

ADDRESSING THE ROADWAY SAFETY CRISIS: BUILDING SAFER ROADS FOR ALL

(117-51)

REMOTE HEARING

BEFORE THE
SUBCOMMITTEE ON
HIGHWAYS AND TRANSIT
OF THE
COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES
ONE HUNDRED SEVENTEENTH CONGRESS

SECOND SESSION

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JUNE 8, 2022
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JUNE 3, 2022

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Highways and Transit
FROM: Staff, Subcommittee on Highways and Transit
RE: Subcommittee Hearing on “Addressing the Roadway Safety Crisis: Building Safer Roads for All”

PURPOSE

The Subcommittee on Highways and Transit will meet on Wednesday, June 8, 2022, at 10:00 a.m. in 2167 Rayburn House Office Building and virtually via Zoom to receive testimony related to the hearing titled “Addressing the Roadway Safety Crisis: Building Safer Roads for All.” The purpose of this hearing is for Members of the Subcommittee to discuss the safety of our nation’s roadways, explore programs and policies included in the Infrastructure Investment and Jobs Act to improve roadway safety, and learn from key stakeholders about their role in implementing these programs and other roadway safety strategies. The Subcommittee will hear from the National League of Cities, the American Association of State Highway Transportation Officials (AASHTO), the Washington Area Bicycle Association, a transportation policy professional with past positions at various levels of Florida government, and the American Traffic Safety Services Association.

BACKGROUND

In 2021, motor vehicle crashes killed an estimated 42,915 people in the United States, approximately a 10.5 percent increase over the 38,824 fatalities in 2020.¹ This represents the highest number of total fatalities since 2005 and the largest annual percentage increase in total fatalities since the National Highway Traffic Safety Administration (NHTSA) first established the Fatality Analysis Reporting System in 1975.² In 2021, vehicle miles traveled (VMT) increased by 11.2 percent. The fatality rate, expressed as the total number of fatalities per 100 million VMT, fell marginally in 2021 to 1.33 from 1.34 in 2020. However, 2020 represented a significant jump from 2019’s rate of 1.11 and the decade average of 1.13.³ In fact, the rate in 2020 is the highest rate experienced since 2007.⁴

The number of fatal traffic crashes represents only a fraction of the total number of crashes which occur on U.S. roadways every year. According to NHTSA data, in 2019 there were more than 1.9 million traffic crashes that resulted in injury and another 4.8 million that resulted in property damage.⁵

Last year, Congress enacted H.R. 3684, the Infrastructure Investment and Jobs Act (IIJA, P.L. 117–58), which provides historic funding levels to modernize our nation’s roads, bridges, transit, and other transportation infrastructure. The IIJA also increased funding for various roadway safety programs administered through the

¹Early Estimates of Motor Vehicle Traffic Fatalities in 2021, NHTSA, <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813283>.

²*Id.*; Crash Data Systems: FARS, NHTSA, <https://www.nhtsa.gov/crash-data-systems/fatality-analysis-reporting-system>.

³Motor Vehicle Safety Data (1960–2021), Bureau of Transportation Statistics (BTS), <https://www.bts.gov/content/motor-vehicle-safety-data>. From 2009 to 2019, the annual roadway fatality rate averaged 1.13 fatalities per 100 million VMT.

⁴*Id.*

⁵Traffic Safety Facts: Summary of Motor Vehicle Crashes (2019), NHTSA, <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813209>.

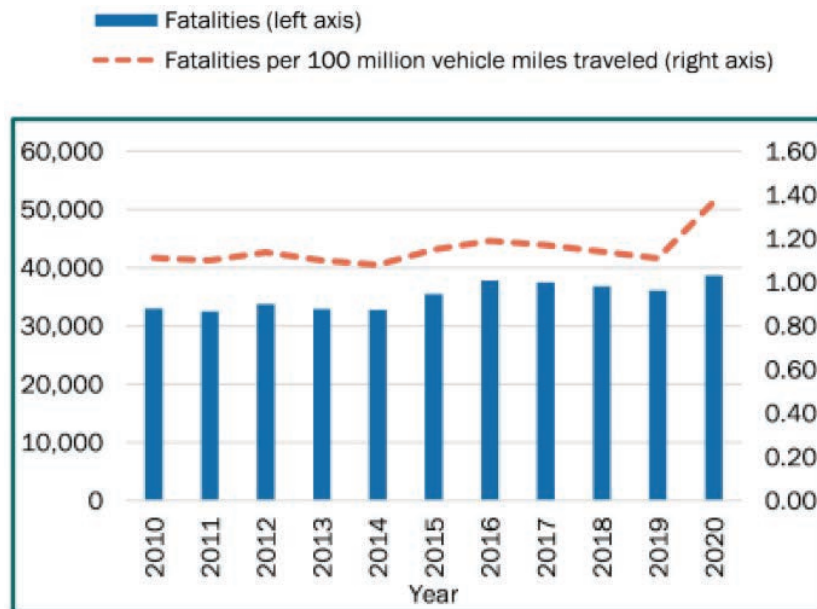
Federal Highway Administration (FHWA) and NHTSA. Safety programs administered by NHTSA support state and local efforts to reduce risky driving behaviors, with a focus on driver education, behavior, and enforcement of safety laws.⁶ FHWA approves roadway design standards, identifies best practices and proven safety countermeasures, requires states to conduct performance-based safety planning, and provides funding to state Departments of Transportation (state DOTs) to implement these plans to reduce roadway fatalities.⁷

In January 2022, the U.S. Department of Transportation (USDOT) released the National Roadway Safety Strategy, which outlines the Department's comprehensive, multimodal approach to significantly reducing serious injuries and deaths on our nation's roads, including through implementation of new programs and policies in the IIJA.⁸ Consistent with the IIJA, the strategy formally adopts the Safe System Approach as the Department's guiding paradigm to address roadway safety, incorporating the following principles: (1) death and serious injuries are unacceptable; (2) humans make mistakes; (3) humans are vulnerable; (4) responsibility is shared; (5) safety is proactive; and (6) redundancy is critical.⁹

TRAFFIC FATALITIES

Progress in reducing both the total number of fatalities and rate of fatalities per 100 million VMT has stagnated over the last decade. The last two years have seen significant increases in both numbers over the decade average, even as VMT has returned to pre-pandemic levels.¹⁰

Fatalities and fatality rate by VMT (2010–2020)



Source: *National Roadway Safety Strategy*, USDOT p. 2.

⁶Risky Driving, NHTSA, <https://www.nhtsa.gov/risky-driving>.

⁷Highway Safety Improvement Program (HSIP), FHWA, <https://safety.fhwa.dot.gov/hsip/hsip.cfm>.

⁸National Roadway Safety Strategy, USDOT, <https://www.transportation.gov/sites/dot.gov/files/2022-02/USDOT-National-Roadway-Safety-Strategy.pdf>.

⁹*Id.*, p. 6.

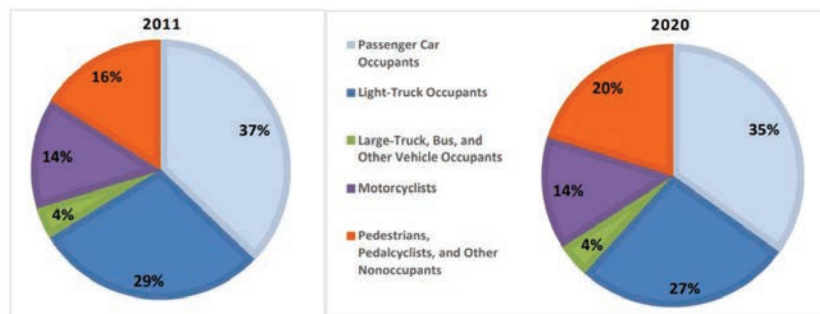
¹⁰Americans drove 3.26 trillion miles in 2019. Due to pandemic related stay at home orders in March 2020, VMT fell to 2.9 trillion in 2020, but rebounded to 3.28 trillion in 2021. Traffic Volume Trends, Federal Highway Administration, https://www.fhwa.dot.gov/policyinformation/travel_monitoring/tvt.cfm.

According to NHTSA, the trend of the total fatality rate per 100 million VMT in 2021 was strongly driven by the trends in the fatality rates per 100 million VMT on roadways functionally classified as rural arterial, rural local/collector/street, and urban arterial.¹¹ However, rural and urban areas each have unique safety risks. Traffic fatalities are more common on rural roads per mile driven. In 2019, only 30 percent of the total vehicle miles traveled were in rural areas, yet rural areas accounted for 45 percent of all traffic fatalities.¹² In that same year, the remaining 54 percent of the fatalities occurred in urban areas. Urban traffic fatalities have increased by 34 percent from 2010–2019, primarily driven by a sharp increase in pedestrian fatalities.¹³

In 2020, NHTSA estimated that of the total 38,824 fatalities, passenger car occupants made up the largest portion of the fatalities on our nation's roadways at 35 percent. Occupants of light-trucks made up 27 percent, followed by nonmotorized users (pedestrians and pedalcyclists) that comprised 20 percent of the fatalities. Motorcyclists made up 14 percent, and larger trucks, buses, and other vehicles 4 percent.

According to NHTSA's comparison of the 38,824 fatalities in 2020 and the 32,367 fatalities in 2011, the biggest change in proportion was in nonmotorized fatalities which increased from 16 percent in 2011 to 20 percent in 2020. Meanwhile the percentage of passenger car occupant fatalities decreased from 37 percent to 35 percent while light-truck occupant fatalities decreased from 29 percent to 27 percent during the same time period. The proportion of motorcyclist fatalities and the proportion of large truck, bus, and other vehicle occupant fatalities remained the same in both years.

Changes in Proportion of Traffic Fatalities by Road User Type, 2011 and 2020



Source: *Overview of Motor Vehicle Crashes in 2020*, NHTSA, p. 6.

Over the last decade, fatalities among pedestrians and bicyclists have been increasing faster than for all other users, and 2021 is estimated to have been the deadliest year on record for people walking in 40 years.¹⁴ According to NHTSA's estimates, 7,342 pedestrians were struck and killed in 2021, an increase of 13 percent from the previous year, resulting in 826 additional lives lost.¹⁵ Approximately 82 percent of the pedestrian fatalities occur in urban areas.¹⁶ NHTSA estimates 985 bicyclists were killed in 2021, an increase of 5 percent from the previous year.¹⁷ Together, the number of pedestrians and bicyclists killed in traffic crashes has increased by 62 percent over the last decade.¹⁸

¹¹Traffic Safety Facts: Summary of Motor Vehicle Crashes (May 2022), NHTSA, <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813298>.

¹²Traffic Safety Facts: Rural/Urban Comparison of Motor Vehicle Traffic Fatalities (2019), NHTSA, <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813206>.

¹³Pedestrian fatalities in urban areas increased by 64 percent over the decade. Traffic Safety Facts: Rural/Urban Comparison of Motor Vehicle Traffic Fatalities (2019).

¹⁴Estimated pedestrian fatalities for 2021 are the highest since 1976. *Traffic Safety Facts (2019)*, NHTSA, p. 26., <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813141>.

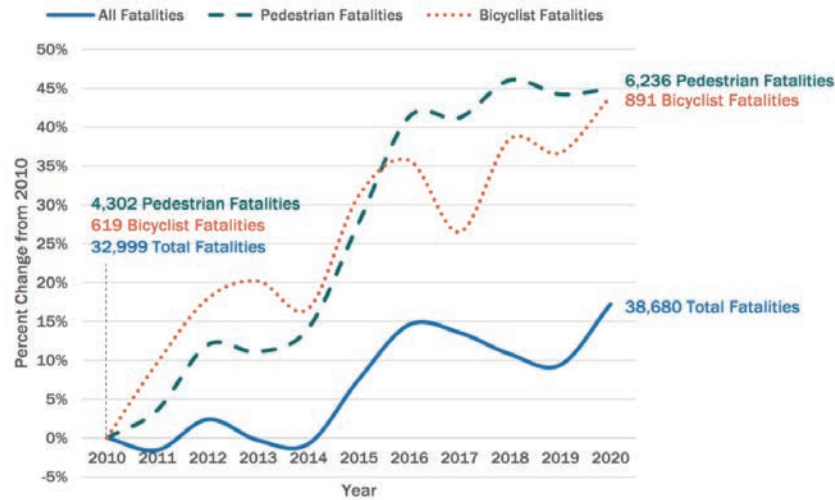
¹⁵2021 Early Estimates, NHTSA.

¹⁶Traffic Safety Facts: Pedestrians (2019), NHTSA, <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813079>.

¹⁷2021 Early Estimates, NHTSA.

¹⁸*Id.*

Percent change in fatalities for nonmotorized users compared to all users (2010–2020)



Source: *National Roadway Safety Strategy*, USDOT, p. 10.

KEY FEDERAL SAFETY PROGRAMS AND POLICIES

According to FHWA, roadway design is a key risk factor in reducing traffic-related fatalities, particularly for vulnerable road users.¹⁹ FHWA has identified a collection of roadway design countermeasures shown to improve safety in the areas of speed management, intersection safety, roadway departures, and pedestrian and bicyclist safety, among others.²⁰ Countermeasures are eligible under most federal-aid highway funding programs, and can support state, local, and tribal agency efforts to effectively accomplish goals to reduce fatalities and serious injuries.²¹ FHWA administers programs to promote innovative safety technologies, implement proven safety countermeasures, deliver technical assistance and training, and communicate best practices to transportation agencies nationwide.²²

THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

HSIP is a core federal-aid highway program, funded out of the Highway Trust Fund. HSIP provides federal funding for projects that will achieve a significant reduction in traffic fatalities and serious injuries on public roads, including local roads and roads on tribal land.²³ In order to use HSIP funding, the state must have an approved, comprehensive, and data-driven strategic highway safety plan (SHSP) that defines state safety goals and describes a program of strategies to improve safety.²⁴ Funding provided under HSIP is apportioned to state DOTs to implement highway safety improvement projects identified in the state's SHSP.²⁵ The state DOT is responsible for selecting projects, administering the funding, ensuring compliance with all applicable federal requirements, and overseeing the project to completion.²⁶

¹⁹ *Moving to a Complete Streets Design Model: A Report to Congress on Opportunities and Challenges*, FHWA, p. 8–9, <https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-03/Complete%20Streets%20Report%20to%20Congress.pdf> (cited hereafter as “Complete Streets Report to Congress”).

²⁰ Proven Safety Countermeasures, FHWA, <https://safety.fhwa.dot.gov/provencountermeasures/index.cfm>.

²¹ Making Our Roads Safer—One Countermeasure at a Time, FHWA, https://safety.fhwa.dot.gov/provencountermeasures/pdf/FHWA-SA-21-071_PSC%20Booklet.pdf.

²² Highway Safety Improvement Program (HSIP), FHWA, <https://safety.fhwa.dot.gov/hsip/hsip.cfm>.

²³ 23 U.S.C. 148(b).

²⁴ 23 U.S.C. 148(c)(1).

²⁵ 23 U.S.C. 148(c)(1).

²⁶ *Funding Federal Aid Highways*, FHWA, <https://www.fhwa.dot.gov/policy/olsp/fundingfederalaid/>.

Each state DOT must evaluate the SHSP on a regularly recurring basis to ensure the accuracy of the data in the plan and the priority of the proposed safety strategies.²⁷

The IIJA reauthorized HSIP, ensuring that states will receive more than \$15.5 billion in HSIP funding over the next five years, a 34 percent increase over the previous authorization act, the Fixing America's Surface Transportation (FAST) Act (P.L. 114–94).²⁸ The amounts states receive in HSIP apportionments do not have to be spent on safety projects, however. Pursuant to 23 U.S.C. 126, states can transfer up to 50 percent of their HSIP and other core formula program funds to any other federal-aid highway program. In fiscal year 2021, 23 states transferred funds out of HSIP to other highway construction programs, whereas only nine states transferred funds into HSIP from other programs.²⁹ The IIJA also restored flexibility for states that had been in effect prior to the FAST Act to allow them to obligate up to ten percent of their HSIP funding each year to safety projects beyond just infrastructure solutions.³⁰ Examples of such projects include: promoting public awareness and education regarding highway safety matters for bicyclists, pedestrians, individuals with disabilities, and other vulnerable road users; facilitating enforcement of traffic safety laws; and conducting safety-related research to evaluate experimental safety countermeasures and equipment.³¹

Over the last ten years, Congress has created several special rules to address key safety problems, including for high-risk rural roads, older drivers, and most recently under the IIJA for vulnerable road users.³² These special rules require state DOTs to take a specific action (such as obligate HSIP funding on a specific category of roadways or risks) based on state safety data.

To address non-motorist fatalities and ensure the safe and adequate accommodation of all users of the transportation system, IIJA requires states and metropolitan planning organizations to use not less than 2.5 percent of their planning and research funds for complete streets activities that will increase safe and accessible transportation options.³³ Further, IIJA requires each state, in consultation with regional and local partners, to conduct a vulnerable road user safety assessment that identifies locations and corridors that pose a high risk to vulnerable road users and includes a program of projects or strategies to reduce identified safety risks.³⁴ The assessment must take into consideration the Safe System Approach to roadway design, which emphasizes minimizing the risk of injury or fatality of all road users and considers the likelihood of human error to prevent fatalities.³⁵

In addition to these key HSIP programs and complete streets planning initiatives, IIJA includes several other FHWA programs and policies to address roadway safety, including reauthorization of and reforms to the railway-highway grade crossing set-aside, the Safe Routes to School program, incentives for states to establish highway work zone contingency funds, and the set aside for Operation Lifesaver and other safety initiatives.³⁶

SAFE STREETS AND ROADS FOR ALL

IIJA established the new Safe Streets and Roads for All grant program to provide \$5 billion over the next five years for local governments to improve roadway safety by significantly reducing or eliminating roadway fatalities and serious injuries for all road users, with a focus on vulnerable road users.³⁷ Funding is eligible for both development and implementation of comprehensive safety action plans. Applicants must have a safety action plan or similar plan, such as a “vision zero” plan, in place

²⁷ 23 U.S.C. 148(e)(1)(C).

²⁸ IIJA Authorization Table, USDOT, https://www.transportation.gov/sites/dot.gov/files/2022-01/DOT_Infrastructure_Investment_and_Jobs_Act_Authorization_Table_%28IIJA%29.pdf.

²⁹ Obligation Rates for the Highway Safety Improvement Program, FHWA, https://safety.fhwa.dot.gov/hsip/gen_info/slorhsip/.

³⁰ 23 U.S.C. 148(e)(3).

³¹ 23 U.S.C. 148(a)(11).

³² 23 U.S.C. 148(g)(1); (g)(2); (g)(3); IIJA Sec. 11111.

³³ IIJA Sec. 11206.

³⁴ 23 USC 148(l). Under HSIP, a vulnerable road user is defined as a person walking, biking, and/or using a “personal conveyance” such as a wheelchair or micromobility device. 23 U.S.C. 148(a)(15); 23 CFR 490.205.

³⁵ 23 USC 148(l)(4)(A).

³⁶ 23 U.S.C. 130; IIJA Sec. 11108; 23 U.S.C. 208; 23 U.S.C. 120(b)(3)(B)(vi); IIJA Sec. 11124.

³⁷ IIJA Sec. 24112.

to apply for an implementation grant under this program.³⁸ Eligible activities for implementation grants are infrastructure, behavioral, or operational activities identified in the action plan directly related to addressing the roadway safety problems identified in the application and action plan.³⁹ Eligible activities for implementation grants include improvements to multimodal networks, applying low cost safety treatments along high crash corridors, speed management projects, safety enhancements, and making street design changes.⁴⁰

FEDERALLY RECOGNIZED DESIGN STANDARDS

Two documents that provide standards and govern design are incorporated through federal statutes and regulations: the FHWA *Manual on Uniform Traffic Control Devices for Streets and Highways* (MUTCD) and the AASHTO *Policy on Geometric Design of Highways and Streets* (known as the “Green Book”).⁴¹ FHWA is responsible for updating the MUTCD, whereas AASHTO updates the Green Book, although FHWA contributes to its development and must adopt each subsequent update by reference for it to be recognized as a binding federal standard on the National Highway System (NHS).⁴²

The MUTCD is the national standard for all traffic control devices—signs, signals, and markings—installed on any street, highway, or bicycle path open to public travel.⁴³ The MUTCD also provides guidance on setting speed limits. FHWA is updating the MUTCD for the first time since 2009. This rulemaking is currently underway, and the comment period closed on May 14, 2021.⁴⁴

The Green Book provides minimum standards and guidance for the geometric design of roadways, such as lane width and design speed. Earlier versions of the Green Book often dictated high-speed designs for urban and rural arterial roadways, but the latest update in 2018 allows for more flexible, multimodal, and performance based designs.⁴⁵ While the Green Book only applies to facilities on the NHS, state standards that control federal-aid projects off the NHS are often consistent with Green Book requirements.⁴⁶ To provide additional flexibility for local governments that wish to deviate from state design standards, IIJA clarifies that local jurisdictions may use design guides that are different from state standards on the roads they own that are not part of the NHS, without approval from the state.⁴⁷

WITNESS LIST

- The Honorable Elaine Clegg, City Council President, Boise, Idaho, *on behalf of the National League of Cities*
- Mr. Shawn Wilson, Secretary, Louisiana Department of Transportation and Development, *on behalf of the American Association of State Highway and Transportation Officials*
- The Honorable Ludwig P. Gaines, Executive Director, Washington Area Bicyclist Association
- Mr. Billy Hattaway, Principal, Fehr & Peers
- Mrs. Cindy Williams, President, Time Striping, Inc., Board of Directors Member, American Traffic Safety Services Association, *on behalf of the American Traffic Safety Services Association*

³⁸ Notice of Funding Opportunity for the Safe Streets and Roads for All (SS4A) Discretionary Grant Opportunity, CFDA # 20.393, <https://www.grants.gov/web/grants/view-opportunity.html?oppId=34038>.

³⁹ *Id.*

⁴⁰ Safe Streets and Roads for All (SS4A) Fact Sheet, USDOT, https://www.transportation.gov/sites/dot.gov/files/2022-03/Safe-Streets-and-Roads-for-All-Fact-Sheet_March-2022.pdf.

⁴¹ 23 U.S.C. 109.

⁴² Guidance on NHS Design Standards and Design Exceptions, FHWA, [https://www.fhwa.dot.gov/design/standards/qa.cfm#:~:text=109\(c\).-,What%20design%20standards%20has%20FHWA%20adopted%3F,4%20and%2049CFR37](https://www.fhwa.dot.gov/design/standards/qa.cfm#:~:text=109(c).-,What%20design%20standards%20has%20FHWA%20adopted%3F,4%20and%2049CFR37).

⁴³ Federal Highway Administration, Manual on Uniform Traffic Control Devices, “Overview,” <https://mutcd.fhwa.dot.gov/kno-overview.htm>.

⁴⁴ Federal Highway Administration, “National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways; Revision,” Docket No. FHWA-2020-0001, February 2, 2021, <https://www.federalregister.gov/documents/2021/02/02/2021-01440/national-standards-for-traffic-control-devices-the-manual-on-uniform-traffic-control-devices-for>.

⁴⁵ *Complete Streets Report to Congress*, FHWA, p. 33.

⁴⁶ 23 U.S.C. 109(c); (o).

⁴⁷ IIJA Sec. 11129.

ADDRESSING THE ROADWAY SAFETY CRISIS: BUILDING SAFER ROADS FOR ALL

WEDNESDAY, JUNE 8, 2022

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON HIGHWAYS AND TRANSIT,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

The subcommittee met, pursuant to call, at 10:01 a.m., in room 2167 Rayburn House Office Building and via Zoom, Hon. Eleanor Holmes Norton (Chair of the subcommittee) presiding.

Members present in person: Ms. Norton, Mr. DeFazio, Mr. Garamendi, Mr. Stanton, Mr. Auchincloss, Mr. Kahele, Mr. Carter of Louisiana, Mr. Rodney Davis of Illinois, Mr. Crawford, Mr. Massie, Dr. Babin, Mr. Bost, Mr. LaMalfa, Mr. Stauber, Mr. Nehls, and Mr. Graves of Louisiana.

Members present remotely: Ms. Johnson of Texas, Mr. Johnson of Georgia, Ms. Wilson of Florida, Mr. Allred, Mr. García of Illinois, Mr. Lamb, Ms. Bourdeaux, Mrs. Napolitano, Ms. Davids of Kansas, Mr. Moulton, Ms. Williams of Georgia, Mr. Fitzpatrick, Miss González-Colón, Ms. Van Duyne, Mr. Gimenez, and Mrs. Steel.

Ms. NORTON. The subcommittee will come to order.

I ask unanimous consent that the chair be authorized to declare a recess at any time during today's hearing. Without objection, so ordered.

I also ask unanimous consent that Members not on the subcommittee be permitted to sit with the subcommittee at today's hearing and ask questions. Without objection, so ordered.

As a reminder, please keep your microphone muted unless speaking. Should I hear any inadvertent background noise, I will request that the Member please mute their microphone. To insert a document into the record, please have your staff email it to DocumentsT&I@mail.house.gov.

I will now proceed with my opening statement.

I welcome you to today's hearing. Today, we will examine the roadway safety crisis, how to save lives, and explore difficult work necessary to achieve zero deaths—zero—on our Nation's roads.

The National Highway Traffic Safety Administration estimates that nearly 43,000 people were killed on our roads in 2021. We owe it to these victims to remember that each number represents a family torn apart by tragedy.

We are moving in the wrong direction. Traffic fatalities have increased 19 percent since before the pandemic. And remember, during the pandemic, many people were at home and not even on the road. Deaths among people walking and biking have increased by

62 percent in the last decade. The data show that African Americans are disproportionately killed in traffic-related crashes, and crashes are a leading cause of death for our children and teens.

In 2019, this subcommittee held a hearing on roadway safety to gather recommendations on what actions Congress should take in the surface transportation bill to save lives. And we heard what is not working, loud and clear: for too long, we have accepted preventable traffic deaths as inevitable, prioritized speed over safety, and focused solely on moving cars quickly.

I am proud to say that several of the changes discussed at that hearing became key elements of the committee's INVEST in America Act. And some changes survived in the Infrastructure Investment and Jobs Act, which will shift the focus to safe mobility for all.

Today, we will hear from stakeholders again on how to plan and use the tools of the Infrastructure Investment and Jobs Act to turn the tide on needless roadway deaths. The Infrastructure Investment and Jobs Act is much stronger on roadway safety than any previous surface transportation law has been. It provides States and local governments key policy direction and historic funding to invest in roadway safety. States and local partners now have the responsibility to think creatively, invest wisely, and begin to make real change.

However, the Infrastructure Investment and Jobs Act also continues a longstanding yet little discussed reality of Federal highway funding: that States have significant discretion to choose how to spend that money, including the ability to transfer safety program funds to other uses.

I am pleased that Mr. Wilson is with us today to discuss how States will ensure that money is used to save lives.

The rhetoric around traffic safety has finally begun to change. Transportation leaders now acknowledge the shared responsibility to build roads that are safer for everyone.

But words alone are not enough. We must take concrete steps to design, build, and rebuild roads that prioritize the safe movement of people, regardless of how they move. I hope that, with a redoubled commitment to safety today, we will not be having the same conversations years from now.

Thank you to each of our witnesses for being here today, and I look forward to your testimony.

[Ms. Norton's prepared statement follows:]

Prepared Statement of Hon. Eleanor Holmes Norton, a Delegate in Congress from the District of Columbia, and Chair, Subcommittee on Highways and Transit

Welcome to today's hearing. Today, we will examine the roadway safety crisis, how to save lives, and explore the difficult work necessary to achieve zero deaths on our nation's roads.

The National Highway Traffic Safety Administration estimates that nearly 42,915 people were killed on our roadways in 2021. We owe it to these victims to remember that each number represents a family torn apart by tragedy.

We are moving in the wrong direction. Traffic fatalities have increased 19 percent since before the pandemic. Deaths among people walking and biking have increased by 62 percent in the last decade. The data show that African Americans are dis-

proportionately killed in traffic-related crashes. And crashes are a leading cause of death for our children and teens.

In 2019, this subcommittee held a hearing on roadway safety to gather recommendations on what actions Congress should take in the surface transportation bill to save lives. And we heard what is *not* working, loud and clear—for too long, we have accepted preventable traffic deaths as inevitable, prioritized speed over safety, and focused solely on moving cars quickly.

I am proud to say that several of the changes discussed at that hearing became key safety elements of this committee's INVEST in America Act. And some changes survived in the Bipartisan Infrastructure Law, which will shift the focus to safe mobility for all.

Today, we will hear from stakeholders again on how they plan to use the tools in this new law to turn the tide on needless roadway deaths. It is much stronger on roadway safety than any previous surface transportation law has been. It provides states and local governments key policy direction and historic funding to invest in roadway safety. States and their local partners now have the responsibility to think creatively, invest wisely, and begin to make real change.

However, the law also continues a longstanding, yet little-discussed reality of federal highway funding—that states have significant discretion to choose how to spend that money, including the ability to transfer safety program funds to other uses. I am pleased that Mr. Wilson is with us today to discuss how states will ensure that money is used to save lives.

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But words alone are not enough. We must take concrete steps to design, build, and rebuild roads that prioritize the safe movement of people, regardless of how they move. I hope that, with a redoubled commitment to safety, we will not be having this same conversation years from now.

Thank you to each of our witnesses for being here today, and I look forward to your testimony.

Ms. NORTON. At this point, I would like to recognize our distinguished ranking member, Mr. Davis, for an opening statement.

Mr. RODNEY DAVIS OF ILLINOIS. Thank you, Madam Chair, and thank you to the witnesses. I would ask before I give my opening statement if the members of this committee, and Madam Chair, you would bear with me to honor somebody who is leaving us this week. He is somebody who has been a long-time staffer to our ranking member, Sam Graves, and his name is Paul Sass.

Paul is a staff director of the T&I Committee Republicans, and I can't think of somebody who has done a better job over the last few years in this position than has Paul. Paul started out working with Sam when Sam was a newly elected Member of Congress a few years ago, and frankly was the third choice of Sam Graves to be his staff assistant.

And Paul went from that job—obviously, he exceeded expectations, kind of like Garret Graves does on a regular basis, too, here. But Paul Sass worked his way up in that office, showed the loyalty, the determination, and also just the drive to be able to succeed and helped that new Member of Congress, Sam Graves, go from a freshman Member to being the ranking member of one of the largest committees in Congress.

And as I speak on behalf of all of the Members on this side of the aisle on this subcommittee and on the full committee, Paul Sass has done a phenomenal job getting our opinions, asking us what we should do, asking us what our ideas are when it comes to legislating. That is the type of person Paul Sass was, and it is also the example that he set for the people over here that are left to take the reins that he has given them.

So, Paul, thank you for being a part of this committee's operations. Thank you for being somebody who we have all been able to turn to for advice and also somebody who we could voice our frustrations to. Paul, you have done a great job here. You put a great team together. And now, hopefully, Jack Ruddy won't screw it up.

With that, I do want to go to my opening statement—and I am kidding about that, Jack. You are going to do a great job.

Chair Norton, thank you again. I am really happy to see our witnesses in person today. I think this is one more step in getting us back to some sense of normalcy here in the People's House. I thank you for being here today to talk about this very important matter.

We had expected, as Chair Norton mentioned, that the increase in the traffic fatality rate in 2020 was a 1-year anomaly resulting from an increase in dangerous driving and, frankly, a lack of enforcement during the coronavirus pandemic. However, NHTSA estimates that the number of traffic fatalities in 2021 increased by 10.5 percent to 42,915—a 16-year high.

The safety of our transportation system is paramount, and it is important that we gather feedback on how our safety programs are working and best practices we should consider. There is not a one-size-fits-all solution to get to zero roadway deaths. Each State, locality, and functional roadway class has unique safety risks.

IIJA provided historic resources for programs that should increase safety in our transportation system. It provided \$15.5 billion, representing a 34-percent increase in funding level for the HSIP Program, a very flexible, core highway program that funds projects that reduce traffic deaths and injuries.

In addition, IIJA created a new \$5 billion program called Safe Streets and Roads for All. This program provides planning and implementation funds to local and Tribal governments to increase safety on local roads with a focus on vulnerable road users.

Although the purchasing power of this historic investment is not what it was thought it would be, given the also historic inflation rate, we need to make sure funding is used efficiently and effectively.

And with that, again, I want to say thank you to our witnesses for being here with us this morning. I look forward to hearing their testimony on this very important topic.

[Mr. Davis of Illinois' prepared statement follows:]

Prepared Statement of Hon. Rodney Davis, a Representative in Congress from the State of Illinois, and Ranking Member, Subcommittee on Highways and Transit

Thank you, Chair Norton. I am happy to see so many of our witnesses are attending this important hearing in-person today. It is good to see that we are progressing toward normal operations. I thank you for being here today to talk about this important matter.

We had expected that the increase in the traffic fatality rate in 2020 was a one-year anomaly, resulting from an increase in dangerous driving and lack of enforcement during the coronavirus pandemic. However, the National Highway Traffic Safety Administration (NHTSA) estimates that the number of traffic fatalities in 2021 increased by 10.5 percent to 42,915—a 16-year high.

The safety of our transportation system is paramount, and it is important that we gather feedback on how our safety programs are working and best practices we

should consider. There is not a one-size-fits-all solution to get to zero roadway deaths. Each state, locality, and functional roadway class has unique safety risks.

The Infrastructure Investment and Jobs Act (IIJA) provided historic resources for programs that increase safety in our transportation system. It provided \$15.5 billion, representing a 34 percent increase in funding level for the Highway Safety Improvement Program (HSIP), a very flexible, core highway program that funds projects that reduce traffic deaths and injuries.

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Although the purchasing power of this historic investment is not what we thought it would be, given the also historic inflation rate, we need to make sure funding is used efficiently and effectively.

With that, I want to thank our witnesses for being with us this morning, and I look forward to hearing their testimony on this very important topic.

Mr. RODNEY DAVIS OF ILLINOIS. And Madam Chair, I yield back and thank you for giving me the chance to talk about Paul.

Ms. NORTON. Thank you, Mr. Davis. I now recognize the chair of the full committee, Mr. DeFazio, for his opening statement.

Mr. DEFAZIO. Thank you, Madam Chair. Well, reflecting on the remarks of the ranking member on the subcommittee, this shows the concern about safety and of the extraordinary increase in fatalities year over year, largest single annual increase ever recorded since we started keeping these statistics. He mentioned the same things that I was going to talk about: the HSIP Program, Complete Streets, the additional investments we are making.

We are going to give States and localities tremendous flexibility in solving their problems. But let's be clear, this money needs to be invested to resolve these problems. For years, all we emphasized was fast throughput for cars and trucks. That ignored a lot of factors having to do with safety.

And as congestion increased, the number of cars increased on the roads. Even that was problematic in terms of additional deaths. And then the large increase in pedestrian and cycling deaths that in part is what we are hoping to do with Complete Streets.

We are kind of pathetic in terms of our world ranking: 64th in fatalities per capita on our roadways in America. You are twice as likely to be killed on the road as in Canada just over the border, four times more likely than in leading countries in Western Europe, so, that says a lot about our road design and other issues that we have to deal with.

One size, as the ranking member noted, will not fit all, but we want everybody to identify these areas where they are experiencing high fatalities and use these Federal funds to invest and fix it. Get it done. So, that is very, very key.

The second thing I wanted to raise is another issue of safety which doesn't quite fit into that category and that is truck parking. The House version of the infrastructure bill included \$1 billion for truck parking. There is an absolutely critical shortage of truck parking.

Over a 4-year period—we don't have a compilation comprehensively—there were 2,300 crashes involving parked trucks, 138 fatalities because the trucks are having to park on the roadside and in areas that are not designed for safe truck parking.

We are also having issues in work zones where we have seen significant increases in fatalities there. And these things have to be dealt with.

But in terms of the truck parking, yesterday, Ranking Member Sam Graves joined me in a letter to the Secretary asking them to find a way to use some of their discretionary money. And they got—out of the Senate drafted version of the bill—a great deal of discretionary money for safe truck parking.

It's not only that they are parked unsafely; it discourages people from getting into the profession.

It is very inefficient if you have to plan, and you're like, oh, I could drive another hour, but I don't think the next truckstop has any parking spaces for me, so I am going to have to stop early. Or you get to that next one, and you are about to run out of time, and there is no place to park your truck. So, you've got two choices: you keep driving, violating hours of service, or you park unsafely.

We have got to do something about this, and I hope that the administration will use the discretion they have to deal with that, in addition to all the other tools we are talking about here for the States and localities to reduce fatalities on the road.

[Mr. DeFazio's prepared statement follows:]

Prepared Statement of Hon. Peter A. DeFazio, a Representative in Congress from the State of Oregon, and Chair, Committee on Transportation and Infrastructure

Thank you, Madam Chair, for holding this timely hearing on addressing our roadway safety crisis. The mounting death toll on our nation's roadways requires immediate attention.

We've all heard the statistics by now—the National Highway Traffic Safety Administration (NHTSA) estimates that a staggering 42,915 people lost their lives on U.S. roads in 2021, marking a 16-year high and an increase of 10.5 percent over traffic fatalities in 2020. The 2021 total represents the single largest annual increase in traffic fatalities since NHTSA first began tracking traffic fatality data in 1975.

We should be holding ourselves to the highest possible standard when it comes to roadway safety. This committee has held numerous hearings over the last two decades—going back to my time as ranking member and then chair of this subcommittee—where we have highlighted the tragic statistics over and over again. But we have not seemed to make any progress year over year. I can't think of any other transportation mode where we would turn a blind eye and accept such systemic loss of life.

So what is different about today? First, let's acknowledge that this outcome is not a fixed reality. We can do more to save lives and we should learn from other countries that have managed to make progress. We lag far behind peer countries on safety. The United States ranked 64th in the world in fatalities per capita according to the World Health Organization.

People in America are more than twice as likely to be killed on the road compared to Canada, and more than four times as likely than in the leading countries of Western Europe. These countries have long acknowledged the risk of dangerous road design, embraced robust Vision Zero and Complete Streets policies, and provided many safe and convenient alternatives to driving.

Next, let's acknowledge that dangerous road design and lack of investment in necessary facilities has been a choice. Let's take vulnerable road users first. Our roads have become especially dangerous for those not traveling in a vehicle. Bike and pedestrian deaths represent a greater proportion of all traffic deaths today than they did ten years ago. Combined, pedestrian and bicyclist deaths have increased by 62 percent over the last decade.

There are more than four million miles of public roads in the U.S. which must support an increasingly diverse set of users and travel demands. It's clear that a one-size-fits-all approach to roadway design—and one that has prioritized speedy ve-

hicle throughput—has contributed to the carnage. Addressing the unique needs of each road user group—such as pedestrian accessibility, bus and bike lane safety, and access for those with disabilities—can have a profound impact on reducing the likelihood and severity of traffic crashes.

Next, let's look at those for whom our highways are their workplaces. We must ensure that our truck drivers have a safe place to park and rest, to make their difficult jobs safer and protect everyone who shares the road. A recent Statewide Truck Parking study conducted by Texas DOT found that, between 2013 and 2017, there were more than 2,300 crashes involving parked trucks, resulting in 138 fatalities. Just yesterday, I sent a letter, along with Ranking Member Graves, to Secretary Buttigieg urging U.S. DOT to use the vast resources and authorities provided by Congress in the Bipartisan Infrastructure Law to invest in projects to address the truck parking shortage.

And total fatalities in work zones are on the rise, with 857 people killed in 2020, a 45 percent increase from a decade prior. Work zones are increasingly dangerous for the people on the ground rebuilding our crumbling infrastructure—51 of those killed in 2020 were highway workers on foot, where they are most vulnerable.

Thankfully, the Bipartisan Infrastructure Law provides a significant increase in funding for state and local transportation agencies to carry out critical safety projects. For instance, the Highway Safety Improvement Program—which received a 34 percent increase in funding in the law—ensures that states will receive more than \$15.5 billion in funding for critical roadway safety improvement projects over the next 5 years. Additionally, the law established the new Safe Streets and Roads for All grant program which provides \$5 billion to local governments over the next five years for the development and implementation of comprehensive roadway safety plans with an emphasis on improving safety for vulnerable road users.

The Bipartisan Infrastructure Law also requires states and metropolitan planning organizations to use not less than 2.5 percent of their planning and research funds for “Complete Streets” activities which emphasize designing and building streets to enable safe access for all users, including those walking, biking, and other non-motorized forms of transportation. Moreover, the law requires states and localities to work together to conduct a vulnerable road user safety assessment that identifies high risk locations and corridors and develops strategies to reduce identified safety risks.

Making real, substantial progress towards saving lives requires a strong commitment to safety as the highest priority. It also requires us to look at more holistic solutions than we have in the past to get at the root of the problem. I thank each of the witnesses for being here today, and I look forward to hearing how the Bipartisan Infrastructure Law's safety programs and policies will assist your efforts, and any additional recommendations for Congress that you have on how to address our roadway safety crisis.

Mr. DEFAZIO. And with that, I yield back the balance of my time.

Ms. NORTON. Thank you, Mr. DeFazio. Now, it is time to hear from the witnesses, and I would like to welcome our witnesses today: the Honorable Elaine Clegg, Boise City Council president, Boise, Idaho, on behalf of the National League of Cities; Mr. Shawn Wilson, secretary of the Louisiana Department of Transportation and Development, on behalf of the American Association of State Highway and Transportation Officials; the Honorable Ludwig P. Gaines, executive director, Washington Area Bicyclist Association; Mr. Billy Hattaway, principal, Fehr & Peers; and Mrs. Cindy Williams, president, Time Striping, Inc., and member, board of directors, American Traffic Safety Services Association, on behalf of the American Traffic Safety Services Association. Thank you for joining us today, and I look forward to your testimony.

Without objection, our witnesses' full statements will be included in the record. Since your written testimony has been made part of the record, the subcommittee requests that you limit your oral testimony to 5 minutes.

I am ready to proceed with testimonies. Ms. Clegg, you may proceed for 5 minutes.

TESTIMONY OF HON. ELAINE CLEGG, PRESIDENT, BOISE CITY COUNCIL, BOISE, IDAHO, ON BEHALF OF THE NATIONAL LEAGUE OF CITIES; SHAWN D. WILSON, PH.D., SECRETARY, LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, ON BEHALF OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS; HON. LUDWIG P. GAINES, EXECUTIVE DIRECTOR, WASHINGTON AREA BICYCLIST ASSOCIATION; BILLY L. HATTAWAY, P.E., PRINCIPAL, FEHR & PEERS; AND CINDY WILLIAMS, PRESIDENT, TIME STRIPING, INC., AND MEMBER, BOARD OF DIRECTORS, AMERICAN TRAFFIC SAFETY SERVICES ASSOCIATION (ATSSA), ON BEHALF OF ATSSA

Ms. CLEGG. Thank you, Madam Chair, and good morning. Thank you for the opportunity to represent America's cities, towns, and villages. This hearing is critical to all cities, to every district, and all the places we call home.

As you have read and heard already today, America's annual roadway death toll is growing at staggering rates. Year after year, we lose entire populations of cities the size of many of our State capitals. That is why we must prioritize safety now, together, at the Federal, State, and local levels. Zero is the only acceptable number of deaths on America's roadways.

We know that pedestrian deaths are the highest they have seen in four decades and that older Americans are especially vulnerable to these serious crashes. We also know that people walk in every town in America. Road safety is not just a big city issue.

The highway running through it is the lifeblood of the economies of the nearly 40 small Idaho towns that I have worked in, but too often, design choices on their Main Streets cause real bloodshed when they divide the town, rather than connect it.

Too often, crashes have maimed and taken the lives of locals simply trying to cross the street. In Idaho each year, we line up shoes on the State capitol steps representing the pedestrians and bicyclists who have died in crashes in the last 5 years.

Like the green Converse shoes with the heart on them from the child in Uvalde that Matthew McConaughey brought to the White House, behind each pair of shoes, row after row is a life tragically lost, the story of a family left behind. Though it is difficult to listen to, many of those families are willing to share their stories and their grief. And it brings an urgency that we all need to feel.

Federal, State, and local governments must be willing to adjust our rules for road design and speed so we can save lives. Surprisingly, many of the fundamental Federal measures and guides of transportation are the reasons that cities and towns can't change our roads more easily to be safer for everyone and meet our safety goals.

The existing measures and designs rely too heavily on car throughput prioritized during the era of freeway building. No city or town is just a highway. Main Street America in cities small and large serves much more than that.

As we begin this time of great rebuilding of America's infrastructure, we must move quickly together to adopt better measures and designs to take on this crisis.

If Congress, State, and local leaders reset our goals and allow safety to be the primary measure, we can task transportation engineers to modernize the foundational cost-benefit measures we use to make our roads safe. This is why cities applaud the focus on safer streets in Congress' Bipartisan Infrastructure Law.

For the communities I represent, the new Safe Streets and Roads for All program will finally build direct local safety projects all across the country, including in disadvantaged areas that have needed safety for a long time.

The HSIP increase in the law was notable, but this new safety funding will only be transformational if States work with their local leaders by prioritizing city and town, context-sensitive designs, and measures of success. Let's put people's lives first.

When it comes to our roads, the National League of Cities would like to share nine opportunities to do just that:

Adopt the Safe System approach and build context-sensitive Complete Streets inside cities and towns allowing our residents to walk away from crashes;

Encourage clarity in infrastructure spending with transparent reporting on how and why Federal money is being used and what options are being passed up;

Increase support to small and rural local governments that are not staffed or equipped to make transportation upgrades themselves;

Expedite delivery of safety data—USDOT's reporting process moves quite slowly in a world that uses real-time information;

Measure our progress in meeting our national safety goals and leave behind the practice of using vehicle travel speed as the most important measure;

Reconnect a virtuous cycle using federally funded research with updates to foundational transportation decision documents such as MUTCD;

Allow the MUTCD to deliver consistent signs, lines, and signals without being burdened and inhibiting innovation;

Address growing vehicle size in serious incidents; and finally,

We should engage America's youth in safety and transportation alongside the international community.

As a lifelong transportation nerd, I would love to have more youth looking at transportation as a future career. Thank you for the opportunity to address this committee, and I look forward to your questions.

Thank you.

[Ms. Clegg's prepared statement follows:]

**Prepared Statement of Hon. Elaine Clegg, President, Boise City Council,
Boise, Idaho, on behalf of the National League of Cities**

Good morning, Chairman DeFazio, Chair Norton, Ranking Member Graves, Ranking Member Davis, and members of the Subcommittee.

