway safety research.

PREPARE THE SAFETY WORKFORCE FOR THE FUTURE

The highway safety workforce at the state level is aging, and institutional knowledge about highway safety issues and programs will be diminished when the current workforce retires. There have been few efforts to attract young professionals into the field or enhance the professional capabilities of the current workforce. Members of the State Highway Safety Alliance are extremely concerned about this trend and urge Congress to allow states to obligate their high-

way safety grant funds (those administered by FHWA, NHTSA and FMCSA) for workforce development, training and education with a **100% federal share**. Congress should **more adequately fund** federal highway safety training for states, and a Center for Highway Safety Excellence should be established to facilitate the development of **innovative safety workforce training** (such as peer-to-peer training programs) and support **better integration** of highway safety training of the three federal safety agencies.

CHOOSE INCENTIVES OVER SANCTIONS

The Alliance submits that **incentives are preferable** to sanctions and transfer penalties. Incentives give states the flexibility and resources to find creative, results-oriented solutions that meet safety goals and fit state and local needs. States are currently sanctioned for at least seven different safety-related purposes. An over-reliance on sanctions moves federal highway safety programs away from a cooperative federal-state partnership and generates increased state resistance toward the very safety issues that Congress wishes states to address.



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The State Highway Safety Alliance is comprised of the three major recipients of the United States Department of Transportation grants as well as other state-based safety stakeholders. The Alliance represents state agencies with roles in improving highway safety through infrastructure, driver behavior, licensing, incident response, and enforcement approaches. The IACP, while not a member of the alliance, shares its goals, concerns, and priorities with respect to these recommendations for the Surface Transportation Reauthorization.