I am here today on behalf of the National League of Cities to discuss the commitment of local governments to saving lives on our nation's roads, streets, and sidewalks. Last year, 42,915 Americans died in motor vehicle traffic crashes. This annual death toll represents the entire population of cities like Burlington, VT, Jefferson City, MO, Woodbridge, VA, or Tigard, OR. In Idaho, this death toll is more than the populations of two of Idaho's largest cities, Twin Falls and Post Falls, in just

two years. Year after year, we are losing entire populations of cities to this crisis on our roads, and that is why we must prioritize road safety now.

We must also acknowledge that safety is not a big city issue alone. Almost every small Idaho community has a highway running through and that transportation corridor is the lifeblood of their economy. Yet, towns are a place to stop, a place for residents to live safely, a place with a special purpose that caused them to be formed. After working with nearly forty small Idaho towns, I can tell you that highway choices can cause real blood shed when highway design does not connect their town but divides it. Too often, crashes that have maimed and taken the lives of locals simply trying to cross the street connect back to design issues—unsafe crossings, narrow inconsistent sidewalks, and little space for outdoor dining or other local economic drivers that make the city a great place. This doesn't serve Idaho or the small towns in all the other states, nor does it serve the drivers who are often haunted forever by the people they hit. We can do better, and we need to do better.

We also know that pedestrians and older Americans are especially vulnerable and make up an outsized proportion of the yearly deaths with fatalities increasing at a rate of 13% to 17% of all deaths for pedestrians. The Governors Highway Safety Association believes this is the largest number of pedestrian deaths in four decades. Fatalities among older Americans have increased 17% to nearly 20% of all deaths. Idaho had the most traffic deaths in 16 years in 2021, and one of the highest rates of increase in the nation at 36%—that is three times the average rate of increase in other states. The reality in America right now is that no matter the size of your community or whether it is urban, suburban or rural, this persistent issue hits hard at home and in your Districts. So many communities are concerned—from Idaho's communities to Doraville, GA, to Ferndale, MI, to Greenville, NC, to Culver City, CA—and taking action to set up plans and projects despite tough recovery budget cycles and difficult decisions.

As the U.S. Department of Transportation (USDOT) said so well, behind each of these numbers is a life tragically lost, and a family left behind. In Idaho, we take part in a memorial to line up shoes representing the pedestrians and bicyclists who have died in crashes in the last five years on the state capitol steps. At our ceremony each year, we hear from family members who have lost a loved one in one of these terrible crashes and learn about the personal human toll this takes on our families. There is the sad reality behind the numbers—like the mother who has raised her two daughters without their father after he was killed biking to work. These are stark reminders to double-down on what works and act to save lives today.

Zero is the only acceptable number of deaths on America's roads. Yet, many of the fundamental measures and guides of transportation are reasons that cities and towns cannot easily change our roads to be safer for everyone and reach this goal on our own. Collectively, federal, state and local governments must be willing to adjust our rules of the road for design and speed in order to save lives. Cities and towns have found that federal measures and designs rely too heavily on car throughput measures set during the era of freeway building to keep single-purpose, high-speed, limited access roadways safe and moving. But no city or town is only a highway—Main Street America in cities small and large have a multitude of access points and users with a need to create safe and efficient access from their homes to their destinations. As a local example, an intersection near my daughter's house in Boise was recently redesigned with the benefit-cost of those moving straight through the intersection prioritized above all other users. This means that it now takes her up to five minutes longer to drive her children to school; because to turn left she has to turn right, cross two lanes of traffic, travel a quarter of a mile, complete a U-turn across two lanes of traffic and then wait for the light to travel across the intersection she might have turned left at. It has forced the school district to change and lengthen bus routes as they deem the move too dangerous for their buses. The businesses on the four corners of this intersection are now all but impossible to reach on foot or by driving. The choice to prioritize that throughput was made without analyzing these other impacts.

As we begin a great time of rebuilding America's infrastructure, we need to work together to quickly adopt better measures and designs that can take into account more factors like speed, distance, impact on non-drivers, and time of travel. We believe that if we reset our goals and allow safety to be the primary measure, transportation engineers can modernize the foundational cost-benefit transportation measures and truly assess the costs America is now paying in lives. Growing communities like mine in Boise, Idaho, and smaller and rural communities I work with across the state and the country are ready to make the changes necessary to bring our road deaths down to zero, but we also realize we cannot do this alone. It will take action at the federal, state and local levels to reach this goal by removing bar-

riers, changing the way we measure success, and inviting innovation where we have stagnated.

This is why the National League of Cities and all the communities taking action on road safety applaud the focus on safer streets for all from Congress in the bipartisan Infrastructure Investment and Jobs Act (IIJA) and USDOT with the new National Roadway Safety Strategy. The increase to state safety funding in IIJA especially through the Highway Safety Improvement Program (HSIP) was notable, and for communities, the new locally targeted safety program—the *Safe Streets and Roads for All* program—based on a Safe Systems approach will finally allow us to directly plan for and invest in needed safety projects all across the country in a condensed amount of time. Together with our regions and states, we hope to see what larger scale focus on safety might result in. We are also glad to see that Vulnerable Road User Assessments reporting will be done wholistically and hopefully in concert with State Safety Plans, that can be informed by our Local Road Safety Action Plans. Cities and towns have been focused on plans and implementing safety solutions for many years, but we must be clear that we have found our efforts often thwarted from moving forward due to barriers created by the federal and state foundational transportation guides, plans, and processes.

We also must be realistic that transportation safety has become an equity and resource issue where some disadvantaged neighborhoods, school districts, and cities were recipients of “improvements” that advantaged drivers traveling through their neighborhoods at the expense of residents. Additionally, when they could get safe designs adopted and approved, they could not pay for safety upgrades while others could, leading to higher death counts for many minorities and their communities. For example, one of the high-speed facilities was built on the edge of our downtown without marked safe crossings at most intersections so that drivers were not slowed. When the city attempted to add safer crossings, we were told there was no money and that it did not meet the benefit-cost test for drivers. It still haunts me today that a pedestrian was killed at one of those intersections, a woman about my age, and we still have not been able to add the needed safety infrastructure. The National League of Cities will continue to ask Congress to ensure that any modest increase in targeted safety federal funds makes it to the cities who need it and that you use your authority to ensure changes to the measures and processes that determine the majority of the federal funds through formulas so that proven safety countermeasures known to work on streets inside cities and towns are given equal footing if not priority.

RECOMMENDATIONS

As we move forward, one change we must all make was highlighted in the new USDOT National Roadway Safety Strategy. As policymakers, as drivers, as leaders—is to design and set policy that accepts our mistakes. Humans will absolutely make mistakes, but the consequences should not be deadly. This is the heart of the “Safe System” approach which works by building and reinforcing multiple layers of protection into our infrastructure to: 1) prevent crashes from happening in the first place and 2) minimize the harm caused to those involved when crashes do occur. The Safe System approach takes us back to the laws of physics—a pedestrian loses against a speeding car, a car loses against a larger truck, and even a truck against a train. It is a fatal combination of speed, weight, inertia, and impact. By addressing the design of our roadways through engineering and research that looks at the speed, angles, and weight of crashes, we can begin to layer more protections that we so clearly need. I want to be very clear—crashes are still going to happen, but we want our residents to be able to walk away from a crash and be grateful that the system prioritized them.



As we prioritize peoples' lives on our roads, the National League of Cities believes we should be open to analyzing if the structures we have put in place for roads are still serving us today, and we would like to share several opportunities for action both by Congress, the Administration, State Departments of Transportation, and the road safety community.

- *Encourage clarity in infrastructure spending:* Transparency is a powerful tool for instilling confidence in government investment as many communities from Georgia to California have seen with their infrastructure programs. Both Congress and USDOT lack granular clarity on formula funding provided primarily to State Departments of Transportation. With the flexibility and significant resources Congress has provided, funding recipients have a responsibility to show how the funding was invested and how progress has been made to ensure that the case for infrastructure investment is made clearly.
- *Increase transportation support to small and rural local governments*—America is a country built of small and suburban towns, and while they can clearly identify safety issues, many are not staffed or equipped to make the actual improvement themselves. The joint Local Technical Assistance support made available from the federal and state levels far outstrips the needs of cities, towns and villages today. As an example, a small Idaho town that I assisted had a Public Works Director who was also the baseball coach and EMT. When we determined that the appropriate countermeasure included adding paint on one of the local streets, he brought out his baseball field striping machine to stripe the road. This is the same city that was supposed to maintain the pedestrian paint markings on the state highway because the DOT insisted the state highway's purpose did not include crossing pedestrians—that was a city need. In Idaho, our Local Highway Technical Assistance Council is far more resourced than

have I seen in other states and might offer a model for how to get more of federal and state resources to places that desperately need that capacity.

- *Expedite data delivery to inform safety:* The safety data reporting process moves quite slowly in a world that uses real time information. We are just seeing national data from 2021, and it is not yet complete or deemed ready for analysis. Yet right now, the FHWA, states, and researchers are seeking full and complete safety data sets in order to take on important Congressionally mandated tasks like the Vulnerable Road User Assessments and Vulnerable Road User Safety Special Rule. Given our road death rates, the U.S. cannot afford to delay prioritizing getting complete data sets ready for these assessments so we are not making today's decisions without complete information. NLC would also like to see more available federal data sets from USDOT catch up to inform both current Vulnerable Road User Assessments and safety practices across regions so we can truly deliver safer streets for all.
- *Shift measures for safety:* What gets measured gets done, and the National League of Cities believes we should measure our progress in meeting our national safety goals. We also need to broaden our measures and leave behind the practice of using travel speed as the most important measure in a benefit-cost analysis. Analysis should address total travel time, impact on other users (including pedestrians, bicyclists and other drivers), average travel distance, and impact on travel distance and impact on the local economic output of the measures being recommended. When crashes do occur, states' processes and local first responders should prioritize consistent capture and reporting to ensure that more significant data is provided for research, including speed and roadway design factors such as visibility of users and roadway dimensions.
- *Reconnect the virtuous cycle of federally funded research with updates to foundational transportation decision documents:* Our transportation safety research investment from the federal government cannot be disconnected from the data needed to update foundational federal transportation decision documents, such as the USDOT Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD), which IJJA has now put a shot clock deadline on. Ensuring that research activities such as the National Cooperative Highway Research Program (NCHRP) are fully connected to the MUTCD Request to Experiment and providing more Crash Modification Factors could begin to close the safety research gap and take some of the cost burden off those who want to innovate. Tying federal research funding to required updates to foundational and federally supported manuals and design guides is not only a best practice but a good use of taxpayer funding.
- *Delineate MUTCD's purpose:* NLC and our local partners have requested USDOT consider how the MUTCD can best fulfill its intended purpose in delivering consistent road signs, lines, and signals across the U.S. in the upcoming update as well as setting up a federal advisory committee to provide more balanced perspective. However, what started as a basic manufacturing specification of roadway devices in the 1930s has been burdened by serving too many purposes that have substantial costs. Local governments have found that MUTCD in its current form and governance is a roadblock to safety improvements and innovation while it remains an essential tool that must be updated to provide the minimum necessary guidance for the uniformity of traffic control devices.
- *Large vehicle design standards must be analyzed:* USDOT's National Highway Traffic Safety Administration reports that pedestrians are two to three times as likely to die when hit by a pick-up or SUV than a passenger car, and that drivers of pickups and SUVs are three to four times more likely to hit a pedestrian while turning because of blind spots. Congress has the oversight to address this issue through vehicle design standards, road safety education, and even licensing. In Boise, we lost two citizens last year, a retired couple on their daily walk, who were hit by a turning pick-up whose driver did not see them. Both the driver and the car design are responsible to be able to see and safely respond to people outside the vehicle.
- *Engage America's youth in safety and transportation alongside the international community:* Road safety is an issue that spans farther than U.S. borders, and it is essential that America's youth are able to travel safely. The United Nations has proclaimed a Decade of Action for Road Safety from 2021–2030, to target a reduction of road traffic deaths and injuries by 50% by 2030, and engaging our youth is a key way to join this effort. Reconnecting them with a variety of travel modes that allow them access and independence will enable the transportation system to serve all of us more efficiently while providing youth the value to engage in their communities and with peers around the world. As a life-long

transportation nerd, I also would love to have more youth look at transportation as a future career that can change lives at home and offer an ability to learn from other places.

Thank you for the opportunity to address the Committee, and I look forward to your questions.

ATTACHMENTS

“Promising Local Practice in Road Safety: A Primer for Safer Streets”
<https://www.nlc.org/resource/promising-local-practice-in-road-safety-a-primer-for-safer-streets/>

“Making Street Safety a Priority in Greensboro”
<https://www.nlc.org/article/2022/04/06/making-street-safety-a-priority-in-greensboro/>

“Tacoma, WA’s Pathway to Achieving Vision Zero”
<https://www.nlc.org/article/2022/02/11/tacoma-was-pathway-to-achieving-vision-zero/>

“Putting Safety Strategies to Work in Bellevue”
<https://www.nlc.org/article/2022/02/28/putting-safety-strategies-to-work-in-bellevue/>

Ms. NORTON. Thank you very much. Before our next witness provides testimony, I would like to recognize Representative Graves of Louisiana to say a few introductory words about Mr. Wilson.

Mr. GRAVES OF LOUISIANA. Thank you. Thank you, Madam Chair. Madam Chair, I have had the pleasure of knowing and working with Secretary Shawn Wilson now for about 15 years, and I think we have gone through nights and nights completely sleepless, going through hurricanes, dealing with all sorts of challenges, and just an honorable man. I really do appreciate the opportunity to work with him.

He inherited a heck of a problem, and I would say probably decades and decades of underinvestment in our infrastructure. And while he doesn’t always agree with me, I will say that he has taken on some of our toughest challenges and made some great progress on some of the issues in south Louisiana. I am very proud to have him as the leader of AASHTO this year.

And I want to say again: good man, good friend for a very long period of time, and very, very accomplished and skilled lead of a State DOT. And most importantly, I do call him and his wife, Rocki, my friends. Dr. Shawn Wilson.

Ms. NORTON. Thank you, Mr. Graves. Now, I would like to recognize Mr. Carter for yet another introduction of Mr. Wilson. Mr. Carter, you are recognized.

Mr. CARTER OF LOUISIANA. Thank you very much, Chairwoman Eleanor Holmes Norton. I am so proud and honored to get a chance to introduce my friend, colleague, and a superhero in Louisiana, Dr. Shawn Wilson.

Dr. Wilson was appointed secretary of the Louisiana Department of Transportation and Development by Governor John Bel Edwards on January 11, 2016, after more than 10 years of executive service to DOTD.

Since his appointment, Dr. Wilson has been a tireless advocate for new revenue, maximizing Federal dollars available to Louisiana, advancing a balanced and comprehensive transportation policy for Louisiana, and ensuring the Department is more collaborative and is working at every single level.

We stay in close communication, especially with the rollout of the infrastructure law and its funding. He has a demonstrated commit-

ment to serving people in Louisiana and building strong, underlying transportation infrastructure that is meant to last.

Dr. Wilson earned a B.A. in Urban and Regional Planning from the University of Louisiana and holds a master of public administration degree as well as a Ph.D. in Public Policy from the Nelson Mandela School of Public Policy and Urban Affairs at Southern University.

Shawn and his wife, Rocki, reside in Lafayette, Louisiana. They have two children: Shawn Wilson-Arceneaux “Mike” and Joshua. They recently welcomed their first granddaughter, Lailah Rose. And we are so incredibly proud as you can tell by the dual introductions, the bipartisan introductions, the mutual respect that we have for this incredible leader. Welcome, Dr. Wilson.

Ms. NORTON. Thank you, Mr. Carter.

Mr. Wilson, you may proceed.

Mr. WILSON. Thank you, Chair Norton, Ranking Member Davis, Chair DeFazio, and of course, the congressman from the district that I grew up in, Congressman Carter, and Congressman Graves, who I have worked with as a coworker and as a constituent.

It is exciting to be with you today and appear at this very important committee about roadway safety and the crisis facing this country. As secretary of DOTD and president of AASHTO, we stand with you in this commitment to safety.

For far too long, we have seen tragic loss of life on our Nation’s roads and streets, and the recent significant increase in traffic fatalities is extremely disheartening. The good news is, thanks to your leadership and the Congress that passed IJJA, we are seeing an increased level of Federal support to State DOTs and our local partners as we combine efforts to provide safe, equitable, and sustainable transportation systems for our Nation. We are grateful that the IJJA aligns with State DOT and AASHTO priorities by maintaining a strong core Federal-aid highway program, including the Highway Safety Improvement Program that Chair DeFazio spoke about.

The increase in funding and flexibility for HSIP will allow States to expand their efforts to identify and implement roadway improvements that will address daily tragedies occurring on roads, be they State or local.

In addition, the new Safe Streets and Roads for All Grant Program provides opportunities for States and other stakeholders to work together collaboratively to address traffic safety throughout the planning, design, operation, and maintenance of all public roads.

As AASHTO president, I am leading two emphasis areas that are central to our work in roadway safety: creating pathways to equity and partnering to deliver. State DOTs are not only identifying ways to strengthen our commitment to diversity, inclusion, and equity, with respect to our staffing, organizations, and business practices, we are also working to enhance the decisionmaking and investment processes and practices to positively impact the transportation network.

As we expand our efforts to collaborate with traditional and non-traditional partners, we are continually identifying new opportunities and partnerships to work together to improve safety in every

State and every community. These emphasis areas enhance AASHTO's traffic safety efforts by providing a focus on citizens, communities, and neighborhoods that have not historically received the needed safety investment by elevating our partnerships with a range of stakeholders to improve safety for all roads.

I would also like to highlight specific policies within the IIJA that will enable and strengthen DOTs to actively and work specifically in improving safety infrastructure. The principles of the Safe System approach include acceptance of the shared responsibility for preventing serious crashes and roadway fatalities by proactively providing a transportation system that accounts for human mistakes, that reduces the impact of energy to the human body, and provides redundant protections for all road users to create a safe system.

For example, in Louisiana, we have taken a proactive approach to reducing the potential for cross-median crashes on our high-speed divided highways that routinely result in deaths. We realize motorists can and will make mistakes which lead to roadway departure crashes when traveling at rates of speed.

Due to the success of this innovation, we have deployed cable median barriers systematically to install them across the State. That has resulted in a 33-percent reduction in cross-median crashes. Very safely said, cable barriers save lives.

States are identifying ways to incorporate equity into their safety analysis to better meet their individual roadway safety goals. In Louisiana, we have recently completed a statewide pedestrian crash assessment prior to IIJA.

The risk factors identified included not just the average daily traffic or section length or population density, but we added the percentage of households with no vehicles, the percent of households below the poverty line, the percent of unemployed, and median household income and distance to school and work and the types of shoulders that exist.

We want to highlight that 35 States, plus Puerto Rico, have adopted Complete Streets policies as has Louisiana, where we have established a new engineering design position that provides expertise in the design of pedestrian and bike facilities. Louisiana uses Complete Streets approach to make improvements on nonmotorized facilities on all roadway projects where practicable by working with our Advisory Council.

Every State DOT in the Nation and AASHTO stands with this committee and the administration in their unwavering support to do everything to make our roads safer.

It is an honor to be with you this morning, and I look forward to an engaging discussion and answering your questions, Madam Chair.

[Mr. Wilson's prepared statement follows:]

Prepared Statement of Shawn D. Wilson, Ph.D., Secretary, Louisiana Department of Transportation and Development, on behalf of the American Association of State Highway and Transportation Officials

INTRODUCTION

Chair Norton, Ranking Member Davis, and Members of the Subcommittee, thank you for the opportunity to appear today at this important hearing on the roadway safety crisis facing this country.

My name is Shawn Wilson, and I serve as Secretary of the Louisiana Department of Transportation and Development (LA DOTD) and as President of the American Association of State Highway and Transportation Officials (AASHTO). Today, it is my honor to testify on behalf of the Pelican State and AASHTO, which represents the state departments of transportation (state DOTs) of all 50 states, the District of Columbia, and Puerto Rico.

For far too long, we have seen a tragic loss of life on our nation's roads and streets, and the recent significant increases in traffic fatalities are even more disheartening. Every state DOT in the nation and the AASHTO community stand with this Committee in your unwavering commitment—as Chairs DeFazio and Norton emphasized in their statement of May 17, 2022—to do everything in our power to make our roads safer.

As I conveyed in my testimony to your colleagues on the Ways and Means Committee this past February, the Infrastructure Investment and Jobs Act (IIJA) provides stable and long-term policy and funding opportunities that are critical for state DOTs to meet their safety, quality of life, and economic goals. As we prepare for a future with connected and automated vehicles that are expected to help address many of our roadway safety challenges, state DOTs are keenly aware of the need to aggressively push safety strategies that can have an immediate impact.

The good news is that the IIJA provides an increased level of federal support to state DOTs and our local partners as we combine our efforts to provide a safe, equitable, and sustainable transportation system for the nation. We are grateful that the IIJA aligns well with state DOT and AASHTO priorities by maintaining a strong core Federal-aid Highway Program. This historic infrastructure legislation will continue to provide state DOTs and local governments with policy and funding flexibility that best meets the needs of their individual organizations, transportation networks, and road users.

The IIJA provides an increase in funding and flexibility for the Highway Safety Improvement Program (HSIP) that will allow states to expand their efforts to identify and implement improvements to our surface transportation infrastructure that will counteract the daily tragedies occurring on our roads. In addition, the increases in funding for infrastructure safety activities along with new programs, such as the Safe Streets and Roads for All Grant Program, provide more opportunities for us to work together to address traffic safety throughout the planning, design, operation, and maintenance of all public roads. Thanks to your leadership, the IIJA clearly calls out the principles of the Safe System Approach: that no death or serious injury is acceptable; people make mistakes and are vulnerable; we all share responsibility in preventing serious crashes; we need to be proactive in our efforts, and we need to have redundant safety strategies in place.

The United States Department of Transportation's (USDOT) National Roadway Safety Strategy (NRSS) carries these principles further by providing a framework for our collective work to provide safer people, safer roads, safer vehicles, safer speeds, and post-crash care, and to tie this work into other key priorities, including equity and the climate crisis. With the support of the IIJA and in partnership with the USDOT as part of the NRSS, state DOTs are “all-in” on improving the safety of our transportation system for all users.

But even with the good news of the passage of the IIJA, the horrific early estimates from the National Highway Traffic Safety Administration's (NHTSA) of the increase in the nation's traffic fatalities in 2021 confirm a grim truth that so many of us are aware of on both a professional and personal level: almost 43,000 people died in traffic crashes last year nationwide or 118 deaths each and every day; in Louisiana, we're seeing three lives lost each day on average.

As AASHTO President this year, I am leading two emphasis areas that are central to our work on roadway safety: pathways to equity, and partnering to deliver. AASHTO and its member departments are not only identifying ways to strengthen our commitment to diversity, inclusion and equity with respect to our staff and organizations, but we are also working to enhance decision-making and investment processes and practices to positively impact the transportation network. In addition, as we expand our collaboration with both traditional and nontraditional partners,

we are continuously identifying new opportunities to work together to improve the transportation system of the nation. Both of my emphasis areas enhance our traffic safety efforts, allow us to work in communities and neighborhoods that have not historically seen the levels of safety investment needed, and elevate work with a range of stakeholders to use innovative countermeasures to improve safety for all road users.

Today, I would like to focus my testimony on three important areas: the traffic fatalities we are seeing on our roadways, the opportunities to address this issue provided by the IIJA, and several state DOT initiatives that demonstrate the potential for reversing the traffic fatality trend.

ZERO FATALITIES AND SERIOUS INJURIES

Traffic fatalities and serious injuries have been a constant threat to our quality of life and the quality of our roadway network over the history of motor vehicle travel. For over a century, we have continuously strived to develop new practices, countermeasures, policies, and technologies to improve the safety of our roads, our road users, and our vehicles. And today, we still face the sobering reality that tens of thousands of our family members, friends, neighbors, and colleagues lose their lives each year during their everyday travel from one destination to another.

Over that same century we have built a world-class transportation network of over 4 million miles of public highways, roads, and streets that take us to work and school, take us on adventures across this nation, and connect us with each other. We have collectively solved enormous engineering challenges, invented vehicles and technologies that allow us to travel more safely and more efficiently, and created a transportation system of such a high standard that most of us that use it do not even have to think about it. And yet despite all that we have accomplished and how we have inspired transportation systems in many nations around the world, we recognize that tens of thousands of people have lost their lives each year on these roadways.

The breakdown of the data in NHTSA's early estimates for 2021 traffic fatalities show there is no easy answer or single, one-size-fits-all solution to address this problem. Fatalities have increased on both rural and urban roads, and in both daytime and nighttime crashes. Fatalities have increased for pedestrians, bicyclists, and motorcyclists who do not have the protection of a vehicle enclosing them and absorbing some of the impact energy. Fatalities have also increased for people aged 65 and older, reversing a previous trend. Those are just a few examples from the NHTSA data.

Beyond fatalities, we cannot forget that over 2.7 million people are injured each year in traffic crashes. Crashes can have lifelong physical, emotional, social, and other impacts that mean the extent of our traffic safety crisis goes tragically far beyond the impacts of the lives lost.

As a nation, we need to aggressively implement existing roadway strategies that are proven to work, while at the same time accelerating the development of new and innovative countermeasures and technologies that hold promise for the future. An evolution of our traffic safety culture, both in our organizations and among road users, will help us prioritize the consideration of safety impacts in our planning and decision-making.

AASHTO has adopted the *Toward Zero Deaths National Strategy on Highway Safety* as its strategic safety plan. All state DOTs strive to achieve zero roadway fatalities. Other public agency partners who work in behavioral traffic safety programs, passenger and commercial vehicle safety, and other disciplines have similar goals. And our partners in the industry, academic, policy, and advocacy fields of transportation are all working toward the same goal of eliminating fatalities and serious injuries. This collaboration is critical to reaching our collective zero goal.

State DOTs, cities, rural transportation agencies, advocacy groups, and others have multiple sources for information, peer exchange of knowledge, and technology transfer activities. Through our *Toward Zero Deaths (TZD)* initiative, AASHTO is developing resources to support transportation and highway safety organizations' efforts to implement proven safety countermeasures and to improve traffic safety culture. We are developing case studies, templates, webinars, communications materials, and utilizing other methods to share knowledge and expertise among safety organizations. In combination with resources such as the Federal Highway Administration's (FHWA) *Proven Safety Countermeasures*, technical support and resources, our members and transportation partners have access to a range of means for strengthening their safety activities. Similarly, other safety partners, such as the *Road to Zero Coalition* and the *Vision Zero Network*, provide opportunities for sharing of experiences, collaboration and even funding for safety activities. This wealth

of knowledge developed by the safety community in its entirety serves as an invaluable resource for state DOTs.

In Louisiana, we have a strong partnership with our Governor’s Safety Office, and State Police, to oversee our Strategic Highway Safety Plan (SHSP) where we have committed to Destination Zero Deaths. We use the SHSP as the platform to identify our biggest transportation safety challenges from behavioral and infrastructure perspective and identify meaningful strategies that will make a difference here in Louisiana. LA DOTD has used the Highway Safety Improvement Program (HSIP) funds to establish and manage SHSP Regional Safety Coalitions where SHSP Regional Action Plans are developed by multi-disciplinary groups and implemented for each Emphasis Area within each region. Subject matter experts across the state within various agencies lead to provide technical support for each Emphasis Area: Impaired Driving, Distracted Driving, Young Drivers, Occupant Protection (seat belts and child seats), and Infrastructure and Operations—comprising statewide leaders from the LA DOTD and Local Technical Assistance Program, LA DOTD District Traffic Engineers, and regional leaders—with major focus for HSIP-funded projects involving roadway departures, intersections, and non-motorized users updated with a focus on older pedestrians in 2022. We’re also looking to best use data to highlight overlap between the emphasis areas and aligning strategies across multiple emphasis areas, which we believe gets us closer to the Safe System Approach.

IIJA will allow Louisiana to use a portion of our HSIP funds on non-infrastructure projects, which will align well with our efforts to combine education, enforcement, and engineering initiatives identified through the SHSP. Also, we see this a potential opportunity for kick starting a safety corridor program.






The USDOT’s National Roadway Safety Strategy echoes the existing goals and efforts of traffic safety stakeholders and provides a framework for embracing our shared responsibility for safety, including ways to incorporate a safety culture and focus in other priority areas such as equity and climate change.

State DOTs and AASHTO are committed to eliminating fatalities and serious injuries on our roads, and our efforts are part of a broad collection of activities underway across the nation. The National Roadway Safety Strategy will help everyone prioritize and focus these efforts, and the IIJA provides the necessary programs and funding that allow us to move more quickly toward our ultimate goal.

IIJA SUPPORT FOR TRANSPORTATION SAFETY

The state DOT community recognizes the importance of the IIJA in strengthening our transportation infrastructure, and appreciates that the IIJA:

- Includes key policy and funding priorities that AASHTO conveyed to Congress in October 2019 (table below)
- Reflects AASHTO’s core values as outlined in our 2021–2026 Strategic Plan (Safety; Diversity, Equity, and Inclusion; Collaboration; Transparency; and Trust and Integrity) and supports state DOT efforts to strengthen these values as we provide transportation facilities and services to all road users
- Provides us with opportunities to deliver on the commitments I have made as AASHTO President, specifically creating pathways to equity and partnering to deliver

AASHTO CORE POLICY PRINCIPLES	INFRASTRUCTURE INVESTMENT AND JOBS ACT KEY FEATURES
1. Ensure timely reauthorization of a long-term federal surface transportation bill	 Provides five years of federal funding and policy stability from FY 2022 to 2026
2. Enact a long-term, sustainable revenue solution for the Highway Trust Fund	 No revenue solution, though provides a \$118 billion General Fund transfer to HTF; Continues support of state user fee programs and creates a national user fee pilot program
3. Increase and prioritize formula-based federal funding provided to states	 90 percent of total HTF highway funding is provided to states via core formula programs, including two new programs: Carbon Reduction and PROTECT (for resiliency)
4. Increase flexibility, reduce program burdens, and improve project delivery	 Improves the environment review process by touching up on NEPA, Section 4(f), and stewardship and oversight agreement, among others
5. Support and ensure state DOTs' ability to harness innovation and technology	 Provides substantial funding for EV infrastructure deployment and increased research and development funding

I would like to highlight a few programs and policies within the IIJA that enable and strengthen state DOT activities related to infrastructure safety improvements—the Safe System Approach, the Highway Safety Improvement Program, Equity and Roadway Safety, and Complete Streets. These specific areas provide many opportunities for improving safety for vulnerable users, working toward equity goals, and collaborating with partners.

Safe System Approach

The principles of the Safe System Approach include acceptance of the shared responsibility for preventing serious crashes and roadway fatalities by proactively providing a transportation system that accounts for human mistakes, reduces impact energy to the human body, and provides redundant protections for all road users to create a “Safe System.” While this country will not attain a Safe System overnight, state DOTs have been identifying ways to begin implementing this approach both at the programmatic and individual project level.

While an ideal Safe System will look different from what we have today, it would not be a completely new system. Many of the design concepts and safety countermeasures that have been in use for years will still be instrumental in a Safe System. An example is the “forgiving roadside” concept: an important principle of the Safe System Approach is to minimize impact energy in crashes, and for decades transportation agencies have been using an ever-expanding set of strategies and tools to both reduce the risk of crashes and to minimize the severity of crashes that do occur. Since the 1960s, public, private, and academic organizations have been working to improve roadside design practices and to develop safety hardware, so that if vehicles do leave the traveled way, either the driver can safely steer back onto the road, or the safety devices minimize the severity of impact and injuries. Applying these same concepts to the entire transportation system will take time and investment, and the IIJA enables us to make great strides.

In Louisiana, we have taken a proactive approach in reducing the potential for crossover median crashes on our high speed divided highways. We realize motorists can and will make mistakes which lead to roadway departure crashes while traveling at a high rate of speed. Although rare, when crossing the center median these crashes can have devastating impacts when colliding with another high speed vehicle. In 2009, the first pilot areas along I-10 were completed in late 2008 and along I-12 in 2009. These segments were selected based on cross over crash rates. Due to the success of these pilot projects, LA DOTD developed a cable median barrier program to systematically install cable median barriers on rural and high speed, fully controlled-access facilities where feasible, or at site-specific locations where warranted based on crash data. Based on data from 2009 to 2013 following the first round of cable median barrier installations, there has been a 33 percent reduction in cross-median crashes for these segments. In terms of severity, cable median barriers have reduced fatal and serious-injury crashes by almost 30 percent and 20 percent, respectively. Overall, we have installed 623 miles of cable median barriers statewide with another 100 miles let to construction.

The Missouri Department of Transportation has utilized the Safe System Approach for individual projects and has expanded that experience to the rest of their transportation program. For many years, Missouri has used a data-driven approach to identify and address highway safety issues throughout the state. However, these projects have typically been limited in number and scope due to fiscal constraints and the need to ensure safety improvements offer the greatest return on investment. A recent project in the St. Louis area received a national roadway safety award for integrating an innovative, and potentially first-of-its-kind, combination of data-driven and evidence-based safety analysis with a design-build project model. With the passage of the IIJA and additional transportation funding at the state level, Missouri is better positioned to include this proven method and additional safety improvements throughout the entirety of the Statewide Transportation Improvement Program (STIP). Using principles of the Safe System Approach, MoDOT is now evaluating the opportunity for safety improvements on all projects, from rural, low-volume roads to urban interstate corridors. In support of the state's SHSP, Show-Me Zero, the safety assessment for projects will be far-reaching and take into consideration the needs of the transportation system's most vulnerable road users, including pedestrians, bicyclists, and senior road users. The inclusion of safety improvements on all projects is a vital component of addressing the overwhelming loss of life on Missouri roadways that occurs on all types of roads in all types of areas.

Another example of applying the Safe System Approach to the project level comes from Massachusetts Department of Transportation (MassDOT), which has taken advantage of tools that support the Safe System Approach to help guide design alternative selections. Using the Safe System Intersection analysis tool from the FHWA, they were able to select design alternatives for intersections that minimize or modify conflict points, reduce vehicle speeds, improve visibility at intersections and provide space and protection for pedestrians and bicyclists. The IIJA will enable the agency to advance these projects to implementation to reduce fatalities and serious injuries.

Incorporating the Safe System Approach at the organizational and safety program levels will promote the application of this approach more broadly. It also allows for more data-driven consideration of equity in our program decisions, which also supports implementation of the USDOT's National Roadway Safety Strategy. State DOT strategic highway safety plans guide the use of HSIP funds, and we are seeing more and more states incorporating the Safe System Approach and equity considerations into their SHSPs.

Two examples of this come from my colleagues in California and Massachusetts:

- The California Department of Transportation (Caltrans) created a new Division of Safety Programs that rebuilt California's Strategic Highway Safety Plan based on safety-focused principles of doubling down on what works; accelerating advanced technology; implementing the Safe System Approach; and integrating equity. Their systemic pedestrian safety program is a proactive data-driven approach to identifying areas across the state roadway system that have specific risk factors known to be related to pedestrian crashes and then prioritizing those areas for improvement based on crash data, roadway features, crash types, and equity metrics. Caltrans works with other state agencies, local agencies, other external partners, and advocacy groups to apply an equity tool to identify and score locations for potential future improvements by Caltrans.
- The Massachusetts Department of Transportation has developed risk models that incorporate roadway features, community features including environmental justice, and other aspects in order to identify the locations with the greatest risk for each of the SHSP's emphasis areas (including speeding, pedestrians, bicyclists, older drivers, motorcyclists, impaired drivers, unbelted drivers, etc.). Using these tools allows the agency to be proactive and develop systemic projects to reduce fatalities and serious injuries on all roadways with investments enabled by IIJA.

The most vulnerable road users are those not traveling in enclosed vehicles designed with structural and technological protections that reduce crash severity. We have been experiencing an increasing trend in vulnerable road user fatalities and serious injuries for some time now, and states are committed to combating this trend. The IIJA includes a provision for states to include vulnerable road user safety assessments in their SHSPs and requires states to consider the Safe System Approach when conducting these assessments. While states typically analyze their crash data to understand vulnerable road user safety issues, the IIJA provisions for considering demographic data of crash locations will help ensure a more comprehensive look at equity-related factors in identifying locations and potential projects.

AASHTO and the state DOTs appreciate FHWA's efforts to obtain input from all stakeholders as they develop guidance on the vulnerable road user safety assessments. We have found that a flexible and interactive community involvement process tends to best reflect our existing strategic highway safety planning stakeholder involvement objectives, while allowing each state to address its own specific needs.

Regarding implementation of the IIJA, flexibility in the use of federal funds remains critical to states, and it is important to provide this flexibility in federal guidance. The Vulnerable Road User Special Rule requires that states triggering the rule must obligate 15 percent or more of their HSIP funds to vulnerable road user safety projects in the next fiscal year. For any given fiscal year, HSIP projects were programmed several years earlier, so states may not have infrastructure-based projects programmed that would meet the requirements of the Special Rule. This might lead to significant effort to program projects in a short time frame, which increases the likelihood that projects have to be selected based on their ability to be implemented quickly rather than based on their safety impacts. States should be allowed flexibility in identifying the most effective way to obligate the funds to vulnerable road user safety.

The Safe System Approach is often discussed in the context of urban environments and vulnerable road user safety, but I would like to emphasize the potential for the Safe System Approach to help us address our fatalities and serious injuries on rural roadways as well. The rural roadway fatality rate—fatalities per million vehicle miles travelled—is roughly twice the urban fatality rate. As with crashes in urban areas, there are a variety of factors that contribute to the occurrence and severity of rural crashes, but application of the Safe System Approach principles will help us address our rural safety challenges.

AASHTO and state DOTs need to play a leading role in defining the Safe System Approach to ensure that application of these principles is done in a manner that recognizes the most urgent safety needs and priorities of individual states and local governments without having a one-size-fits-all approach. With each state having urban and rural areas, FHWA's guidance and technical support for the Safe System Approach needs to address both and should be coordinated with any guidance or resources from NHTSA or other USDOT modal administrations that address the Safe System Approach.

Highway Safety Improvement Program (HSIP)

Since the creation of the HSIP in the SAFETEA-LU legislation of 2005, state DOTs have received dedicated formula funding for important safety programs and improvements. The IIJA provides significantly increased funding for HSIP, which will expand opportunities for state DOTs to apply the Safe System Approach concepts to their infrastructure-based safety improvements. In addition, the reinstatement of states' ability to use a portion of their HSIP funds for non-infrastructure safety activities supports the shared-responsibility aspect of the Safe System Approach.

State DOTs rely on data analysis and research to fully understand how their transportation systems are performing, how to identify options for improvements, and how to prioritize improvements most effectively. These methods help us ensure that we are making the most appropriate decisions possible. HSIP provides the framework and funding for prioritizing projects in the safety context. States use data and other considerations to prioritize their safety emphasis areas in their SHSPs, with input from many stakeholders inside and outside the state DOT. Countermeasures are identified that will target these emphasis areas. The HSIP funds are used to apply these countermeasures to high-crash locations, and to types of locations identified as having characteristics that present an increased risk for crash types. This systemic application of countermeasures is a proactive method of preventing crashes before they occur that is critical in the Safe System Approach. The IIJA adds more safety countermeasures to the list of options eligible for HSIP funds and this expansion of this eligibility helps states implement their SHSPs to improve safety for all road users. These additional countermeasures support vulnerable road user safety and can also improve safety for motorists as well.

An example of a risk-based or systemic safety program comes from Massachusetts. MassDOT uses risk-based models to identify rural roadways, many of them municipally-owned, where low-cost and short-term countermeasures would be effective at reducing fatal and serious injury lane departure crashes. The IIJA will enable MassDOT to bundle numerous high-risk, rural, municipally-owned locations and install enhanced signage in a proactive manner.

Virginia has also shifted its focus when it comes to investing limited highway safety infrastructure dollars. In 2019, the Virginia DOT (VDOT) approved its first systemic safety implementation plan that directs highway safety improvement dol-

lars to complete eight proven safety countermeasures to be systemically deployed across state-maintained roads over the next several years. The eight countermeasures include traffic signal high-visibility backplates, flashing yellow arrows at traffic signals, pedestrian crossings at traffic signals, curve signage, centerline and edgeline rumble strips on primary roadways, and safety edge (a wedge of pavement for better recovery) when roads are repaved. The high-visibility backplate and flashing yellow arrow initiatives were completed in 2021 and the state's transportation board recently approved a phase 2 systemic investment plan that continues funding for proven countermeasures on state roads while also providing funds for systemic safety improvements on locally-owned and maintained roads in Virginia.

As the science of safety continues to develop, we are expanding the types of data and range of contributing factors we use to identify locations and facility types for improvement, and to select the most appropriate countermeasures.

Another example from Virginia demonstrates their expanding data analysis to improve pedestrian safety. The VDOT released its first Pedestrian Safety Action Plan (PSAP) in 2018, which seeks to improve pedestrian safety in Virginia by providing policy change recommendations, a toolbox of pedestrian safety countermeasures that can be used, and an online map (updated every two years) that identifies roadway segments in the Commonwealth that are higher risk locations for pedestrians. The higher risk locations, or pedestrian priority corridors, were determined by using data sources that provide an indication of pedestrian risk such as traffic volume, number of vehicle travel lanes, and proximity to transit and schools to score and predict locations with greater risk. The top 5% of roadway segments are included on the PSAP map that is published every two years. One of the data sets used in the evaluation is the Virginia Health Opportunity Index (HOI), developed by the Virginia Department of Health, that grades every census tract in the state, providing a score that indicates the opportunity of a person in that census tract to live a long and healthy life. VDOT determined through analysis that there is a strong connection between road locations with low HOI scores and roads that have more pedestrian crashes. Virginia is using the information to help predict roads with highest pedestrian risk and then focusing infrastructure dollars to make pedestrian infrastructure improvements at those locations.

AASHTO's Highway Safety Manual is a technical resource that provides tools for data analysis to estimate the effectiveness of decisions made for the roadway network. With these models, we can identify safety needs and prioritize improvements, estimate the expected change in crashes on proposed roadway designs, and predict future safety effects of individual countermeasures. For over ten years, researchers and practitioners involved in the development and use of the Highway Safety Manual, and similar analysis methods, have made great strides in how to quantitatively consider potential safety impacts in decision-making processes. In addition to developing additional content to address more facility and crash types, AASHTO, FHWA, the Transportation Research Board of the National Academies, and others provide training and technology transfer opportunities to practitioners using these methods.

An emerging implementation issue under the IIJA is a conflict between the performance targets required for the HSIP and the targets required for the Highway Safety Plans administered by NHTSA, specifically related to coordinating the two programs' identical targets and to using evidence-based targets. AASHTO has requested USDOT to take the necessary steps to resolve these conflicts. Collaboration between USDOT and state DOTs will be crucial as this issue can significantly impact our ability to continue to work collaboratively with our local partners to deliver projects in an effective and timely manner.

States fund a significant amount of research on vulnerable road user safety through the Transportation Research Board's National Cooperative Highway Research Program (NCHRP). Historically, a significant challenge with research related to pedestrian and bicyclist safety was the availability of data, specifically volume data, since many analysis methods require the volume of pedestrians and bicyclists on the facilities. To improve modeling capabilities, states have funded research conducted by NCHRP to identify and apply new technologies to efficiently collect this type of data. States have been investing in research to develop models that predict the expected safety performance of pedestrian and bicyclist facilities, guidance on systemic safety analysis of vulnerable road user safety, development of new countermeasures for vulnerable road users, and other means for analyzing and addressing safety concerns. The IIJA funding and expanded HSIP eligibility provide opportunities for expanded application of these countermeasures. States are well-positioned to continue to expand their programs through the Vulnerable Road User Assessments.

Equity in Roadway Safety

States are identifying ways to incorporate equity factors into their safety analyses to better meet their states' roadway safety goals. This includes processes for prioritizing safety projects. Two examples come from my own state and Ohio.

In Louisiana, we completed a Statewide Pedestrian Crash Assessment in 2021 prior to release of the IIJA. The crash assessment focused on pedestrians since pedestrian crashes represent the majority of vulnerable road users in Louisiana (about 18 percent of all fatalities). We focused on state routes since we had more data on the state network; that being said, the risk factors identified could also be used for locally owned roadways. The assessment was data-focused and used statistical models to determine risk factors for pedestrian crashes including roadway facility characteristics and socioeconomic factors tied to equity. The risk factors identified included: average daily traffic, section length, population density, percent of households with no vehicle, percent of households below poverty line, percent unemployed, median household income, distance to school, distance to park, and shoulder type.

The purpose of the crash assessment was to assist LA DOTD traffic and design engineers as well as local jurisdictions in implementing pedestrian safety features on high priority segments and corridors statewide. A major focus for 2022 is to identify at least one location in each region which with to move forward. Our goal is to meet 20 percent of HSIP construction funding on projects that improve safety for non-motorized users, or about \$10 to \$12 million annually. While we are currently averaging about 10 to 15 percent, pedestrian crash assessments will help us jump start projects. LA DOTD is providing additional assistance on implementation via feasibility/traffic studies, design, and construction for highlighted priority locations. Based on the IIJA, Louisiana is expected to develop a Vulnerable User Crash Assessment based on the Vulnerable Road User Special Rule. We are eager to receive detailed federal guidance on requirements and to build on equity risk factors previously identified for pedestrians.

We in Louisiana also developed the Safe Routes to Public Places Program in 2017 to address vulnerable road user safety using our HSIP funds. After a couple of years, we had not received many applications from economically-disadvantaged local jurisdictions who lacked the resources to collect the data needed for the applications. We added an equity component to the application process to expand the pool of eligible projects. Crash data has the most weight of the scoring criteria, and projects are also scored using a comparison of the area's median household income compared to the poverty level. This is not a perfect measure, so we are further exploring how to relate crash data to income level to identify a better metric.

The Ohio DOT's HSIP process integrates crash data with US Census data to better ensure their system accommodates users of all ages, abilities, and incomes. After identifying an increased level of traffic fatalities and serious injuries in low-income areas, and working with district safety staff and external stakeholders, ODOT revised their project scoring process for local safety projects. Crash hot spots are eligible for HSIP funds, and poverty rate is included in the scoring process. ODOT is also providing assistance for safety studies in economically-disadvantaged communities, and in some cases are able to reduce the local jurisdictions' financial match for the project funding.

Complete Streets

The federal support of the Complete Streets design model in the IIJA and the National Roadway Safety Strategy highlight the use of Safe System Approach principles to provide a roadway environment that is safe for all road users and supports opportunities to incorporate equity principles into projects. Beyond the safety-focused HSIP program, state DOTs and others are expanding the use of approaches that incorporate safety for all road users throughout the transportation system. Many state DOTs are incorporating flexible and context-sensitive design practices into their programs to connect road users to their destinations via safe and comfortable facilities—in fact, according to the National Complete Streets Coalition (NCSC), 35 states plus Puerto Rico have adopted Complete Street policies and additional states are carrying out programs producing similar outcomes even if they may not necessarily refer to them by this moniker. AASHTO Vice President Roger Millar is the former Director of the NCSC and has been a member of the organization's steering committee since 2015. As states' experiences with this type of approach expand, we are able to share knowledge and best practices with each other to further strengthen our programs.

The LA DOTD has a comprehensive Complete Streets policy that was in place prior to the IIJA passing. With increased state investment coupled with IIJA funding, we can now begin to effectively employ this policy on projects as opposed to the limited implementation that was previously used in a preservation-only approach.

LA DOTD has recently established a new engineering design position designated as a subject matter expert for designing pedestrian and bike facilities. We are also investigating the need for retaining national experts to provide additional assistance with design reviews and training. LA DOTD is also using a Complete Streets approach to make improvements to non-motorized facilities on all roadway projects where practicable. As part of this effort, LA DOTD works closely with the Complete Streets Advisory Council to prepare an annual report with performance measures each year to the state legislature.

Massachusetts has been actively involved in Complete Streets and investing in their infrastructure for vulnerable road users. Their efforts are paying off: Massachusetts was ranked number one in the 2022 Bicycle Friendly State Report Card by the League of American Bicyclists who gave Massachusetts a grade of “A” for Infrastructure & Funding, Education & Encouragement, and Policies & Programs. The Vulnerable Road User Rule will further support this work and enable Massachusetts to expand on projects targeting bicycle and pedestrian safety in an equitable manner using their crash-based and risk-based network screening.

AASHTO has been supporting state efforts to use flexible design practices, such as Complete Streets, context-sensitive design, practical design, and other related approaches. In 2004, AASHTO published *A Guide for Achieving Flexibility in Highway Design* and since then has continued to discuss these concepts and best practices within our committees and with partner organizations to expand our knowledge base. AASHTO has embarked on a process to revise our main design guidelines, *A Policy on Geometric Design of Highways and Streets*, to provide guidance on design flexibility that follows our model of being research-based and peer-reviewed. The state DOTs have funded research through NCHRP to examine roadway contexts and related appropriate designs and to develop a framework for a performance-based design process. The next edition of this publication will support state efforts to use Complete Streets approaches as they expand their safe and accessible transportation options for all road users. AASHTO is engaging other design and advocacy stakeholders in this work, some of whom are already involved in AASHTO committees and in the NCHRP panels overseeing related research.

As you know, vehicle speeds and traffic signs, signals, and pavement markings also contribute to the safety and comfort of the roadway environment. Design guidelines are complemented by the Manual on Uniform Traffic Control Devices (MUTCD), a federal document, which is currently being updated. This document allows transportation agencies to provide information to road users in a consistent and standardized way to contribute to safe operations for all road users. AASHTO and the State DOTs are dedicated to working with partners to ensure all road users are considered in our selection and use of traffic control devices. We have provided significant comments during this update process to ensure that the most recent research into traffic control devices would be quickly incorporated into an updated version of the manual, which hasn't been formally updated since 2009. In addition, in those comments as well as in a joint letter in March of last year to FHWA Acting Administrator Stephanie Pollack from AASHTO and several partners, the state DOTs committed to work jointly FHWA and other stakeholders on a full reexamination of the structure, process, and content of the MUTCD, to ensure that the manual is meeting the needs of all users of the transportation system—including pedestrians and bicyclists—in an equitable and consistent manner.

Beyond the HSIP, the states invest much more on safety through inclusion of safety countermeasures in many road and bridge projects funded under other Federal-aid Highway Program categories and through state funds. State DOTs work closely with metropolitan planning organizations (MPOs) and other local agencies on many issues, and these existing relationships represent an opportunity to further leverage IIJA's policy and funding provisions in the National Highway Performance Program, Surface Transportation Block Grant Program, Increasing Safe and Accessible Transportation Options, and Safe Streets and Roads for All Grant Program, among others.

Similarly, AASHTO's support for flexible design practices, Complete Streets, and local road safety is exemplified through our expert-led councils and committees' collaboration with other associations that support local agencies. As state DOTs build on their partnerships with local agencies and MPOs, our councils and committees are working to identify additional ways to share best practices and identify new ways to exchange information and provide assistance. Within the AASHTO Committee on Safety in particular, our Local Road Safety Subcommittee is starting to identify ways to collaborate with partner associations on the Safe Streets and Roads for All Grant Program opportunities. Many states have processes in place for assisting local agencies with HSIP projects, and plan to build on this experience to support new safety opportunities.

AASHTO recommends that implementation of expanded and new IIJA programs remain flexible to allow states to continue to integrate Complete Streets concepts into their transportation programs in ways that best suit individual states. FHWA's technical and policy support is valuable to the states, as state DOTs work with individual locations and jurisdictions to provide facilities that meet the needs of their specific contexts. We continue to recommend that our federal partners steer away from potentially prescriptive requirements that would prevent use of the most appropriate approaches and designs that will mitigate safety challenges and improve transportation equity for all users.

CONCLUSION

AASHTO is fully dedicated to combating traffic fatalities and serious injuries. We know that as infrastructure owners and operators, state DOTs have a leading role in many of the activities that will get us to zero deaths. Each state recognizes that their road networks are not perfect, and there are thousands of dedicated public and private professionals working every day to provide the best transportation system possible. We know that supporting the critical work of our partners—public, private, and non-profit—will advance our collective efforts. We all have different capabilities, jurisdictions, and responsibilities so we need to rely on partners to work in areas where we cannot. I look forward to hearing the ideas from my fellow panelists. Working together, we can comprehensively combat traffic fatalities and serious injuries on our nation's roadways.

AASHTO and its members will continue to promote known infrastructure-based opportunities—and to identify new ones—to address the variety of factors contributing to crashes and roadway safety needs of all road users. AASHTO's councils and committees continuously identify best practices to share among the states so that we can continue to spread good ideas around the country. Our recent compilation, "State DOTs Delivering on the Public Benefits of the Infrastructure Investment and Jobs Act" contains numerous examples of how the IIJA is allowing states to expand their programs, and currently there are 16 examples related to safety activities using HSIP and other funds.

AASHTO and its state DOT members are fully devoted to support Congress in implementing the IIJA in order to ensure full economic recovery and growth, and enhance quality of life through robust investments in transportation programs and projects.

Thank you again for the honor and opportunity to testify today, and I am happy to answer any questions.

Ms. NORTON. Thank you very much, Mr. Wilson.

I would now like to recognize Mr. Ludwig Gaines, executive director of the Washington Area Bicyclist Association.

And, Mr. Gaines, I would like to thank you for your work in the District of Columbia and in the area surrounding this city. You may proceed for 5 minutes.

Mr. GAINES. Thank you, Chair Norton, Vice Chair DeFazio, and Ranking Member Davis, for inviting me here today to speak to you about these important issues.

I am Ludwig Gaines, executive director of WABA, Washington Area Bicyclist Association, a 501(c)(3) nonprofit. Our mission at WABA is to empower people to ride bikes, build connections, and transform places. We envision a just, equitable, and sustainable transportation system where walking, biking, and transit are the best ways to get around.

Throughout our 50-year history at WABA—and we are celebrating our 50th year this year—we have strived to be resolute in our pursuit of these aims. We do this through educational offerings and programming for youth, adults, our advocacy, and through our outreach, engagement, and partnerships with diverse groups and communities throughout the region.

Our geographic footprint is what many of you call home away from home. It is the District of Columbia, city of Alexandria, Ar-

lington and Fairfax Counties in Virginia, and Prince George's and Montgomery Counties in Maryland.

My testimony today is informed by this rich history and must-do and can-do spirit at WABA to educate, advocate, and to elevate issues such as transportation safety critical to our membership and to our partners and supporters throughout the region. Our dedicated staff are daily on the front lines of the very issues we confront today. It is because of their work and our success that WABA is recognized as a force for bicycling and multimodal forms of transportation.

My testimony also brings local transportation policy experience as a former elected Alexandria City Council member and member and past leader of multiple local and regional bodies dealing with transportation issues. It is my goal through my testimony today—my written testimony submitted—to share a local and very sober assessment of the current state of affairs while offering guided and guarded optimism for the future.

I have five key points to emphasize. And knowing that time is a premium, I will walk through those areas first and perhaps get to them more in our Q&A.

But we are headed in the wrong direction when it comes to transportation safety. Our roads are killing us, and it is completely avoidable. Secondly, people walking and biking are the ones bearing the brunt of this danger. They are the ones most at disproportionate risk. There needs to be a reckoning about the inherent danger of driving and the impacts it has on our communities.

Traffic safety is most definitely an equity issue. We know from the statistics that have been shared and will be shared that a disproportionate impact is visited upon poor, minority, and low-income communities, and that is a policy decision by decisionmakers not to resource those communities. And those communities are suffering.

And, lastly, this is a solvable issue. I woke up this morning even more inspired to share my remarks today based on what soberingly we saw happening in our Washington, DC, metro community.

Young Kaidyn Green from Southeast Washington, DC, who was struck and paralyzed on January 10th, passed away. He fought hard since January to survive. His family said every day he had a smile on his face, despite his injuries. He succumbed because a driver, as he was walking home from school, fatally struck him in an intersection.

I also woke up to the morning news that delivered the tragic news of two Oakton High School students who were killed by a driver just yesterday, again, walking home from school, doing the natural. We must and have to find a better way to protect our communities, our children, and we have to begin with the acknowledgment that our streets are killing us, literally. The statistics bear that out.

But there are solutions through design, through outreach and engagement, and other opportunities that I look forward to sharing with you in my testimony today. We can solve this problem. We have many issues confronting us nationally, gun control being one, and the halls of Congress are filled with people advocating for solutions.

The solutions are there. The recognition has to be that we have to prioritize people over cars.

Thank you.

[Mr. Gaines' prepared statement follows:]

**Prepared Statement of Hon. Ludwig P. Gaines, Executive Director,
Washington Area Bicyclist Association**

Thank you Chair Norton, Vice Chair DeFazio and Ranking Member Davis for inviting me to be here today and to speak with you about these important issues. I am Ludwig Gaines, the Executive Director of the Washington Area Bicyclist Association, (WABA). At WABA, a 501(c)(3) non-profit, our mission is to empower people to ride bikes, build connections, and transform places. We envision a just, equitable and sustainable transportation system where walking, biking, and transit are the best ways to get around. Throughout our 50 year history WABA has strived to be resolute in its pursuit of these aims.¹ We do this through educational offerings and programming for youth and adults, advocacy, and through outreach, engagement and partnerships with diverse groups throughout the region. Our geographic footprint includes the District of Columbia, the City of Alexandria, Arlington and Fairfax Counties in Virginia, and Prince George's and Montgomery Counties in Maryland.

My testimony today is informed by WABA's rich history and can and must-do spirit to educate, advocate and elevate issues such as transportation safety critical to our 7,400 plus members, as well our regional and community partners. Our dedicated staff are daily on the front lines of the very issues we confront today. It is because of their work and our success that WABA is a recognized force for bicycling and multimodal forms of transportation.

My testimony also brings local transportation policy experience as a former elected Alexandria Virginia City Council member and member and past leader of multiple local and regional bodies dealing with transportation issues.² It is my goal to intentionally share a local and sober assessment of the current state of affairs, while offering guided and guarded optimism for the future.

I have five key points to emphasize today:

1. WE ARE HEADED IN THE WRONG DIRECTION

On the road to safer streets we are headed in the wrong direction. Nationally, after a decade of stagnating progress for traffic safety, 2020 saw a 23% increase in the fatality rate per mile driven. With the return of traffic to pre-COVID 19 levels, 2021 estimates show the highest number of traffic fatalities since 2005. The U.S. also lags behind peer nations in both overall traffic safety and in progress over the last decade.³ As one study bluntly determined, "our streets are killing us unless we prioritize humans over cars."⁴ This holds true both locally and federally. I will share specific examples of these shortcomings and opportunities shortly.

The alarming statistical rise is evident for the District of Columbia and D.C. Metro region as well. D.C., home to this August body, just witnessed in 2021 the deadliest year on DC roads since 2007.⁵ The District had a shocking 40 traffic fatalities in 2021. Half of the people killed in D.C. were not in a vehicle.⁶

More than simply statistics, those tragically killed lost what you and I may take for granted—a future, another day, another Christmas, a wedding, children, an education, a sports championship, another sunrise and sunset. Included in this group

¹ <https://waba.org/about/>

² Ludwig Gaines has served on the Alexandria, VA City Council, Alexandria City Human Rights Commission (Chair), Alexandria City Planning Commission, Metropolitan Washington Council of Governments (COG) Transportation Planning Board, the Virginia Transportation Commission, COG Street Smarts Campaign (Chair), Capital Trails Coalition Steering Committee, COG Regional Policy and Development Committee (Chair), National League of Cities Public Safety Committee, and is past Board Member of the DASH public bus system in Alexandria, VA.

³ <https://www.wri.org/research/sustainable-and-safe-vision-and-guidance-zero-road-deaths>

⁴ <https://archive.curbed.com/2016/9/1/12737230/streets-traffic-deaths-pedestrians>

⁵ <https://dcist.com/story/22/01/07/2021-deadliest-year-dc-roads/>

⁶ <https://www.dcvisionzero.com/maps-data>

are young children such as 4 year old Zyaire Joshua⁷ and 5 year old Allison Hart⁸ run over by drivers. Our most vulnerable victims on streets we are obligated to make safe for them.

There's opera singer, 24 year old Nina Larson⁹, and cyclist Jim Pagels¹⁰ who the day before his death by vehicle tweeted about the need for greater safety on our streets for cyclists. There's also Waldon Adams and Rhonda Whitaker¹¹, advocates for ending homelessness who died by vehicle at D.C.'s beloved Hains Points. There's Armando Matinez Ramos who was delivering food by bike when he was struck and killed by a driver that failed to yield¹². And, on June 2, 2022—just last week—18 year old Enzo Alvarenga (weeks from graduation) was struck and killed riding his bike on Old Georgetown Road in nearby Bethesda, MD. The very same road where in 2019, 17 year old Jacob Cassell was killed by a driver while riding his bike.¹³ Area residents for years have lobbied for redesign in order to make that roadway safe, to little avail. All of these victims have stories that tragically and avoidably ended by motor vehicle. That is to say they're deaths are preventable and, far too often, keep happening in the exact same places by the same mechanism. They deserved another sunrise and sunset. At the very least they deserved policies that protect and prioritize human life over a car.

2. PEOPLE WALKING AND BIKING ARE AT A DISPROPORTIONATE RISK

While fatalities among all categories have been increasing, fatalities among pedestrians and bicyclists have been increasing even faster than for all users—up almost 50% over the past decade. Pedestrians and bicyclists are among the most vulnerable road users locally and nationally, and the risk they confront is disproportionate to other road users.¹⁴

For perspective, the World Health Organization (WHO) estimates that 1.24 million die every year in crashes. 27% of all road traffic deaths are people who walk and bike.¹⁵ Recognizing the disproportionate risk pedestrians and cyclists face is a necessary first step in prescribing solutions and drafting policy to redress this compelling problem and keep people safe on our roads. That nearly one third of all D.C. pedestrian crashes, for example, go unreported, not to mention incidents of near misses, demands a solution.¹⁶ Step one in this process is acknowledging that the bike and pedestrian deaths we experience are a direct result of prioritizing vehicles over humans that MUST change. Local and federal policies that fail to account for this reality contribute to, as opposed to help solve, this problem.

Regarding the federal role, here are few immediate examples worthy of immediate highlight:

- Federal regulations and guidance are often a barrier to building safer streets.¹⁷
 - In the DC region, this results in streets like New York Avenue in DC, Arlington Blvd in Virginia, or Georgia Ave in Maryland—massive, highway-style roads that are hostile to pedestrians, transit riders, and bicyclists. Streets divide communities by forcing people to take their life in their hands just to cross the street.
- Federal regulations and guidance at times have clearly failed to adequately address safety for people outside of cars.¹⁸

⁷ https://www.washingtonpost.com/local/public-safety/child-struck-and-killed-by-a-vehicle-in-northwest-washington/2021/04/01/679f1078-9345-11eb-a74e-1f4cf89fd948_story.html

⁸ <https://www.washingtonpost.com/dc-md-va/2021/12/12/traffic-fatalities-dc-pedestrian-bowser/>

⁹ <https://www.nbcwashington.com/news/local/family-friends-gather-to-remember-24-year-old-struck-killed-in-adams-morgan/2885097/>

¹⁰ https://www.washingtonpost.com/local/trafficandcommuting/pagels-bicycle-crash-washington/2021/04/12/ab7d689c-9b85-11eb-8005-bffc3a39f6d3_story.html

¹¹ https://www.washingtonpost.com/local/public-safety/pedestrians-killed-hains-point/2021/04/27/e6d13610-a6c7-11eb-8d25-7b30e74923ea_story.html

¹² <https://www.wusa9.com/article/news/local/dc/community-gathers-to-honor-cyclist-killed-in-crash-while-demanding-for-traffic-changes/65-b3c60407-0413-4ac4-b252-e58de50f72d7>

¹³ <https://bethesdamagazine.com/bethesda-magazine/march-april-2020/remembering-jake/>

¹⁴ <https://scienceblogs.com/thepumphantle/2013/11/04/pedestrians-bicyclists-at-disproportionate-risk-of-being-killed-by-a-distracted-driver>

¹⁵ <https://wtop.com/dc/2021/10/study-says-nearly-1-3-of-crashes-involving-pedestrians-and-cyclists-go-unreported-in-dc/>

¹⁶ <https://wtop.com/dc/2021/10/study-says-nearly-1-3-of-crashes-involving-pedestrians-and-cyclists-go-unreported-in-dc/>

¹⁷ <https://nacto.org/program/modernizing-federal-standards>

¹⁸ <https://nacto.org/2022/05/24/why-the-u-s-gives-monster-suvs-five-star-safety-ratings-and-what-you-can-do-about-it/>

- In the DC region, this manifests as it has everywhere else across the nation: the proliferation of larger, more powerful cars and trucks means that crashes are more common and more deadly.
- Federal infrastructure funding prioritizes highway expansions instead of transit and active transportation infrastructure.¹⁹ Highways are dangerous in their own right, but they also result in more cars and trucks on neighborhood streets, streets like Wheeler Road Southeast in DC, a school-adjacent street in a predominantly Black neighborhood, where, despite repeated pleas from the community for traffic calming and speed enforcement, drivers severely injured three children and killed one adult in the span of just two days last December.
 - The following projects are local projects that need funding but when completed will be examples for the nation:
 - Washington Union Station Expansion Project—The revised plan for the multibillion-dollar expansion of the station in D.C. will make it a multimodal premiere destination for the nation²⁰.
 - Pennsylvania Avenue Initiative—The proposed vision of this street in Washington, DC is set to transform the Avenue between the White House and the U.S. Capitol into a venue that celebrates its civic role and spirit of democracy²¹
 - Louisiana Avenue Protected Bike Lane—The planned facility along Louisiana Avenue and Constitution Avenue would connect Columbus Circle in front of Union Station to the Pennsylvania Avenue NW bike lanes about half a mile away. The link would create a connection, long-sought by the city and advocates, between the protected facilities through downtown, including 15th Street NW, and the Metropolitan Branch Trail that will eventually stretch to Silver Spring²².
 - This Protected Bike lane will allow staff and members of Congress to have a safe route to work, and give visitors and residents of Washington, D.C. a way to commute through a connected city-wide network.
 - I also want to emphasize the need to fully fund the development of connected bus networks not only in D.C. but throughout our Nation. Developing our bus network will offer people, especially low-wage workers, the multimodal connectivity they need to commute to work, which would revive the economics of cities and towns throughout the nation.
 - Lastly, expanding protected bike networks and trail networks, such as the DC area Capitol Trail Network is good for business, as well as bicyclists.²³ WABA's own Trail Ranger Program supports and encourages the use of this trail network.²⁴
 - These investments help support local economies through tourism and greater productivity.
 - When compared to highway lanes or express highway lanes, they provide real choices for people to get around in many ways.
 - In the DC region, business groups have, in part, based their location and relocation decisions on access to trails, bike lanes and multimodal transportation access (Nestle moved their offices to Rosslyn, Marriott to downtown Bethesda, and Amazon to National Landing in large part due to their connectivity to transit, high-quality bicycling and walking connectivity).

3. DRIVING IS INHERENTLY DANGEROUS: DESIGN MATTERS

Engineering and behavioral considerations play a huge role that must be elevated in our discussions on traffic safety. The safe system approach to roadway design acknowledges that driving is inherently dangerous, therefore roadway design should anticipate the possibility of human error to reduce crash frequency and the severity of crashes that do occur.²⁵ Pedestrians and bicyclists must be viewed as equal participants in our transportation systems. WABA's recent survey of our membership made clear that safety is the number one consideration when considering whether to bike on local roads. Of note is that "since the beginning of the coronavirus pandemic, cycling has become an even more popular, resilient and reliable travel option,

¹⁹ <https://nacto.org/2021/08/10/infrastructure-bill-reverses-climate-action/>

²⁰ <https://www.federalcitycouncil.org/initiatives/union-station/>

²¹ <https://www.ncpc.gov/initiatives/pennave/>

²² <https://dcist.com/story/18/10/25/congress-is-holding-up-a-key-bike-l/>

²³ <https://www.mwcog.org/newsroom/2020/08/26/check-out-the-national-capital-trail-network/>

²⁴ <https://waba.org/programs/d-c-trail-ranger/>

²⁵ https://safety.fhwa.dot.gov/zerodeaths/docs/FHWA_SafeSystem_Brochure_V9_508_200717.pdf; <https://www.ite.org/technical-resources/topics/safe-systems/>

and pop-up bike lanes have been increasingly common in major cities around the globe. Between March and July 2020, 394 cities, states and countries reallocated spaces for people to cycle and walk more easily, efficiently and safely.” For busier streets, bike lanes need heavy-duty physical segregation. Protected lanes work²⁶ and while they come with a financial cost, that cost pales when we consider the cost inaction and indifference has had to date on human lives. And, it bears emphasizing that Bike infrastructure benefits people who don’t bike as well, such as pedestrians, e-scooter riders, transit riders, drivers and the community at large. We’ve witnessed these benefits locally.²⁷

Additionally, vehicles across the country are getting larger and heavier every year. Large vehicles, SUVs and trucks are three times as likely to kill a pedestrian in the event of a crash. Federal regulators need to hold automakers accountable to building cars that are safer for people outside of cars.²⁸ And speed is a critical factor in pedestrian fatalities. Speed kills, especially on City streets and lowering speed limits to 20 MPH significantly raises survival rates of people involved in crashes.²⁹

4. TRAFFIC SAFETY IS AN EQUITY ISSUE

Nationally, as the recent Governors Highway Safety Association report found, traffic fatalities have a disproportionate impact on several communities—people of color, people in low-income areas, American Indians, rural residents, and the elderly.³⁰ Traffic violence is the second leading cause of death for teenagers, and one of the leading causes of death for people under the age of 44.

According to the Governors Highway Safety Association, “the traditional racial inequities that exist across the country seem to also be reflected very strongly in traffic safety data. These inequities can impact the kind of infrastructure improvements that minority-dominated communities benefit from, and this could possibly play a major role in the high number of traffic accident fatalities involving persons belonging to these communities.”³¹ We see this happening in the District of Columbia, for example, with half of all traffic fatalities happening in the largely African American and resource deprived, Wards 7 and 8.

Solutions exist but they must involve community outreach, engagement, education and resources. WABA’s Vision Zero Summit annually brings together stakeholders from across D.C.’s diverse communities to address transportation safety issues.³² Strategic partnerships are also critical, and that is why WABA has partnered with Howard University on a District Department of Transportation (DDOT) grant to engage with residents in Wards 7 and 8 and to create a youth crash tracking system to provide useful data for local decision makers that will lead to policies and funding to reduce the disproportionate number of incidents occurring in these communities. WABA, as an organization, has incorporated equity in all programming. And, lastly, WABA has secured the signatures to our equity pledge from over 50 local organizations.³³ In communities across the nation and DC region there are groups like DC Families for Safe Streets that know the issues first hand, have lived the challenges and are forging solutions forward. WABA is proud to partner with them locally because their input informs our advocacy.³⁴

Transportation equity is more than a catch phrase.³⁵ It is an imperative in the formulation and delivery of solutions and resources to groups too often left out of the discussion.³⁶

²⁶ <https://thecityfix.com/blog/4-ways-to-design-safe-streets-for-cyclists/>

²⁷ <https://www.kittelson.com/ideas/how-bike-infrastructure-benefits-people-who-dont-bike/>

²⁸ <https://smartgrowthamerica.org/bigger-vehicles-are-directly-resulting-in-more-deaths-of-people-walking/>

²⁹ <https://usa.streetsblog.org/2016/05/31/3-graphs-that-explain-why-20-mph-should-be-the-limit-on-city-streets/>

³⁰ <https://www.ghsa.org/resources/Analysis-of-Traffic-Fatalities-by-Race-and-Ethnicity21>

³¹ Ibid.

³² <https://waba.org/blog/2021/04/2021-regional-vision-zero-summit/>

³³ <https://waba.org/equity/>

³⁴ <https://dcfamiliesforsafestreets.org/>

³⁵ <https://www.urbandemographics.org/post/transportation-equity-encyclopedia/>

³⁶ Pereira, R. H. M., & Karner, Alex. (2021). Transportation equity. In R. Vickerman, *International Encyclopedia of Transportation* (1st Edition, Vol. 1, p. 271–277). Elsevier. DOI: <https://doi.org/10.1016/B978-0-08-102671-7.10053-3>. According to Pereira and Karner, “Transportation equity is a way to frame distributive justice concerns in relation to how social, economic, and government institutions that shape the distribution of transportation benefits and burdens in society. It focuses on the evaluative standards used to judge the differential impacts of policies and plans, asking who benefits from and is burdened by them and to what extent. Questions of transportation equity involve both sufficientarian and egalitarian concerns with both absolute

Continued

5. THIS IS A SOLVABLE PROBLEM: ROAD TO CHANGE

As traffic fatalities and crashes have been rising in the U.S., towns, cities, and rural areas across the Nation and around the world have improved traffic safety by redesigning roadways to reduce vehicle speeds, eliminating conflicts and dangerous turns, and separating vulnerable road users from traffic. Locally we've begun to see some movement after long and hard fought efforts. The only acceptable number of traffic fatalities is zero, and safe design has to be a part of the solution. Equity has to be part of the solution. Efficient resourcing to localities from states must be part of the solution. Bold and transformative leadership that reprioritizes people over cars has to be part of the solution. And, listening to and engaging with local advocates, those closest to the communities impacted, has to be part of the solution. A holistic approach. One that acknowledges shared responsibility and prioritizes people over cars will not only save lives, but alter for the better the transportation experiences of all participants.

Ms. NORTON. Thank you very much, Mr. Gaines.

Our next witness is Mr. Hattaway, recognized for 5 minutes.

Mr. HATTAWAY. Good morning, Madam Chair, and cochairs and committee members. Thank you very much for the opportunity to speak here today. I also want to share that I am on the policy committee for the Complete Streets Coalition and the Association of Pedestrian and Bicycle Professionals. So, this just expands my interest.

Arriving alive is more important than arriving a few minutes late. But for decades the success of roadway design has been measured by one thing: increasing the flow of traffic. As drivers, we all know that speed kills. The way to save lives and reduce fatalities is to slow down. The same principle that applies to drivers applies to the engineers such as me that design our roads and those who set transportation policy.

We need a greater focus on transportation safety. My message to you today is this: The guiding principle of transportation policy should be safety first, and the best way to assess the impact of that policy on human lives is an increased focus on two things, fatalities and serious injuries.

I have lived and worked in Florida for 43 years as a transportation engineer. My passion for transportation safety resulted from the knowledge back in the mid-1990s that about 42,000 people were dying on our roads every year when I was the State roadway design engineer at Florida Department of Transportation. The outcome of the pattern that we have created in the industry is higher speeds and more severe crashes.

I was recruited back to DOT in 2011 by the secretary to lead the southwest Florida district and champion Florida DOT's safety initiative to improve safety for pedestrians and bicyclists. This was in response to the "Dangerous by Design" report from Transportation for America. We had four of the top five most dangerous metropolitan areas in the country for pedestrians.

levels of wellbeing, transport-related poverty and social exclusion as well as with relative levels of transport-related inequalities. Ultimately, the study of transport equity explores the multiple channels through which transport and land use policies can create conditions for more inclusive cities and transport systems that allow different people to flourish, to satisfy their basic needs and lead a meaningful life. Transportation equity issues broadly encompass how policy decisions shape societal levels of environmental externalities and what groups are more or less exposed to them, as well as how those decisions affect the lives of different groups in terms of their ability to access life-enhancing opportunities such as employment, healthcare, and education. Equity is a crucial part of a broader concern with transport and mobility justice. The call for transport justice goes beyond distributive concerns, and yet justice cannot be achieved without equity."

Shortly after I returned, I began the shift at FDOT to an engineering, education, and enforcement focus on transportation safety, including the implementation of Complete Streets in 2014 in our design manuals. This was a move from a one-size-fits-all approach to street design to designing the right street for the right place.

Nationally, our roads system has been designed to minimize delay for motorists and maintain high speeds with less consideration of impacts to communities or quality of life for those who live within those communities. The cost of this approach for the last 60 years has been a preventable loss of about 115 people per day.

When I became the director of transportation at the city of Orlando, I learned about the benefits of Vision Zero or Safe Systems in eliminating fatalities and serious injuries. For agencies and countries that have taken this approach, they have successfully seen 18- to 80-percent reductions in fatalities and serious injuries.

Consequently, we developed a Vision Zero Action Plan with the city, and we found out that our high-injury network was responsible for 28 to 79 percent of the fatalities and serious injuries in each of our commissioner districts.

The deaths of 61 people and over 2,700 serious injuries occurred during the 3 years of 2015 to 2017. This has become identified as a national public health crisis that is entirely preventable.

The actions that can reverse this trend include State DOTs using the flexibility in the design manual to implement Complete Streets in their policy and design manuals, with an increased focus on speed management to reduce fatalities and serious injuries, and require that Vision Zero/Safe System principles be followed when Federal funds are used for road design and operations.

I appreciate the opportunity to speak today to this panel and look forward to your questions or concerns during that session. Thank you.

[Mr. Hattaway's prepared statement follows:]

Prepared Statement of Billy L. Hattaway, P.E., Principal, Fehr & Peers

INTRODUCTION

Thank you for the opportunity to testify on this critical issue concerning the safety and welfare of all those who travel our roadways both in Florida and nationally. I dedicated my last 12 of 28 years at the Florida Department of Transportation (FDOT) on improving transportation safety in the State of Florida. During my last 5 years at FDOT (2011–2016), the Secretary asked that I lead the pedestrian and safety initiative at FDOT. During my time as State Roadway Design Engineer (1995–2000), I felt the numbers of deaths and serious injuries were an unacceptable cost of traveling our roadways both in Florida and nationally. The Secretary specifically recruited me back in 2011 due to his knowledge of my passion concerning transportation safety.

When I returned in 2011, I began the shift of FDOT away from a focus on moving motor vehicles without delay and congestion, which contributed to the enormous loss of life and serious injuries on our system. In 2014, I was able to convince the entire executive team at FDOT that we needed to adopt Complete Streets and move from a one size fits all street design to designing the right street in the right place, and to require modern roundabouts be evaluated before signaling intersections due to their safety benefits in reducing fatalities and serious injuries.

When designing streets in more urban locations where there is more demand for walking, our street design should focus on safe speeds and safe roads, which results in improved safety for all users. In the following pages, I have provided more infor-

mation to support my experience and include recommendations to this Committee to reduce fatalities and serious injuries on our roadways throughout our country.

BACKGROUND OF THE CHALLENGE

Our current road system is designed to move cars at higher speeds than necessary and without delay, with less consideration of impacts to communities or quality of life for those who live along those corridors. The cost of this singular focus of the last 60 plus years of road building is a predictable but preventable loss of about 100 people per day in the U.S.

Transportation safety has improved generally since 1975, but that vast majority of that improvement is attributed to incorporation of safety measures for the occupants, such as air bags and structural changes to vehicle design which results in the kinetic energy from crashes being absorbed by the vehicle instead of the passengers. However, for vulnerable roadway users, such as pedestrians, bicyclists, and motorcyclists, who have no such protection, fatalities and serious injuries continue to rise especially in the sunbelt states where development patterns of sprawl and separated land use force all of the travel demand on a limited network of roads, resulting in multi-lane high speed roads and excessively large intersections.

Those of us in the engineering community have been led to believe for decades that following the higher ranges of the design criteria outlined in the American Association of State Transportation Officials (AASHTO) Geometric Design of Highways and Streets created a safe transportation system. While attending a national meeting of the AASHTO Subcommittee on Design when I was the State Roadway Design Engineer at FDOT, we were surprised to find out that the design criteria was not based on safety research but based on maintaining the design speed and operating capacity of the roadways for vehicle travel. That conventional wisdom is unfortunately still very prevalent in the industry, resulting in high-speed multi-lane roads nationally, thereby reducing safety for all users, but especially vulnerable users.

Design engineers have and continue to believe that our design criteria are intended to reduce crashes and there is some validity to that, such as reducing risk of crashes for run off the road and lane departure crashes, but the data proves that the prevention of all crashes is almost a lost cause. Consequently, FDOT, Federal Highway, and many cities across the country are moving to a Vision Zero or Safe Systems approach which I will cover later. As an example, Florida Department of Transportation more recent focus on improving transportation safety and Complete Streets has resulted in guidance on speed management with the goal to reduce fatalities and serious injuries. Streets will be designed to be more self-enforcing, causing drivers to drive at reduced speeds on corridors where there are existing safety concerns and land development patterns that support lower speeds.

SOCIETAL COSTS

Transportation fatalities and serious injuries have become identified nationally as a public health crisis that is entirely preventable. For more than 60 years, motor vehicle crashes were the leading cause of injury-related death among young people. In 2021, an estimated 42,915 people died, a 10.5% increase from 2020. An estimated 2.3 million were seriously injured, with both disabling and non-disabling injuries.

Definition of Serious Injury from FHWA:

- Severe laceration resulting in exposure of underlying tissues/muscle/organs or resulting in significant loss of blood
- Broken or distorted extremity (arm or leg)
- Crush injuries
- Suspected skull, chest, or abdominal injury other than bruises or minor lacerations
- Significant burns (second and third degree burns over 10% or more of the body)
- Unconsciousness when taken from the crash scene
- Paralysis

The cost assigned to fatalities is calculated to be \$11,148,000 (National Safety Council 2019) which includes loss of wages/productivity, medical expenses, vehicle damage, and other associated costs. The cost of a disabling crash is \$1,218,000 whereas a property damage cost is assessed at \$51,000, further supporting the efforts to move from a focus on just reducing crashes to eliminating fatalities and serious injuries. The cost to society nationally was an estimated \$463 billion in 2020 based on estimates from the National Safety Council.

A NEW AND PROVEN APPROACH

Over the past 20 years, several nations and cities around the world have adopted the Safe Systems approach. This approach begins with a commitment to eliminate fatalities and serious injuries among all road users and uses road design to manage speed to reduce the kinetic energy from crashes, so people are less likely to be killed or injured when crashes occur.

While the U.S. differs in cultural and historical context from nations with the longest experience with a Safe System approach, their new approach to transportation safety has resulted in reductions of fatalities between 18–80%. These gains in reducing the loss from crashes is difficult to ignore. We may think that this is because their historic focus on transportation was less focus on automobile travel, but they were also focused on vehicle travel speed and capacity. However, their government agencies decided that the loss of life from traffic crashes was too high, which led to their adoption of Safe Systems approach to transportation safety.

In 1994, Europe and the United States had similar traffic death rates, but by 2020 Americans were over three times more likely to die on the road than Europeans. Today, 12 people are killed in traffic per 100,000 annually in the U.S., compared to 4 per 100,000 in the Netherlands and Germany, and only 2 per 100,000 in Norway. The difference reflects more aggressive programs across Europe to reduce speeds, greater investment in mass transit and stricter drunk driving enforcement.

While I was the Transportation Director at the City of Orlando, we adopted Vision Zero and produced a Vision Zero Action Plan. Based on our analysis, we found that three segments of roadway in our six commissioner districts accounted for between 28–79% of the fatalities and serious injuries. We had 61 fatalities and over 2,700 serious injuries between 2015–2017. By focusing on these relatively small number of corridors, my expectation is that taking the Vision Zero approach to transportation safety would result in a double-digit reduction in fatalities and serious injuries within the City. While some may believe that enforcement could solve that problem alone, funding constraints means that we only had seven traffic division officers to cover the 119 square miles of Orlando 24/7.

While towns, cities, and county governments own nearly 80% of road-miles, states own most of the remainder. In the City of Orlando, approximately 75% of the high injury network was on the state roadway system, so this problem can only be addressed through collaboration between state DOT's and local agencies, ideally with additional financial support from USDOT/FHWA.

RECOMMENDATIONS

The Safe Systems approach is a way to achieve Vision Zero. The recommendations and approach are shared by both philosophies and have the potential to provide dramatic reductions in fatalities and serious injuries nationally. Vision Zero and Safe Systems have only been in the U.S. since 1994, with most of those cities adopting this approach in the last five to 10 years, yet some cities such as Washington, DC, New York, and San Francisco have already seen double digit reductions in fatalities and serious injuries.

The Safe System concept is new to most authorities that are responsible for road systems in the U.S., and detailed guidance will be needed to stimulate and steer progress in implementation. FHWA has provided safety training to FDOT such as “Designing for Pedestrian Safety” and “Developing a Safety Action Plan” while I was leading the safety initiative at FDOT. I recommend that the training be updated to be more of a Safe Systems approach and expanded to reach more state DOT's, especially in the Sunbelt, where the issue is more pervasive. Finally, I have included the following additional recommendations.

- Require that Safe System principles be followed when federal funds are used for road design and operation.
- Incentivize and support adoption of the Vision Zero/Safe System approach as the basis for safety strategies at federal, tribal, state, and local levels, including dedicated funding for FHWA Proven Safety Countermeasures such as road diets, protected or physically bike lanes, and roundabouts, when used as part of a Safe Systems approach.
- Conduct a multiyear nationwide incentive-funded program for states to establish Safe System demonstration projects with before and after data collection to validate engineering, education, and enforcement solutions.
- Develop and conduct a national Vision Zero/Safe System awareness and education campaign that is culturally sensitive, based on evidence and monitor effects on traffic safety behavior, since driver behavior is a significant element in crash causes.

- Safe System principles need to be incorporated into the American Association of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design, the Highway Safety Manual, and the Manual on Uniform Traffic Control Devices.
- Shift the focus on eliminating congestion and reducing travel time to improving travel time reliability, improving accessibility, and reducing Vehicle Miles Traveled (VMT) to reduce fatalities and serious injuries at the federal and state level.
- Develop a Safe System toolbox to support proactive, systemic implementation of the Vision Zero/Safe Systems approach in urban, suburban, and rural environments.
- Develop materials and outreach to assist state DOTs in adopting and implementing Vision Zero/Safe System principles and monitor results.

Thank you for the opportunity to speak today and share my experience and passion to improve safety both in Florida and across the entire U.S.

ATTACHMENT

FACT SHEET—CORE ELEMENTS FOR VISION ZERO COMMUNITIES

[The fact sheet is retained in committee files and is available online at <https://docs.house.gov/meetings/PW/PW12/20220608/114856/HHRG-117-PW12-Wstate-HattawayB-20220608-SD001.pdf>]

Ms. NORTON. Thank you, Mr. Hattaway.

I would now like to recognize Mrs. Cindy Williams, speaking on behalf of the American Traffic Safety Services Association. You are recognized for 5 minutes.

Mrs. WILLIAMS. Thank you. Good morning. My name is Cindy Williams, and I am president of Time Striping in Van Buren, Arkansas. I appreciate the opportunity to testify today about reducing roadway fatalities. Our company makes roads safer through the installation of pavement markings, guardrail and guard cable, and temporary traffic control devices in work zones.

I am testifying today in my role as a member of the board of directors for the American Traffic Safety Services Association. ATSSA members manufacture, distribute, and install roadway safety infrastructure devices, such as guardrail and cable barrier, traffic signs and signals, pavement markings, and work zone safety devices.

Reaching zero fatalities remains a serious challenge. Just last month, as mentioned before, NHTSA estimated that almost 43,000 people died on roadways across the country just last year. The Infrastructure Investment and Jobs Act will play an important role in allowing States and local governments to make roadway safety investments.

The IIJA provides nearly \$30 billion over the next 5 years for roadway safety projects. I would like to highlight just a few of these important programs. The Highway Safety Improvement Program is key to achieving zero deaths and provides dedicated safety funds annually to each State and DC. The IIJA significantly increased funding for HSIP by providing nearly \$16 billion.

Having a dedicated funding stream for roadway safety has been critical, and continuing this program was a bipartisan priority for Congress and for ATSSA.

As we look to improve roadway safety, we cannot overlook rural America. Tragically, the fatality rate on rural roads is nearly two times greater than on urban roads. The IIJA includes a new Rural Surface Transportation Grant Program funded at \$2 billion, 15 per-

cent of which is reserved for addressing rural road fatalities due to lane departures. This program has the potential to dramatically improve roadway safety in rural areas across the country.

Work zone safety is another passionate topic for me. In 1998, one of my company's crews was working on a highway in Mountain Home, Arkansas, removing the centerline stripe. An elderly gentleman, who says he did not see any of the advance warning signs, drove past our flagger, struck a worker on the elbow, and then drove straight into our other employee, killing him. That is an experience that to this day breaks my heart and recommit me and my company to our mission of zero deaths.

Technology is coming online today which will greatly enhance the safety of workers and drivers alike. Connected and automated vehicles will require adequate pavement markings, upgraded traffic signs and signals, as well as an ability to recognize work zones. Updating the transportation system with these kinds of improvements will both prepare us for the future while also addressing today's needs of safety.

The IIJA also includes the Safe Streets and Roads for All program. This program provides \$5 billion to local governments to help prevent roadway deaths and serious injuries. This program will address not just safety for the motorist, but for the other users of the transportation system, such as pedestrians, bicyclists, and motorcyclists, and will be an important tool for communities to address safety.

The IIJA invests historic levels of funding in roadway safety, but challenges loom that will prevent the full implementation of the infrastructure package and put lives at risk. The construction industry is facing a significant workforce and material shortage. A recent survey of our member companies found that 92 percent are experiencing shortages of raw materials.

Another challenge impacting the maximum effectiveness of the IIJA is the high rate of inflation. If these rates continue, our ability to reduce roadway fatalities and serious injuries will be undermined.

As we look to address transportation safety, it is important to recognize that all of these issues are intertwined. To put it plainly like we do in Arkansas: Without fixing these issues, this country won't have the people or the materials that we need to save lives.

The continued increase of traffic fatalities in the U.S. is incredibly tragic. As a safety professional, business owner, and a mother, the numbers are unacceptable, and I know we can do better. ATSSA members are ready to do what we do best—roll up our sleeves and get to work.

Thank you for the opportunity to speak today, and I look forward to the question and answer session.

[Mrs. Williams' prepared statement follows:]

Prepared Statement of Cindy Williams, President, Time Striping, Inc., and Member, Board of Directors, American Traffic Safety Services Association (ATSSA), on behalf of ATSSA

Chairman DeFazio, Ranking Member Graves, Chair Norton, Ranking Member Davis, Rep. Westerman and members of the Subcommittee. My name is Cindy Williams, and I am President of Time Striping, Inc. I appreciate the opportunity to appear before you today to talk about the important topic of reducing roadway fatalities and serious injuries in this country. Time Striping, Inc. has been in business since 1988 and we proudly make roads safer through the installation of pavement markings, traffic signs, guardrail and the management of roadway work zones. We are located in Van Buren, Arkansas, and I am a constituent of Congressman Westerman.

I am testifying today in my role as a member of the Board of Directors of the American Traffic Safety Services Association (ATSSA). Incorporated in 1970, ATSSA is an international trade association focused on advancing roadway safety. Our members manufacture, distribute, and install roadway safety infrastructure devices such as guardrail and cable barrier, traffic signs and signals, pavement markings and high friction surface treatments, and work zone safety devices, among many others. ATSSA was the first non-governmental organization to adopt a Towards Zero Deaths vision and ATSSA members are committed to making zero fatalities a reality nationwide.

Tragically, reaching zero fatalities remains a serious challenge. From 2017 to 2019, progress was made to reduce the roadway fatality rate. But we have now watched those improvements come to an end. Despite the best efforts of ATSSA members, the broader construction industry, state departments of transportation (state DOTs) and local transportation agencies represented by my colleagues on this panel, the United States has been experiencing steady increases in fatalities and serious injuries over recent years. Just last month, the National Highway Traffic Safety Administration (NHTSA) estimated that almost 43,000 people died on roadways across the country in 2021. This is an unacceptable increase of 10.5 percent from the prior year.¹

Everyone in this room and on this panel recognizes the severity of the current roadway safety crisis. But recognizing the problem is just the first step. Collectively, we need to work together to identify actions we can take now to address this crisis—while working to develop new solutions for the future. Bringing together all stakeholders to chart a path forward is critical to making our roads safer and today's hearing provides us with an opportunity to share experiences and ideas on how to do so. ATSSA's expertise is providing vital roadway safety infrastructure improvements and we are determined to work together with our private and public sector partners to save lives.

An important aspect of a safe systems approach to roadway safety is recognizing that as humans, we make mistakes on the road. That is a fact. We need to recognize this reality and make the necessary roadway improvements so that these mistakes do not result in the loss of life or serious injury. We applaud Secretary Pete Buttigieg's launch of the National Roadway Safety Strategy which, for the first time, publicly affirms the U.S. government's goal of zero fatalities. Having the same long-term goal is an excellent step forward to tackling this increasing challenge.

The Infrastructure Investment and Jobs Act (IIJA) will play an important role in allowing states and local governments to make these kinds of roadway safety infrastructure investments. The IIJA provides nearly \$30 billion over the next five years for roadway safety projects. By providing these significant increases in funding for roadway safety, I believe we can start to reverse the increases in roadway fatalities and serious injuries. I would like to highlight a few of these important programs.

HIGHWAY SAFETY IMPROVEMENT PROGRAM

The Highway Safety Improvement Program (HSIP) is a critical component to achieving the goal of Towards Zero Deaths. Created in the SAFETA-LU legislation in 2005, it is a federal formula program that provides dedicated safety funds annually to each state DOT. The IIJA significantly increased funding for the HSIP by providing \$15.6 billion over the next five years, plus an additional \$1.2 billion for rail-highway grade crossings. Having a dedicated funding stream for roadway safety has been critical to addressing safety needs and continuing this program was a bipartisan priority for Congress and ATSSA.

¹ National Highway Traffic Safety Administration:
<https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813298>

We remain concerned that while traffic fatalities continue to rise, both the IIJA and previous transportation authorizations allow states to transfer their HSIP funds to other core Federal-Aid Highway programs. We understand that this is not something likely to change before the expiration of the IIJA. However, Congress should encourage states to address safety issues and consider ensuring that congressionally-approved safety funds are being used for safety projects.

SAFE STREETS AND ROADS FOR ALL PROGRAM

The IIJA also includes the Safe Streets and Roads for All Program. This discretionary grant program will provide \$1 billion each year to metropolitan planning organizations, local and Tribal governments to help prevent roadway deaths and serious injuries. As the name of the program implies, it is intended to address not just safety for the motorist but for other users of the transportation system such as pedestrians, bicyclists, and motorcyclists. By providing funding for planning and implementation of roadway safety strategies, this program will be an important tool for communities looking to address and improve safety outcomes.

RURAL ROAD SAFETY

As we look to improve roadway safety, we need to remember the rural areas of the country. According to the Bureau of Transportation Statistics, 19 percent of Americans live in rural areas, yet 43 percent of all roadway fatalities occur on rural roads. This means the fatality rate on rural roads is nearly two times greater than of that on urban roads. Additionally, the fatality rate on rural interstates increased 15 percent over 2020 statistics.² The rural road network carries not just passenger vehicle traffic, but according to the U.S. Department of Transportation, nearly 50 percent of all truck vehicle miles traveled occur on rural roadways.³ This combination creates its own unique safety challenges.

The IIJA includes a new Rural Surface Transportation Grant Program funded at \$2 billion over five years to be used, in part, to address safety needs in rural areas. Of that \$2 billion, 15 percent, or \$300 million, is reserved for recipients to address rural roadway fatalities due to lane departure. This is the first time that Congress has included dedicated rural roadway safety funding in transportation authorization legislation since the 2005 SAFETEA-LU law.

The IIJA also includes a new Wildlife Crossings Pilot Program funded at \$350 million over five years to focus on reducing wildlife-vehicle crashes. Preventing these kinds of incidents is important in many rural areas of the country.

During the pandemic, there was a noticeable increase in risky driving behavior due in part to higher driving speeds—especially in rural areas. One countermeasure that has proven to be effective at dramatically decreasing the distance needed to stop a speeding vehicle is high friction surface treatments (HFST). This is an aggregate application on top of the pavement which increases the friction of the roadway and can help prevent a vehicle from losing control when speed is a factor. Typically used at intersections and dangerous curves, HFST is proven to reduce stopping distances and reduce wet crashes by 83 percent and total crashes by 57 percent.⁴

The use of cable barrier, especially on a systemic basis, can dramatically reduce crashes and fatalities. When installed in the median of a divided highway, this application can reduce crossover crashes and fatalities. According to the Federal Highway Administration, 8 percent of fatalities on divided highways result from head-on crashes. When median barrier is installed on rural, four-lane freeways, it has resulted in a 97 percent reduction in cross-median crashes.⁵

We strongly believe that state DOTs are critical to assisting local governments in effectively deploying much-needed safety countermeasures. Often rural roads are owned by local governments, who may not have the technical expertise and resources to combat safety challenges. Therefore, state DOTs are important partners, and we encourage a collaborative approach to addressing safety needs. Because Highway Safety Improvement Program funds can be used on all public roads, not just state-owned ones, this kind of collaboration will bring people together to tackle rising fatalities at both the state and local level.

² Bureau of Transportation Statistics: <https://www.bts.gov/rural>

³ U.S. Department of Transportation: <https://www.transportation.gov/rural>

⁴ Federal Highway Administration: https://safety.fhwa.dot.gov/roadway_dept/pavement_friction/high_friction/

⁵ Federal Highway Administration: https://safety.fhwa.dot.gov/provencountermeasures/median_barrier.cfm#psc-footnote

WORK ZONE SAFETY

Vulnerable road users (VRUs) are a focus area in the IIJA. However, often overlooked VRUs are roadway construction workers. I am here today to tell you firsthand that roadway workers are very much vulnerable road users. In 1998, one of my company's employees was working on a road in Mountain Home, Arkansas, removing a centerline stripe from the road. An elderly man, who claimed he didn't see the advanced warning signs, drove past the flaggers, clipped one worker on the shoulder, and drove straight on into our company's employee, killing him. That's an experience that, to this day, breaks my heart and recommit me and my company daily to our mission of zero deaths.

According to the National Work Zone Safety Information Clearinghouse, there were 857 fatalities in roadway work zones in 2020, up from 845 in 2019 and 757 in 2018.⁶ Although the majority of these fatalities are vehicle occupants, the men and women working in work zones are consistently in the line of traffic. These situations are likely to be ever more present as the full investment of the IIJA takes effect.

Technology is coming online today which will greatly enhance the safety of workers and drivers alike leading up to and in work zones. As connected and automated vehicles (CAVs) become more and more prevalent, these vehicles must be able to interact with smart work zones so that catastrophic crashes between autonomous vehicles and roadway workers can be avoided. The Virginia Department of Transportation (VDOT), Virginia Tech Transportation Institute (VTTI), Audi and others are working on a pilot project that alerts drivers when they are entering a work zone and alerts roadway workers when a vehicle is nearby.⁷

Within the IIJA, Congress directs U.S. DOT to update the Manual on Uniform Traffic Control Devices (MUTCD) within 18 months and then regularly thereafter. We applaud this direction for a long overdue update, and strongly encourage U.S. DOT to finalize the update to the MUTCD as soon as possible, rather than waiting the full 18 months as allowed under the law.

CONNECTED AND AUTONOMOUS VEHICLES

ATSSA is the leading construction industry association focused on connected and automated vehicles (CAV). We recognize that the future will include this kind of technology and the time is now to be working collaboratively on developing a transportation network that is ready for the deployment of these vehicles.

In order to perform effectively, CAV systems require adequate pavement markings, traffic signs and upgraded traffic signals to be able to safely move passengers. Updating the transportation system with these kinds of improvements will not only prepare us for the future but can be helpful to the driving public today. For example, recent studies have indicated that wider pavement markings are beneficial to CAVs, as well as older human drivers. Additionally, CAVs and drivers today benefit from contrasted pavement markings, especially in areas of glare. These are simple safety improvements that can be deployed now, and they have the dual effect of making roads safer for human drivers as well as CAVs.

Studies aggregated by the Federal Highway Administration have indicated that if lane departure warning systems, which rely on pavement markings, were deployed in all vehicles, 13–22 percent of driver fatalities could have been prevented.⁸ However, these types of vehicle safety improvements strongly rely on investments in roadway safety infrastructure.

According to data collected by the Federal Highway Administration, wider edge lines can reduce non-intersection, fatal, and injury crashes on rural, two-lane roads by up to 37 percent; reduce fatal and injury crashes on rural freeways by up to 22 percent; and according to a 2018 Idaho Transportation Department study, wider edge lines have a benefit cost ratio of 25:1.⁹ Additionally, ongoing studies strongly suggest that 6-inch wide pavement markings are better detected by CAVs than traditional 4-inch wide markings.¹⁰

⁶National Work Zone Safety Information Clearinghouse:

<https://workzonesafety.org/work-zone-data/>

⁷Audi of America: <https://media.audiusa.com/en-us/releases/494>

⁸Federal Highway Administration:

<https://www.fhwa.dot.gov/publications/research/safety/18035/18035.pdf>

⁹Federal Highway Administration:

<https://safety.fhwa.dot.gov/provencountermeasures/wider-edge-lines.cfm#psc-footnote>

¹⁰Federal Highway Administration:

<https://www.fhwa.dot.gov/publications/research/safety/18035/18035.pdf>

These are all examples of not only the issues we face in preparing for the technology of the future, but are also examples of where the construction industry, vehicle and technology manufacturers, state DOTs and local governments can work together to solve a mutual challenge.

FUNDING FEDERAL SAFETY PROJECTS

Federal transportation programs rely on federal fuel taxes to provide revenue into the Highway Trust Fund (HTF). These taxes provide the majority of funding into the HTF and are critical to making the infrastructure investments Members of Congress and the public want.

It is true that since 2005, spending out of the Highway Trust Fund has outpaced revenue into the HTF. This has meant billions of dollars has had to be transferred from the General Fund into the HTF to maintain spending levels. While ATSSA members are grateful for the funding included in the IIJA, we remain very concerned about the lack of modernization of the current user fee system which pays for these investments. Federal fuel taxes are an excise tax—meaning they do not rise or fall based on the price of a gallon of diesel or gasoline but rather are a set per-gallon rate. The federal fuel taxes have not been increased since 1993. While I am not here to say that this tax should be raised immediately, I do believe that this country needs to figure out how we will pay for federal infrastructure programs in the future.

One idea that will not solve this problem, and in fact would create new ones, is a suspension of federal fuel taxes. We join many in the transportation industry to strongly oppose any effort to suspend these taxes, and we do so for multiple reasons:

1. It's very unlikely that the full tax of 18.4 cents, if suspended, would be passed along to the consumer.
2. When the suspension is lifted in January 2023 and the fuel taxes are reinstated, the public will view this as a new tax increase—making any reinstatement politically difficult.
3. Eliminating the main source of funding into the HTF will exacerbate the revenue shortfall noted earlier and would undercut the transportation investments states and local governments are currently planning to make across the country.

In order to provide a long-term funding solution for the HTF, Congress should use the next several years to analyze data on alternative user fee mechanisms, including vehicle miles traveled fees, to ensure that the concept of a Highway Trust Fund can continue to live on for decades to come.

Why is this a safety concern, and what does this have to do with rising traffic fatalities? Without a modernized user fee, the argument for having a dedicated trust fund for transportation construction projects, including roadway safety infrastructure projects, disappears. Without the dedicated user fee, you lose the HTF. Without the HTF, you lose the ability to enact multi-year transportation authorizations, and you lose any meaningful, strategic federal investment in roadway safety infrastructure projects.

CHALLENGES

The IIJA invests historic levels of funding in roadway safety, but challenges loom and will prevent the full implementation of the infrastructure package, and thus, likely put lives at risk. Prior to the COVID-19 pandemic, the construction industry was facing a workforce shortage that has been further exacerbated by multiple factors, including low unemployment, relaxed state drug laws, enhanced unemployment benefits during the height of the pandemic and the fact that road construction is hard work.

The roadway safety industry is also facing a significant shortage of materials that go into the very devices that save thousands of lives on U.S. roadways. A May 2022 survey of ATSSA manufacturer member companies found that 92 percent of respondents are experiencing shortages of raw materials, which is an increase from similar surveys in June 2021 and March 2021. Materials in short supply include metals, resins, electronic components, plastics, sheeting material and pavement marking materials, among other items. Although improved from a survey a year ago, it is worrisome that 43 percent of ATSSA members expect to be unable to meet contractual obligations for safety projects.¹¹

¹¹ Special Report: ATSSA Raw Materials Update, May 2022:
https://www.atssa.com/Portals/0/Publications/RawMaterialsSurveySpecialReport_May2022.pdf

Another challenge impacting the maximum effectiveness of the IIJA is the high rate of inflation. Because of increased costs due to inflation, fewer safety projects can be undertaken today than a year ago. If this rate continues, that reality will continue to exist for the life of the law and our ability to reduce roadway fatalities and serious injuries will be undermined.

As we look to address transportation safety, it is important to recognize that all of these issues are intertwined. It will be impossible for state DOTs and local governments to aggressively install proven countermeasures and plan for the future if we don't address the workforce and materials shortage, and the high rate of inflation. To put it plainly like we do in Arkansas, without fixing these issues, this country won't have the people or materials we need to save the lives of our family members, friends, neighbors and coworkers as they travel our roadways.

CONCLUSION

The continued increase of traffic fatalities in the U.S. is incredibly tragic. As a safety professional, business owner and mother of young adult children, the numbers are unacceptable, and I know we can do better by working together. We are at an inflection point with safety from all angles, and this effort is going to take collaboration from safety stakeholders and investments at the federal, state, tribal, and local level. I know that I join my colleagues on this panel in confirming our commitment to getting the job done. It will take innovation, a willingness to learn from one another and the ability to look at improving roadway safety as a collective challenge. ATSSA members are ready to do what we do best—roll up our sleeves and get to work.

Thank you for the opportunity to testify today, and I look forward to working together to realize a shared vision of zero deaths on our roads. I look forward to answering your questions.

Ms. NORTON. Thank you, Mrs. Williams, for your testimony.

I now would like to recognize Chair DeFazio for 5 minutes of questions.

Mr. DEFAZIO. Thank you, Madam Chair.

First, to Mr. Wilson, you testified in your testimony that the State DOTs are all in on safety for all users. Unfortunately, AASHTO also resists any attempts at, shall we say, dedicating directly money and impinging upon their flexibility. And I find it very disturbing that 23 States, despite this massive increase in fatalities, chose to transfer funding out of the Highway Safety Improvement Program in 2021.

Can you tell me what the senior leadership and others at AASHTO are doing to perhaps put a little pressure on these States to stop transferring money out of the safety program—which could save lives—while they are seeing an increase in fatalities?

Mr. WILSON. Chairman DeFazio, thank you for the question, and I would assure you that in every mission intent of every secretary that I have ever worked with, safety is paramount. That does create choices at the local level, which is why flexibility has been of value for States to use, and we trust that they will continue to make decisions.

And with regards to redirecting funding, I would call your attention to mandates and directives and legislative authorities that States have to work with in terms of satisfying their Governors, their legislature, and the publics in their various processes, and what that flexibility allows.

The core of your question I believe speaks to what AASHTO is doing to help focus and prioritize elements of safety and principles of how we operate. What we have done at AASHTO is continue to provide education. We continue to provide information and best

practices on what's happening. I will be the first to tell you, not every State is going to do it equally.

What we do in Louisiana is spend more on issues of safety than what we are required to do. We spend more on local roads than what we are required to do. But that is a commitment that Louisiana has made. And so, AASHTO does not have that authority, unfortunately, to direct every State, and we appreciate Congress' effort and intentions on directing and placing dollars and priority where they do.

I will assure you, though, that the dollars that are being spent are addressing comprehensive issues and safety, and I think what may be moved to another program, if it is safety dollars, it can still benefit in that other program from a safety purpose and mission.

So, with respect to that, I would offer you that AASHTO remains committed, and we are happy to continue to have conversations on how we might be more aggressive in that space. We don't reject that opportunity or that role.

Mr. DEFAZIO. Well, congratulations on what your State is doing. Unfortunately, there are 23 other States that aren't putting more money into safety than they are being allocated.

Does anybody else want to address that question on unmet needs for safety, where money is being diverted, on the panel? Anyone at all?

[No response.]

Mr. DEFAZIO. I guess not. OK.

Ms. CLEGG. Mr. Chairman?

Mr. DEFAZIO. Yes.

Ms. CLEGG. Sorry. I was [inaudible] being able to pipe in here. I would like to address that, if I can have a moment. I work in Idaho not only as a city council member, but also for a nonprofit that works around the State on safety issues. We have been active in a coalition statewide that worked hard to advocate for our State DOT not to transfer those moneys, and that effort was successful.

So, I would note that advocacy is incredibly important in this space, and the more that the advocates let the DOT know that transferring that safety money is not acceptable, the less likely it is that that will happen.

Mr. DEFAZIO. Excellent. That is a good response. And that—actually, when I recently addressed AASHTO, I said, “You got what you wanted,” which is extraordinary flexibility in the IIJA. You didn't have to do “fix it first” or any of the other things that were in the House bill.

So, it's now up to you, States individually, you leaders of the DOTs, and to the citizen advocates to make the case to their State legislatures and to their Governors that this is unacceptable. As long as these numbers are going up, we should be spending as much as possible of the HSIP money on dedicated safety and also moving ahead more quickly with Complete Streets and other things.

Thank you, Madam Chair. I appreciate the opportunity.

Ms. NORTON. Thank you, Chair DeFazio.

I now recognize Mr. Crawford for 5 minutes.

Mr. CRAWFORD. Thank you, Madam Chair. In light of the topic of this hearing, I want to first offer my condolences to those who

lost loved ones in the devastating collision that occurred just 2 days ago in my district involving a C.B. King Memorial School bus. This tragedy took the lives of five of my constituents and injured five others. My prayers are with those who are grieving, and I am reminded of the urgency today to keep our roadways safe.

Let me start my first question and direct this to Mr. Wilson. How are State and local governments taking into account the current supply chain challenges that we are facing now and the need to move freight efficiently as they consider design projects like the adoption of bike lanes? Narrowing vehicle travel lanes to accommodate bike lanes may be beneficial to cyclists, but how should State and local governments weigh that against the importance of moving critical goods like medicine, groceries, and baby formula?

Mr. WILSON. Thank you, Congressman Crawford. I will tell you that States have robust planning efforts that engage not just a single stakeholder. So, when we look at our State transportation plans that require freight plans where we identify those corridors that are focused specifically or intentionally on freight, we factor in safety in those implementations or those designs.

And so, we recognize the need to move freight on our systems. We all support a multimodal system in terms of infrastructure, and we also have to factor that into safety, whether it is the opening remarks around truck parking, and not only the shortage in the safety, they also have remnants of deterioration on our system in terms of creating unsafe shoulders or drop-offs and things of that nature from where they park.

So, our statewide transportation plans, first and foremost, should address the long-term implications of how freight moves.

With regard to the supply chain issues and what is happening with those, all of the DOTs are monitoring those materials and the impacts on our projects. And so, you can take something as simple as plastics and striping and other materials that are necessary for safety-type projects. The slowdown that we are seeing delays the ability to make a difference on those projects, whether they are roundabouts, signage, J-turns, you name it, the delays in even cables for cable barriers, all of those are factors that contribute to the ability of a State to implement projects that have already been proven, have been scientifically justified, and have advanced to the planning stage where we can no longer implement it immediately. And so, that delay creates an opportunity for another death and another accident.

Mr. CRAWFORD. Got you. Let me shift gears real quick. I want to get your thoughts on this, Mr. Wilson, but also, Mrs. Williams, I would like to get your opinion as well.

Mr. Wilson, you mentioned in your testimony that the rural roadway fatality rate is roughly twice the urban fatality rate. Can you expand a little more on how the Federal Highway Administration could work to make the guidance and technical support for the Safe System approach meet the needs of rural areas like the district that I represent?

Mr. WILSON. So, I think the context-sensitive approach to understanding what the cause is, and looking at the countermeasures that are available and are applicable in those environments, will require a different type of elements. And so, for us in Louisiana,

you might see centerline rumble strips as opposed to just on the edge lines. You may see a wider striping or even a smaller striping, depending on the capacity of the road and whether or not shoulders exist.

And so, States have that flexibility to be very context-focused to understand the problem and understand what is causing those accidents. And if they are correctable, we will apply them appropriately where the problem exists. So, what happens in rural America doesn't necessarily suffice in urban America, and vice versa. And the data will speak for itself as well as the implementation tools that States have flexibility to apply.

Mr. CRAWFORD. Appreciate it. Mrs. Williams, any thoughts?

Mrs. WILLIAMS. I am going to agree with the fact that rural America is totally different than the metropolitan areas. Arkansas is a very rural State. We are the natural State. Please accept my condolences as well. That was a hard article to read, to see the accident that had occurred. It happened at an intersection. What are we doing to be safer in our efforts to sign intersections? Cross-traffic does not stop. It was a major highway that that van was crossing.

So, what are we doing to search out the location of these accidents, the causes of these accidents, and what can we do to collaborate and spend some of the HSIP money.

Mr. CRAWFORD. Let me ask you this. Mr. Wilson addressed the fact that the States have some flexibility in determining what works in urban areas, what doesn't work for rural areas, and so on. Does that go right down to the county level, so counties are—they know their roads really well.

Do the counties have the flexibility that they need to be able to implement some of these safety measures at their discretion, so that like this intersection that you mentioned where this fatality took place, would they have the flexibility to implement some safety countermeasures, safety measures?

Mrs. WILLIAMS. Yes, they would. I know in Arkansas specifically, the counties have the opportunity to work with ARDOT on some of the money that is there through the HSIP funds to go and look and see: what can we do?

Mr. CRAWFORD. So, they have got the flexibility and the funding, then?

Mrs. WILLIAMS. They have to apply for the funding, yes.

Mr. CRAWFORD. OK. Great. I am out of time, but thank you. I appreciate you all being here.

I yield back.

Ms. NORTON. Thank you, Mr. Crawford.

I now recognize myself for 5 minutes.

Mr. Gaines, the District of Columbia is a very walkable city, lots of parks, lots of bike riding, and, of course, people ride on transit. Mr. Gaines, what are the most effective ways that we can improve roadway safety for all of these users using the same roads?

Mr. GAINES. Thank you, Congresswoman, for the question. And that is the compelling issue that we work at WABA every day. It is finding ways to accommodate all transportation participants in the infrastructure that exists.

We have seen, after hard-fought battles, tremendous gains in the District and other areas in the DC metro region. One victory I would point out is bike lanes on Connecticut Avenue. That would have been unimaginable 10 years ago, 5 years ago. But what we are seeing is an accommodation and a recognition that pedestrians and bicyclists are as valuable as cars on our streets, our public roads, and in our transportation infrastructure.

It is hugely a readjustment of our imagining our public spaces, one that doesn't favor the vehicle over people, but one that takes all of the participants into consideration fairly and equitably.

We are seeing the rise in fatalities and crashes and injuries and the tragedies that have happened seemingly on a weekly, if not daily, basis directly because of the misprioritization of our traffic participants, transportation system participants.

We have the opportunity through planning and zoning—I am a former city council member, former planning commissioner—to accommodate all of those users in the planning process. Hugely important process and one that has to respect all stakeholders.

It is essential that, as we do this planning, we are engaging in outreach and engagement with all communities. We have spoken about the equity issue, but for those who live in the District of Columbia, we know it was the deadliest year for traffic fatalities in the District's history, and we know that half of those fatalities came in wards 7 and 8, predominantly African-American.

And we know that resourcing of remedies has to reach those communities. That is why at WABA, we are incredibly proud of our Zero Summit which we hold every year with our stakeholders throughout the District to bring transportation solutions and experts to the communities themselves, our partnerships with those communities as well.

We are equally proud this year. I came to WABA in January, and we have secured a DDOT grant to work in conjunction with Howard University in their engineering department, specifically in ward 7 and ward 8, to create crash trackers for youth.

We are seeing that an inordinate amount of youth are suffering accidents coming and going from school. We see that the infrastructure in these communities is not one that favors traffic safety. It is actually one that leads to traffic injuries, crashes, and fatalities.

So, part of our goal is to reach out to the communities directly themselves, to go to the source where the problems are, and to provide important data to our decisionmakers about tracking crashes and vulnerable intersections and high-impact intersections.

I will leave you with this. On this issue, we have seen repeatedly that these accidents are happening at the same intersections, the same streets, the same roads consistently. Just last week, a young 18-year-old in Bethesda was struck and killed while riding his bicycle. Two years prior, another 17-year-old was struck and killed at the same intersection.

The advocates on the ground—and these are the ones that we must listen to—advocates on the ground are the ones who have been fighting and lobbying for this to little avail. And until we correct the mindset amongst our decisionmakers and those who are allocating these scarce resources and prioritizing our roads, we are going to continue to see it.

And it really requires us to reorient our philosophy and approach to what safe streets are, and safe streets must begin by putting people first.

Thank you.

Ms. NORTON. Thank you very much. My time has expired.

I now call on Mr. Babin. You are recognized for 5 minutes.

Dr. BABIN. Thank you, ma'am. I appreciate it very much.

Thank you all for being here today and for taking the time to testify before our committee. And without a doubt, the statistics we have gone over today are very concerning, and the need to make our roads safer is very apparent.

Mrs. Williams, Cindy Williams, I would like to ask you a question, this one here. First off, you are very lucky to be represented by such a fine lawmaker in Bruce Westerman from Arkansas, the Fourth Congressional District of Arkansas. He and I were classmates. We came in together the same year, and we have worked alongside each other, not only on this subcommittee on T&I but others as well, his own. I deeply appreciate his leadership and friendship.

As you noted in your testimony, a historic level of funding was injected into the transportation and infrastructure sector with the passage of the Infrastructure Investment and Jobs Act, or IIJA. However, we all know that simply throwing money at problems doesn't actually solve those problems.

Throwing taxpayer dollars at the infrastructure industry without solving the supply chain crisis, the pandemic recovery issues, like fraud and abuse, major workforce shortages, overly burdensome bureaucratic redtape, and other underlying issues will not actually allow us to see long-term sustainable improvement and investment in our Nation's infrastructure, and that includes improvements in our road safety.

Unfortunately, however, throwing billions of taxpayer dollars in an effort to solve issues seems to be a very prevalent state up here, the status quo if you will.

In fact, as all of my colleagues here should recall, last year President Biden signed the American Rescue Plan into law, sending out billions and billions of additional American taxpayer dollars under the guise of COVID relief and economic stimulus with a big Government top-down spending approach. And now billions of those dollars allocated by the American Rescue Plan are still unspent many months later.

Bureaucrats here in Washington have made rules to hold up funds that could and should be utilized by State and local governments to improve our infrastructure ourselves. Instead of fixing the roads and installing stoplights, building bridges, and filling up potholes, these funds are stuck in coffered our State and local officials cannot even use, all the while Congress continues to authorize and appropriate more and more new money.

I cosponsored the State, Local, Tribal, and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief Flexibility Act, which was introduced by my friend Dusty Johnson, who also serves on this subcommittee, which would have given States and localities freedom to utilize certain unspent COVID relief dollars on infrastructure projects.

Imagine that: spending what we have already appropriated instead of passing billions in new funds. Without a doubt, this reckless spending has played a serious part in the current inflation and economic uncertainty that we are all seeing today and feeling very acutely in our own wallets.

In your testimony, you touched on the harm that inflation is having on your industry, and I thank you for bravely standing up and mentioning this important topic. So, would you please elaborate on how inflation, especially the historic, record-setting, high inflation that we are seeing today, the highest in 41 years, impacts your industry and, thus, the safety of Americans traveling on our roads and our highways?

Mrs. WILLIAMS. Sure. Thank you for the question.

Dr. BABIN. Yes, ma'am.

Mrs. WILLIAMS. I think if you just look at it from the very barebones basic of inflation is causing our raw materials to be more expensive, which makes it more expensive for me to purchase those materials, which makes my bid much more expensive to my contractors who then bid that to ARDOT. Then we turn around and we have got inflated fuel prices where we are looking at wage rates increasing if we can find the workers. You mentioned that as well.

So, when we go and place a bid for a job, it is a much more expensive bid than it has been in the past. Bottom line, what that turns into is less money for less projects for safety.

Dr. BABIN. Right. Thank you very much. I appreciate that, and I will yield back.

Ms. NORTON. Thank you very much.

I now call on Mr. Johnson of Georgia.

[No response.]

Ms. NORTON. Mr. Johnson of Georgia?

[No response.]

Ms. NORTON. Mr. García. I now call on Mr. García.

Mr. GARCÍA OF ILLINOIS. Thank you, Chair Norton and DeFazio, for holding this very important hearing. And thank you to the witnesses for appearing today.

Unfortunately, the title of this hearing addressing the roadway safety crisis is true. We are facing a safety crisis on our roads. A few weeks ago, the National Highway Traffic Safety Administration released the road safety data for 2021. The data is horrifying. Almost 43,000 people died in traffic crashes. Thousands more were injured. This is the worst number in 16 years. We are going backward instead of making progress.

Oftentimes, we use the word "accident" to refer to traffic crashes where people get killed or injured. The term "accident" suggests that there was nothing we could do to stop these crashes, that no one was at fault. It was just an "accident." But, in fact, the complete opposite is true.

As policymakers and transportation professionals, we have all the tools we need to reduce and eliminate traffic crashes and save thousands of lives each year. Regrettably, we choose not to use them. We continue to prioritize the speed of vehicles over the safety of road users even though speeding is one of the top two causes of traffic crashes.

We don't require cars to be designed to reduce the impact of traffic crashes on pedestrians and cyclists, and we don't build safe infrastructure for pedestrians and cyclists like sidewalks and protected bike lanes, even though we know how to do so.

I want to end by recognizing the advocates and organizations like Families for Safe Streets, the Institute for Safer Trucking, and Advocates for Highway and Auto Safety that fight every day to save lives. Too often they themselves have had family members killed in traffic crashes, and they carry that pain every day.

The current situation is grim, but I hope that we can collectively work together to make progress. Lives are at stake.

A question for Elaine Clegg, city council president from Boise. In your testimony, you discuss how the Manual on Uniform Traffic Control Devices, known as MUTCD, needs to be modernized. For those not familiar with MUTCD, it is the guidebook that traffic engineers use when installing traffic control devices and street markings on our streets. It has not been updated since 2009, and it is outdated, especially in keeping pedestrians and cyclists safe.

In the Infrastructure Investment and Jobs Act, Congress directed U.S. DOT to revise the MUTCD, including by making sure that vulnerable users like pedestrians and cyclists are protected.

You state in your testimony that local governments have found that MUTCD, in its current form and governance, is a roadblock to safety improvements and innovation. From the National League of Cities' perspective, what reforms need to be made to MUTCD to modernize it and ensure that we are doing everything to make our roads safer?

Ms. CLEGG. Madam Chair, Representative García, thank you for the question. I really appreciate it, and you are correct that clearly the MUTDC is not working to create safer conditions, as we are seeing this crisis grow. In Idaho, crashes increased 36 percent last year, three times the national average. I am very concerned about this growing crisis.

MUTCD is arcane. It needs to be. There is a lot of detail in it about how to do striping, how to do signage, how to do roadway markings. But it has become quite confusing. It is difficult, especially for small jurisdictions, to use. They have to hire expensive traffic engineers to interpret for them what is appropriate.

We often find that we ask for something, and MUTCD is used as a reason not to do that, because there is some arcane rule somewhere that says that is not the appropriate measure. We need it to be clear, concise, and usable by all users. We also need it to really focus on what it was intended to do and be unburdened by all of the other things it has been asked to do over the years.

If we had one ask of MUTCD, it would be to listen to those comments that were turned in last year when the comment period was open from experts all over the country about how to make it more clear, more concise, and easier to use for, especially, local jurisdictions across the country. We don't have the same number and kind of traffic engineers that the State DOTs do and [audio malfunction]. Thank you.

Mr. GARCÍA OF ILLINOIS. Thank you very much. My time has run out, so I will submit additional questions in writing.

Thank you, Madam Chair. I yield back.

Ms. NORTON. Thank you, Mr. García.

I now recognize my good friend, the ranking member, Mr. Davis, for 5 minutes.

Mr. RODNEY DAVIS OF ILLINOIS. Thank you, Madam Chair.

Mrs. Williams, the safety needs of real communities that I represent are often different than the safety needs of major metropolitan areas. How important is it that we ensure our local communities and States have the ability to address their specific needs as opposed to a one-size-fits-all Federal approach to safety?

Mrs. WILLIAMS. I think it is incredibly important, and that is where we just all need to work together, making sure that we are meeting the needs of both.

Mr. RODNEY DAVIS OF ILLINOIS. Well, I appreciate that. And I have long advocated for the creation of a marijuana impairment detection system. Unfortunately, there are some roadblocks at the Federal level into researching marijuana impairment, which is why I helped author language that was included in IJJA calling on DOT to study what roadblocks exist and how to move past them.

As more and more States like my home State of Illinois legalize recreational marijuana use, how important is it that law enforcement has the necessary tools to keep our streets safe from drugged drivers?

Mrs. WILLIAMS. I think it is incredibly important, and I would—looking at a system that would check their impairment at the time would be great. I think we also need to look at it from a different perspective as well.

I try to hire employees who can't pass a drug test because they may have done something over the weekend. Well, now they may not be high right now, but they can't get a job because I am regulated by the Department of Transportation. My gentlemen drive big trucks. We are required by DOT that they have to have a clean drug test.

So, I think we need to look at it from that perspective as well.

Mr. RODNEY DAVIS OF ILLINOIS. Yes, we do. Look, you have legal products like alcohol, you have a measurement.

Mrs. WILLIAMS. Yes.

Mr. RODNEY DAVIS OF ILLINOIS. If somebody is impaired, then they can't drive. If somebody is impaired and driving, then they should lose their privileges if they test higher than what the legal limit is.

So, I would love to work with you and the association to move these research projects forward.

Mr. Wilson, it seems that data is paramount when determining where and how to spend our safety dollars. How does data inform decisions and investments related to highway infrastructure?

Mr. WILSON. Sorry about that, Congressman. Very good question. Data is absolutely essential for us to make the most informed and strategic safety decisions as to where we apply solutions that have been proven to work.

With IJJA and their investment in the ability for us to collect that, Louisiana and other States are doing a great deal of work and working with locals to understand what is happening to vulnerable road users, nonmotorized users, on the local system as well as the State system, and making that data more accessible to be able to

be used and applied to projects is absolutely essential, whether it is with Tribal communities and Territories or local governments to have the transparency of information to make the most informed decisions is paramount to saving lives and protecting people.

No different than what Mr. Gaines shared in terms of looking at intersections and where you see historic repeat accidents, the data should drive the actions of a State as it relates to making safety decisions.

Mr. RODNEY DAVIS OF ILLINOIS. Well, data has long been used to make decisions when it comes to highway improvements. We have traffic studies in my home State of Illinois. When we are begging for roadway improvements, they will do the studies, they will use that data, and, as you see, more and more Federal tax dollars invested in data collection.

My concern is—and I would like to know from you—where is that data that can be used by our local DOT in the State of Illinois, or elsewhere in the country, or local governments, where is that sourced from?

Mr. WILSON. So, the data, where it is sourced from, it is sourced from those communities. It is sourced from the accident reports. It is sourced from vehicle data that we see. And so, it shows up in our regular Highway Priority Program.

So, when we actually roll out a capital program, as I know the secretary of Illinois, when they roll out their program, they have spent the time to look at data, to make a constrained decision based on the resources that are available, and focus the resources where the accidents are and/or make the improvements that the data says it is going to have the biggest impact as opposed to not.

Mr. RODNEY DAVIS OF ILLINOIS. So, that is not real-time data. That is more data research.

Mr. WILSON. Well, I think it is data research, but there is an evolving element of data collection. So, from a traffic standpoint, we use these cell phones now to tell us where people are. You can triangulate that with existing data that we have collected historically on our system and be very predictive.

We are looking at predictive analysis on where we will see accidents, so we can best position, from a traffic management standpoint, vehicles to be able to remove them, but also to be able to use education and to notify people ahead of them approaching a situation where there is a potential for rear ends or sideswipes, whatever it may be.

Mr. RODNEY DAVIS OF ILLINOIS. Well, I would love to work with you and all the witnesses as we move forward into more of a real-time data collectability atmosphere here within traffic safety. So, I look forward to working with you. Thanks for answering my questions.

I yield back.

Mr. WILSON. Thank you.

Ms. NORTON. Thank you, Mr. Davis.

I now recognize Mr. Johnson of Georgia for 5 minutes.

Mr. JOHNSON OF GEORGIA. Thank you, Madam Chair, for holding this hearing, and thank you to the witnesses for your time and testimony.

Current estimates are that nearly 43,000 people died in motor vehicle traffic crashes last year, a 10½-percent increase from 2020. This is more than just cars crashing into one another. Pedestrian fatalities are also on the rise. Bicycle fatalities are on the rise, and also motorcyclist fatalities are on the rise.

These increases reflect not just the inherent risks of driving but the very design of our roadways. Federal regulations and improvements in vehicle design have made it safer to be inside of a vehicle. Now we must apply the same commitment to safety for people outside of vehicles. Safe roadway and community design is an essential part of reducing these rising deaths, and designing streets for safety must be a priority.

While pedestrian safety impacts all Americans, the risks are not evenly distributed. According to a recent Governors Highway Safety Association study, Black children ages 4 to 15 had the highest rates of fatalities involving pedestrians as a percentage of all motor vehicle traffic fatalities.

Dr. Wilson, are you familiar with these statistics? And, if so, how do you explain them?

Mr. WILSON. Congressman Johnson, I am familiar with those statistics. It is not much different than what we are seeing in Louisiana in terms of where our crashes and fatalities are occurring. I think the difference or the reason why we are paying more attention to it is because of the focus that this administration and IJJA have placed on looking at equity in terms of how it impacts humans and lives.

And so, as I mentioned to you with our highway safety program and in previous testimony here today, I have indicated ways in which we are looking at communities and are assessing data based on demographics where we can now look at what is happening in a community that has historic poverty levels or has historic access.

And we see the gaps in our system as it relates to sidewalks or lighting or other elements that will make it safer for those citizens.

So, it is in fact alarming, and I think we owe it to communities to equitably distribute our safety dollars, to equitably distribute our capacity dollars and everything else, so that we have a comprehensive system. And so, where we can invest in pedestrians and bicyclists in places where we have not, we absolutely should.

And, unfortunately, the data is pointing us in the direction of those communities of color or communities of consistent poverty where we are having the greatest impact on losing lives, and that just perpetuates their problem from a financial perspective and the impact on those families.

Mr. JOHNSON OF GEORGIA. Thank you. Tell me what can be done to change road design from prioritizing speed to safety.

Mr. WILSON. I will tell you from a national perspective, engaging in active conversations with stakeholders is absolutely essential. The updates to the MUTCD are absolutely essential, and then empowering engineers to be able to make decisions at the State level and at the local level that will allow for engineering judgment to apply itself appropriately.

We have had several situations in Louisiana where there have been requests for speed and reductions, and we do data and we look at the assessments. But that is only part of the equation. We

also have to look at land use. You have to look at what access management authorities exist, and that oftentimes will be given to the local governments as opposed to a State government.

And so, that has to be a collaborative conversation, one in which we look at the data collectively and then that we understand our responsibilities. And that is the value of a Safe System approach is it is going to share responsibility for ensuring people are safe in such that it is not just about speed.

It is about enforcement. It is about design. It is about education. It is about awareness. It is about land-use decisions, and that is something that is universal across the country when it relates to infrastructure.

Mr. JOHNSON OF GEORGIA. All right. Thank you.

Ms. Clegg, when you described in your testimony the death of a woman at an unmarked intersection, it struck a chord. In my home State of Georgia, 182 pedestrians died in the first 6 months of 2021, a 77-percent increase from the same period in the previous year. And, in Atlanta, there were 29 pedestrian deaths in 2021, nearly double the number in 2020.

In your experience, how can we prevent such fatalities? And also, has the unmarked intersection you described been properly marked since the woman you mentioned lost her life?

Ms. CLEGG. Madam Chair, Representative Johnson, thank you for the question. No, it has not been fixed, and it still haunts me. And I guess I will respond by talking a little bit about Mr. Wilson's testimony, that DOTs do need to work with locals to look at context and make changes appropriate based on that context.

In the case that you are talking about, the city of Boise has a highway that runs along the edge of our downtown, so, a five-lane facility in both directions, two different roadways. We worked with the State DOT over a period of a year to examine the safety issues on it and try to come up with solutions for how to make it safer.

From the city's perspective, those solutions included reducing the number of lanes, reducing lane widths, and increasing [audio malfunction]. The State DOT was unwilling to make many of the improvements that we suggested based on their perception that it was more important to continue moving traffic more speedily along that corridor.

I think this brings up a very important issue, that you can move traffic at a lower speed during the time it is moving and still have it travel through a corridor in the same amount of time if you design that corridor correctly, with good traffic signal timing. We often look at the travel speed during the time we are traveling as the only measure rather than the entire picture of what is happening along the corridor.

I will continue to work to increase the crossings on that corridor, as well as others in our region that have similar issues.

Thank you again for your question.

Mr. JOHNSON OF GEORGIA. Thank you, and I yield back.

Ms. NORTON. The gentleman's time has expired.

I now recognize Mr. Bost for 5 minutes.

Mr. BOST. Thank you, Madam Chair.

Mr. Wilson, as you know, the national shortage of parking is a safety crisis. There have been dozens of studies, including surveys

by numerous States and two from the U.S. DOT, that have confirmed there simply is not enough parking for the number of trucks on the road.

U.S. DOT's most recent report on the issue found that the shortage is a problem in every State and every region. Even in the most recent report, the administration failed to mention truck parking even once—not even once—in the National Road Safety Strategy.

If a trucker cannot find a safe and legal parking spot, they often resort to parking in areas like highway shoulders, entrances, and exit ramps. Parking in these locations creates a hazard for the personal safety of the driver, but also for other motorists.

But if a trucker is fatigued or running out of their hours of service, they have no other choice than to try to find someplace to pull those trucks off.

Now, right now, the States could be working to fix this issue with Federal money, but unfortunately, DOT's own data show that few, if any, States are creating new parking spaces, and some are even losing those parking spaces.

So, the question for AASHTO's perspective is, given this clear need for parking, the obvious safety implications, can you talk about why we have not seen any real truck parking capacity expansions from the States?

And since U.S. DOT and many States have identified the parking shortage as a safety hazard, can you discuss what States are doing to try to make progress on this issue?

Mr. WILSON. Thank you, Congressman, for that question.

And I would echo the concerns about truck parking. In Louisiana, the I-10 corridor is absolutely critical to freight transportation, and it is a multimodal corridor for our country.

I will tell you from a Louisiana perspective, one of the challenges with a State DOT making the investment in truck parking is the potential competition with the commercial side of what we provide for trucking.

I can point to several truckstops along I-10 that have expanded the capacity to the point that they are doubling their sizes of that footprint with many more services that are available for the trucker, for that trucking community than what a State would be in a position to provide. That is one aspect.

The second aspect of it has to do with this NIMBY approach that we see a tremendous amount of growth and development in residential communities all along our interstate, and where they have those opportunities to safely maneuver an interchange, you run into a neighborhood immediately, and there is a lot of local resistance to where we have the potential for capacity.

Another issue in Louisiana is, I do not have the authority to expropriate for parking. I can expropriate for a highway. And so, even if we wanted to be extremely aggressive in this area, and we have a commercial trucking position in my department to help work and coordinate with that community, we would not be in a position to exercise the full authority that we have to be able to make the types of impacts from a safety perspective.

And so, we resort to education. We resort to providing information and working with our trucking community, whether it's com-

mercial and/or our local trucking community to try and support the trucking demand.

And I would advocate and support the idea of having discretionary dollars available for the purposes of doing that, but I think that needs to work with helping the infrastructure expand and not necessarily labor it to a department to be responsible for the entire parking support services that are necessary.

Mr. BOST. Would you be able to get your members to put together some data for us?

This is an issue that I have been trying to work on. I came from the trucking industry. I watched this going on. I have also known that early on we saw a lot of the States actually closing rest areas, and that was because of the crime rate and everything like that in those areas.

But if you can get the data to us.

Mr. WILSON. We would be happy to do that, and we are a State that was in a position of reducing the number of rest areas not because of crime, but because of development and the need to not compete with a quarter of a mile down the road interchange that has been placed and is now servicing trucks and commercial services on all four quadrants of that interchange.

And so, it converges with development, and I think it goes back to this land-use conversation in terms of what communities are doing, but we would be happy at AASHTO to share with you some of the challenges that States see and potential solutions that would help deliver more parking sooner rather than later.

Mr. BOST. I appreciate that. Thank you for answering the questions and being here today.

Ms. NORTON. Thank you, Mr. Bost.

Mr. Stanton, you are now recognized for 5 minutes.

Mr. STANTON. Thank you very much, Madam Chair, and thank you for your leadership in ensuring that this committee and this Congress are focused in on saving more American lives on our roadways.

The alarming increase in traffic fatalities over the last 2 years is a wakeup call for all of us, and as much as it is important to highlight the challenges we face throughout our Nation, the reality is that the problem is much worse in Indian Country.

Traffic accidents are the leading cause of death for American Indians. They are twice as likely to be killed in a traffic crash than the rest of our country's population. For Native children, the statistics are even more alarming. Traffic fatality rates are two to five times higher for those under the age of 19 than other racial and ethnic groups.

The National Highway Traffic Safety Administration reports that American Indians are especially at risk for fatal car crashes in the Four Corners regions in the Southwest. That is a rural area, but from 2013 to 2019, there were 583 traffic fatalities there. That is truly shocking.

More than three-quarters of the fatalities were Native Americans. Nearly one in five were a pedestrian or a bicyclist.

As we work to improve roadways throughout our country, we cannot forget our Tribal communities. With historic investments in

the Bipartisan Infrastructure Law, we are beginning to reverse decades of underinvestment in our Tribal communities.

Just yesterday, the Department of Transportation awarded nearly \$9 million to 51 Tribes to improve roadway safety, including a nearly \$1 million grant for the Navajo Nation.

That is a good start, but much work lies ahead to truly make our roadways safer in Tribal communities.

Ms. Clegg, based on your work with Tribal nations in Idaho, what can we do to focus more attention and resources on Tribal roadway safety?

Ms. CLEGG. Thank you, Representative. I appreciate the question.

I have worked with a number of Tribes in the State of Idaho, and the city of Boise has instituted a program called The Return of the Boise Valley People, where we meet once a year with all of the Five Tribes that used to populate that region.

I think that is the key, coordination. When I have worked with the Tribal communities in other parts of the State, what I have found is that there are county governments, the Tribal government, the State DOT, and often a city government, all with competing interests and competing ideas about how to improve safety.

I have not seen great coordination in those conversations, although it is getting better.

I think the need that, for instance, in the city of Lapwai, I worked on a project for safe routes to school. There was a proposal to build a housing development across the highway which would require children crossing the highway to get to school.

I recommended that they not build housing on that side of the highway if they could avoid it. They ended up not doing that.

So, having the technical assistance to help them figure out what is the right solution, but also having the city, the county, the State DOT, and the Tribe working together in that particular situation to come up with a coordinated answer and a coordinated strategy really made a difference.

So, if I had a suggestion, it would be: Require that kind of cooperation on a regular basis and make sure that it leads to a coordinated solution and not a top-down one.

Mr. STANTON. Thank you.

Dr. Wilson or Mrs. Williams, maybe the same question. What can we do to focus more attention and resources on Tribal roadway safety?

Mr. WILSON. Congressman, a great question. I think this speaks directly to the ranking member's question around data and the transparency of what is available.

State DOTs provide local technical assistance, and we work with the Federal Highway Administration to coordinate for those local road assistance programs and highway safety initiatives that will benefit roads adjacent to or near Tribal lands.

I have experience in Louisiana working with Coushatta and other Tribes to make improvements and making the best possible decisions for crossing signals, as well as access to other governmental services.

But I think it is going to begin with having a real transparent, coordinated conversation to provide meaningful solutions that we do not necessarily just direct.

And I think it is important for us also to be sensitive to the cultural uniquenesses of what happens in Tribal communities such that we can be respectful and actually get some things done to reduce those numbers.

Mr. STANTON. I have run out of time. So, Mrs. Williams maybe can answer the question in writing after the hearing. Thank you so much.

I yield back.

Ms. NORTON. The gentleman yields back.

I now recognize Mr. Nehls for 5 minutes.

Mr. NEHLS. Thank you, Chairwoman.

And I would like to thank the witnesses for testifying here today.

And I will be brief. We've said it several times now. Forty-three thousand people were killed on U.S. roads last year, the highest number in 16 years. It is a 10½-percent jump over 2020 numbers and hopefully is an outlier rather than a new trend.

And while I am thankful for all the expert and witness testimony, I think it is incredibly unfortunate and irresponsible that we do not have somebody from the administration here. Why is Administrator Cliff not sitting before us?

After all, Administrator Cliff oversees the National Highway Traffic Safety Administration, NHTSA, the Nation's vehicle safety agency, and it is a shame. It is a missed opportunity for this committee to conduct oversight and hold this administration accountable.

Mrs. Williams, I would like to ask you about rural safety. I read in your testimony that 19 percent of Americans live in the rural areas, yet 43 percent of all roadway fatalities occur on rural roads.

You mentioned that a lot of rural roads are owned by local governments who may not have the technical expertise or resources to combat safety challenges.

So, is there anything this committee or Congress can do to alleviate this issue?

Mrs. WILLIAMS. Collaborate, completely and totally collaborate. The States need to be working with the local government, working with you all, and I hope that you all will continue to work together on legislation that would assist them with such.

Mr. NEHLS. I was in law enforcement for 30 years. I was a sheriff for 8 years, quite a large county, 850,000 people, almost 1,000 square miles.

When our agency would be notified, we would see areas that we were seeing an increase in crashes, whether it was an intersection, a road junction. We would send officers, traffic officers, to try to address that issue, try to manage that issue, try to mitigate, try to do everything we could to reduce the number of car crashes and/or fatalities.

And unfortunately, what I've noticed is that many law enforcement officers are leaving the profession. They are just not there to try to help us reduce this.

So, a question for the panel, simple yes or no. Do you feel that the defund the police movement and anti-police rhetoric we have seen has contributed to the increase in fatalities on our roads?

Mr. Wilson.

Mr. WILSON. Congressman, I would—

Mr. NEHLS [interrupting]. It is a simple yes or no.

Mr. WILSON. No.

Mr. NEHLS. I have got other questions.

Mr. WILSON. No.

Mr. GAINES. No.

Mr. HATTAWAY. No, sir.

Mrs. WILLIAMS. No.

Mr. NEHLS. Well, I would actually—this is what I expected—but I would beg to differ. I would beg to differ because what I noticed is that when we have law enforcement out there protecting our Nation's roads, helping to address the violators, the speeding vehicles and everything; when we sent officers out there, it was addressed and we saw a significant reduction.

So, it does not surprise me with your answers. I yield back.

Mr. GAINES. Congressman, if I could just respond quickly, I respect the question and respect your law enforcement officers, but what we have found is having law enforcement officers who are best prepared and trained to deal with traffic incidents is the most important aspect of the reporting and data collection.

What we found at WABA in 2017 was that nearly one-third of all pedestrian bicycle accidents went unreported. That does not even capture near-misses on our roads and streets.

So, what we did was work with, and I am sorry Mr. Nehls left, but what we did was work with local law enforcement to correct the data collection on site as the incident occurred, and the product has been better reporting.

So, there is an absolute collaboration, as Mrs. Williams stated, and one where there can be productive outcomes in collaboration with law enforcement and community members.

Thank you.

Ms. NORTON. Well, I thank you for that answer.

I now recognize Mr. Lamb for 5 minutes.

[No response.]

Ms. NORTON. In the absence of Mr. Lamb at the moment, I recognize Mr. Auchincloss for 5 minutes.

Mr. AUCHINCLOSS. Thank you, Chairwoman, for convening this hearing.

As a former city councilor, I chaired the Transportation and Public Safety Committee and was a member of the Land Use Committee in my hometown. I became closely familiar with the implementation challenges associated with walkability and microtransit and safe streets.

Throughout this work both at the local level and at the Federal level, I have incorporated an approach from the bottom-up movement called Strong Towns. It originated in Minnesota by a recovering roadway engineer and has now really gone nationwide and inspired citizens and developers and transportation planners to think differently about how we design and develop our city streets.

It seeks to replace America's post-war pattern of development, a very brittle one focused on automobile traffic and single-family zoning, with a much more vital and socioeconomically rich pattern of multifamily development and streets oriented around people.

And this is especially salient and urgent now because as fatalities of people walking and biking in our roads continues to rise, it is just very clear that our pattern of roadway design and the status quo is not working.

Following the passage of the bipartisan infrastructure package, I have been proud to support a new agency authorized in that bill, the Advanced Research Projects Agency-Infrastructure, ARPA-I, which can be an incubator for innovation to support the Strong Towns approach to roadway design, and I am hopeful that the witnesses today, as you have already, can help us brainstorm for how to incorporate Strong Towns in our planning and development.

In that vein, my first question is for Councilor Clegg.

Thank you for your helpful commentary so far.

The Strong Towns approach operates with the understanding that it is not enough to merely accommodate pedestrians on roads that are dominated by automobiles, but rather to flip that dynamic and to accommodate automobiles on roads that are dominated by pedestrians.

Our streetways need to be places that are at human scale and that feel and are, indeed, safe for humans. Can you talk to us about how you are trying to reprioritize how we think about street design in the Strong Towns approach, how we are trying to or you might be trying to, instead of attribute fatalities to driver error, which research has shown is not the biggest cause of fatalities; rather, to recognize that roadway design is really the culprit here and we must think differently about how we design roads from fresh principles?

Ms. CLEGG. Thank you, Representative.

I would absolutely love to answer that question. In fact, we have had Chuck Marohn come to Boise and talk to us about the Strong Towns approach, and people—

Mr. AUCHINCLOSS [interrupting]. And I have had him come to my district, too. That is fantastic.

Ms. CLEGG. Yes. So, I would go to a story about a small town in Idaho. Most of my day work is in very small rural communities, a place where the public works director is also the baseball coach and EMT.

And we were looking at the roadways there and trying to figure out how to make them safer and more inviting for pedestrians. We decided on some roadway markings. He was excited to try it, and when we showed up 3 weeks later to do it, he had his baseball striping machine to stripe the road because in such a small town, he had no other way to do it.

But it worked. So, I think the lesson is that we need to allow people to innovate. We need to allow people to respond to local conditions.

It is interesting to me that roadways that were built long before we had traffic engineers and an AASHTO Green Book are the ones that are the safest.

Mr. AUCHINCLOSS. That is right.

Ms. CLEGG. Everywhere in the country. And it is because the roadways are narrower for cars and wider for pedestrians. There is a tree line. There is a separated sidewalk where there are bike facilities. They are very safe.

And so, as we look to flip this, I think we have plenty of space that we have set aside for right-of-way. We have just used it, I believe, in the wrong way. We need to think again about how to reuse that space and prioritize shared streets for all people.

We all can envision that picture that we have seen of the historic downtown street with a street—

Mr. AUCHINCLOSS [interposing]. That is right.

Ms. CLEGG [continuing]. With a horse and a car and a person on foot, and maybe one of those three-wheeled bicycles, and they all were able to share that space because the street was designed in a way that sharing it was safe.

We can get back to that.

Mr. AUCHINCLOSS. Councilor, I have to interject, but I appreciate your answer. I could not have said it better myself.

And I would just add on to that that part of that repurposing of shared space is going to need to be parking. We have subsidized parking in this country, especially in our densely settled areas, to an egregious degree, and we are going to have to repurpose and think differently about storage for vehicles and think instead about creating shared spaces for humans.

Chairwoman, I would like to submit for the record the Strong Towns strategy which they just came out with recently.

Ms. NORTON. So ordered.

[The information follows:]

**Strong Towns Strategic Plan—2022 Update, Submitted for the Record by
Hon. Jake Auchincloss**

[The strategic plan is retained in committee files and is available for download at the Strong Towns Action Lab at:
<https://actionlab.strongtowns.org/hc/en-us/articles/8276860099476-Does-Strong-Towns-have-a-strategic-plan->]

Mr. AUCHINCLOSS. Thank you. I yield back.

Ms. NORTON. The gentleman's time has expired.

I now recognize Ms. Van Duyne for 5 minutes.

Ms. VAN DUYN. Thank you very much.

Texas is one of just seven States which in total account for 54 percent of pedestrian fatalities nationwide. Fatality rates are consistently above the national average and is the reason behind the Federal Highway Administration's designation of Texas as a pedestrian focus State.

Nationally, we saw a 21-percent increase in 2021 over 2020 in traffic fatalities. There is no doubt that this is a growing problem as we continue to see fatalities on the rise.

So, my concern is we continue to see this problem and this program as this slush fund for nonsafety related projects, and often see money as the only solution.

Additionally, I am very concerned that many of the Vision Zero plans put a focus on enforcement, and yet this is a waste of time

if district attorneys are not serious about prosecuting criminals and keeping them off our streets.

Twenty-two percent of pedestrian crashes in north Texas were hit-and-runs. Enforcement is huge, but so is prosecution. In Los Angeles, we all saw that video over and over again of a teenager who was on probation at the time. He pled guilty to intentionally driving a stolen car into a mother who was walking her child with a stroller.

The L.A. County district attorney declined to charge the driver with assault with a deadly weapon or attempted murder.

Ms. Clegg, as a former mayor myself, I have utmost respect for local elected officials, and I understand that we need to get buy-in across the board, but how can elected officials—we have the support of law enforcement on this—but how can elected officials assume that we also have the buy-in of prosecutors, that they are prosecuting criminals and that they are ensuring that the laws continue to act as a deterrent and are just not ignored?

Ms. CLEGG. Thank you, Representative.

Well, I can tell you in Idaho, our prosecutors do support us, and I am really pleased about that.

I will also say this. Enforcement is the last resort, and it happens because our road design is such that the only way to slow people down is enforcement.

What we really need to do, in my opinion, certainly my measured opinion based on many years of working with small communities around the State, is look at the roadway design and make it such that—

Ms. VAN DUYNE [interrupting]. Well, and I appreciate that. I appreciate that. We can talk about roadway design, but again, as an elected official, former council member, and a former mayor, I know that when we would talk about expanding our roadways, the first typical thing that we were going to lose is housing.

I do not know what it is like in Boise, but in north Texas, we already have a huge shortage of homes and need. So, in order to expand these ways, these roadways, we are actually going to have to lose single-family homes.

So, how can we do both, making sure that we are responsive but also not losing single-family homes in the process?

Ms. CLEGG. Thank you.

I believe that we should not be expanding roads. We should be building better connected networks and allowing people choices in transportation so that the roads do not get so congested that we try to expand them and lose housing.

In our region—

Ms. VAN DUYNE [interrupting]. But when you have communities that are growing like mine with double digit percentages nearly every month, you do not have enough options now. And we are building whether or not it is our rapid transit, whether or not it is bus systems, whether or not it is trains. We do not have enough now.

So, how can you meet the needs of the population that you have now without continuing to just throw more money at it?

Ms. CLEGG. We can meet the needs by continuing to offer more choices. Expanding the roadways, if it worked, we would not have

23-lane freeways that are always congested. It does not really work.

What does work is connected systems, a network of which people have many choices in how to get around, and if we can do that, I believe we can solve this problem.

Ms. VAN DUYNE. I appreciate that.

I would also like to follow up on the many safety programs that were included in the IIJA because there was a large number of grants.

In recent years, we have seen many cities across the country implement Vision Zero plans, which are often well-funded and well-intended, and yet we continue to see, after all of these years of implementation, record increases in fatalities.

So, why do you think these programs are not working?

Ms. CLEGG. Thank you again.

I believe that they are not working because we have not changed what we are doing. The definition of insanity is trying the same thing over and over again and assuming we will get a different answer.

We have not gotten a different answer. We need to change what we are doing. We need to—

Ms. VAN DUYNE [interrupting]. So, basically just putting good money after bad. I appreciate that.

My time has expired. Thank you.

Ms. NORTON. The gentlewoman's time has expired.

Mr. Moulton, you are recognized for 5 minutes.

Mr. MOULTON. Thank you, Madam Chair.

And I would like to start by just continuing with my colleague from Texas' line of questioning. This is a question that folks face in a lot of American cities.

Boston actually has the worst traffic in the country by many measures, and there are people who are calling for simply building more lanes on highways even though transportation philosophy theories have told us for decades that if you add lanes to highways, you just make traffic worse.

And it especially makes it worse in our cities because, of course, it just puts more cars into downtown. So, even if you can get a little bit more quickly between rural areas or suburban areas, it is going to make traffic once you get into congested areas even worse.

What a contrast traveling to almost every other country in the world, where you have good options: transit, trains, regional rail, high-speed rail. These are not considered second-choice, second-class options to getting in your family car and driving because they can actually get you more quickly to where you need to go than by driving. And that is what encourages people to use them, right?

We do not want people to take trains because the roads are so congested they have to take a second-class option. We want people to take trains because they are faster and more efficient, and oh, by the way, also a lot safer than driving. That is what we should be aiming for.

And yet that just does not seem to be an option. Ms. Clegg, could you just talk about why that is the case here in America, why we do not have a much more balanced transportation system?

Ms. CLEGG. Thank you, Representative. A great question.

If I had the answer to that, I would probably be pretty rich because a lot of people have been trying to answer that question for a long time.

For me, it is because we have allowed our Federal system to flow through a system that was originally designed for freeways, and rather than reimagine that system and reimagine how it could be designed for trains or regional rail or bus rapid transit, we have just continued to pump more money into the existing system.

I think now is our opportunity to reimagine what that means. The flexibility in IIJA is a wonderful start, but it does not require that that reimagination happen. I think we can use it, however, through advocacy and through using the money well to begin to show the success of trying these other options, showing how they actually do work, looking at the reduction I believe that we will see in fatalities and serious injuries, and through that over time really do change the system that we have now from one that's focused primarily on State departments of transportation and highways to one that is focused on transportation writ large for all people.

Mr. MOULTON. Isn't the essence of freedom having choice, right, not being forced to take a car everywhere you want to go?

People in Asia, people in Europe, they have choice. We do not have choice in most of America when it comes to transportation.

I am also struck by Ms. Van Duyn's point about taking single-family homes to expand highways. One double-track rail line has the capacity of about 10 to 12 highway lanes.

So, Representative Van Duyn, that is your answer. Do not add one more lane, which will only make traffic worse. We have seen that by experience. If you have spent any time in Texas, you can prove it.

What we should be doing is giving better options, and not some slow, 1950s diesel-powered commuter train that only goes 50 miles an hour, but trains that are modern like our highways are and compete with the rest of the world.

I also notice that traffic deaths are far lower in Europe. Europe has implemented a lot of Safe Streets and other policies like that.

Mr. Hattaway and Dr. Wilson, what prompted the Complete Streets programs in your respective States?

And how successful have those programs been? Are they a model for the rest of the country?

Mr. HATTAWAY. Thank you, Representative.

Our program was put into place in 2014, and all of our design manuals were updated in 2018. So, the actual projects that have been built on the State's road system while I was there are still in process, but there have been significant changes in the approach that DOT is taking both in terms of working with local governments, but again, allowing the flexibility that we have in design to design for pedestrians and bicyclists and still maintain the operating capacity of the roadway.

The other thing that DOT is doing is focusing on working with local agencies to improve land development patterns and increase the network of streets at the local level, which will help take some of the travel demand off the State and Federal system.

Mr. MOULTON. My time has expired, but I appreciate that very much. It is striking that out of the 37 countries measured in the

2021 International Transport Forum report, we had the highest road fatalities per capita and were just one of three nations whose road deaths increased during the pandemic. That is not an impressive record.

Thank you, Madam Chair.

Ms. NORTON. Thank you, Mr. Moulton.

I now recognize Mr. LaMalfa for 5 minutes.

Mr. LAMALFA. Thank you, Madam Chair.

One of the things we are seeing a mass increase in is the proliferation of marijuana use as more and more States attempt to legalize it, even though it is still against Federal law, and that affects driving.

We are hearing anecdotally a lot about the initial States like Colorado or Washington, but as it spreads out from there, we are seeing much more irresponsible driving under the influence of marijuana.

During the COVID-19 situation, more drivers involved in crashes with serious injuries or fatalities had THC in their system rather than alcohol. OK? It was present in 32.7 percent of these crashes. Alcohol was present in 28.3.

So, we do not really have a clear enough standard as to what impaired driving with marijuana is.

We do have 32 States, such as my home State of California, which completely leaves the burden of proof for THC's influence on drivers up to the drivers on a case-by-case basis.

Twelve States have adopted zero tolerance laws, and six more have bans on certain concentrations of THC. Colorado is seemingly the loosest on that.

So, when we are talking highway safety and more and more of this loose view of marijuana being for medicinal uses, what kind of level of danger do we see as this being a bigger factor of one that maybe goes less detected than alcohol, for example, through the risky behavior we are having on our highways and these numbers going up?

Mrs. Williams, would you like to take a stab at that?

Mrs. WILLIAMS. Thanks.

It is important on a couple of levels. We have got the safety concern of being able to detect whether someone is under the influence currently—

Mr. LAMALFA [interrupting]. A little louder please. A little closer.

Mrs. WILLIAMS. I am sorry.

Important on a couple of levels. We need the ability to be able to detect impairment at the time, but from my standpoint and several of our ATSSA members, it is an issue of hiring people who can pass the drug test work because we are regulated by the DOT in safety sensitive positions. So, it immediately knocks workforce members out.

Mr. LAMALFA. Yes, we are seeing more and more complaints by people hiring truckers or anyone else, the people that can pass the test because we have such a proliferation of marijuana being, quote, unquote, "legalized" by the States.

But as we pursue all of these measures on traffic safety, how effective are they going to be with this continued proliferation of marijuana as it keeps being legalized?

Mrs. WILLIAMS. I just think that if States are going to continue to pass the medicinal marijuana, I think our DOT at the Federal level needs to look at their regulations that are going to help our members.

Mr. LAMALFA. OK. Thank you.

Now, when we shift this back over to the previous discussion on rural highways and rural traffic safety, there are a lot by urban legislators speaking about more and more bike paths, bike lanes, rail, and all this and all that. That just does not happen in rural areas.

The people riding bicycles are doing it primarily for weekend or exercise or things that are more, I guess, just not normal commuting, not the normal work of Mom going to town and getting groceries or the commute to work.

So, how do you dedicate more space, more areas towards rural roads when it is already a challenge as it is to get them funded, and gear more and more towards bicycles or pedestrians when it is not directly practical for people to travel that kind of distance anyway for normal activities other than recreation?

Do you want to take a stab at it, Mr. Gaines?

Mr. GAINES. I would reflect back to the prior congressman's comments about connectivity. What we have seen and what studies have shown even in some rural areas, suburban areas, in particular, providing transportation alternatives, a full spectrum of options for transportation participants is critical.

My experience isn't in rural communities. So, I suspect that I may not be speaking to your community, but what I have seen living in the DC suburbs, having been a city council member, planning commission member, and regional member of a transportation planning board locally is that the more options you provide the transportation community with, the greater the reduction in stress on the transportation system.

Mr. LAMALFA. I appreciate that. Options are nice, but again, there is a practical end use, and when it is a rural situation, it is much different than what it can do in a short commute in an urban area.

The statement was made that there is too much money going towards highways and highway lanes. That could not be farther from the truth in rural use because people are very limited on these alternates.

You are not going to put high-speed rail in my counties in northern California. They are not going to put really any rail unless it can go on an existing track, which you run into freight trains.

Anyway, I am over my time, Madam Chair, but we have to look differently at how rural is in a real sense, not just options because the options are very, very narrow for rural people on those long distances.

Mr. GAINES. I would just follow up in that, and I appreciate the question. The last big funding bill, 80 percent went to highways; 20 percent went to pedestrian-bicycle improvements. So, the funding is there. It is how it is being used on various ends.

So, I would just share that for the record.

Ms. NORTON. The gentleman's time has expired.

Mr. Kahele, you are recognized for 5 minutes.

Mr. KAHELE. Aloha, Chair Norton and Ranking Member Davis. Mahalo for holding this hearing to focus on traffic safety and building safer roads for us all.

Traffic fatalities happen in every community across America, including mine, Hawaii's Second Congressional District. Kaulana Werner was 19 years old and was killed on Farrington Highway, a State highway, in front of his home in Nanakuli, on the island of Oahu where decades of divestment meant that there were no safe sidewalks for pedestrians.

This tragedy plays over every day, especially in underserved communities like his. We know that indigenous communities and rural communities continue to have disproportionately high traffic fatalities because of the lack of infrastructure and focus on underserved communities in those investments.

This problem continues to grow in Hawaii as well. In my home State, traffic fatalities have increased 45 percent from 2021 to 2022, and Hawaii consistently has one of the highest per capita pedestrian fatality rates and an even higher elderly pedestrian death rate.

Although Hawaii has decreased its per capita pedestrian fatality rate in recent years, there is more work that needs to be done. We know that there must be increased investment in underserved communities so that we can prioritize planning and investment and safety to neighborhoods that have had decades of divestment.

And while the Federal Government and the U.S. Department of Transportation have embraced a new path forward on roadway design to reduce traffic fatalities, we know that more must be done.

I guess my question will be directed to either Ms. Clegg or Mr. Wilson. I am interested in your perspective on underresourced communities, such as indigenous or rural communities which have some of the highest per capita traffic fatality rates.

And how can we better serve the needs of those communities?

And what are you seeing in Louisiana or other communities that are underserved or often misrepresented?

Mr. WILSON. Thank you for that question. I was just talking about this issue with Ed Sniffen from your State at a meeting in Dallas.

What State DOTs can do is provide technical assistance to those underserved and undersourced communities and assist them in the planning, delivery, and the operations after it is built, using the best practices and the things that we know are happening.

I call your attention to the Safe Streets for All Program that State DOTs are not eligible to receive, but in my State and in other States—and I have shared this with Ed Sniffen, as I said—we are supporting and helping those communities write the grants and build the capacity to be able to make the investments, and then we will support them in the proper structuring and bidding of that project.

The other piece that we do is when it comes to looking at the resources that are allocated in IIJA, we are exceeding the 15 percent, for example, on bridges that are going to be spending about 30 percent on those bridges that are outside of my program and outside of my authority, whether it is the Road Transfer Program that we are divesting or the local Road Assistance Program.

We would love to be able to make more investments because regardless of what road you are on, if a kid dies on it, it is a problem. If there is a crash on it, it is a problem.

And being transparent and being coordinated and collaborative in delivering infrastructure is absolutely the smart thing to do.

Mr. KAHELE. Thank you.

Same question for Ms. Clegg. Is she on virtually?

Ms. NORTON. She is not on.

Mr. KAHELE. She is not on. OK. I guess I will use the balance of my time to continue the conversation with Mr. Wilson.

Maybe the same would be said, I guess, for Louisiana. Many of Hawaii's coastal highways are right next to the ocean and are going to suffer from climate change, are already suffering from climate change and rising sea levels.

In the last 28 seconds, what is Louisiana doing to address this? Are we moving roads inland? How are we addressing it?

Mr. WILSON. We are investing in a resilient infrastructure, and IIJA actually created programs that will allow States to be able to make those investments to elevate those roads to convert them to some other type of asset that can be used.

And we are also thinking about it from a watershed perspective, and so, we are spending over \$1.2 billion to understand not just the sea level rise issue, but how do we manage water in general because we will be in a city and see roads go underwater.

And so, whether it is roadway elevation or improved drainage, looking at how we reinstall culverts and restore the public works elements, that is one of the things I am most excited about at IIJA, is that it did not designate it just for one type of improvement. It is a comprehensive infrastructure investment program.

And that is going to be valuable whether you are on a bicycle lane and you have standing water at the side of the road or you have grates that need to be converted so that you can safely ride over them or on sidewalks. It is absolutely essential.

So, climate change is real. It is an impact, and it will have implications of safety in spontaneous situations when people will lose their lives unfortunately if we do not pay attention to it.

Mr. KAHELE. Thank you so much.

And I appreciate the relationship between Louisiana and Hawaii.

Mr. WILSON. You keep trying to get me out there, and if my wife lets me, I am going.

Mr. KAHELE. All right. Thank you.

Mahalo, Madam Chair, I yield back my time.

Ms. NORTON. The gentleman's time has expired.

I now recognize Mrs. Steel for 5 minutes.

Mrs. STEEL. Thank you, Madam Chair.

And thank you to all the witnesses coming out today.

From 2020 to 2021, California saw a 10-percent increase in road fatalities. I am eager to work with my colleagues to reverse this recent trend.

When I was a supervisor in Orange County, I supported public service announcements to educate the public on the dangers of drunk driving and distracted driving.

Mrs. Williams, how can cities and counties establish systems to accommodate automated vehicles? Because there are a lot of issues

with automated vehicles now that we are hearing about, and a lot of losses, too.

Can you explain how this can help make roads safer for all?

Mrs. WILLIAMS. Yes, ma'am. Thank you for the question.

Connected and automated vehicles are coming. The technology is here, and we are going to start seeing those changes, but we have got to remember, bottom line, we still have the human factor as well.

So, while there are big promises there for the technology and the advancements there, we, as an industry, ATSSA members, look at things such as wider pavement markings, brighter signs, smarter work zones, that those connected and automated vehicles can adhere to, that they can read, that they can see, they can discern.

So, we look at the opportunities there.

Mrs. STEEL. Do you have any stats that show what is going on, and prevention, and others?

Mrs. WILLIAMS. I am sorry. Do I have any statistics?

Mrs. STEEL. The numbers of all these lawsuits and numbers of accidents and other stuff.

Mrs. WILLIAMS. OK. I am sorry. I do not have that information, but I would be happy to get that to you in writing.

Mrs. STEEL. Great. Thank you.

How can the construction industry, vehicle and technology manufacturers, State departments of transportation, and local governments work together to solve mutual challenges?

Mrs. WILLIAMS. I think it is important that they all collaborate together.

The Strategic Highway Safety Plans with each State allow the opportunity for the State, local, Tribal, and county governments to work with one another to know better what issues are out there and how they can work together to develop programs.

Mrs. STEEL. Do you have a system that you know of where it is all connected from the Federal Government to the State, State to local government? Has any system like that been already built?

Mrs. WILLIAMS. I am not aware of a system, but I will research that and get back to you.

Mrs. STEEL. Great. Thank you very much.

And I yield back.

Ms. NORTON. All right. We call on next Ms. Johnson of Texas.

Ms. JOHNSON OF TEXAS. Thank you very much, Chairwoman Norton and Ranking Member Davis, for holding this hearing.

And I would like to thank our witnesses. This has been a very interesting hearing.

I did have a question that was asked of me to ask by my Texas Department of Transportation, and I have had to go in and out, and I hope it has not been asked.

But Councilwoman Clegg stated that the Federal measures and designs rely too heavily on cars' throughput measures. What changes need to be made for these metrics?

And can they be implemented without significantly slowing traffic?

And then, Councilwoman Clegg, you cited your State's Local Highway Technical Assistance Council as a model for how to get

more Federal and State resources to places that desperately need assistance.

Could you elaborate on the model of which you speak and what lessons learned from other States that we might be able to glean some direction from?

Ms. CLEGG. Thank you very much, Representative, and I am sorry. I lost connection for a while, but happy to be back.

In Idaho we have, by State statute, have formed what we call the Local Highway Technical Assistance Council, and because of that statutory authority, it is a council that has a board of local officials, including county, city, and highway district officials that lead it, and that direct tie to those local governments allows it to better understand and better coordinate with how to get the Federal money and the Federal programs into the local communities and use them efficiently and effectively.

In Idaho, we use that council only for the small urban and rural dollars. The large urban dollars go through the MPOs, as they do through many other States in the country.

But I do believe it has been a very successful model in allowing local governments access to planning money, access to money that otherwise would be very difficult for them to write a grant to get without that help.

Ms. JOHNSON OF TEXAS. Thank you very much.

Unfortunately, my home State of Texas leads the country in vehicle-related fatalities with 4,480 deaths in 2021, and although these numbers are impacted by the State's large population, it is still an issue of concern and demands more attention by my Department of Transportation.

Like so many negative statistics, traffic fatalities have a disproportionate impact on communities of color. In my congressional district, the city of Dallas is working to address the issue of safety and accessibility to transportation by reconnecting and revitalizing communities historically harmed by the construction of the highway system and other barriers.

But there is still a lot of work to be done in ensuring equity in our transportation system, especially in my home State of Texas.

I am pleased that the Infrastructure Investment and Jobs Act included funding for several roadways. I look forward to learning if these programs are working and what else can Congress do to help the Transportation and Infrastructure Committee attempt to continue to address troubling increases in some of these fatalities.

Anyone can comment on that.

Mr. WILSON. Representative Johnson, Shawn Wilson from Louisiana.

I will tell you every State has infrastructure potentially that has disproportionately impacted communities of color or low-income communities, and we are excited to see the investment in IIJA for the reconnecting communities.

I will tell you it is certainly not enough to do our due justice and due diligence with regards to making a full investment because these projects are going to be 8 to 10 years in the making.

We will need additional dollars and commitment, and I would support full funding of these projects if we are serious about restoring the communities to the condition they were.

It also allows us to make good investment in asset management to better maintain the systems that are built as a priority, and then most importantly, to continue to make investments where we can to ensure that those communities are protected and have the same opportunities for sidewalks and other elements to be able to move effectively if that is their option.

There may not be a position or a potential for them to drive or have cars. So, we are committed as an association, as a State, to making that happen.

Ms. NORTON. The gentlewoman's time has expired.

Ms. JOHNSON OF TEXAS. Thank you very much.

Ms. NORTON. Thank you, Ms. Johnson.

I now recognize Mr. Stauber for 5 minutes.

Mr. STAUBER. Thank you, Chairwoman Norton and Ranking Member LaMalfa.

Unfortunately, my district and constituents are all too familiar with unsafe roads and avoidable traffic incidents. Highway 8 runs through the southern portion of my district cutting across Chisago County.

Local stakeholders including myself have been advocating for the Highway 8 project for years. Recently the corridor has been becoming increasingly strained due to increased commuter traffic, more commercial traffic, and recreational traffic.

On top of that, over the years, more secondary roads have been added as direct access points to the highway, making it even less safe.

Over the last 10 years, more than 1,100 crashes have occurred on the highway, including 7 fatalities and 12 serious injuries. With a projected 30-percent increase in traffic between now and 2040, I cannot stress enough the importance of safety improvements along Highway 8.

We have been advocating for a four-lane conversion and a raised median to improve safety and ultimately save lives. With every local stakeholder in support and rowing in the same direction, it has been disappointing in the past that the DOT has not granted important funding to the project.

As a member of this committee and someone who has personally seen the dangers of this stretch of road, I will continue to fight for funding for this important project and push the DOT to understand that rural America matters, too.

I do have a question. Do you all agree that traffic enforcement helps with safe roads? Is there anybody that disagrees with that statement?

Does traffic enforcement help keep a road safe?

I see you are all nodding.

OK. I just spoke to a chief of police, texted him. In a Midwest community, middle size, traffic stops on average 2 years ago were 22,000 traffic stops per year in his community. Last year, traffic stops went down to 8,000 per year. That is a 14,000 difference in traffic stops.

You all just agreed that traffic enforcement helps with roadway safety. The chief explained in the text to me that it was because of defunding the police and not having support or potential support if you do make a traffic stop and something happens.

Sheriff Nehls asked you all if you thought defunding the police diminished the safety on the roads. In this particular case, if I asked you, on this Midwestern small town, a reduction of 14,000 traffic stops in the year, would you say that diminished the safety or enhanced the safety of those roads?

Ms. CLEGG. Representative, I would like to address that if I could.

Mr. STAUBER. Sure.

Ms. CLEGG. The city of Boise has actually increased our funding for our police. We have done that because we have recognized that community policing, which requires much more proactive, hands-on, on-the-street policing, is the most effective strategy, we believe, for policing overall.

As part of that, we have also seen a reduction in traffic stops. We have seen that reduction because our patrol officers are no longer sitting trying to make traffic stops. They are proactively engaging community members, and we believe preventing the need for those traffic stops to begin with.

So, in our case, the reduction in enforcement actually has accompanied an increase in funding for our police.

Mr. STAUBER. Ma'am, I would just say that in Boise, the community policing effort obviously is successful. That does not happen across the Nation. That does not happen across the Nation.

And I asked in this particular case, in this Midwestern town with a reduction of 14,000 traffic stops in 1 year, does that make the roads less safe or more safe, and I do not want to belabor this point.

I appreciate everything you have done. I was a city councilor, county commissioner, police officer, and now I'm privileged to serve Minnesota's Eighth Congressional District. I vehemently disagree with your answers on the defunding the police.

Madam Chair, I yield back.

Ms. NORTON. The gentleman yields back.

I now recognize Ms. Wilson for 5 minutes. You are recognized, Ms. Wilson.

Ms. WILSON OF FLORIDA. Thank you, Chair Holmes Norton and Ranking Member Davis for today's hearing. Improving roadway safety is a top priority for me and leaders in south Florida. Every year, nearly 4,000 Floridians lose their lives in traffic accidents. More than 300 of those fatalities occur on south Florida roads. Last year alone, Florida saw a 12-percent increase in fatal accidents.

Just 2 weeks ago, a pedestrian and two bicyclists were fatally struck on Miami's Biscayne Boulevard and the Rickenbacker Causeway. Programs administered by the FHWA and NHTSA are crucial to safety efforts in our community. Just as local leaders like Mayor Levine Cava are ramping up safety efforts, Congress and the Biden administration must do the same. That is why I fought so hard alongside President Biden and congressional leaders to deliver more than \$18 billion—with a "B"—to Florida to support infrastructure projects, including those improving roadway safety. I hope to work with my colleagues and stakeholders to make additional investments to make Florida's roads safer.

With that, I have a few questions. Mr. Hattaway, the part of I-95 that includes the Little River in the Golden Glades Interchange

has some of the deadliest stretches of roads in Florida. As transportation director for the city of Orlando, your Vision Zero Action Plan resulted in a double-digit reduction in fatalities. Can you highlight ways that FHWA and FDOT can further collaborate using the Safe System approach to improve road safety in south Florida?

Mr. HATTAWAY. Yes, ma'am. I would be happy to speak to that. Shifting from just focusing on reducing crashes to focusing on the corridors where the most fatalities and serious injuries is the strategy that Florida DOT is now taking. We are working with two of the districts in Florida right now to help them identify their high-injury network. As I mentioned earlier, if you can identify those corridors, for example, we had almost 80 percent of our fatalities and serious injuries occurring on a segment of roadway in our Southeast District, which was also the home for many folks that are in communities of concern.

And the DOT is moving in this direction. They are moving in the direction of adopting the Safe System approach, which is why we have been doing training in these districts. And so, I believe that that's what's necessary in all of Florida, is for DOT to work with local agencies to focus on those corridors where the most fatalities and serious injuries are taking place and then take the tools that are in the Federal Highway Administration's Proven Safety Countermeasures of effective treatments to address those concerns.

Ms. WILSON OF FLORIDA. Thank you. Thank you very much.

Ms. Clegg, I represent many small cities that disproportionately struggle with addressing roadway safety and their infrastructure needs. Can you highlight the importance of increasing transportation support to smaller cities?

[Pause.]

Ms. WILSON OF FLORIDA. Ms. Clegg?

Ms. CLEGG. Excuse me. I am sorry. I couldn't find my unmute button. Yes. Can you hear me?

VOICE. I don't think she heard the initial question.

Ms. CLEGG. I apologize. Smaller cities and countermeasures are very important. The FHWA has identified a number of countermeasures and using them systematically in small cities has proven to work. But as Mr. Hattaway talked about, the real key to this is identifying the networks and the corridors and not just doing one measure in one location but looking at the whole system and using all of the measures that fit in that system to make that small city safer.

Ms. WILSON OF FLORIDA. Thank you so much.

Mr. Wilson, State agencies that receive Highway Safety Improvement Program funding are required to have approved comprehensive and data-driven Strategic Highway Safety Plans. I agree that there is a need for a commitment to transportation equity. As you know, I proudly sponsored the Transportation Equity Act, which will help address transportation equity issues. What additional resources are needed for States to make strides towards transportation equity?

Mr. WILSON. So, with specific regard to data and management, the one thing I think that is needed is consistency in policies. I think there is some potential conflict, and we are working with the Federal Highway Administration to reconcile the points between

highway safety plans and the State improvement plans as a result of IIJA so that we can have a consistent expectation of what is deliverable.

The second thing with regard to equity, I think the most important thing is having an obvious framework that can be consistently applied in a State that respects the uniquenesses of that State. So, for Louisiana, I don't expect the same statistics or elements of equity to apply as they would, perhaps, in Idaho or some other Western State. But the framework of identifying those categories and those sectors and then applying practices where there are voids, I think, that is the best possible way to ensure consistency of safety measures from an equity standpoint across communities. It needs to be reflective of that State and the populations that they serve.

Ms. NORTON. The gentlewoman's time has expired. I now call on Miss González-Colón for 5 minutes.

Miss GONZÁLEZ-COLÓN. Thank you, Madam Chair.

My question will be to the president of American Association of State Highway and Transportation Officials, Mr. Wilson, if you don't mind. Secretary Wilson, I introduced H.R. 1967, which will allow Puerto Rico to issue commercial driver's licenses to commercial truck drivers. And I know you, as a secretary of transportation, you know how important it is and having up to 80 hours of classroom time, third-party testing, driving hours, and written tests and additional schooling, driving education for the six additional endorsements for drivers. Given the number of deaths that occur on the roads each year, isn't it essential that commercial drivers have their CDLs, which raise the quality and driver standards at the same time?

Mr. WILSON. I had a hard time hearing, but I think the question was around the consistency of the qualifications and training necessary for CDLs. And I think absolutely that training is essential. I think it needs to be updated and modernized based on what we are seeing in our system, whether it has to do with technologies or new design elements or other factors that will contribute to safety. And so, I am not sure if I missed the core element of your question. It was a little hard to hear, so, if I haven't, if you could maybe succinctly state that, and I will give it another attempt.

Miss GONZÁLEZ-COLÓN. Thank you. Thank you for your answer. I am asking: we filed H.R. 1967, which would allow Puerto Rico to have their own commercial driver's license for commercial truck drivers. We don't have that. And I was explaining to you, in your experience, how important is it for education, the testing and the hours of classroom time that may allow us to reduce the fatalities on roads. And given this, do you think this will allow us to raise the quality of drivers, these kinds of CDLs, if it's allowed in Puerto Rico?

Mr. WILSON. Representative González-Colón, I will tell you I am not familiar with the language in H.R. 1967. And I will make sure that we supply a written answer after reviewing the text of that to give you a position from AASHTO.

Miss GONZÁLEZ-COLÓN. The next question, we will do it to Mr. Gaines, the executive director of the Washington Area Bicyclist Association. And I was reading the guide list of the "Pocket Guide to DC Bike Laws," and it is following—it said cyclists have the right

to have to ride with traffic. There is no law that requires cyclists ride on the right side of the road. Cyclists must yield to the right of way to pedestrians. However, cyclists must be treated as pedestrians in the crosswalk.

It is legal for cyclists to split lanes, riding between traffic. There is no regulation that says a bike lane must be utilized when provided. Cyclists are allowed to ride on the sidewalk outside the central business district. Cars cannot be parked in the bike lane. It is legal to be on your phone while riding a bicycle, among many others. And my question will be, should we—and please clarify to me: Should we spend significant amount of taxpayers' money for bike lanes when they are optional, even if they are provided?

Mr. GAINES. Was the question "Should we be . . .?"

Miss GONZÁLEZ-COLÓN. Sorry?

Mr. GAINES. I am sorry. I was attempting to follow. The audio wasn't the best. I am struggling a little bit with understanding your prescriptive there. Should we be doing what for cyclists?

Miss GONZÁLEZ-COLÓN. Can you hear me now, sir?

Mr. GAINES. I can actually read the monitor better. So, as you talk, that helps. Thank you.

Miss GONZÁLEZ-COLÓN. My question will be, should we spend significant amount of taxpayers' money for bike lanes when they are optional even when they are provided?

Mr. GAINES. Well, the question about spending taxpayer dollars for bike lanes is a question about being a very sound and solid investment in our transportation infrastructure. It is clear when there are options. And they are dedicated options. They are protected lanes. They are set aside for cyclists to use that they should be used by cyclists and that when we do have those lanes utilized within our infrastructure, we are seeing the benefits tremendously throughout our community.

There are safer commutes for cyclists, safer commutes for pedestrians and safer commutes and barriers for vehicular traffic separating the two, bicyclists and vehicles. As far as the investments, yes. Absolutely. It is money very well spent. Thank you.

Miss GONZÁLEZ-COLÓN. Sir, I support bike lanes. I was just making my question. My time is—in terms of why is there—if they are optional there and they are provided, it is optional for the cyclists to decide whether to use it or not. But thank you, Chairwoman, I yield back.

Mr. GAINES. Yeah. I appreciate the question, and I am not familiar right away with the specific language that you quoted, but I will say that where you have areas of nonconnectivity as good as DC has gotten and grown with connecting bike lanes along different arterials, there will be opportunities where bike lanes don't exist. And you will have to take alternate routes to connect to another bike lane. So, I suspect that may speak to that. But what I will say is, I will look into that and speak with staff back at our office about that specific question, and I am more than happy to follow up with you and present that information.

Miss GONZÁLEZ-COLÓN. Thank you, sir.

Ms. NORTON. The gentlelady's time has expired. I call on Mrs. Napolitano for 5 minutes.

Mrs. NAPOLITANO. Thank you, Madam Chair. To all witnesses, in my district, we have over 50,000 trucks and 160 trains going through it daily. The major safety problems are the interaction with freights and cars and bicycles and pedestrians. And I am proud that the Infrastructure Law included billions for freight programs to mitigate the impacts freight has on local communities and highway-rail crossings, grade separations.

There are special interests who want Federal freight funding to go directly to freight without addressing the effects rail has on local communities. Do you believe Federal freight funding should be spent on mitigating safety, air quality, and the congestion impacts of freight, and what more can be done to address this grade crossing separation safety?

[No response.]

Mrs. NAPOLITANO. Hello?

Mr. WILSON. I didn't hear the question, and the text stopped on the monitor. So, if you could maybe restate the question.

Mrs. NAPOLITANO. Special interests want Federal freight funding to go directly to freight without addressing the impacts freight has on local communities. And do you believe Federal freight funding should be spent on mitigating safety, air quality, and congestion impacts of freight? And what more can be done to address highway-rail grade crossing safety?

Mr. WILSON. So, I think the question was around special interests and rail and other elements of investing in safety, whether it is railroad crossings. Absolutely. I think we owe it from a Safe System approach to make the investments in safety wherever it may be. And so, we do support those investments. In my State, we have a grade separation program. We have got multimodal connector programs. We are also investing from a commercial trucking standpoint to advocate for elements of safety for the commercial trucking units, particularly at our ports and points of entry for freight into the marketplace.

So, those investments ought to be equally distributed when I say "equally distributed" on those issues. But we should be making those advancements because they do play a major part in ensuring that the travelers and vulnerable users are safe who may live in communities adjacent to those as well from a climate standpoint. We owe it to make those appropriate investments.

Mrs. NAPOLITANO. Well, my district has the Alameda Corridor-East. And that has all the major traffic on the ports, Long Beach and Los Angeles, going to deliver to the rest of the Nation. And it is highly, highly used. And so, it is important for the people because I have sat at a railroad crossing for half an hour, waiting for a train that carries over 200 railcars, waiting to cross. And you have road rage. You have people trying to get through. And it is just a mess.

Mr. WILSON. We have a very similar situation. But I will tell you, as a State that has all of the Class I railroads operating in them, several communities deal with that impact. And also as a State in the Southeast that has adopted a climate action plan, clearly freight has a role in ensuring environmental soundness in terms of what we do. But it also deals with lives and people because they do allow us to get trucks off the road.

And so, having a good conversation and relationship with our freight partners means being sensitive to what is happening in those communities. There are things that they are doing that are a part of our daily lives. And that disruption is challenging. It is difficult. And technology can be our friend in terms of noticing and advising individuals when trains are forthcoming and the length of those trains and how long they will be. And so, communicating and coordinating with the rail industry is absolutely essential, I think, in ensuring a good quality of life in addition to a safe life as well.

Mrs. NAPOLITANO. Have you dealt with the railroad?

Mr. WILSON. I have had good relationships with all of the railroads, some better than others. But I would tell you it is a universal experience that they have been around a lot longer than many of our highway systems, no different than what happens in the maritime space. But I will be happy to work with you and share the numbers for the friends who do return our calls and are quick to respond to us. And each of them are, in fact.

Mrs. NAPOLITANO. We give them the land. And now, they don't want to allow for things to happen to promote this kind of safety. I am sure that we should have something in the works to help mitigate that with the railroad because we should have the public safety before profit.

Mr. WILSON. Absolutely. And whether it is safety in terms of climate or safety in terms of mobility and actual vehicles on the road, it is absolutely a part of it. And we just can't lose sight that we rely on that freight industry, and we rely on those ports. And we rely on those trains to deliver everything to us. Everything that we own, buy, sell, or trade has been on the back of a truck or a train or in the hull of a ship. And it is a part of a continuum of service. But coordinating and communicating is absolutely essential. And so, I would agree with you that they have an obligation to be good citizens and good neighbors, just as we do to them as good businesses.

Mrs. NAPOLITANO. Thank you, Madam Chair.

Ms. NORTON. Thank you. And this concludes our hearing. I would like to thank each of the witnesses for your testimony today. Your comments have been very informative and helpful. I ask unanimous consent that the record of today's hearing remain open until such time as our witnesses have provided answers to any questions that may be submitted to them in writing.

I also ask unanimous consent that the record remain open for 15 days for any additional comments and information submitted by Members or witnesses to be included in the record of today's hearing. Without objection, so ordered. The subcommittee stands adjourned.

[Whereupon, at 12:47 p.m., the subcommittee was adjourned.]

SUBMISSIONS FOR THE RECORD

Prepared Statement of Hon. Sam Graves, a Representative in Congress from the State of Missouri, and Ranking Member, Committee on Transportation and Infrastructure

Thank you, Chair Norton, and thank you to our witnesses for being here today. As everyone here knows, the National Highway Traffic Safety Administration (NHTSA) estimates that a total of 42,915 people died in crashes on our roadways in 2021.

This level represents a 10.5 percent increase over 2020, and a 16-year high.

Unfortunately, this estimate means that the years of progress we made in reducing fatalities just prior to the coronavirus pandemic have been entirely reversed.

The safety of our transportation is a core objective, and we need to do better.

Most of the fatalities on our roadways, 62 percent, continue to be drivers and passengers of cars and light truck.

Further, traffic fatalities are more common on rural roads on a per vehicle-mile traveled (VMT) basis.

In 2019, 30 percent of the VMT were in rural areas, but rural areas accounted for 45 percent of the traffic fatalities.

To increase the safety of our transportation system, we must continue our data-driven, performance-based approach, and ensure that States and localities have the flexibility to implement roadway improvements that can bring us closer to zero deaths.

In addition, I believe technology can play an important role in reducing highway fatalities and crashes.

We need to continue incorporating these advancements into our surface transportation system.

Unfortunately, despite the Infrastructure Investment and Jobs Act (IIJA) providing significant funding increases for programs that address roadway safety, these historic funding levels have been decimated by inflation.

Today, I look forward to hearing our witnesses' perspective on how we can improve highway safety.

Thank you, Chair Norton. I yield back.

Letter of June 7, 2022, to Hon. Eleanor Holmes Norton, Chair, and Hon. Rodney Davis, Ranking Member, Subcommittee on Highways and Transit, from Catherine Chase, President, Advocates for Highway and Auto Safety, Submitted for the Record by Hon. Eleanor Holmes Norton

JUNE 7, 2022.

The Honorable ELEANOR HOLMES NORTON, Chair,
The Honorable RODNEY DAVIS, Ranking Member,
Subcommittee on Highways and Transit,
Committee on Transportation and Infrastructure, U.S. House of Representatives,
Washington, DC 20515.

DEAR CHAIR NORTON AND RANKING MEMBER DAVIS:

Thank you for holding tomorrow's hearing, "Addressing the Roadway Safety Crisis: Building Safer Roads for All." We respectfully request that this letter be included in the hearing record.

Advocates for Highway and Auto Safety (Advocates) is a coalition of public health, safety, law enforcement, and consumer organizations, insurers and insurance agents that promotes highway and auto safety through the adoption of federal and state laws, policies and regulations. Advocates is unique both in its board composition and

its mission of advancing safe vehicles, safe motorists and road users, and safe roadway environments.

The current dangerous and deadly condition of our roadways require urgent action by our nation's leaders. Advocates commends this Subcommittee and the full Committee on Transportation and Infrastructure for including numerous provisions in the Investing in a New Vision for the Environment and Surface Transportation in America (INVEST in America) Act¹ which were advanced in the Infrastructure Investment and Jobs Act (IIJA), signed into law last November, that will improve safety and strengthen our nation's roadway infrastructure.² Since that time, Advocates and others have repeatedly urged the U.S. Department of Transportation (U.S. DOT) to swiftly move forward with the Congressional directives on the safety provisions. Additionally, there are still more improvements Congress can advance, and we again appreciate your leadership in holding this hearing to provide an opportunity to solicit expertise and recommendations on ways to build safer roads.

OUR NATION'S ROADS ARE DANGEROUS AND DEADLY.

As noted in the May 17, 2022 statement by Chair Norton and House Transportation and Infrastructure Committee Chair DeFazio, "[t]he staggering number of deaths occurring on our nation's roadways is an ongoing crisis that demands urgent attention."³ According to recently released data from the National Highway Traffic Safety Administration (NHTSA), 42,915 people were killed in motor vehicle crashes in 2021.⁴ This represents a 10.5 percent increase from 2020 and the highest number of deaths since 2005.⁵ In addition, fatalities across a number of categories increased from 2020 to 2021 including pedestrians (13 percent), motorcyclist (nine percent), pedalcyclist (five percent), speeding (five percent), alcohol-involved crashes (five percent) and unrestrained occupants of passenger vehicles (three percent).⁶ Moreover, an estimated 2.28 million more were injured in traffic crashes in 2020, the latest year for which data is available.⁷

Not only does this carnage inflict tremendous physical and emotional hardship, but it also imposes a substantial economic toll. The NHTSA currently values each life lost in a crash at \$11.8 million.⁸ The crashes, injuries and fatalities being experienced on our roadways inflict a financial burden of well over \$800 billion in total costs to society—\$292 billion of which are direct economic costs.⁹ This is equivalent to a "crash tax" of \$877 on every person living in the U.S. with total costs reaching nearly a trillion dollars annually when adjusted solely for inflation.¹⁰ Further, in 2019, crashes alone cost employers \$72.2 billion.¹¹

In 2021, over 5,000 people were killed in crashes involving a large truck.¹² This represents a 13 percent increase over 2020.¹³ Since 2009, the number of fatalities in large truck crashes has increased by 66 percent.¹⁴ Additionally, nearly 147,000 people were injured in crashes involving a large truck in 2020, the latest year for which data is available.¹⁵ The Insurance Institute for Highway Safety (IIHS) reports

¹H.R. 3684, 117th Cong., 1st Sess. (2021).

²Pub. Law 117-58 (2021).

³Chairs DeFazio and Norton Statement on 16-Year High Traffic Fatalities (May 17, 2022).

⁴Early Estimate of Motor Vehicle Traffic Fatalities in 2021, NHTSA, Apr. 2022, DOT HS 813 283.

⁵*Id.*

⁶Early Estimates of Motor Vehicle Traffic Fatalities And Fatality Rate by Sub-Categories in 2021, NHTSA, May 2022, DOT HS 813 298.

⁷Stewart, T. (2022, March). Overview of motor vehicle crashes in 2020 (Report No. DOT HS 813 266). National Highway Traffic Safety Administration.

⁸John Putnam, DOT Deputy General Counsel, Guidance on the Treatment of the Economic Value of a Statistical Life (VSL) in U.S. Department of Transportation Analyses—2021 Update.

⁹Economic costs include lost productivity, medical costs, legal and court costs, emergency service costs, insurance administration costs, congestion costs, property damage, and workplace losses.

¹⁰"The Economic and Societal Impact of Motor Vehicle Crashes, 2010," NHTSA (2015).

¹¹Cost of Motor Vehicle Crashes to Employers 2019, Network of Employers for Traffic Safety, March 2021.

¹²Traffic Safety Facts: Crash Stats; Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Categories in 2021, NHTSA, May 2022, DOT HS 813 298.

¹³*Id.*

¹⁴*Id.* and Traffic Safety Facts 2019: A Compilation of Motor Vehicle Crash Data, NHTSA, Aug. 2021, DOT HS 813 141. Note, the 45 percent figure represents the overall change in the number of fatalities in large truck involved crashes from 2009 to 2021. However, between 2015 and 2016 there was a change in data collection at U.S. DOT that could affect this calculation. From 2009 to 2015 the number of fatalities in truck involved crashes increased by 21 percent and between 2016 to 2021, it increased by 20 percent.

¹⁵Traffic Safety Facts, 2020 Data: Large Trucks, NHTSA, Apr. 2022, DOT HS 813 286.

that in fatal two-vehicle crashes involving a large truck and a car, 97 percent of the deaths are the occupants of the passenger vehicle.¹⁶ Moreover, according to the U.S. Department of Labor, truck driving is one of the most dangerous occupations in the U.S.¹⁷ The cost to society from crashes involving large trucks and buses was estimated to be \$163 billion in 2019, the latest year for which data is available.¹⁸ When adjusted solely for inflation, this figure amounts to over \$180 billion.¹⁹

ANY PROPOSALS TO INCREASE FEDERAL TRUCK SIZE AND WEIGHT LIMITS WILL RESULT IN MORE CARNAGE ON OUR ROADWAYS AND INCREASED DAMAGE TO OUR INFRASTRUCTURE. THEY MUST BE REJECTED.

Overweight trucks disproportionately damage our badly deteriorated roads and bridges. According to the 2021 Infrastructure Report Card from the American Society of Civil Engineers, America's roads receive a grade of "D," and our bridges were given a "C."²⁰ Nearly 40 percent of our 615,000 bridges in the National Bridge Inventory are 50 years or older, and one out of 11 is structurally deficient.²¹ An 18,000-pound truck axle does over 3,000 times more damage to pavement than a typical passenger vehicle axle.²² Federal limits on the weight and size of commercial motor vehicles (CMVs) are intended to protect truck drivers, the traveling public and America's roads, bridges and other infrastructure components. Yet, provisions allowing larger and heavier trucks that violate or circumvent these federal laws to operate in certain states or for specific industries have often been tucked into must-pass bills to avoid public scrutiny.

Raising truck weight or size limits could result in an increased prevalence and severity of crashes. Longer trucks come with operational difficulties such as requiring more time to pass, having larger blind spots, crossing into adjacent lanes, swinging into opposing lanes on curves and turns, and taking a longer distance to adequately brake. In fact, double trailer trucks have an 11 percent higher fatal crash rate than single trailer trucks.²³ Overweight trucks also pose serious safety risks. In 2021, violations related to tires and/or brakes accounted for 10 of the top 20 most common vehicle out-of-service (OOS) violations.²⁴ According to a North Carolina study by IIHS, trucks with out-of-service violations are 362 percent more likely to be involved in a crash.²⁵ This is also troubling considering that tractor-trailers moving at 60 miles-per-hour (MPH) are required to stop in 310 feet—the length of a football field—once the brakes are applied.²⁶ Actual stopping distances are often much longer due to driver response time before braking and the common problem that truck brakes are often not in adequate working condition.

There is overwhelming opposition to any increases to truck size and weight limits. The public, local government officials, safety, consumer and public health groups, law enforcement, first responders, truck drivers and labor representatives, families of truck crash victims and survivors, and even Congress on a bipartisan level have all rejected attempts to increase truck size and weight. Also, the technical reports released in June 2015 from the U.S. DOT Comprehensive Truck Size and Weight Study concluded there is a "profound" lack of data from which to quantify the safety impact of larger or heavier trucks and consequently recommended that no changes

¹⁶ IIHS, Large Trucks, available at: <https://www.iihs.org/topics/large-trucks>.

¹⁷ U.S. Department of Labor, Bureau of Labor Statistics, National Census of Fatal Occupational Injuries in 2020, USDL-21-2145 (Dec. 16, 2021).

¹⁸ 2021 Pocket Guide to Large Truck and Bus Statistics, FMCSA, Dec. 2021, RRA-21-004.

¹⁹ CPI Inflation Calculator, BLS, available at https://www.bls.gov/data/inflation_calculator.htm.

²⁰ 2021 Infrastructure Report Card—Bridges, American Society of Civil Engineers (ASCE); 2021 Infrastructure Report Card—Roads, ASCE.

²¹ 2021 Infrastructure Report Card—Bridges (ASCE).

²² Equivalent Single Axle Load, Pavement Interactive, Aug. 15, 2007, available at <http://www.pavementinteractive.org/equivalent-single-axle-load/>.

²³ An Analysis of Truck Size and Weight: Phase I—Safety, Multimodal Transportation & Infrastructure Consortium, November 2013; Memorandum from J. Matthews, Rahall Appalachian Transportation Institute, Sep. 29, 2014.

²⁴ Roadside Inspections, Vehicle Violations: All Trucks Roadside Inspections, Vehicle Violations (2021), FMCSA.

²⁵ Teoh E, Carter D, Smith S and McCartt A, Crash risk factors for interstate large trucks in North Carolina, *Journal of Safety Research* (2017).

²⁶ Code of Federal Regulations (CFR) Title 49 Part 571 Section 121: Standard No. 121 Air brake systems (FMVSS 121).

in the relevant truck size and weight laws and regulations be considered until data limitations are overcome.²⁷

It is clear that increasing truck size and weight will exacerbate safety and infrastructure problems, negate potential benefits from investments in roads and bridges, and divert rail traffic from privately owned freight railroads to our already overburdened public highways. Heavy trucks and buses also accounted for 19 percent of our Nation's transportation energy use, based on a 2020 report, and trucks with heavier gross weights require larger engines that decrease fuel economy on a miles-per-gallon basis.²⁸ Despite claims to the contrary, bigger trucks will not result in fewer trucks. Following every past increase to federal truck size and weight, the number of trucks on our roads has gone up. Since 1982, when Congress last increased the gross vehicle weight limit, truck registrations have more than doubled.²⁹ The U.S. DOT study also addressed this meritless assertion and found that any potential mileage efficiencies from the use of heavier trucks would be offset in just one year.³⁰ Any proposals to increase truck size and weight, including state and industry-based exemptions and pilot programs, should be rejected. Similarly, needless and reckless exemptions from essential safety regulations such as those that apply to the hours-of-service (HOS) rules and fitness of CMV drivers should also be denied.

SOLUTIONS TO IMPROVE INFRASTRUCTURE SAFETY MUST BE IMPLEMENTED AND
ADVANCED.

Several commonsense actions and strategies can improve public safety and our nation's infrastructure.

Highway Safety Programs

Specific provisions in the IIJA will enhance safety and help the U.S. to curb traffic fatalities including:

- Authorizes safety upgrades to the Highway Safety Improvement Program (HSIP) that will help to protect vulnerable road users (VRUs) including infrastructure features that calm traffic and reduce vehicle speeds (Section 11111);
- Requires U.S. DOT to establish a safe routes to school program for children through high school that includes grants to non-profit groups (Section 11119);
- Mandates that the initial update of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) include protection of VRUs (Section 11135);
- Encourages states and local entities to use federal funding for complete streets standards and policies (Section 11206);
- Requires U.S. DOT to conduct a study on the existing and future impacts of autonomous vehicles (AVs) to transportation infrastructure, mobility, the environment, and safety (Section 11504);
- Establishes a grant program for local governments to develop and carry out "Vision Zero" or "Toward Zero Deaths" initiatives. Authorizes \$1 billion for this program, with no less than 40 percent allocated to support the development of comprehensive safety plans (Section 24112); and,
- Emphasizes additional focus on the safety of VRUs and combating multiple substance-impaired driving (Sections 11122 and 24106).

Safe System Approach

A Safe System Approach that seeks to prevent traffic fatalities by minimizing roadway conflicts and reducing crash forces when they do occur results in a myriad of benefits for our nation's infrastructure including fewer crashes, reducing the severity of such incidents, less congestion with the resulting environmental benefits and a reduction in damage to roads. This is accomplished through measures such as reducing speeds, road safety infrastructure improvements and better post-crash management, in addition to addressing vehicle and road user safety.

The IIJA requires the U.S. DOT to issue a final rule within two years for automatic emergency braking (AEB) in new large CMVs and the issuance of a Federal Motor Carrier Safety Regulation (FMCSR) to require drivers use AEB.³¹ According

²⁷ Comprehensive Truck Size and Weight Limits Study Technical Reports, Questions and Answers, Federal Highway Administration (June 2015).

²⁸ Transportation Energy Data Book: Edition 39, U.S. Department of Energy, Aug. 2021, available at https://tedb.ornl.gov/wp-content/uploads/2021/02/TEDB_Ed_39.pdf.

²⁹ Traffic Safety Facts 2018: A Compilation of Motor Vehicle Crash Data, NHTSA, Nov. 2020, DOT HS 812 981.

³⁰ Comprehensive Truck Size and Weight Limits Study, Federal Highway Administration (June 2015).

³¹ Pub. L. 117-58 (Nov. 15, 2021).

to IIHS, equipping large trucks with forward collision warning (FCW) and AEB could eliminate more than two out of five crashes in which a large truck rear-ends another vehicle.³² As such, we urge U.S. DOT to meet the statutory deadline for this standard and include all new CMVs in the rule. Based on new truck sales data, over half a million Class 3–6 trucks are sold every year.³³ These vehicles travel on local streets and through neighborhoods everyday making millions of deliveries. Equipping these trucks with AEB will make streets safer for pedestrians, bicyclists, children, older adults, people in wheelchairs and other VRUs.

Advocates also has consistently supported the use of speed limiting devices for CMVs because high speed crashes involving large trucks have the potential to be far deadlier than those that occur at lower speeds.³⁴ The recent announcement by the Federal Motor Carrier Safety Administration (FMCSA) that it is moving forward with a rulemaking to require trucks that have the technology to use it when operating is a step in the right direction, albeit long overdue, and we urge the agency to promptly complete the action.³⁵

Moreover, technology is currently available that can prevent a passenger vehicle from traveling underneath the rear or side of a trailer and significantly increase the chances of survival. We commend the Subcommittee and full Committee for including the provision to upgrade the performance standard for rear underride guards.³⁶ This is also long overdue as testing by IIHS has found that the largest trailer manufacturers far exceed the current federal standard.³⁷ The National Transportation Safety Board (NTSB) has recommended rear, side, and front underride protection.³⁸ In 2017, IIHS performed its first tests of a side underride guard designed for an automobile.³⁹ The guard succeeded in blocking a midsize car traveling 35 MPH from going underneath the side of the trailer.⁴⁰ A subsequent test showed it also prevented underride at 40 MPH.⁴¹ In both tests the device bent but did not allow the car to go underneath the trailer, enabling the car's airbags and safety belt to properly restrain the test dummy in the driver seat. As such, U.S. DOT should require the installation of comprehensive underride protection (side and front) for the entire CMV. Not only will these advances improve public safety by preventing crashes, but they also have significant infrastructure implications as they can prevent needless damage and wear on our roadways resulting from these incidents.

Automated Enforcement

Automated enforcement (AE), such as speed and red-light running cameras, is a verified deterrent against frequent crash contributors. In fact, these systems have been identified by NHTSA, the NTSB, Centers for Disease Control and Prevention (CDC), IIHS and others as an effective means to curb dangerous driving behavior. Moreover, a review by the Congressional Research Service (CRS) found that speed camera programs are effective in reducing speeding and/or crashes near cameras.⁴² New crash tests performed by IIHS, the AAA Foundation for Traffic Safety, and Humanetics show that modest five to ten MPH increases in speed can have a severe impact on a driver's risk of injury or even death.⁴³ Additionally, for VRUs, such as pedestrians and bicyclists, small changes in speed can have a large impact on survivability. Expanding the use of this technology is especially important considering pedestrian and bicyclist fatalities increased in 2020 and again in 2021.⁴⁴ Advocates joined leading traffic safety organizations to produce a resource for communities implementing new AE programs or updating existing ones entitled the Automated Enforcement Program Checklist.⁴⁵ While the IJA revised the prohibition on the use

³² IIHS, Study shows front crash prevention works for large trucks too, available at: <https://www.iihs.org/news/detail/study-shows-front-crash-prevention-works-for-large-trucks-too>.

³³ May Medium-Duty Sales Climb 36% From 2020 period, Transport Topics, Jun. 16, 2021.

³⁴ Docket: FMCSA–2014–0083, Comment ID: FMCSA–2014–0083–4459.

³⁵ 86 FR 26317 (May 4, 2022).

³⁶ Pub. L. 117–58 (2021).

³⁷ IIHS, Topics. Large Trucks, Underride.

³⁸ NTSB Safety Recommendations H–10–12, H–10–13, H–14–03, H–14–02, H–14–04.

³⁹ IIHS, Side guard on semitrailer prevents underride in 40 mph test (Aug. 29, 2017).

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² CRS, Safety Impact of Speed and Red Light Cameras, Report: R46552 (Sep. 28, 2020).

⁴³ IIHS, New crash tests show modest speed increases can have deadly consequences (Jan. 28, 2021).

⁴⁴ Early Estimates of Motor Vehicle Traffic Fatalities And Fatality Rate by Sub-Categories in 2021, NHTSA, May 2022, DOT HS 813 298.

⁴⁵ See: <https://saferoads.org/wp-content/uploads/2019/08/2018-Red-Light-Camera-Program-Checklist.pdf>

of federal funds on AE to allow for the systems to be used in school and work zones, limitations should be stricken in their entirety.⁴⁶

Connected Vehicle Technologies

Connected vehicles have the potential to improve safety on our nation's roads. These technologies allow a vehicle to send and receive communications with other vehicles (vehicle-to-vehicle, V2V), the infrastructure (vehicle-to-infrastructure, V2I), and "everything" (vehicle-to-everything, V2X). Specifically, V2X communication can relay signals to the vehicle about upcoming traffic lights and speed limits, among other messaging, further improving the safety of drivers and all road users. Connected vehicle technology can also amplify the benefits of certain vehicle safety technologies and may provide necessary redundancy for future AV operations. The IJA includes an important provision requiring U.S. DOT to expand vehicle-to-pedestrian research efforts to ensure that bicyclists and other VRUs will be incorporated into the safe deployment of connected vehicle systems. Advocates commend the Subcommittee and full Committee for including this provision in the legislation and urges U.S. DOT to meet the deadline included in the law to submit a report to Congress on this critical issue.

Autonomous Vehicles

The emergence of experimental autonomous CMVs (ACMVs) and their interactions with conventional motor vehicles, trucks and buses and all road users for the foreseeable future demand an enhanced level of federal and state oversight to ensure public safety. It is imperative that CMVs, including those with autonomous driving systems (ADS), be regulated by U.S. DOT with enforceable safety standards and subject to adequate oversight. The potential for an 80,000 pound truck equipped with unregulated and inadequately tested technology on public roads is a very real and dangerous scenario if these vehicles are only subject to voluntary guidelines.⁴⁷ In addition, passenger carrying ACMVs which have the potential to transport as many as 53 passengers will need additional comprehensive federal rules specific to this mode of travel.

At a minimum, ACMVs must be subject to the following essential provisions:

- In the near term, rulemakings must be promulgated for elements of ACMVs that require performance standards including but not limited to the ADS, human machine interface, sensors, privacy, software and cybersecurity. ACMVs must also be subject to a "vision test" to guarantee they properly detect and respond to other vehicles, all people and objects in the operating environment. Also, a standard to ensure ACMVs do not go outside of their operational design domain (ODD) should be issued. Standards for ACMVs must be required to be issued by specific deadlines, with a compliance date, set by Congress before deployment.
- Drivers operating an ACMV must have an additional endorsement or equivalent certification on their commercial driver's license (CDL) to ensure they have been properly trained to monitor and understand the ODD of the vehicle and, if need be, to operate an ACMV. This training must include a minimum number of hours of behind-the-wheel training.
- Each manufacturer of an ACMV must be required to submit a safety assessment report that details the safety performance of automated driving systems and automated vehicles. Manufacturers must be required to promptly report to NHTSA all crashes involving ACMVs causing fatalities, injuries and property damage.
- ACMVs that do not comply with Federal Motor Vehicle Safety Standards (FMVSS) must not be introduced into commerce nor be subject to large-scale exemptions from such.
- Any safety defect involving the ACMV must be remedied before the ACMV is permitted to return to operation. The potential for defects to infect an entire fleet of vehicles is heightened because of the connected nature of AV technology. Therefore, manufacturers must be required to promptly determine if a defect affects an entire fleet. Those defects which are fleet-wide must result in notice to all such owners and an immediate suspension of operation of the entire fleet until the defect is remedied.
- The U.S. DOT Secretary must be required to establish a database for ACMVs that includes such information as the vehicle's identification number; manufac-

⁴⁶Pub. L. 117-58, § 24102 (2021).

⁴⁷Tyson Fisher, TuSimple completes first 100% driverless truck run on public roads, Land Line Magazine (Jan. 3, 2022); Chris Hoffman, Company testing self-driving trucks on I-576, CBS News (May 23, 2022).

turer, make, model and trim information; the level of automation of each automated driving system with which the vehicle is equipped; the ODD of each automated driving system; and the FMVSS, if any, from which the vehicle has been exempted.

- For the foreseeable future, regardless of their level of automation, ACMVs must have an operator with a valid CDL in the vehicle at all times. Drivers will need to be alert to oversee not only the standard operations of the truck but also the ADS. Therefore, the Secretary must issue a mandatory safety standard for driver engagement. In addition, critical safety regulations administered by the Federal Motor Carrier Safety Administration (FMCSA) such as those that apply to driver hours of service (HOS), licensing requirements, entry level driver training and medical qualifications must not be weakened.
- Motor carriers using ACMVs must be required to apply for additional operating authority.
- FMCSA must consider the additional measures that will be needed to ensure that ACMVs respond to state and local law enforcement authorities and requirements, and what measures must be taken to properly evaluate an ACMV during roadside inspections. In particular, the safety impacts on passenger vehicle traffic of several large ACMVs platooning on bridges, roads and highways must be assessed.
- NHTSA must be given imminent hazard authority to protect against potentially widespread catastrophic defects with ACMVs, and criminal penalties to ensure manufacturers do not willfully and knowingly put defective ACMVs into the marketplace.
- NHTSA and FMCSA must be given additional resources, funding and personnel, in order to meet demands being placed on the agency due to the advent of AV technology.

Without these necessary safety protections, mandated by Congress to assure they are adopted with prescribed deadlines, commercial drivers and those with whom they share the road are at risk. In a February 2022 public opinion poll commissioned by Advocates, 85 percent of respondents reported being concerned with sharing public highways and roads with driverless tractor-trailers and delivery trucks as a motorist, a bicyclist, or a pedestrian.⁴⁸ Allowing technology to be deployed without rigorous testing, vigilant oversight, and comprehensive safety standards is a direct and unacceptable threat to the motoring public which is exacerbated by the sheer size and weights of large CMVs.

CONCLUSION

We laud the Subcommittee for holding this hearing as the recent data released from NHTSA illustrates the depth of the public health crisis on America's roads. Infrastructure upgrades coupled with proven vehicle safety technology can help to improve these grim statistics. We look forward to continuing to work with the Members of this Subcommittee to improve public safety.

Sincerely,

CATHERINE CHASE,
President, Advocates for Highway and Auto Safety.

cc: Members of the Subcommittee on Highways and Transit

Statement of the American Road and Transportation Builders Association, Submitted for the Record by Hon. Eleanor Holmes Norton

The American Road & Transportation Builders Association (ARTBA) thank Subcommittee Chair Norton and Ranking Member Davis for holding today's hearing on "Addressing the Roadway Safety Crisis: Building Safer Roads for All."

ARTBA, now in its 120th year of service, provides federal representation for more than 8,000 member firms and individuals who design, build and manage the nation's highways, public transit, airports and intermodal transportation systems. The primary goal of the association is to grow and protect transportation infrastructure investment to meet the public and business demand for safe and efficient travel. Accordingly, the jobsite safety of the men and women who build and maintain America's transportation infrastructure—as well as of those who travel through our work

⁴⁸ ENGINE'S CARAVAN SURVEY, Public Opinion Poll, Public Concern About Driverless Cars and Trucks (Feb. 2022).

zones and drive on our completed roadways—has been a top priority for ARTBA’s membership.

ARTBA understands highway safety is an intricate balance between the roadway infrastructure, the vehicle and the motorist. That equilibrium is particularly challenged during construction operations where workers labor barely inches away from motorists who are often travelling at high rates of speed. We commend the committee for scheduling this hearing to address the safety of all roadway users, including construction workers. As we move into implementation of the Infrastructure Investment and Jobs Act (IIJA), the 38 percent increase in federal highway investment is likely to lead to a significant uptick in roadway construction projects. These work zones will create additional hazardous exposures to users who work in and navigate through these potentially dangerous locations. As Congress, the administration, and the private sector work together to improve roadway safety, we want to ensure that roadway workers, who labor for many hours each day in these treacherous work zones are not overlooked.

While ARTBA is a full partner with government and industry in designing, building, and maintaining roadways that are safe for all users, our statement today is focused on a population that is often overlooked when policy leaders seek to improve conditions, especially for “vulnerable road users” (VRUs). Through the IIJA, Congress repeatedly emphasized the need to create policies and programs aimed at better protecting VRUs, which, by law, includes roadway workers. Additionally, the U.S. Department of Transportation’s (DOT) has begun implementing and expanding upon those concepts through development of a National Roadway Safety Strategy.

We share Congress’ and DOT’s aspiration of zero traffic deaths and are working together on the many reforms necessary to pursue that objective. While we are pleased with the efforts of many to create safer roadways, we see little discussion and program development focused on the safety needs that arise while the infrastructure is being upgraded.

The IIJA places particular emphasis on the protection of VRUs who are at an increased danger of being injured or killed when using the transportation system. This is underscored by an increase in the percentage of pedestrian incidents, even before the most recent spike in roadway deaths. Unfortunately, the term “vulnerable road users” is too often narrowly defined to exclude the thousands of workers on transportation improvement project sites.

We are concerned about the health and safety risks of these workers, whose deaths and injuries are counted with other pedestrian deaths, as reported by the National Highway Traffic Safety Administration (NHTSA). Frequently, they are not recognized when strategies are being developed to protect VRUs, and in fact require a wholly different approach.

Due to the unique requirements to protect workers, we encourage policy leaders to cite roadway construction workers when listing other vulnerable road users such as cyclists, persons with disabilities and pedestrians. Also, when state and federal agencies are developing mitigation strategies to reduce the number of pedestrian deaths and injuries, they should create specific targets and plans to better protect roadway workers.

ARTBA has been working for many years to better protect the health and lives of roadway construction users, and one under-used strategy is an increased use of positive protection (separation) between workers and motorists.

A positive protective device is a barrier that, when contacted by a motor vehicle, is designed to redirect the vehicle away from the area it is set up to protect. A positive protective device may be made of steel, concrete, or any other material that will substantially protect workers and equipment from vehicle intrusions into the work-space. Positive protection devices provide separation between workers and motorists and can help improve traffic flows and mobility.

According to the Bureau of Labor Statistics (BLS), roadway construction is one of the most hazardous occupations in the United States. Each year, tens-of-thousands of workers, motorists, vehicle occupants, cyclists and pedestrians are injured or killed in roadway work zones, and accidents can increase risks of additional accidents, congestion, and delay for motorists.

ARTBA believes the increased use of positive protective measures between workers and motorists is an important strategy to reduce the number of deaths, injuries, accidents, and delays. The need to act quickly and decisively is supported by U.S. Department of Transportation statistics showing that in 2020, there were over 102,000 estimated work zone crashes resulting in 44,000 injuries and over 857 fatalities.¹ Over the past ten years, fatalities resulting from work zone-related crashes

¹ Source: Fatality Analysis Reporting System (FARS), National Highway Traffic Safety Administration, U.S. Department of Transportation

have increased over 44% and accidents and injuries are estimated to be approximately double what was anticipated.

Increased and strategic use of positive protection by state and federal agencies will be an essential tool in achieving strategies such as “Toward Zero Deaths,” and “Vision Zero”. It will support efforts to protect VRUs including the disabled, pedestrians and cyclists, as well as workers. Increased usage can also harmonize understandings between contractors, engineers and owners related to deployment of and payment for positive protective measures.

When serious hazards are foreseen or encountered on a project, positive protection should be specified, and an associated pay item provided. Agency standards should be appropriately updated to require active consideration of positive protection unless it is impractical or unnecessary. Decisions regarding deployment of positive protective measures should be documented, made available to affected parties, and subject to revision based on site conditions.

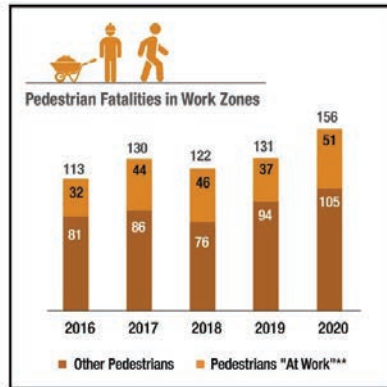
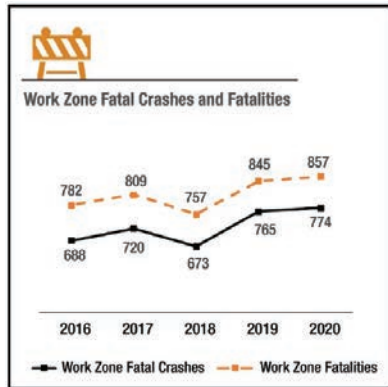
We encourage Congress to continue mandating the Federal Highway Administration to strengthen areas of its Subpart K regulation in accordance with the MAP 21 law that requires additional considerations for use of positive separation. Congress should also urge FHWA to include similar positive separation considerations in the agency’s Manual on Uniform Traffic Control Devices. The law is clear and prescriptive as to when positive protective systems are to be used by the owner/agency and should be followed accordingly.

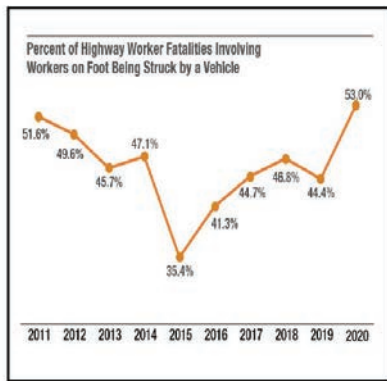
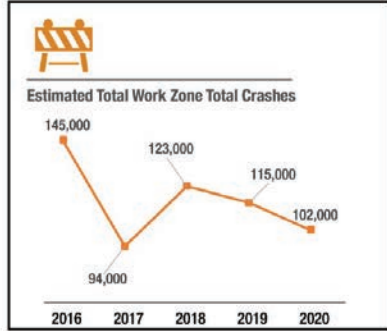
CONCLUSION

Improved safety on America’s roadways is a critically important goal. With limited resources it is imperative that Congress urges the Administration to use all means available for saving lives and use those resources in a manner that is most effective—both now and in the long term.

We have the technology and “know how” to carry out Congressional intent to make America’s roadways safer for all users, but we need to ensure that some of those most vulnerable users—roadway construction workers—are not overlooked.

CHARTS FROM THE NATIONAL WORK ZONE SAFETY INFORMATION CLEARINGHOUSE
(A PUBLIC-PRIVATE PARTNERSHIP BETWEEN ARTBA AND THE U.S. FEDERAL HIGHWAY ADMINISTRATION)





Statement of the American Society of Civil Engineers, Submitted for the Record by Hon. Eleanor Holmes Norton

INTRODUCTION

The American Society of Civil Engineers (ASCE) appreciates the opportunity to submit a statement to the House Subcommittee on Highways and Transit for the hearing on *Addressing the Roadway Safety Crisis: Building Safer Roads for All*.

Safety underpins every aspect of civil engineers' work. As a representative for the professionals who design, construct, and inspect roadway systems, ASCE advocates for a sustained effort to reduce traffic crashes and related deaths through improvements to all aspects of highway system performance, such as standards for planning and design, the understanding of accident causation, and the implementation of safety improvement programs.

ASCE commends the House Subcommittee on Highways and Transit for holding a hearing on this subject. Federal, state, and local government agencies need to prioritize strategic investments dedicated to improving and preserving roadway conditions that increase public safety on the system we have in place as they plan for the roadways of the future.

ASCE's 2021 REPORT CARD FOR AMERICA'S INFRASTRUCTURE

Every four years, ASCE publishes its Report Card for America's Infrastructure, which grades the nation's major infrastructure categories using an A to F school report card format. The most recent report card¹, released in March 2021, evaluated 17 categories of infrastructure and reflected an overall C- grade.

¹ <https://infrastructurereportcard.org/>

Roads earned a D on the report card, which recognized that the increasing volume of traffic has contributed to growing wear and tear on our nation's roadways, presenting negative implications for safety and the economy. To raise this grade, ASCE recommends increasing funding from all levels of government and the private sector to address the condition and operations of the roadway system to maintain a state of good repair and ensure safety for all users.

SAFETY

Federal data suggests a troubling trend in traffic fatalities. The National Highway Traffic Safety Administration (NHTSA) in May released estimates² that indicate 42,915 people died in traffic crashes in 2021. This estimate, which marks a 10.5% increase from the 38,824 traffic deaths recorded in 2020, is the highest number of such fatalities since 2005.

Safer roadway systems reduce loss of life and help keep the nation's economic network intact. ASCE believes safety initiatives must account for a variety of system users, such as pedestrians and bicyclists in addition to motor vehicle drivers.

ASCE supports a program where improvements in highway safety can be achieved by:

- Increasing funding for U.S. Department of Transportation's Highway Safety Improvement Program;
- Implementing performance and outcome-based programs established for the Federal-Aid Highway Program;
- Implementing innovative highway safety design features, proven effective in reducing the potential for—and severity of—traffic crashes on public roadways;
- Establishing and maintaining complete, current, and accurate electronic traffic crash data to better understand high-crash locations;
- Enhancing the organizational prominence of highway safety within federal, state, and local transportation agencies to provide a more effective voice in agency administration, leadership development, and program direction;
- Providing flexibility in federal-aid funding programs for high-priority highway safety improvement programs, and continuing to target national safety problems through categorical funding;
- Advancing the mission of Vision Zero to reduce traffic-related fatalities and serious injuries to zero.

Technology can also play a role in improving roadway safety by filling in the gaps of human performance. According to a Human Factors for Connected Vehicles study by NHTSA³, connected vehicle technologies have the potential to address up to 82% of crash scenarios with unimpaired drivers. These technologies could save a significant number of lives and prevent crash-related injuries, and help avoid tens of thousands of crashes each year.

There are several areas where technology can complement human performance and improve safety and mobility. For example:

- Technology improvements can provide stability control, automatic braking, all-wheel drive, steering by wire, traction control, collision avoidance, blind spot warning systems, lane control, and automatic cruise control.
- Infotainment systems linked to cell phone technologies (e.g., Bluetooth and voice activated commands) in vehicles can reduce distracted driving (e.g., from texting, looking down at a phone for directions, searching for an address, etc.).
- Automated vehicles (AV) possess hardware and software collectively capable of performing some aspects of safety-critical control functions (e.g., steering, throttle, and braking) without direct driver input. AV may use vehicle sensors, cameras, GPS, and telecommunications to obtain information to make decisions regarding safety critical situations and act appropriately by effectuating control at some level. In this way, the AV infrastructure and the roadway infrastructure are interdependent.

INFRASTRUCTURE INVESTMENT AND JOBS ACT

ASCE was a strong supporter of the Infrastructure Investment and Jobs Act (IIJA) of 2021. A once-in-a-generation boost for the nation's roads and bridges, the legislation contains a five-year, \$383.4 billion reauthorization of federal surface transportation and an additional \$110 billion in appropriations for road and bridge programs.

² <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813298>

³ <https://www.nhtsa.gov/sites/nhtsa.gov/files/812068-humanfactorsconnectedvehicles.pdf>

Successful implementation of the IIJA has the potential to reduce the number of fatalities that occur on the nation's roadways. IIJA investments should include countermeasures to improve safety, such as guardrails, pavement markings, enhanced warnings, and friction surfaces on hazardous curves. On rural roads, standards such as a minimum two-foot paved shoulder and a minimum 10.5-foot lane width should be mandatory.

CONCLUSION

ASCE thanks the House Subcommittee on Highways and Transit for hearing from a diverse panel of transportation experts on the subject of roadway safety.

Improving safety on America's roadways is critically important. A safe, reliable network of roads protects lives and facilitates a healthy economy. ASCE stands ready to assist Congress and industry leaders in addressing the roadway safety crisis.

Statement of the Association of Metropolitan Planning Organizations, Submitted for the Record by Hon. Eleanor Holmes Norton

Chair Norton, Ranking Member Davis, and Members of the Subcommittee, thank you for the opportunity to submit this statement for the hearing record regarding the role of MPOs in implementing safety programs and other roadway safety strategies. The Association of Metropolitan Planning Organizations (AMPO) supports the goal for zero roadway fatalities—zero is the only acceptable number.

AMPO supports the continued investment in making improvements to enhance roadway safety particularly within metropolitan planning areas that our members serve. The Infrastructure Investment and Jobs Act (IIJA) provides opportunities for MPOs to plan and, hopefully, implement additional safety measures. There is considerable interest from MPOs in the new Safe Streets and Roads for All (SS4A) program with many MPOs intending to develop or update metropolitan area plans. We believe those initiatives will have lasting impacts on safety within our urban areas.

According to the National Highway Traffic Safety Administration's (NHTSA) 2020 Overview of Motor Vehicle Crashes (Published March 22) fatalities in urban areas increased 8.5% from 2019 to 2020 despite lower Vehicle Miles Traveled (VMT) in 2020. Since 2011 both pedestrian (+61%) and pedalcyclist (+54%) fatalities have increased in urban areas, areas of concern for many MPOs. These increases are not acceptable and the MPO community is committed to using limited capital resources to implement the safety projects and programs included in MPO plans and TIPs. We will also continue to partner, when we can, with States to construct the necessary safety measures to reduce these fatalities and improve the quality of life in all urban areas.

USDOT's National Roadway Safety Strategy (NRSS) outlines the major actions it wants to take over the next few years, to make a significant difference in safety. The heart of the Strategy is the Safe System Approach which focuses on five key objectives: safer people, safer roads, safer vehicles, safer speeds, and post-crash care. While MPOs do not have the authority to make changes in all of these key areas we hope that under the NRSS and the Safe System Approach the MPO community can meaningfully participate in the discussions. According to NHTSA the three major behavioral factors linked to roadway fatalities are speeding, alcohol-impaired driving, and seat belt non-use. One area that is of major concern to smaller MPOs are rural roads. Most of the nation's vehicular fatalities occur on these facilities. Speed is a key factor along with the aging population. Mitigating these risk factors are often simple dynamic messaging signs, geometric improvements, or obstruction removal of rocks, trees, etc. Many MPOs are undertaking a local roads safety plan to help address these issues. Like State and localities, MPOs also face challenges to combat distracted driving. The MPO community welcomes the opportunity to work with our respective Local and State DOTs and the Federal government to combat these issues.

Through the MPO planning process we strive to locate, identify, and address safety issues within the transportation network, rather than waiting for crashes to occur and reacting afterwards. Throughout the MPO planning process our members engage with the public and conduct outreach activities to solicit input from the entire community so that investments can benefit all users of the system.

How MPOs are making roadways safer:

In *Springfield, Missouri* the city developed the SGF Yields program that aims to initiate a cultural change in Springfield toward a more pedestrian friendly community by education and awareness. The program educates elementary students about

how to be a safety superhero and provides awareness through Mr. Walker statues placed near heavily used crosswalks to remind drivers to be attentive to pedestrians. The program yielded an increase in percentage of drivers yielding at sidewalks from 35% to 52%. The number of pedestrian crashes within the city limits decreased from 72 in 2017 to 60 in 2021. The pilot was funded with local dollars. Additional funding would assist in expanding the program across the region.

Initiatives that have worked:

In *Morgantown, WV* the city put up locally funded Rectangular Rapid Flashing Beacon's (RRFB) at selected intersections (on state owned but city-maintained streets) and employed a proactive bicycle safety public information campaign. These investments have improved non-motorized transportation safety considerably and the safety program was recognized by the League of American Bicyclists as a bronze level Bicycle Friendly City.

The *Richmond Regional Transportation Safety Plan* is based on the vision of Toward Zero Deaths which has been adopted by the Commonwealth of Virginia. The 2017–2021 Strategic Highway Safety Plan (SHSP) prioritizes a safe system approach based on successful Vision Zero efforts in Europe. Implementation of the SHSP involves the 5Es of highway safety: Engineering, Education, Enforcement, Emergency Response and Medical Services, and Everyone. While the SHSP outlines an overarching statewide approach the Richmond Regional Transportation Safety Plan addresses the issues specific to the region and local jurisdictions. The plan outlines the primary factors preventing people from arriving safely at their destinations a long with locations where safety improvements could make a difference. Regional safety trends, crash characteristics, crash locations, and next steps are outlined in the plan.

East-West Gateway Council of Governments (EWG) in St. Louis, Missouri has partnered with Missouri and Illinois Departments of Transportation to provide visiting safety education programs in high schools covering topics such as impaired and distracted driving, post-accident trauma, and how to prevent crashes. EWG has also been working recently with the Missouri Department of Transportation on targeted social media ads and public service announcements in that same vein.

In *St. Lucie County, Florida*, the *St. Lucie Transportation Planning Organization (St. Lucie TPO)* supports the efforts of its member local governments to improve roadway safety comprehensively such as by evaluating the visibility of crosswalk markings for pedestrian safety, identifying incomplete streets and implementing bicycle lane pilot projects to encourage the addition of bicycle facilities, and assisting the management of speed and the setting of target speed limits with analyses and studies. This wide-ranging support reinforces the FHWA safe system approach to achieving the vision of zero fatalities and serious injuries within the communities of the St. Lucie TPO.

IIJA PROVISIONS

Under Section 11206 MPOs are required to use 2.5% of their planning funds for activities to increase safe and accessible options for multiple travel modes for people of all ages and abilities. The new requirement defines activities to include Complete-street standards and policies, plans that create networks of active transportation facilities, increase public transportation ridership, and several other similar activities. In most cases MPOs exceed this level of funding and we encourage USDOT to be open and flexible in its approval process for meeting this requirement.

The opportunity to make increased safety investments under the Transportation Alternatives Program (TAP) has been greatly enhanced under the changes in the IIJA. Not only has the funding significantly increased but Highway Safety Improvement Program (HSIP) formula funds can be credited toward the non-Federal share of a TAP safety project. However, States would need to agree to use HSIP funding in this manner.

For decades MPOs have had the authority to program their suballocated Surface Transportation Block Grant Program (STBGP) funds for safety improvements. We thank Congress for its continued support of the STBGP, not only with additional resources but also the expansion of eligible projects. MPO's block grant funds have been used for many safety-related projects such as intersection improvements, sidewalks, traffic signals, improved guardrails, rumble strips and improved lighting.

SS4A—The IIJA establishes the new Safe Streets and Roads for All (SS4A) discretionary grant program, which supports local initiatives to prevent death and serious injury on roads and streets, commonly referred to as “Vision Zero” or “Toward Zero Deaths” initiatives. As we noted, making progress towards and ultimately achieving zero deaths on roadways is a goal of AMPO's members, but it will take strong coordination between the States, MPOs, and local government. AMPO anticipates

there will be a robust number of applications from MPOs in partnership with other eligible entities.

The SS4A program creates new Safety Action Plan (SAP) planning requirements that some MPOs are concerned may not leverage existing safety planning (such as Regional Safety Plans), nor is it clear how they relate to Transportation Performance Measures (TPM). The need to retool existing plans created in compliance with pre-existing federal statute into SAPs may add delay to project implementation. We understand that under the SS4A NOFO there is an opportunity to self-certify if the applicant has a plan substantially similar to an SAP, and we encourage USDOT to be flexible in its evaluation and approval of existing safety related planning documents.

Railroad Crossing Elimination Grant Program: In addition to bicycle and pedestrian safety issues, MPOs also struggle with methods to highlight and improve safety conflicts between our roadways and major rail corridors. This funding opportunity not only encourages improvement of specific infrastructure and safety devices, but also to support other means to improve safety if related to the mobility of people and goods at highway-rail grade crossings, including technological solutions. However, the railroads analyze at-grade crossings on a project-by-project basis. Most MPOs do not engage in project development level analyses. It is unclear how most MPOs planning level analysis will fit into the railroads' longstanding project development level process. AMPO is encouraged by the multimodal approach that FRA and USDOT has taken to recognize the significant safety concerns in these areas and provide multiple opportunities to address them through parallel programs.

CHALLENGES AND OBSERVATIONS

MPOs are actively engaged with the public in their planning areas. More public involvement (and funding for major advertising campaigns) is needed to address negative driving behaviors and educate the public on the impacts of them. SS4A grants could be helpful, and we hope funds may be utilized for this type of public engagement.

To better analyze crash information, AMPO would recommend that there be consistency in crash reporting by law enforcement agencies. In addition, there is a need for Federally provided or funded Predictive Crash Analysis Software to be made available for MPOs to utilize. This would also promote a consistent method to better identify which intersections and road segments have the highest crash risk and can suggest appropriate countermeasures at each location. This data would be a great asset to all MPOs with limited staff.

The lack of waivers for the FHWA Buy America compliance requirements for equipment made with steel or iron—*100% of steel or iron should be made in America*—has negatively impacted efforts related to purchasing some safety-related equipment. For instance, some MPOs have run into issues with items as small as screws in cameras not meeting the requirement. Some local law enforcement agencies have indicated an interest in using drones for crash reconstruction but are unable to purchase drones currently available on the market with federal dollars due to the restrictions associated with the country of origin of the drone manufacturers.

In some States many of the safety issues that need to be addressed are on state owned and maintained roads. Allowing a local entity to improve a State-owned road with a grant (SS4A) will require coordination and ultimate approval from the State. This may include the need for matching funds.

AMPO has identified inconsistencies within states across the country as to how safety programs and projects are implemented. The lack of consistency and coordination has led to project delay or in some cases has prevented the project from moving forward entirely. AMPO believes that USDOT can help encourage consistency and coordination at all levels of government in order to achieve the safety outcomes we all would like to see.

AMPO and all our members are committed to supporting the safety goals that were established by Congress and now being implemented by the USDOT. Thank you again for the opportunity to submit this statement for the hearing record. AMPO is happy to answer any questions that you may have.



Statement of Laura D. Chace, President and Chief Executive Officer, Intelligent Transportation Society of America, Submitted for the Record by Hon. Eleanor Holmes Norton

Chair Norton, Ranking Member Davis, Chair DeFazio, Ranking Member Graves, and distinguished Members of this Congressional Committee—thank you. Thank you for holding this important hearing. Thank you for prioritizing the urgent issue of roadway safety in the United States of America.

The recent estimates issued by the National Highway Traffic Safety Administration (NHTSA) detail record U.S. roadway fatalities in 2021. These record fatality statistics are astonishingly high, and they represent an unspeakable tragedy at a time when the people of this country have already lost too many loved ones to tragedy. I applaud your leadership in responding swiftly to NHTSA's report with a Congressional hearing examining this issue, and I urge you to take further action to increase roadway safety and save lives, now. I urge you to do so, in particular, by advancing the implementation of intelligent transportation technologies on our roadways.

At the Intelligent Transportation Society of America (ITS America), our mission is to advance the research and deployment of intelligent transportation technologies to save lives, improve mobility, increase accessibility and opportunity, promote sustainability, and improve efficiency and productivity. Everything we do is connected, first and foremost, to advancing the vision of zero deaths on our roadways. We believe technology is the strongest tool we have for doing so in a way that is scalable and cost-effective and does not require some of the potentially difficult trade-offs with throughput other solutions may require at a time when supply-chain congestion is of the utmost national concern. We also believe an increased focus on technology is the best way to leverage the once-in-a-generation investments this Congress has made in America's infrastructure.

I offer you this testimony on behalf of ITS America—and its diverse membership of public sector agencies, private companies, researchers, and nonprofits—because I believe the potential of technology to save lives on our roadways has been significantly underrepresented in the ongoing Congressional and national conversation about traffic safety. To be clear, physical upgrades to our transportation infrastructure are necessary and deeply important, and ITS America supports those upgrades in service to safety. But we are no longer in the roadbuilding era of President Dwight Eisenhower in this country. Technological progress and the build-out of the digital layer of our transportation and infrastructure system are essential to saving lives.

In the 21st Century, we can no longer afford to approach the digital layer of safety infrastructure on our roadways as a luxury. If we expect to bridge the gap between the United States and other developed countries on roadway safety, much less lead the world when it comes to infrastructure and innovation, we must do dramatically more to invest in and promote the advancement of the digital layer of infrastructure in our system. This digital infrastructure will translate directly into fewer deaths, fewer injuries, and increased access and opportunity in American transportation.

We have the tools—right now, using technology—to address the tragic picture NHTSA's increased fatality statistics reveal. As the premier national convener of stakeholders from all sectors of our country's transportation system who are focused on research about, and the implementation of, intelligent transportation systems across this country, ITS America knows first-hand that scalable, cost-effective traffic safety technologies exist right now. They are being implemented, right now, by many of our members in communities across this country.

Founded as an official advisory board on road safety technology to USDOT, ITS America represents state and city departments of transportation, transit agencies, metropolitan planning organizations, automotive manufacturers, technology companies, engineering firms, automotive suppliers, insurance companies, and research and academic universities. From vehicle automation, to vehicle to vehicle (V2V), vehicle to infrastructure (V2I), and vehicle to pedestrian (V2P) technology, to mobility on demand use and interoperability, to smart infrastructure such as smart traffic lights employing LiDAR and other life-saving technologies at intersections, ITS America members are at the forefront of researching, piloting, and deploying new technology in communities all across this country to save lives and reduce the number of injuries on our roadways.

Last year, this Congress showed forward-looking leadership on roadway safety with the Infrastructure Investment and Jobs Act (IIJA). The IIJA provided for record investments in safety across the board, and ensured increased eligibility for innovative technologies to compete for federal dollars by allowing certain tech eligi-

bilities in the Congestion Mitigation and Air Quality Improvement program, Rural Surface Transportation Grants program, PROTECT program, SMART Grant program, ATTIMD, Carbon Relief program, Safe Streets and Roads for All grant program, Emerging Technology Research Pilot program, and others. ITS America is particularly pleased to see these expansions in eligibility, and we are working closely with the US Department of Transportation to advocate that these eligibilities be better highlighted in grant application criteria.

Unfortunately, expanded eligibility does not always translate directly into expanded implementation, particularly as many grant and formula programs remain oversubscribed.

Let us be clear, too, that despite the forward strides of the IIJA, more can be done legislatively to promote technological innovation that improves roadway safety. We have long known, and the House of Representatives has repeatedly recognized in House-passed legislation, that this country needs a national framework for the development and deployment of highly automated vehicle technology. This technology exists, right now, on our roadways in dozens of cities across the country. It has enormous life-saving potential. But its development has been held back by a failure to broker the necessary compromises that would allow us to lead the world in the next frontier of mobility. ITS America hopes an updated regulatory framework for highly automated vehicle technology will continue to receive the legislative consideration it deserves.

The record fatality statistics from last year are damning, and the record year-over-year increases in pedestrian and bicyclist fatalities in particular are deeply disturbing. It is appropriate these tragedies have garnered attention and generated a response. But let us be clear: even before these record increases, American roadway fatalities were far too high.

Unfortunately, this carnage on American roadways has faded into the background as the cost of doing business. The numbers are just too large to comprehend—too large to register the appropriate emotional response. As the adage goes, one death is a tragedy, but many deaths become a statistic.

For me, as a mother of teenagers, our society's failure to ensure the safety of our roadways is personal. Just last week, on June 1st, 2022, in my neighborhood, right here outside our nation's capital, a teenage cyclist was struck and killed by an automobile when bicycling along an unsafe roadway. When the news broke, I and many other parents in the community were frantically checking to ensure it was not our child. I am thankful it was not my child. But it was someone's child.

Compounding the tragedy, another teen bicyclist was killed in the same spot over two years ago. We knew this road was dangerous. We knew it could be fatal—because it had been fatal. We knew what change was needed. But we didn't get it done. In over two years, we did not fix the problem, and now another child is dead.

And that, tragically, is our national situation in microcosm. We know our roads are unsafe. We know they are fatal. We know what change is needed—and we have the technology to make that change cost-effectively. But we cannot seem to get it done.

I believe it is our responsibility to employ both innovation in engineering and design and innovation in technology in order to save lives. Today, I call on all of you as the President and CEO of ITS America, but, more importantly, as a mother, to redouble your efforts. Your country needs you to oversee changes that make our roadways safer—to invest in and promote the deployment of existing technologies that can save lives. One more death is too many.

In the following pages, you'll find (1) ITS America's response to US DOT's National Roadway Safety Strategy (NRSS), which details the need for increased attention to technology and includes examples of life-saving technologies that exist now and could be implemented at broader scale to ensure more safety on our roads, (2) ITS America's recommendations to US DOT regarding the New Car Assessment Program (NCAP) detailing technologies that should be considered to make NCAP stronger, (3) ITS America's Automated Vehicle Principles, (4) ITS America's recommendations for IIJA implementation, and (5) ITS America's response to US DOT's NETT Council request for comments. I thank you for your consideration of these documents, and I thank you again for holding this urgently needed hearing.

ATTACHMENT 1

NATIONAL ROADWAY SAFETY STRATEGY—ITS AMERICA RESPONSE

[Attachment 1 is retained in committee files and is available online at <https://itsa.org/wp-content/uploads/2022/05/ITS-America-National-Roadway-Safety-Strategy-Response-5-19-22.pdf>]

ATTACHMENT 2

ITS AMERICA'S RECOMMENDATIONS TO US DOT REGARDING THE NEW CAR
ASSESSMENT PROGRAM (NCAP)

[Attachment 2 is retained in committee files.]

ATTACHMENT 3

ITS AMERICA'S AUTOMATED VEHICLE PRINCIPLES

[Attachment 3 is retained in committee files and is available online at <https://itsa.org/wp-content/uploads/2021/09/ITS-America-AV-Principles.pdf>]

ATTACHMENT 4

ITS AMERICA'S RECOMMENDATIONS FOR IIJA IMPLEMENTATION

[Attachment 4 is retained in committee files and is available online at <https://itsa.org/wp-content/uploads/2022/06/Fact-Sheet-IIJAI-Implementation.pdf>]

ATTACHMENT 5

ITS AMERICA'S RESPONSE TO US DOT'S NETT COUNCIL REQUEST FOR COMMENTS

[Attachment 5 is retained in committee files and is available online at <https://itsa.org/advocacy-material/its-america-comments-regarding-usdots-non-traditional-and-emerging-technology-council-nett/>]

Letter of June 13, 2022, to Hon. Eleanor Holmes Norton, Chair, and Hon. Rodney Davis, Ranking Member, Subcommittee on Highways and Transit, from Marianne Karth, Submitted for the Record by Hon. Eleanor Holmes Norton

JUNE 13, 2022.

The Honorable ELEANOR HOLMES NORTON, Chair,
The Honorable RODNEY DAVIS, Ranking Member,
Subcommittee on Highways and Transit,
Committee on Transportation and Infrastructure, U.S. House of Representatives,
Washington, DC 20515.

DEAR CHAIR NORTON AND RANKING MEMBER DAVIS:

Thank you for holding a hearing on June 8, 2022, "*Addressing the Roadway Safety Crisis: Building Safer Roads for All.*" I respectfully request that this letter be included in the hearing record. While my comments do not impact road construction, they can lead to safer streets.

Like many Americans, I unexpectedly lost precious loved ones due to vehicle violence. On May 4, 2013, a horrific truck crash resulted in the underride deaths of my two youngest daughters, AnnaLeah (17) and Mary (13). As the driver of our Crown Vic, I survived because my part of the car did not go *under* the truck. When I learned that underride happens to hundreds of people every year and that available engineering solutions were gathering dust on the shelf, I became a mom on a mission to make truck crashes more survivable.

For nine years, I have put countless hours into advocating for the best possible underride protection. This has included raising national awareness, supporting underride research efforts, and drafting federal legislation which eventually led to underride provisions in the 2021 Bipartisan Infrastructure Bill. I also have had many meetings with, and submitted numerous petitions to, the US Department of Transportation. In the process, I encountered a lack of transparency, accountability, and collaboration from agencies whose mission is to reduce traffic fatalities and catastrophic injuries.

What I am asking you to do today is to support my efforts, which began in 2016, to ensure that all traffic safety victims have a vigilant voice within the Department of Transportation. It is my conviction that a National Traffic Safety Ombudsman, who has experienced personal loss due to traffic violence and without ties to industry, should be appointed to serve in the DOT Office of the Secretary to communicate with victim advocates and facilitate timely departmental action to ensure that the *National Roadway Safety Strategy* is not meaningless rhetoric. Follow the lead of the US CPSC, who has a Consumer Ombudsman serving in a similar role.

Please pass legislation to bring this about. Now.

Respectfully submitted,

MARIANNE KARTH.

cc: Congressman Peter DeFazio

ATTACHMENT 1

NATIONAL TRAFFIC SAFETY OMBUDSMAN ACT OF 2019—DRAFT 3

[Attachment 1 is retained in committee files and is available online at <https://annaleahmary.com/wordpress/wp-content/uploads/2019/10/National-Traffic-Safety-Act-Ombudsman-DRAFT-3.pdf>]

ATTACHMENT 2

OFFICE OF NATIONAL TRAFFIC SAFETY OMBUDSMAN CHARTER

[Attachment 2 is retained in committee files and is available online at <https://annaleahmary.com/wordpress/wp-content/uploads/2021/10/National-Traffic-Safety-Ombudsman-Charter-Draft-2021.pdf>]

**Statement of the National Safety Council, Submitted for the Record by
Hon. Eleanor Holmes Norton**

Chair DeFazio, Chair Norton, Ranking Member Graves, Ranking Member Davis and members of the Subcommittee, thank you for allowing the National Safety Council (NSC) to share these comments for the record.

NSC is America's leading nonprofit safety advocate and has been for more than 100 years. As a mission-based organization, we work to eliminate the leading causes of preventable death and injury, focusing our efforts on the workplace, roadway and impairment. We create a culture of safety to not only keep people safer at work, but also beyond the workplace so they can live their fullest lives. Our more than 13,000 member companies and federal agencies represent employees at nearly 41,000 U.S. worksites.

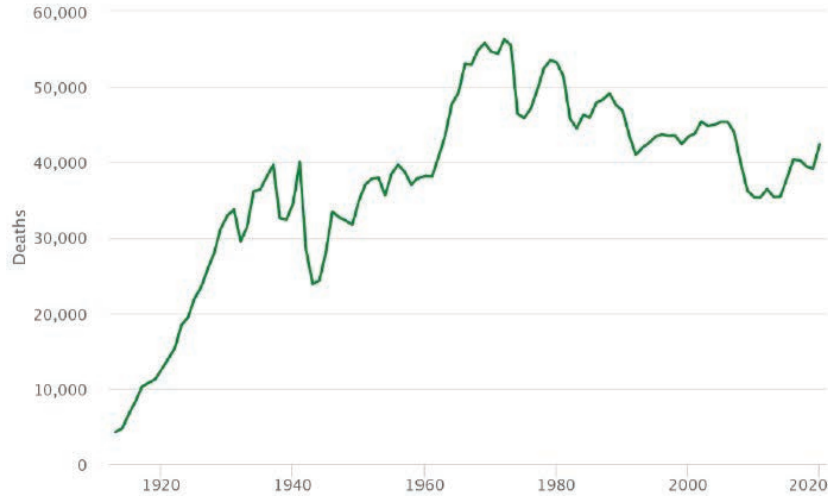
In short: our roads have become more deadly since 2020.

Early estimates from the National Highway Traffic Safety Administration project 42,915 people were killed in motor vehicle incidents in 2021.¹ We believe these crashes, which have a tremendous human toll and cost the American economy more than \$ 473.2 billion a year², are entirely preventable. We know what is killing people and, more importantly, we have the tools, strategies, and resources to begin saving lives today.

¹ <https://www.nhtsa.gov/press-releases/2020-traffic-crash-data-fatalities>

² <https://injuryfacts.nsc.org/motor-vehicle/overview/introduction/>

Motor vehicle deaths, United States, 1913–2020



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Chart shows total motor vehicle data, source NSC estimates and National Center for Health Statistics

Included below are the number of people killed in motor vehicle crashes in the Chairs’ and Ranking Members’ states for 2021 as well as the year-over-year percentage increase from 2020 preliminary estimates:³ This trend is being seen in states across the United States and needs immediate and decisive action.

Oregon	588 deaths (20% increase from 2020)
Washington, DC	39 deaths (8% increase from 2020)
Missouri	1,014 deaths (3% increase from 2020)
Illinois	1,324 deaths (18% increase from 2020)

These are the lives of your constituents. More so, these were family members, friends, neighbors, and colleagues who contributed to the communities in which they lived and were taken from their loved ones much too soon. Where is the outrage over the loss felt from each of these deaths? It is conspicuously absent, particularly when compared to deaths in other forms of transportation, such as aviation.

We know where we need to focus our attention, research, and action to stop the growing number of roadway fatalities. I want to highlight a few strategies and considerations that can help inform our approach to saving lives.

SAFE SYSTEM APPROACH

We took a step in the right direction last year with the passage and signing of the Infrastructure Investment and Jobs Act (IIJA), which included the Safe System approach.⁴ The IIJA defines the Safe System approach that emphasizes minimizing the risk of injury or fatality to road users and takes into consideration the possibility and likelihood of human error and the impact on vulnerable road users.⁵ The Safe System approach aims to eliminate fatal and serious injuries for all road users through a comprehensive approach. Its inclusion in IIJA demonstrated a commitment at a national level for this much-needed shift in traffic safety.

NSC has long supported this important approach to traffic safety, incorporating it as one of the strategic pillars of the Road to Zero strategy and work to advance its adoption. Through a Safe System approach, all of us, across sectors and backgrounds, commit to changing our nation’s safety culture to think about roadway

³ <https://injuryfacts.nsc.org/motor-vehicle/overview/preliminary-estimates/data-details/>
<https://www.fars.nhtsa.dot.gov/States/StatesCrashesAndAllVictims.aspx>
⁴ Public Law 117–58, <https://www.govinfo.gov/content/pkg/PLAW-117publ58/pdf/PLAW-117publ58.pdf>
⁵ Ibid.

crashes in a more holistic and systemic fashion. Fully adopted by other modes of transportation, a Safe System approach accepts the inevitability of human mistakes and creates fail-safe mechanisms in behavior, infrastructure, and vehicle design, among other things, to protect against death and serious injury.



The IIJA established the framework for more widespread adoption by roadway planners and engineers. However, building a Safe System will take time, so we must get started. With the understanding people inevitably will make mistakes, the Safe System approach to infrastructure can be more forgiving than other infrastructure improvement efforts to eliminate fatalities. Some of these changes may include engineering greater safety into a design. For example, in the pictures below, a multi-lane intersection with a red light in Scottsdale, AZ was replaced with a roundabout. With the intersection, there are 32 potential points of failure but, with a roundabout, that is engineered down to only eight.⁶ Speeds are decreased, and if crashes do occur, they occur at less-violent angles. Crosswalk lengths are also reduced, lowering the amount of time pedestrians are exposed to cross-traffic.



Successful infrastructure redesign can also look like the picture below from New York City. The picture on the left shows two roads merging without an area for pe-

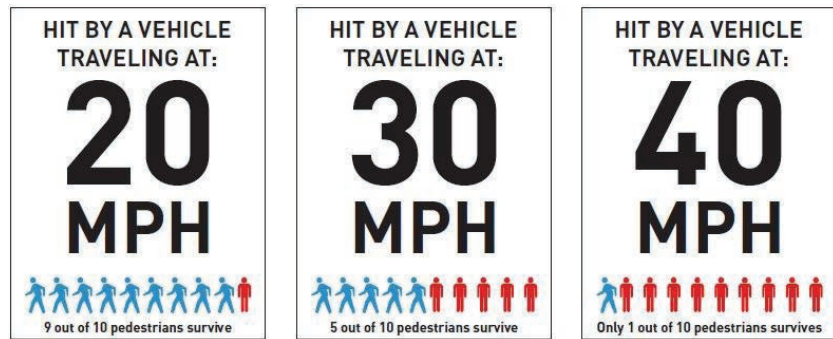
⁶ https://safety.fhwa.dot.gov/intersection/innovative/roundabouts/presentations/safety_aspects/long.cfm

pedestrians and the lane lines are non-existent. However, the reworked merge incorporates clearly marked lanes of travel, large sidewalks and areas for pedestrians with less exposure to vehicles.



These infrastructure changes are just as important in rural areas. Rumble strips on the center line or edge of roadways can prevent the roadway departure crashes accounting for 51% of roadway fatalities in the U.S.⁷ Cable median barriers can also provide a margin of safety to redirect people to their lane of travel and high-friction surface treatments can decrease vehicle stopping distance on roadways. These are all tools we have available today and can be encouraged through the implementation of the programs and funding authorized in recent legislation.

The Safe System approach has the potential to affect the persistent issue of speeding by setting context-appropriate speeds, which are then encouraged through comprehensive speed management. Excessive speed is a problem in this country. When speeding vehicles collide with pedestrians, cyclists and other vulnerable road users (VRU), the results are deadly. In 2020, more than 7,000 pedestrians were killed in traffic crashes in the U.S.⁸ Pedestrians are 1.5 times more likely than occupants of passenger vehicles to be killed in a car crash. From 2009 to 2018, the number of pedestrian fatalities increased by 53%.⁹ As of 2020, pedestrian fatalities are 16% of all traffic fatalities. As illustrated,¹⁰ at 20 miles per hour (mph), 9 out of 10 pedestrians would *survive* being struck by a vehicle, while 9 out of 10 pedestrians would be *killed* at double that speed (at 40 mph).



The data bear out the same case for vehicle crashes involving speed. The Insurance Institute for Highway Safety (IIHS) estimated increasing speed limits over the past 25 years have led to 37,000 additional deaths, and 29% of all crash fatalities

⁷ https://safety.fhwa.dot.gov/roadway_dept/

⁸ https://www.cdc.gov/motorvehiclesafety/pedestrian_safety/index.html

⁹ <https://injuryfacts.nsc.org/motor-vehicle/road-users/pedestrians/data-details/>

¹⁰ Image: Seattle Department of Transportation

in 2020 occurred in speed-related crashes.¹¹ IIHS collaborated with the AAA Foundation for Traffic Safety to conduct high-speed crash tests, which demonstrated that higher speeds cancel out the safety benefits of improved vehicle design.¹² For example, during a test crash at 40 mph, the driver's space was minimally impacted. At 50 mph, the impact to the driver's space was much more pronounced. At 56 mph, the interior of the vehicle was significantly compromised, most likely leading to significant injuries to the driver and occupants.

NSC recommends the following actions to address speeding:

- Expand the scope of factors used to determine speeds, such as crash history and roadway design, and de-emphasize the 85th percentile approach.
- Expand the use of automated enforcement,¹³ ensuring it is done in a way that has safety as the priority and addresses equity concerns.
- Allow for local control over speed limits so they are context appropriate and determined by those with the best knowledge of the environment.
- Allow for local policymakers and engineers to deploy traffic calming interventions, perform road diets, and utilize the latest best practices in designing safe roads.

Allowing for flexibility to implement local safety measures is key to reflect local priorities. NSC encourages this Committee to explore options for cities, counties and metropolitan planning organizations to prioritize safety for their residents in the ways they know to work best. This may allow for lowering speed limits, instituting automated enforcement, improving data collection, accessing safety funds and other items. Local decision-makers often have better data and information directly from community members about areas in severe need of transportation improvements and should be encouraged to address disparities they see within their crash data.

USDOT must provide information and resources to cities, counties and states to implement the Safe System approach. This could be technical assistance, sharing resources, peer-to-peer learning, funding and other tools. Collaboration among different stakeholders should also be required because safety is a shared responsibility, and we will not reach our goal of zero unless everyone is working together.

ROAD TO ZERO

More states and localities have adopted “zero” language into the goals on our roadways. This language has been commonplace in other settings, like workplaces, where NSC has focused since our founding, with meaningful results. NSC also leads the Road to Zero Coalition, a diverse group of more than 1,800 organizational members committed to eliminating roadway fatalities by 2050. The coalition represents transportation organizations, businesses, academia, safety advocates and others. This is the first time so many organizations and individuals have collaborated to put forth a plan to address fatalities on our roads. To these members and to NSC, “zero” is not just a catchphrase but an attainable and necessary goal.

Through the Road to Zero Coalition, NSC has awarded millions in grants to groups across the country working in communities of all sizes. In the first year of grants, the National Complete Streets Coalition, worked with three communities: Lexington, KY, Orlando, FL, and South Bend, IN. Each city was provided only \$8,000 from the grant for temporary infrastructure changes, and each city had measurable improvements to safety, even with a small-dollar investment.

Grants were recently awarded to Johns Hopkins University, Children's Hospital of Philadelphia, Health by Design, an organization based out of Indianapolis, Indiana, Portland Bureau of Transportation, Northwest Side Housing Center, a community housing center in Chicago, IL, and a coalition out of Washington, DC including Washington Area Bicyclist Association, Howard University Transportation Research Center, and Safe Routes Partnership. These grantees are working on projects that include data visualization, education and implementation of the Safe System approach, and community engagement in traffic safety activities. Each project has an equity component incorporated into its efforts and these projects will be used to inform and guide future efforts of the Coalition and its members.

EQUITY

In deploying a Safe System approach or any strategy to address roadway safety, we must take into account equity concerns that we know exist within mobility. Re-

¹¹ <https://www.iihs.org/topics/speed>

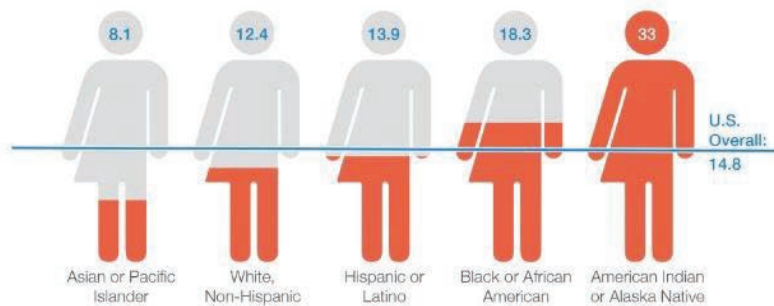
¹² <https://www.iihs.org/topics/bibliography/ref/2218>

¹³ <https://www.iihs.org/media/431e551b-3f64-4591-8e30-ad35a069f41f/cF4n4g/News/2021/050621%20auto%20enforcement/AE-checklist-May-2021.pdf>

search shows people of color suffer higher rates of pedestrian fatalities and severe injuries¹⁴ than their white counterparts. Also, programs and policies that aim to support safety—such as those around jaywalking¹⁵—disproportionately burden communities of color. Data show people of color, older adults and low-income communities are over-represented in pedestrian fatalities¹⁶ and under-represented in the investments made in transportation improvements.^{17 18} The chart below shows American Indian or Alaskan Native people run the highest risk of being killed while walking along the roadside; other data show drivers are less likely to yield to Black people walking and biking.¹⁹

People of color are disproportionately represented in fatal crashes involving people walking.

Relative pedestrian danger by race and ethnicity, 2008-2017



One reason these disparities exist is that not all streets are created equally. Roads in low-income communities lack basic infrastructure and safety features that are common in wealthier communities and have higher crash rates as a result.^{20 21} This leads to so-called high-crash corridors or high-injury networks. For example, Vision Zero SF in San Francisco, CA found 75% of the city's severe and fatal injuries occur on just 13% of the city's street miles (see graphic below).

¹⁴ <https://smartgrowthamerica.org/resources/dangerous-by-design-2014>

¹⁵ <https://www.propublica.org/series/walking-while-black>

¹⁶ <https://smartgrowthamerica.org/dangerous-by-design/>

¹⁷ <https://www.cbfcinc.org/wp-content/uploads/2016/10/CBCFTransportationBriefing.pdf>

¹⁸ https://www.apha.org/-/media/files/pdf/topics/environment/built_environment/srtsnp_equalitytransp_factsheet2015.ashx

¹⁹ https://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1009&context=psy_fac

²⁰ Morency, P., Gauvin, L., Plante, C., Fournier, M., & Morency, C. (2012). Neighborhood social inequalities in road traffic injuries: the influence of traffic volume and road design. *American journal of public health*, 102(6), 1112–1119. <https://doi.org/10.2105/AJPH.2011.300528>

²¹ https://www.transportation.gov/sites/dot.gov/files/docs/BeyondTraffic_tagged_508_final.pdf

2017 VISION ZERO HIGH INJURY NETWORK (2013-2015 SFPD/ZSFG)



Data like these are available in every community that chooses to collect it. Such information can empower policymakers, city planners and engineers to direct limited resources to the areas in greatest need of safety improvements to have the biggest impact.

Engineering is another lens through which to consider equity in transportation. NSC believes an equitable approach to engineering must consider:

- Addressing existing or historic bias, disenfranchisement or overburdening of a specific group or population in any planning or proposal considerations.
- Creating contextually sensitive plans and solutions and avoiding one-size-fits-all solutions. Changes or improvements must be context-sensitive and meet the needs and desires of the individual communities they purport to serve.
- Identifying and assessing unintended consequences that might result from well-intentioned efforts.
- Engaging community members, stakeholders and system users from the outset to ensure the solution is having the intended effect.
- Involving a diversity of people in testing and design to increase safety.
- Supporting the design of vehicle technology to improve safety outcomes for all roadway users.
- Supporting efforts to improve transportation and, ultimately, enhance access and mobility independence.

We cannot achieve our goals of safer roadways without simultaneously addressing the equity concerns and barriers to access created by them. To do so would perpetuate decades of harm and undermine our ability to create safer streets for all.

NEW MOBILITY

Whereas equity concerns must be taken into account to address past roadway decision-making, considerations on new mobility and the future of traffic safety must be taken into account to create a safer future for all users. Later this month, NSC will release a new report outlining 10 key areas where technology, mobility of people and goods, and safety intersect in ways that will shape our transportation landscape. Throughout history, new mobility technologies have disrupted business as usual, changing the way we move people and goods. Today is not different other than the innovations are coming faster and without much time to plan from a policy standpoint. This report captures key trends that will allow decision-makers to create policies and programs that can adapt, grow, and engage technology of the future.

These trends touch on a variety of topics of interest to policymakers at the national, state, and local levels as well as leaders of business, academia, and advocacy. They include things like providing support for integration of climate and safety

goals and initiatives, regulation of vehicles by size and speed, and the continued need for an emphasis on protections for vulnerable road users.

This new report will also guide future efforts of NSC in programming, communications, and strategy, but more importantly it will serve as a resource for NSC and its partners as we navigate the future of mobility. The findings offer a starting point to come together, identify areas for new collaboration and research, and advocate for safer streets in the near and long-term future.

Over the course of its 100-year history, NSC has shaped the safety landscape in workplaces, roadway, and beyond. With the release of this research and related new initiatives, NSC will provide vision of the potential safety implications coming in the future and provide solutions to navigate these problems. With the increasing fatality numbers today, we should do all we can to prevent a safety crisis tomorrow.

CONCLUSION

The toughest change to reducing fatalities and injuries on the roadways is the shift to truly prioritize safety by changing safety culture on the roads. We are complacent when it comes to losing so many people every day on our roads, and we must remember these are not accidents, but preventable crashes. We need strong and passionate leaders committed to changing safety culture. We have successfully done it in workplaces, around child passenger safety, smoking and in other areas. We can do it here, too, but only with your help. NSC looks forward to working with this Committee to develop these provisions fully.

Preliminary motor vehicle annual fatality estimates

State motor-vehicle deaths and percent changes

State	Number of Months Reported	Deaths Identical Periods			Percent Changes	
		2021	2020	2019	2020 to 2021	2019 to 2021
TOTAL U.S.	12	46,020	42,339	39,107	9%	18%
Alabama	12	947	930	883	2%	7%
Alaska	12	64	65	67	-2%	-4%
Arizona	12	1,106	1,014	963	9%	15%
Arkansas	12	690	638	506	8%	36%
California	12	4,161	3,723	3,540	12%	18%
Colorado	12	687	604	596	14%	15%
Connecticut	12	327	310	254	5%	29%
Delaware	12	139	118	133	18%	5%
Dist. of Columbia	12	39	36	27	8%	44%
Florida	12	3,555	3,511	3,352	1%	6%
Georgia	12	1,826	1,729	1,462	6%	25%
Hawaii	12	94	86	108	9%	-13%
Idaho	12	271	208	224	30%	21%
Illinois	12	1,324	1,118	989	18%	34%
Indiana	12	836	888	803	-6%	4%
Iowa	12	354	337	336	5%	5%
Kansas	12	412	427	410	-4%	0%
Kentucky	12	794	774	733	3%	8%
Louisiana	12	935	805	722	16%	30%
Maine	12	147	170	172	-14%	-15%
Maryland	12	544	570	509	-5%	7%
Massachusetts	12	414	342	337	21%	23%
Michigan	12	1,145	1,051	973	9%	18%
Minnesota	12	497	395	364	26%	37%
Mississippi	12	766	736	616	4%	24%
Missouri	12	1,014	985	876	3%	16%
Montana	12	240	211	184	14%	30%
Nebraska	12	217	226	249	-4%	-13%
Nevada	12	386	312	284	24%	36%
New Hampshire	12	119	108	102	10%	17%
New Jersey	12	690	587	564	18%	22%
New Mexico	12	470	390	407	21%	15%
New York	12	1,054	963	873	9%	21%
North Carolina	12	1,784	1,664	1,484	7%	20%
North Dakota	12	98	97	98	1%	0%
Ohio	12	1,347	1,238	1,159	9%	16%
Oklahoma	12	735	637	607	15%	21%
Oregon	12	588	490	489	20%	20%
Pennsylvania	12	1,246	1,166	1,107	7%	13%
Rhode Island	12	64	73	58	-12%	10%
South Carolina	12	1,121	1,025	985	9%	14%
South Dakota	12	146	136	102	7%	43%
Tennessee	12	1,335	1,231	1,148	8%	16%
Texas	12	4,469	3,891	3,586	15%	25%
Utah	12	329	282	245	17%	34%
Vermont	12	74	62	47	19%	57%
Virginia	12	953	838	821	14%	16%
Washington	12	643	546	516	18%	25%
West Virginia	12	294	263	259	12%	14%
Wisconsin	12	601	597	549	1%	9%
Wyoming	12	112	128	147	-13%	-24%

NOTE: Deaths are reported by state traffic authorities. ALL FIGURES ARE PRELIMINARY. To ensure proper comparisons, 2019 and 2020 figures are preliminary figures covering the same reporting period as those for 2021. The total for 2019 is from the National Center for Health Statistics.

States in bold: States with a decrease in deaths from 2020 to 2021.

Letter of June 8, 2022, to Hon. Eleanor Holmes Norton, Chair, and Hon. Rodney Davis, Ranking Member, Subcommittee on Highways and Transit, from Torine Creppy, President, Safe Kids Worldwide, Submitted for the Record by Hon. Eleanor Holmes Norton

JUNE 8, 2022.

The Honorable ELEANOR HOLMES NORTON,
*U.S. House of Representatives,
 Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit, 2136 Rayburn House Office Building, Washington, DC 20515.*

The Honorable RODNEY DAVIS,
*U.S. House of Representatives,
 Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit, 2079 Rayburn House Office Building, Washington, DC 20515.*

DEAR CHAIR NORTON AND RANKING MEMBER DAVIS:

Thank you for your leadership in holding the June 8 hearing titled “Addressing the Roadway Safety Crisis: Building Safer Roads for All.” We respectfully request that this letter be included in the hearing record and commend your leadership to address the safety crisis on our nation’s roadways.

Safe Kids Worldwide was founded in 1988 and is dedicated to reducing unintentional injuries and death involving children 19 and under. A leading cause of these tragic deaths are road fatalities occurring in and around cars. Because almost all these deaths are preventable, they are all the more tragic.

Current data from the National Highway Traffic Safety Administration (NHTSA) confirms that there is indeed a safety crisis on our roads. For the past three years, traffic deaths have increased breaking a long trend of declines. As you know, NHTSA estimates for traffic deaths in 2021 show a 10.5 percent increase in deaths from 2020 which represents a 16-year high. We should all find these numbers unacceptable and Safe Kids Worldwide would like to offer our solutions to make the roads safer for children and more equitable for all.

We strongly recommend the following four-point national strategy to help ensure children are safe both in and around vehicles:

- Update Child Passenger Safety Laws to Meet Recommendations from the American Academy of Pediatrics
- Protect All Children by Building a Strong CPS Program in Underserved Communities
- Promote Pedestrian & Bike Safety Measures in School Zones and Beyond
- Utilize Current and Future Automotive Technologies to Prevent Childhood Injuries and Death

Many of these goals are addressed through provisions included in the Bipartisan Infrastructure Law (BIL) which signed by President Biden on November 15, 2021. We would like to give special thanks to Congresswoman Dina Titus who was a champion for many of these measures. The BIL included provisions supported by Safe Kids focused on high risk and underserved kids.

Specifically, the BIL includes:

- Expansion of the Section 402 highway safety grant program allowing states to purchase and distribute child restraints to low-income families.
- Expansion of the Section 403 high-visibility and awareness program to include public awareness of seatbelts and child restraints.

It also creates a new program within the 405 high priority grant program specifically targeted to low-income and underserved populations to:

- Recruit and train occupant protection safety professionals, nationally certified child passenger safety technicians, police officers, fire and emergency medical personnel, and educators serving low-income and underserved populations;
- Educate parents and caregivers in low-income and underserved populations about the proper use and installation of child safety seats; and
- Purchase and distribute child safety seats to low-income and underserved populations.

We believe that a child’s safety should not depend on the ZIP code in which they are born or grow up, and that is why a key component of our road map focuses on underserved populations.

In addition to these priorities, the BIL included specific language on heatstroke prevention which Safe Kids strongly supports. The BIL expands the use of the 402 programs to specifically allow for the use of state money to educate the public on the dangers of pediatric vehicular hyperthermia. It would also require NHTSA to conduct a rulemaking two years after passage to equip cars with a “system that detects the presence of an unattended occupant in the passenger compartment of the

vehicle and engages a warning to reduce death and injury resulting from vehicular heatstroke, particularly incidents involving children.”

We urge the committee to work with NHTSA and relevant stakeholders to make sure that these provisions are implemented to save the most lives possible.

UPDATE CHILD PASSENGER SAFETY LAWS TO MEET RECOMMENDATIONS FROM THE AMERICAN ACADEMY OF PEDIATRICS

It is critical that every state have child passenger safety laws that reflect the most up to date and research backed safety recommendations. Safe Kids is working in all 50 states to make sure state law reflects these recommendations as we know that parents often look to state law as guidance for appropriate age and weight requirements for car seat and booster seat.

Our position is that “best practice” child passenger safety laws should include the following requirements:

- A child who is under the age of two years must be properly secured in a rear-facing child restraint system that is equipped with an internal harness.
- A child who is at least two years of age must be properly secured in a rear- or front-facing child restraint system that is equipped with an internal harness.
- A child who is at least four years of age must be properly secured in (i) a rear- or front-facing child restraint system that is equipped with an internal harness or (ii) a belt-positioning booster.
- A child who is at least 9 years of age must be properly secured in (i) a belt-positioning booster or (ii) a properly fastened and adjusted vehicle seat belt system.
- A child who is under the age of thirteen years (12 and under) must be properly secured in a rear seat of the vehicle, unless all manufacturer-designated rear seating positions are occupied by other children or the vehicle does not have designated forward-facing vehicle seats or rear seating positions were not equipped with seat belts or lower anchors and tethers that meet all applicable Federal Motor Vehicle Safety Standards when released for original sale.

The above points are intended to provide a framework for our advocacy goals with regard to state child passenger safety bills, and not as a one-size-fits-all set of requirements for our support. Safe Kids will continue to support bills striving to achieve various points included along this framework with input and buy-in from the Network. This section of the Road Map ties in with our federal advocacy effort to establish a new Section 405 grant program incentivizing states to pass stronger child passenger safety laws along the lines outlined above.

PROTECT ALL CHILDREN BY BUILDING A STRONG CPS PROGRAM IN UNDERSERVED COMMUNITIES

Although we have made great strides in the field of child passenger safety, kids hailing from traditionally underserved groups and communities continue to face disparities in their safety on the road. For example, from 2009–2018 African-American children faced a motor vehicle occupant death rate per 100,000 more than double that of Hispanic or white children.^{1,2} Further, almost twice as many African-American and Hispanic children who died in 2009–2010 crashes were not buckled in car seats or safety belts compared to white children.³

Children growing up in rural America face similar road safety disparities. Rural children ages 14 and under are between two and five times as likely to be seriously or fatally injured in a crash than their urban counterparts.⁴ In addition, a 2017 study comparing urban and rural areas of three states found that rural locations

¹Data on children killed as occupants in motor vehicle crashes as well as data on restraint use were obtained from the National Highway Traffic Safety Administration (NHTSA) Fatality and Injury Reporting System Tool (FIRST). Years selected were 2009–2013 combined and 2014–2018 combined. Age ranges selected were 0–8, 0–13 and 13–19.

²According to an AAP report in 2018, there have been declining rates for child occupant deaths for all race and ethnic groups, but “improvements in mortality rates among African American children have slowed more recently.” Durbin, D.R.; Hoffman, B.D.; Council on Injury, Violence, and Poison Prevention. (November 2018). Child Passenger Safety. *Pediatrics*. Volume 142(5). Available at: <https://pediatrics.aappublications.org/content/142/5/e20182461>

³National Center for Injury Prevention and Control, Division of Unintentional Injury Prevention. (2020, February 4). Child Passenger Safety. Centers for Disease Control and Prevention. Available at: <https://www.cdc.gov/vitalsigns/childpassengersafety/index.html>

⁴Huseth, Andrea. (2013). *Misinformation Contributing to Safety Issues in Vehicle Restraints for Children: A Rural/Urban Comparison*, MPC–13–264. North Dakota State University—Upper Great Plains Transportation Institute, Fargo; Mountain-Plains Consortium. Retrieved from: <http://www.mountain-plains.org/pubs/pdf/MPC13-264.pdf>

were associated with higher levels of child restraint system misuse.⁵ CPS programs and policy should consider the broad range of underserved communities across the country, including low-income, remote/rural areas, health care scarce, Native American reservations and others. To strengthen CPS programs and improve their accessibility for all families, Safe Kids strongly supports the BIL measures regarding Sections 402, 403, and 405, described above.

PROMOTE PEDESTRIAN & BIKE SAFETY MEASURES IN SCHOOL ZONES AND BEYOND

Walking or riding a bike offers older kids a degree of independence and an opportunity to stay active as they navigate their neighborhoods, school zones and communities. However, these activities also come with safety challenges familiar to older pedestrians and bicyclists. According to the Governors' Highway Safety Association (GHSA), pedestrian fatalities rose by 20 percent during the COVID-19 pandemic, despite a 16.5 percent reduction in auto traffic.⁶ GHSA also reports that the percentage of speeding-related pedestrian deaths among children under 15 years of age has more than doubled since 2018.⁷

To reduce child pedestrian injuries and support coalition activities in this risk area, Safe Kids supports:

- Implementation of the Complete Streets approach to planning, as integrated into the BIL. Complete Streets calls on states and metropolitan planning organizations to consider equally in roadway design the needs of vulnerable road users such as pedestrians and bicyclists, as well as motor vehicles. A “complete street” is one designed to provide safe and accessible transportation options for multiple modes of travel, as well as for people of all ages and abilities.
- Increased federal funding for and expansion of the Safe Routes to School program.

UTILIZE CURRENT AND FUTURE AUTOMOTIVE TECHNOLOGIES TO PREVENT CHILDHOOD INJURIES AND DEATHS

As technology evolves toward fully automated vehicles, Safe Kids has been at the forefront of efforts to make sure that future vehicles will consider the needs of our children. Safe Kids Worldwide convened a Blue-Ribbon Panel (BRP) of nationally recognized child safety advocates and transportation experts in 2018 to discuss the unique safety considerations of children in automated vehicles.

The BRP Children in Automated Vehicles recommendations report (October 2018) serves as a call to action for automated vehicle developers to evaluate and ensure their products are created with the protection of child passengers in mind. To further these goals, Safe Kids expanded the work of the BRP with the formation of the Safe Kids in Automated Vehicle Alliance, or SKAVA. In the 2018 press release, the BRP specifically asked the automated vehicle industry to:

- Support child-focused regulations,
- Test automated vehicles in ways that consider child passengers,
- Design vehicles that are family-friendly,
- Conduct research on the appropriate level of supervision in automated vehicles, and
- Ensure all marketing and advertising shows children riding in automated vehicles according to best practices.

While an automotive future with driverless cars is both challenging and exciting, we know that new vehicle technologies will be developed in the short term which can have a big impact on reducing injuries and deaths to children.

For example, pediatric heatstroke continues to be a safety threat for children in motor vehicles, claiming record numbers of young lives in both 2018 and 2019.⁸ A variety of proposed solutions exist for this problem, and we support the BIL's multi-pronged effort, discussed above, including both the development and standardization

⁵ Hafner JW, Kok SJ, Wang H, Wren DL, Aitken ME, Miller BK, Anderson BL, Monroe KW. (October 2017). Child Passenger Restraint System Misuse in Rural Versus Urban Children: A Multisite Case-Control Study. *Pediatr Emerg Care*. Volume 33(10). Available at: <https://pubmed.ncbi.nlm.nih.gov/27753712/>

⁶ Governors Highway Safety Association. (2020). Spotlight on Highway Safety. Available at: <https://www.ghsa.org/publications/spotlights>

⁷ Governors Highway Safety Association. (2022) Pedestrian Traffic Fatalities by State: 2021 Preliminary Data. Available at: <https://www.ghsa.org/resources/Pedestrians22>

⁸ Null, J. (2021). Heatstroke Deaths of Children in Vehicles. NoHeatstroke. San Jose State University Department of Meteorology and Climate Science. Available at: <https://www.noheatstroke.org/>

of technological alerts, along with consistent education and awareness efforts for parents and bystanders in the interim.

CONCLUSION

Safe Kids commends the leadership of the House Transportation and Infrastructure Committee for holding this hearing. There is a clear crisis in transportation safety that impacts everyone, including our most precious cargo, our children. While traffic deaths are up across all categories, there are proven, data-driven solutions that can help save lives now.

Our roadmap for children's highway safety consists of four components with action necessary from state and federal governments:

- Update Child Passenger Safety Laws to Meet Recommendations from the American Academy of Pediatrics
- Protect All Children by Building a Strong CPS Program in Underserved Communities
- Promote Pedestrian & Bike Safety Measures in School Zones and Beyond
- Utilize Current and Future Automotive Technologies to Prevent Childhood Injuries and Death

The BIL lays a critical foundation for improving children's road safety. Specifically, updates to the 402 and 405 program give states the ability to improve CPS safety in high-risk and underserved communities. Heatstroke is also addressed in a meaningful way by calling for the use of technology to detect and stop kids from being left in hot cars. Funding is also included to make sure parents are educated about the dangers of leaving kids alone in hot cars.

It is now critical that we all work together, including NHTSA, the Department of Transportation, this committee, and the entire traffic safety community to better protect our children on the roadways.

Thank you again for your leadership and the leadership of the committee on this critical issue.

Sincerely,

TORINE CREPPY,
President, Safe Kids Worldwide.

Letter of June 15, 2022, to Hon. Eleanor Holmes Norton, Chair, and Hon. Rodney Davis, Ranking Member, Subcommittee on Highways and Transit, from Dr. Mike Lenné, Chief Science and Innovation Officer, Seeing Machines, and J.T. Griffin, Principal, Griffin Strategies, Submitted for the Record by Hon. Eleanor Holmes Norton

JUNE 15, 2022.

The Honorable ELEANOR HOLMES NORTON, Chair,
The Honorable RODNEY DAVIS, Ranking Member,
Subcommittee on Highways and Transit,
Committee on Transportation and Infrastructure, U.S. House of Representatives,
Washington, DC 20515.

DEAR CHAIR NORTON AND RANKING MEMBER DAVIS:

Thank you for your leadership in holding the hearing titled "Addressing the Roadway Safety Crisis: Building Safer Roads for All." We respectfully request that this letter be included in the hearing record.

Seeing Machines is one of the world's leading providers of Driver Monitoring System (DMS) technology designed to help ensure that the driver remains engaged in the driving process. Simply put, we exist to get drivers home safely.

Following the recent fatality numbers released by the National Highway Traffic Safety Administration (NHTSA), we are pleased to take this opportunity to share with the committee an overview of our technology which we believe can have a major impact toward reducing traffic deaths in the U.S. where early estimates show a 10.5% increase in traffic deaths from 2020 to 2021 representing a sixteen-year high.

Earlier this year the Department of Transportation (DOT) announced a National Roadway Safety Strategy based largely on the Safe Systems approach to traffic safety. One of the key pillars of this approach is Safer Vehicles which centers around expanding vehicle safety systems to prevent crashes. As part of the Safer Vehicles approach, NHTSA is working to update its New Car Assessment Program to include Automated Driver Assist Systems for which Driver Monitoring should be a key com-

ponent. Our comments to NHTSA on updating NCAP are attached here [<https://www.regulations.gov/document/NHTSA-2021-0002-0482/comment?filter=l3y-xkmb-f9h5>].

Congress included several important provisions in the Bipartisan Infrastructure Law (BIL) which also address Safer Vehicles. There are three key provisions in which Congress directed NHTSA to consider using DMS technology in a meaningful way:

- Update the U.S. NCAP Program, including creating a roadmap for future updates,
- Potential rulemaking to use technology to stop distracted driving, and
- Potential rulemaking to use technology to stop impaired driving.

WHY DRIVER MONITORING SYSTEMS (DMS)?

Our technology uses automotive grade driver-facing infrared cameras coupled with advanced computer vision algorithms and software to determine driver state. Eye movements are essential for driving and highly sensitive to states of fatigue, distraction and intoxication. *Simply put, our technology can “see” whether the driver is distracted, tired, or impaired.*

These systems are being deployed at an increasing rate worldwide, with DMS installation rates projected to increase from 1% in 2019 to 71% by 2026.¹ This rapid uptake of DMS is driven by two major factors. First, global regulatory bodies, most prominently the European NCAP program, is set to reward DMS in all new vehicles beginning in 2023.²

In addition to European recognition, the Insurance Institute for Highway Safety (IIHS) and Consumer Reports (CR), both recommend DMS as part of any driver assist system. As part of their safety rating system for consumers, IIHS and CR award vehicles that use DMS when automating steering, braking, and acceleration work together. This is further recognition that DMS works and is a key component of any ADAS technology group.

Second, DMS use is accelerating rapidly due to the push for automation in new vehicles. It is critical to ensure that drivers are still in control of vehicles when using today’s driver assist systems. In September 2019 following a number of automated vehicle crashes the US National Transportation Safety Board (NTSB) recommended establishing “safeguards for testing developmental automated vehicles on public roads, including adequate monitoring of vehicle operator engagement, if applicable.”³

Because our technology exists in vehicles now, it is ready to start saving lives immediately.

DMS AS A SAFETY SYSTEM

More research and data are always needed to help identify traffic safety trends and possible countermeasures. However, one can reasonably assume that the ability to detect, warn, and stop distracted and drowsy driving would have a major impact on reducing deaths and injuries. NHTSA’s Fatal Accident Reporting System cited 3,142 deaths from distracted driving in 2020. We looked closely at the number of highway fatalities from distraction, impairment, and fatigue along with the number of lives we believe DMS can save and estimate that widespread adoption of DMS could save 4,200 lives per year and prevent 315,00 injuries each year.

As mentioned earlier, DMS systems are increasing rapidly in use. Current DMS technology can detect distracted and drowsy driving now, so doesn’t it make sense to expand usage to all vehicles?

In addition, there exists many commonalities between distracted, drowsy, and impaired driving. According to NHTSA, a driver with a .05 BAC limit or higher will show signs of reduced ability to track moving objects and reduced visual search. Driver Monitoring Systems are able to detect changes in eye movement and head pose and we believe that our technology can be adapted to detect these proven symptoms of alcohol impairment.

¹Barnden, C. ADAS & Automotive IR Vision Driver Monitoring Systems (2020 Edition) Market Analysis and Forecasts to 2026. 74 (2019).

²Fredriksson, R., Lenne, M. G., van Montfort, S., & Grover, C. (2021). European NCAP Program Developments to Address Driver Distraction, Drowsiness and Sudden Sickness. *Frontiers in Neuroergonomics*. <https://doi.org/10.3389/fnrgo.2021.786674>.

³NTSB. *Collision Between Vehicle Controlled by Developmental Automated Driving System and Pedestrian, Tempe, Arizona, March 18, 2018*. 78 (2019).

DMS: A CRITICAL ADAS COMPONENT

Vehicle manufacturers (OEMs) are adding new features referred to in block as Advanced Driver Assistance Systems (ADAS). Systems like Blind Spot Detection, Blind Spot Intervention, Lane Keeping Support, and Automatic Emergency Braking are important safety systems proven to help reduce crashes. When DMS is included as part of the ADAS suite of technologies, the systems work much more effectively.

On their own, ADAS systems can be abrupt. For example, an Automatic Emergency Braking (AEB) system may suddenly apply brakes in a jarring way that is not naturalistic to the driver. However, by combining AEB and DMS, the overall system can be set to different sensitivities. Scaling ADAS sensitivity to drivers' state is important for achieving both the desired safety benefit and driver experience. It will also be critical to gain public acceptance of these new safety technologies.

CLOSING

The recent increase in traffic fatalities is alarming but vehicle technology can play a key role in reducing and even eliminating these deaths.

As part of the BILL, Congress directed NHTSA to update three key items which will help carry out DOT's National Road Safety Strategy as it pertains to Safer Vehicles:

- Update NCAP
- Pursue a technological solution to distracted driving
- Pursue a technological solution to impaired driving.

DMS technology is a solution that exists now that can detect distracted driving and driver fatigue. In the future, we believe DMS can be used to effectively detect impaired driving as well.

As NHTSA considers the potential of ADAS systems to save lives, we hope that DMS will be considered a key safety technology included in this technology suite.

We look forward to working with this committee and Congress as well as NHTSA to find technological solutions to traffic deaths and injuries.

Thank you again for holding this important hearing. Seeing Machines looks forward to working with you and your staff to make our roads safer.

Best wishes.
Sincerely,

DR. MIKE LENNÉ,
Chief Science and Innovation Officer, Seeing Machines.
J.T. GRIFFIN,
Principal, Griffin Strategies.



Letter of June 8, 2022, to Hon. Peter A. DeFazio, Chair, and Hon. Sam Graves, Ranking Member, Committee on Transportation and Infrastructure, and Hon. Eleanor Holmes Norton, Chair, and Hon. Rodney Davis, Ranking Member, Subcommittee on Highways and Transit, from the Truck Safety Coalition, Citizens for Reliable and Safe Highways, and Parents Against Tired Truckers, Submitted for the Record by Hon. Eleanor Holmes Norton

JUNE 8, 2022.

The Honorable PETER DEFAZIO,
Chairman,
Transportation and Infrastructure Committee, United States House of Representatives, Washington, DC 20515.

The Honorable SAM GRAVES,
Ranking Member,
Transportation and Infrastructure Committee, United States House of Representatives, Washington, DC 20515.

The Honorable ELEANOR HOLMES NORTON,
Chair,
Subcommittee on Highways and Transit, United States House of Representatives, Washington, DC 20515.

The Honorable RODNEY DAVIS,
Ranking Member,
Subcommittee on Highways and Transit, United States House of Representatives, Washington, DC 20515.

RE: Addressing the Roadway Safety Crisis: Building Safer Roads for All

DEAR CHAIRMAN DEFAZIO, RANKING MEMBER GRAVES, CHAIR HOLMES NORTON, RANKING MEMBER DAVIS, AND MEMBERS OF THE TRANSPORTATION AND INFRASTRUCTURE COMMITTEE:

This letter is co-signed by the Truck Safety Coalition (TSC), Citizens for Reliable and Safe Highways (CRASH), Parents Against Tired Truckers (P.A.T.T.), and our volunteers, who are the family and friends of truck crash victims and survivors. Our organizations seek to reduce truck crash deaths and injuries. No one else needs to endure the unfathomable pain and trauma of losing a loved one in a violent, horrific, and preventable truck crash.

Fatal truck crashes have risen to some of the highest levels ever seen in our nation's history. The National Highway Traffic Safety Administration (NHTSA) estimates that in 2021 over 5,600 people lost their lives in a truck crash, a 13% spike over the previous year. The cost to society from these crashes, when adjusted for inflation, is estimated at over \$180 billion. The need for bold action to reduce large truck crashes, injuries, and fatalities has never been greater.

This Wednesday, June 8, the Transportation and Infrastructure Committee will hold a hearing, "Addressing the Roadway Safety Crisis: Building Safer Roads for All." As the leading truck crash victim nonprofit organization, TSC seeks to remind policymakers not to lose sight of the need to continue to seek truck safety gains. Under this Committee's strong leadership, many long overdue and critical gains that promised to improve safety were included in the House-passed H.R. 3864, Invest in America Act.

Unfortunately, some of these same provisions were not included in the final Senate-negotiated Infrastructure Investment and Jobs Act (IIJA) and never became law. It is imperative to continue to advance these pro-safety provisions, such as:

- *Increase Minimum Liability Insurance for Motor Carriers:* H.R. 3864 included a provision to increase the minimum to \$2M and a requirement to adjust for inflation every five years.
- *Require FMCSA Rule-making to Establish Obstructive Sleep Apnea (OSA) Screening Criteria:* H.R. 3864 included a title to require FMCSA rulemaking to proceed with rulemaking to establish OSA screening criteria. Obstructive Sleep Apnea in CMV Drivers is estimated to be as high as 49% or more. Those diagnosed with untreated OSA have increased crash risk because of the lack of critical sleep they receive.

In addition, Committee Members are encouraged to champion additional truck safety reforms that will save lives and reduce injuries, such as:

- *Front, Side, & Rear CMV Underride Guard Requirements:* All classes of commercial motor vehicles, including Single-Unit Trucks (which currently have no rear underride requirement), must be equipped with front, side, and rear underride guards. Underride guards save lives. Side underride guards have

been recommended by the National Transportation Safety Board (NTSB) since 2014. One in Twenty fatal truck crashes are underride-related and thousands more could be with us today if this life-saving equipment was a requirement for all commercial motor vehicles. TSC is grateful for the requirement to strengthen the rear underride guard performance standard this Committee helped pass into law through the IIJA.

- *Automatic Emergency Braking (AEB) on all Classes of CMVs:* AEB can reduce front to rear truck and passenger collisions by 40%. Class 3–6 trucks, the fastest growing sector of the CMV market has no requirement to be equipped with AEB. These delivery and box trucks roam through our neighborhoods and local streets every day and are responsible for 28% of all truck crashes.
- *Support H.R. 7517, the GOT Truckers Act:* The GOT Truckers Act seeks to eliminate the Fair Labor Standards Act Overtime Exemption for Motor Carriers. Research has long demonstrated that when truck drivers have better work conditions and more fair wages, driving safety performance improves. TSC urges all House Members to co-sponsor this pro-safety legislation.

We urge the Committee to prioritize the voice of victims who have lost what matters most in preventable crashes as you all look to address the roadway fatality crisis. Everyone deserves access to safe roads. The unmitigated surge in truck crash deaths threatens everyone's well-being and is unacceptable. The majority of these crashes are preventable. With your continued leadership, together we can make sure everyone, including truck drivers, arrives home safely.

Sincerely,

ZACH CAHALAN,

Executive Director, Truck Safety Coalition.

DAWN KING,

President, Truck Safety Coalition & Board Member, Citizens for Reliable and Safe Highways (CRASH).

Dawn's father, Bill Badger, was killed in 2004 while slowed in traffic when he was hit from behind by a tired trucker who had fallen asleep at the wheel.

TAMI FRIEDRICH-TRAKH,

Citizens for Reliable and Safe Highways (CRASH) & Truck Safety Coalition Board Member.

Tami's sister, Kris, brother-in-law, Alan, and two of their children, Brandie and Anthony, were killed in 1989 when a tanker truck overturned in front of them and exploded.

DAPHNE AND STEVE IZER,

Founder and Co-Chair, Parents Against Tired Truckers (P.A.T.T.) and Board Member, Truck Safety Coalition.

Daphne and Steve Izer's son, Jeff, and three of his friends were killed in 1993 when a tired trucker fell asleep at the wheel and ran over the car as it was parked on the shoulder.

RUSSELL SWIFT,

Co-Chair, P.A.T.T. and Board Member, Truck Safety Coalition.

Russ' son, Jasen, was killed instantly, as was a fellow Marine, while they drove in the dark to work in 1993, by a 17-year-old truck driver without a permit whose truck was stuck across two lanes after trying a U-turn, causing the car to drive into and under the side of the trailer.

NIKKI WEINGARTNER,

Board Member, Parents Against Tired Truckers (P.A.T.T.).

Nikki's husband, Virgil, was killed the evening of July 9, 1997, by a tired trucker.

The Truck Safety Coalition (TSC) is a partnership between Citizens for Reliable and Safe Highways (CRASH), also known as The CRASH Foundation, and Parents Against Tired Truckers (P.A.T.T.). The Truck Safety Coalition is dedicated to reducing the number of deaths and injuries caused by truck-related crashes, providing compassionate support to truck crash survivors and families of truck crash victims, and educating the public, policymakers, and the media about truck safety issues. Visit our website at www.trucksafety.org

Letter of June 15, 2022, to Hon. Eleanor Holmes Norton, Chair, and Hon. Rodney Davis, Ranking Member, Subcommittee on Highways and Transit, from Gary Biller, President/CEO, National Motorists Association, Submitted for the Record by Hon. Sam Graves

JUNE 15, 2022.

Chair ELEANOR HOLMES NORTON,
Ranking Member RODNEY DAVIS,
Committee on Transportation and Infrastructure,
Subcommittee on Highways and Transit, 2167 Rayburn House Office Building, U.S.
House of Representatives, Washington, DC 20515.

Subject: June 8, 2022 Hearing: *Addressing the Roadway Safety Crisis: Building Safer Roads for All*

DEAR CHAIR HOLMES NORTON AND RANKING MEMBER DAVIS,

Any set of solutions for the improvement of highway safety, particularly in light of the National Highway Traffic Safety Administration's (NHTSA) estimate of fatality increases in 2021, should include input from the largest group of road users: drivers. I appreciate the opportunity for the National Motorists Association, an organization founded in 1982 that represents a constituency of motorists across the country, to add the following commentary to the record of the subject hearing along side that of the Washington Area Bicyclist Association and other participants at the June 8th meeting.

A significant component of any effort to reduce traffic fatalities should be widespread education programs for all road users. Drivers, pedestrians, bicyclists, and others present on the roads must have a better awareness of their responsibilities for the safety of others and themselves. To illustrate the pressing need to fund such programs, NHTSA data from its FARS (Fatality Analysis Reporting System) illustrates that, with tragic consistency, a significant factor in over two-thirds of pedestrian fatalities appears to be related to pedestrians not following the safety rules of the road.

Per the table on the next page, which uses FARS data from 2000 to 2016, over two-thirds of pedestrian fatalities occur outside of marked crosswalks, exacerbated by a similar percentage of visibility issues during dusk or night time hours. How many pedestrian (and bicyclist) lives could be saved by emphasizing street-smart safety rules such as:

- Make yourself as visible as possible, particularly during evening hours, by wearing bright clothing and reflective materials
- Cross streets at well-marked crosswalks/intersections
- Obey traffic signals and WALK signs but still look both ways and across all lanes before crossing
- Don't step in front of a vehicle until you are certain the driver is going to stop
- Walk on the sidewalk. If there is none, walk facing traffic and be especially alert
- Don't compromise your senses of sight and hearing. Just as distracted driving can be dangerous, distracted pedestrians can put themselves unnecessarily at risk

Data from NHTSA's FARS (Fatality Analysis Reporting System)				
Year	US Pedestrian Fatalities	% Fatalities Not in Intersection	% Fatalities between 6:00 pm and 5:59 am	% Fatalities due to Pedestrian Factors*
2016	5987	70.2	71.1	58.9
2015	5495	70.1	70.5	55.6
2014	4910	69.0	69.9	56.6
2013	4779	68.0	69.8	58.6
2012	4818	69.3	69.4	62.1
2011	4457	69.9	69.2	61.9
2010	4302	68.7	67.8	62.6
2009	4109	74.8	68.7	60.2
2008	4414	75.7	69.4	60.4
2007	4699	76.3	66.4	59.4
2006	4795	77.8	68.4	66.9
2005	4892	79.0	66.6	64.0
2004	4675	78.7	66.1	71.1
2003	4774	78.2	64.5	77.0
2002	4851	77.5	65.3	79.8
2001	4901	78.5	64.1	75.1
2000	4763	77.4	64.2	77.7
<p>* Includes following FARS categories: Improper crossing of roadway or intersection Walking, playing, working, etc. in roadway Darting or running into road Not visible</p> <p>Does not include these categories which could be attributed to either pedestrian or motorist Failure to yield right of way Inattentive (talking, eating, etc.) Failure to obey traffic signs, signals or officer Physical impairment Ill, blackout Emotional (e.g., depression, angry, disturbed)</p>				

While the nature of the results since 2016 have unfortunately changed very little, it should be noted that pedestrian road-related deaths have continued to increase according to NHTSA: 6,075 in 2017, 6,374 in 2018, and 6,205 in 2019.

Yes, educational programs must also be directed toward motorists who must avoid all-too-common distractions while behind the wheel, and other behaviors such as driving impaired, fatigued, or too aggressively. But solutions that are concentrated on trying to modify driver behavior, to the exclusion of other contributory factors, such as distracted walking and non-motorists thinking that certain traffic regulations only apply to drivers, will not address all the root causes of the highway fatality problem.

Motorists are an important voice in this discussion, and heightened education of all road users should be a priority in tackling this serious issue.

Sincerely,

GARY BILLER,
President/CEO, National Motorists Association.

APPENDIX

QUESTIONS FROM HON. PETER A. DEFAZIO TO HON. ELAINE CLEGG, PRESIDENT,
BOISE CITY COUNCIL, BOISE, IDAHO, ON BEHALF OF THE NATIONAL LEAGUE OF CITIES

Question 1. A large percentage of the safety funds provided under the Infrastructure Investment and Jobs Act (IIJA) are administered by state DOTs, and states own and operate many major highways. However, in many cases, state and local decisionmakers may have different priorities for the design of roadways that pass through local communities but happen to be owned by the state.

How can we improve coordination between state and local transportation officials to advance key local safety priorities?

ANSWER. The National League of Cities is thankful to Congress to have begun a new *Safe Streets and Roads for All* program to ensure that local governments can initiate safety work with federal dollars in addition to state governments. However, states remain the primary lead on federal safety grants and much collaboration is needed to ensure that the U.S. use a data-driven approach. Congress can help by clarifying for states and for USDOT what they mean by collaboration and what is expected. Some states will need to change their current practices to fully integrate local governments and their goals, staff expertise and priorities into the processes and projects that states plan in urban and small urban areas. Rather they are viewing the requirement to collaborate when spending resources in urban and small urban areas as simply a call to inform local agencies of state plans. Cities and towns across the U.S. stand ready to share in the goals, priorities, planning and execution of safety measures inside their jurisdictions, but cannot participate as a full partner without true collaboration from states. Congress can also ensure that the research provided and funded by federal entities is appropriate to all road types and all land use conditions, and that AASHTO's and FHWA's practices and guiding documents are modernized to reflect that.

Question 2. What strategies do you think are most effective, and most achievable given the new tools and resources provided in the IIJA, to improve safety in small and rural towns bisected by high-speed highways?

ANSWER. Small and rural towns deserve to be as safe and prosperous as other communities, and while a highway may run through a town, every road can be appropriately designed to promote safe speeds and economic opportunities. Today many of those highways are prioritized for through traffic and are designed for speeds set at levels that we know create unsafe conditions for road users outside their cars. We hope that the IIJA will increase state transportation support to reduce speeds inside small and rural towns and requiring that states act on local requests for safety using the state resources to help local governments achieve local goals of safety for all users. America is a country built of small and suburban towns, and while they can clearly identify safety issues, many are not staffed or equipped to make the actual improvement themselves. These strategies are often inexpensive and relatively easy to design and build. Simply requiring states to maintain all of the infrastructure that is needed inside cities and towns to achieve safety goals, such as maintaining crosswalk markings and signage and bike facility markings would make a tremendous difference. Actions such as reducing lanes widths inside cities and towns, utilizing curb extensions and perpendicular curb cuts are simple strategies that states can and should use on state system roadways when they pass through developed areas and could easily take safety much further.

As we move forward, one change we must all make was highlighted in the new USDOT National Roadway Safety Strategy. As policymakers, as drivers, as leaders—is to design and set policy that accepts our mistakes. Humans will absolutely make mistakes, but the consequences should not be deadly. The main strategy to achieve this goal is to reduce speed. A pedestrian hit at 20 miles per hour (MPH) has a 95% chance of surviving the crash, at just 10 MPH higher, or 30 MPH, that is reduced to 60%, and at 40 MPH their chances of surviving are only 20%. This

is the heart of the “Safe System” approach which works by building and reinforcing multiple layers of protection into our infrastructure to: 1) prevent crashes from happening in the first place and 2) minimize the harm caused to those involved when crashes do occur—primarily by reducing speed. The Safe System approach takes us back to the laws of physics—a pedestrian loses against a speeding car, a car loses against a larger truck, and even a truck against a train. It is a fatal combination of speed, weight, inertia, and impact. By addressing the design of our roadways through engineering and research that looks at the speed, angles, and weight of crashes, we can begin to layer more protections that we so clearly need.

Question 3. Are there any other reforms that you, or the National League of Cities, would recommend to improve safety on state-owned highways?

ANSWER. State highways passing through undeveloped areas should be designed much differently than when they are inside cities and towns. While states have done much to improve the safety on these rural sections, we urge that work to continue and applaud it—connecting cities with these rural highways is vital to everyone. However, these state highways often run through cities and towns and are just as often designed as rural throughways inside the city boundary, even in small towns where they often act as the Main Street. Yet the safety designs on rural highways don’t fit in that Main Street city context, and don’t provide safety for users outside their cars. Designing, building and maintaining these highways as the important local connectors that they are with appropriate infrastructure for pedestrians, cyclists and other vulnerable users and opportunities to safely cross, to park on them and utilize their ability to drive local economic activity should not just be recognized and accommodated but should be celebrated and leveraged. Local governments are ready to partner with states to identify changes that will help that infrastructure live up to its promise of connecting people and place. As noted above many know what needs to be done, but they often don’t have the expertise, equipment and other resources to accomplish it.

Additionally, local governments have found that the Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD), in its current form and governance is a roadblock to safety improvements and innovation while it remains an essential tool that must be updated to provide the minimum necessary guidance for the uniformity of traffic control devices. NLC and our local partners have requested USDOT consider how the MUTCD can best fulfill its intended purpose in delivering consistent road signs, lines, and signals across the U.S. in the upcoming update as well as setting up a federal advisory committee to provide more balanced perspective.

QUESTIONS FROM HON. ELEANOR HOLMES NORTON TO HON. ELAINE CLEGG, PRESIDENT, BOISE CITY COUNCIL, BOISE, IDAHO, ON BEHALF OF THE NATIONAL LEAGUE OF CITIES

Question 1. What are the most important pedestrian travel and safety needs?

ANSWER. The most important factors for pedestrian safety and travel are a place to walk that is comfortable, wide enough, tall enough and separated enough from moving traffic to allow free movement with low stress. These should be short direct routes. Where they cross moving traffic there should be sufficient infrastructure to allow that crossing to occur safely and within reasonable distance and time to make the trip convenient.

Question 2. How should state and local departments of transportation use Infrastructure Investment and Jobs Act funds to address pedestrian travel and safety, including improving sidewalks, intersections, and crosswalks?

ANSWER. As we begin a great time of rebuilding America’s infrastructure, we need to work together to quickly adopt better measures and designs that can take into account more factors like speed, distance, impact on non-drivers, and time of travel.

Human beings require space while walking or bicycling determined by our size and shape as well as our physical ability to move. Pedestrians require buffer space to feel comfortable; they also benefit from shade and a travel way free of obstacles. They need space above and to the side to avoid striking or being struck with objects. They move at greatly different speeds, runners can run up to 10 miles per hour while the mobility impaired may move at less than 1 mile per hour. Despite these normal human characteristics both the walking and bicycling are seldom given the depth of thought needed for such variability with limited design options made the default. These design limits create safety challenges. For instance:

- Speed: Humans move at different speeds. Federal guidelines at crosswalks require walk light timing for people to walk at a 3.5 feet per second. This is a minimum, in some instances such as areas with school zones, a high population

of seniors, or those with mobility limitations, additional time may be appropriate.

- **Width:** The space we occupy is as much to our sides as in front or behind our bodies and adults are generally 12–24” wide, but may need up to three feet to feel comfortable walking in a given space, when given six inches of comfort space. A person wheelchair bound or walking with another needs greater width. A place with fences, opening doors or gates, mail boxes, street furniture and more, can narrow the space and make it less accommodating.
- **Buffers:** If cars are moving very slowly and are few such as on a small local street it may be possible for pedestrians to safely share the space with moving motor vehicles. But too often they are asked to share space when it is not safe. Pedestrians should be protected from interacting directly with moving cars with a buffer in most instances. This can be a landscape strip, landscape with trees, and row of parked cars, a bike lane, etc.
- **Comfort:** Pedestrians are much more impacted by weather than passengers in motor vehicles; shade from trees, a place to shelter when waiting for a bus, a place to sit along the way can make the trip much easier and more enjoyable.
- **Crossing:** Pedestrians can be given priority with pavement markings, signage, activated signals, raised tables and more. They can be made more visible with curb extensions and raised crossings and can be protected with refuge islands and other infrastructure. Cars can be slowed with traffic calming, narrowed widths, refuge islands, signage, signals, etc.

Once we recognize the variance in characteristics and the myriad of possible treatments we can design for specific locations and context. Current federal guidelines are minimal and fail to recognize this plethora of treatments. For instance, the 4 feet minimum for sidewalk widths are too often used as the standard regardless of context or use characteristics at a site.

A place to start in providing better guidance would be to develop the same depth of knowledge and design accommodations for pedestrians and various conditions that they are present in as is given to cars and their needs in various conditions and then to require that those criteria are used to develop the best solution for the conditions and context at a particular location. One size does not fit all.

QUESTION FROM HON. STEVE COHEN TO HON. ELAINE CLEGG, PRESIDENT, BOISE CITY COUNCIL, BOISE, IDAHO, ON BEHALF OF THE NATIONAL LEAGUE OF CITIES

Question 1. Ms. Clegg, in your testimony, you mention that we must recognize that transportation safety has become an equity and resource issue where some disadvantaged neighborhoods, school districts, and cities have been negatively impacted by “improvements” for advantaged drivers.

Can you share some of your recommendations to ensure the federal funds targeted toward safety reach the cities that need it most?

ANSWER. Safety on America’s roads should be equitable among our communities, but it is not. A data driven safety approach that compares neighborhood-to-neighborhood is needed in addition to state data. This should include safety data such as crashes and fatalities, but also a conditions assessment that shows where systemic deficiencies such as sidewalk gaps, lack of ADA compliance, excessive speed in urban context, high pedestrian, bike and transit use in low quality pedestrian environments exist. That data could be overlaid with demographic data and the locations that score high on both made eligible for improvements with federal safety funds that are not competitive applications which unfortunately create a start-up burden when funds are needed to even begin the application. The safety and equity issues identified on the roads are application enough.

In the meantime, while this data is being collected funding could be made available on an eligibility basis, not competitive basis, for local governments, non-profits, and schools in communities that meet equity criteria to apply for projects that use FHWA’s Proven Safety Countermeasures in locations with deficient safety infrastructure.

QUESTION FROM HON. RODNEY DAVIS TO HON. ELAINE CLEGG, PRESIDENT, BOISE CITY COUNCIL, BOISE, IDAHO, ON BEHALF OF THE NATIONAL LEAGUE OF CITIES

Question 1. Ms. Clegg, the Safe Streets and Roads for All program directs the Secretary to consider, among other things, Comprehensive Safety Action Plans and grant applications that use innovative transportation technologies to increase roadway safety. Lidar technology can detect pedestrians at night while keeping facial and biometric data anonymous and is being used by cities in smart infrastructure applications such as intersection monitoring and signal timing.

Is there an appetite among cities to use these grant programs to adopt smart city technologies such as lidar?

ANSWER. America's cities and towns continue to embrace transportation technology solutions broadly, and they will continue to be on the leading edge of testing and implementing new solutions. We have recommended that USDOT reconnect the virtuous cycle of federally funded research with updates to foundational transportation decision documents too. We know from past experience that new technologies need time and testing. While LiDAR for instance, can be beneficial, its high cost and inability to measure distance through heavy rain, snow, and fog make it less desirable. Other technologies may overcome these weaknesses. Early adoption will likely continue a pilot basis while solutions to those challenges are addressed until a tested standard is developed.

To fully embrace new technology, our transportation safety research investment from the federal government cannot be disconnected from the data needed to update foundational federal transportation decision documents to reflect new technology and products, such as the MUTCD. Ensuring that research activities such as the National Cooperative Highway Research Program (NCHRP) are fully connected to the MUTCD Request to Experiment and providing more Crash Modification Factors could begin to close the safety research gap and take some of the cost burden off those who want to innovate. Tying federal research funding to required updates to foundational and federally supported manuals and design guides is not only a best practice but a good use of taxpayer funding.

QUESTIONS FROM HON. NIKEMA WILLIAMS TO HON. ELAINE CLEGG, PRESIDENT,
BOISE CITY COUNCIL, BOISE, IDAHO, ON BEHALF OF THE NATIONAL LEAGUE OF CITIES

Question 1. In your testimony, you mentioned that getting to zero deaths will require government support and removing barriers.

What impact do you see the Bipartisan Infrastructure Law having on achieving Vision Zero?

ANSWER. The National League of Cities and all the communities taking action on road safety applaud the focus on safer streets for all from Congress in the bipartisan Infrastructure Investment and Jobs Act (IIJA) and USDOT with the new National Roadway Safety Strategy. The increase to state safety funding in IIJA especially through the Highway Safety Improvement Program (HSIP) was notable, and for communities, the new locally targeted safety program (the Safe Streets and Roads for All program) based on a Safe Systems approach will finally allow us to directly plan for and invest in needed safety projects all across the country in a condensed amount of time. Together with our regions and states, we hope to see what larger scale focus on safety might result in. We are also glad to see that Vulnerable Road User Assessments reporting will be done holistically and hopefully in concert with State Safety Plans, that can be informed by our Local Road Safety Action Plans.

Question 2. Additionally, can you also elaborate on what barriers still need to be removed and what additional support will be needed?

ANSWER. Zero is the only acceptable number of deaths on America's roads. Cities and towns have been focused on plans and implementing safety solutions for many years, but we must be clear that we have found our efforts often thwarted from moving forward due to barriers created by the federal and state foundational transportation guides, plans, and processes. Many of the fundamental measures and guides of transportation are reasons that cities and towns cannot easily change our roads to be safer for everyone and reach this goal on our own. Collectively, federal, state and local governments must be willing to adjust our culture of prioritizing car movement and the rules of the road for design and speed in order to save lives. Cities and towns have found that federal measures and designs rely too heavily on car throughput measures set during the era of freeway building to keep single-purpose, high-speed, limited access roadways safe and moving. But no city or town is only a highway—Main Street America in cities small and large have a multitude of access points and users with a need to create safe and efficient access from their homes to their destinations.

Local governments have found that the guidance in the AASHTO Green Book is often used culturally within transportation agencies as standards, often overriding the good judgment of local engineers and planners. That culture needs to change to one of accepting the opportunities for flexibility in the guidebook based on local data and conditions. The MUTCD in its current form and governance is also a roadblock to safety improvements and innovation while it remains an essential tool that must be updated to provide the minimum necessary guidance for the uniformity of traffic control devices. NLC and our local partners have requested USDOT consider how the MUTCD can best fulfill its intended purpose in delivering consistent road

signs, lines, and signals across the U.S. in the upcoming update as well as setting up a federal advisory committee to provide more balanced perspective.

QUESTIONS FROM HON. PETER A. DEFazio TO SHAWN D. WILSON, PH.D., SECRETARY, LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, ON BEHALF OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS

Question 1. The Transportation Alternatives Program (TAP) is one of the few formula programs where local governments can access Federal-aid Highway Program funding to support local transportation priorities, but limited availability of non-federal matching funds can discourage local governments from applying, especially in small and rural communities. The Infrastructure Investment and Jobs Act (IIJA) provides new flexibility allowing Highway Safety Improvement Program (HSIP) funds to satisfy the non-federal match requirement for TAP projects that improve safety.

How can this flexibility help state DOTs and their local partners address vulnerable road user safety, both in Louisiana and around the country?

ANSWER. As I noted in my testimony, one of my emphasis areas as President of AASHTO is “partnering to deliver”—increasing collaboration with both traditional and nontraditional partners. I believe the Transportation Alternatives Program (TAP) is the type of program that can further foster support for local governments.

AASHTO members are aware of the difficulties some local transportation agencies face related to providing non-federal matching funds for TAP projects. As noted, the IIJA provides states with the ability to use Highway Safety Improvement Program (HSIP) funding as the non-federal match for TAP projects if the project is safety related (as defined under the HSIP program) and if the project is consistent with the Strategic Highway Safety Plan.

Through implementation of the IIJA, this increased flexibility will allow each state to engage with local partners to advance projects that can address safety priorities—including for vulnerable road users. By increasing the flexible use of HSIP funds and avoiding a “one size fits all” approach, each state will have an additional tool at their disposal to work with their local partners to improve safety outcomes.

In Louisiana, using HSIP funds to match TAP is a great opportunity for local public agencies (LPA), particularly those that don’t have the resources to provide a match on TAP projects. LPAs would be implementing TAP projects that they probably wouldn’t consider initiating before, while addressing existing or potential vulnerable user issues. Please note that as TAP projects are typically focused on mobility and connectivity for non-motorists, LADOTD is working to find the right fit of projects based on a safety need (such as the potential to reduce crashes) in order for the project to be eligible for HSIP and/or HSIP-VRU funds. It should be kept in mind that LADOTD cannot sponsor TAP projects; however, this presents a great opportunity to coordinate with local entities on projects that will improve access, mobility, and safety for vulnerable users.

Question 2. Does AASHTO plan to encourage state DOTs to use this new flexibility, and if so, how?

ANSWER. Each state DOT faces the same challenge of reducing fatalities and serious injuries on our roadways. However, while the challenges may be the same, the solutions may vary. The flexibility in the IIJA for state DOTs to address issues such as safety is critical to achieving the intent of the legislation—improving safety for all road users.

Avoiding mandates allows each individual state DOT to work with their local partners to prioritize appropriate measures to address areas with the greatest safety needs. AASHTO remains committed to assisting its member DOTs with education, sharing of best practices, and encouraging innovation as it relates to safety programs.

In Louisiana, we are looking for opportunities to bundle HSIP-VRU funds with existing HSIP projects and other federal programs. For example, we have some intersection safety improvement projects already programmed for FY 2023 that we would like to add pedestrian safety improvements to by addressing the crossing issues we are seeing in our urban areas. When it comes to non-motorized safety improvements, there are many other countermeasures we can also implement to address the crossing issues we are seeing. It is important that we have the flexibility to incorporate various types of bicycle and pedestrian improvements, including systemic or systematic improvements where we have the potential to see more benefits overall on our network for more road users.

In addition, LADOTD believes that more clarification is needed on the required Vulnerable Road User Assessment. We would like the flexibility to start implementing VRU projects identified in our Statewide Pedestrian Crash Assessment in-

stead of waiting to update this document based on new guidance/requirements. We have learned that retrofitting pedestrian improvements on our state network is challenging and time consuming even after the locations are identified, and recognize that buy-in is critical from district offices and local partners.

Question 3. Have states experienced any roadblocks using this new flexibility, and if so, how can those roadblocks be overcome?

ANSWER. With the Transportation Alternatives Set-Aside Implementation Guidance being issued by the Federal Highway Administration on March 30th of this year, it is too soon to report on any specific roadblocks experienced by state DOTs in utilizing the flexibilities from the IIJA. AASHTO will continue to provide Congress with any feedback related to challenges and obstacles that state DOTs encounter related to the implementation of the legislation.

Question 4. What are some other innovative ways that states can use their HSIP funds and new authorities in the IIJA to address vulnerable road user safety and meet the requirements of the vulnerable road user safety assessment and special rule?

ANSWER. There are many strategies states are using to address vulnerable road user safety. A key opportunity is in sharing the ways states are getting these strategies implemented: how they are working through funding, administrative, data, and other organizational challenges. There are many examples in safety and in other transportation disciplines of states identifying successful initiatives in other state or local agencies and applying these strategies to their own networks with similar success. An example from Louisiana is the idea of bundling vulnerable road user projects with existing projects from HSIP and other programs across the DOT. This improves the efficiency of getting projects implemented, which will be more challenging as states determine how best to program, design, and construct projects in a timeframe to meet the criteria of the vulnerable road user special rule.

Question 5. To provide more accountability for progress on safety, the IIJA amended the Highway Safety Plan (HSP) requirements under 23 U.S.C. 402(k) to ensure that state safety targets “demonstrate constant or improved performance.” AASHTO recently sent a letter to the National Highway Traffic Safety Administration seeking to “disentangle” the new HSP requirements from the HSIP performance measures established under 23 U.S.C. 150. How can these measures be “disentangled” without creating inconsistent safety targets across the HSIP and HSP program and bureaucratic silos within state safety agencies?

ANSWER. As stated in the NHTSA Request for Comment and as noted in the question, the Infrastructure Investment and Jobs Act (IIJA) makes several important changes to the Highway Safety Programs (HSP) that created significant conflicts between parts of the United States Code (USC) and between the USC and the Code of Federal Regulations (CFR).

Specifically, AASHTO has identified three areas of conflict created because of the identical target requirement between the Highway Safety Improvement Program (HSIP) and HSP. As noted in our comments to the NHTSA RFC, the Highway Safety Improvement Program (HSIP) regulation 23 CFR §490.209(a)(1) and HSP regulation 23 CFR §1300.11(c)(2)(iii) mutually require State DOTs establish identical targets annually for each performance measure identified in 23 CFR §490.207(a).

Currently there are three “in common” performance measures between the HSIP and HSP. As noted in the RFC, 23 U.S.C. §402(k) now requires a triennial HSP and 23 U.S.C. §402(k)(4) specifically states the triennial HSP content shall span the three years of the plan. This creates a conflict between the requirement for the HSIP annual targets to be established annually (23 U.S.C. §148, 23 U.S.C. §150, and 23 CFR §490) and the HSP triennial plan content to span the three-years covered by the plan.

AASHTO has convened an internal working group to make some comments and recommendations on how best to disentangle these requirements. Once this group meets and has had an opportunity to discuss and identify some recommendations, we will send these to our partners at the Federal Highway Administration for their consideration.

QUESTIONS FROM HON. ELEANOR HOLMES NORTON TO SHAWN D. WILSON, PH.D., SECRETARY, LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, ON BEHALF OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS

Question 1. What are the most important pedestrian travel and safety needs?

ANSWER. Identification of specific needs, widespread application of proven strategies, and continued innovation are all needed in order to best support pedestrian travel and safety:

- Individual jurisdictions and even individual sites will have a range of needs related to best accommodating pedestrian safety and mobility needs, so the specific strategies most appropriate to address these needs can vary widely. A complete understanding of these issues is necessary for determining the most appropriate strategies to employ. Vehicle-pedestrian crash data may be relatively straightforward to acquire and analyze, but other data and information are needed to understand other aspects, such as the available facilities, usage by both pedestrians and vehicles, travel speeds, near-misses, and characteristics and demographics of all the road users and the surrounding area. Analysis of this information will help identify areas that may not be best supporting pedestrian needs, and will indicate countermeasures or other changes to the physical infrastructure that would most appropriately support pedestrian needs.
- There are many facility design, traffic operation, and safety countermeasures approaches that are known to be effective, and there are also quite a few initiatives underway to support use of these (an example are the Federal Highway Administration's Focused Approach to Safety and Safe Transportation for Every Pedestrian programs). It is often the case that funding or administrative issues, rather than technical challenges, prevent implementation of identified improvements. Coordination among programs and projects to take advantage of potential efficiencies will help with more quickly implementing selected strategies.
- Continued innovation to determine new practices, technologies, and countermeasures is also necessary, so that transportation agencies have a more comprehensive toolbox for addressing pedestrian needs. Related to this is the need for ongoing technical transfer and training efforts to ensure that practitioners are well-informed about all options available to them.

Question 2. How should state and local departments of transportation use Infrastructure Investment and Jobs Act funds to address pedestrian travel and safety, including improving sidewalks, intersections, and crosswalks?

ANSWER. As has been discussed, analysis of the existing conditions and needs is critical to determining the most appropriate methods for addressing those needs. As inflation counters the much-needed funding increases provided by the IIJA, it is even more critical to ensure that funds are used in the most efficient way possible. State and local transportation agencies can build on previous successes—with agencies' individual programs, state-local collaborations, or collaboration/bundling among multiple local agencies—with identifying travel and safety needs, locations for improvement, potential strategies, and expected benefits. The IIJA expands existing and creates new opportunities for collaboration among safety partners, such as the Safe Streets and Roads for All grants, that could benefit from noteworthy practices already used through federal aid or state-specific programs. As agencies gain more experience with implementing the IIJA, there will be more efforts to share these experiences through AASHTO and other forums.

QUESTIONS FROM HON. MIKE GALLAGHER TO SHAWN D. WILSON, PH.D., SECRETARY, LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, ON BEHALF OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS

Question 1. Dr. Wilson, Wisconsin is the home of over 500,000 motorcyclists, so my district has a specific interest in our roads accommodating all users. I introduced a bill that was included in the highway reauthorization act that reestablished the Motorcyclist Advisory Council, which is tasked with advising the FAA on issues like barrier and road design, construction, maintenance and more. As you think about road construction and maintenance, are there specific steps in the process that can ensure the safety of motorcyclists is taken care of?

ANSWER. Similar to pedestrians, bicyclists, and other vulnerable users, motorcyclist safety is an issue that needs both innovation and application of known countermeasures, to improve motorcyclist safety. The resources developed for the Motorcyclist Advisory Council support this and are being shared with states to promote more aggressive use of these strategies. Based on experiences in a few states, research was funded through state contributions to the National Cooperative Highway Research Program to develop guidance on improved delineation of roadside barrier, which has reduced motorcycle crashes in the states that have applied this countermeasure. The Motorcyclist Advisory Council resources have identified additional research needs would also improve motorcyclist safety.

Question 2. Dr. Wilson, as we move toward more automated driving systems, I think it is critical we have accurate collection of crash data. Currently, who is gathering crash information on vehicles with hands free driving, and determining if the operator or the vehicle was responsible for the crash?

ANSWER. Advances in technology, data science and governance, and safety analysis have provided significant opportunities for expanding our understanding of crashes and the impacts of decisions made in the design and construction of the roadway network and during road users' travel on the network. The responsibility for collecting, managing, and maintaining statewide safety-related data from a variety of sources varies from state to state. While the decisions regarding responsibility for crashes may lie in other agencies, state DOTs and other partners have expanded their use of safety data to inform decisions to most effectively identify and prioritize needs on their systems.

QUESTION FROM HON. CHRIS PAPPAS TO SHAWN D. WILSON, PH.D., SECRETARY, LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, ON BEHALF OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS

Question 1. As we heard at the hearing, we've seen drastic increases in roadway fatalities, particularly among people walking and biking. USDOT has committed to a Safe System Approach to roadway design, and the witnesses reaffirmed this approach to get us toward zero deaths. My question is how can we get to zero as quickly as possible. Under the Bipartisan Infrastructure Law, states are now required to collect and analyze data to identify high-crash roadway segments for vulnerable road users. At the same time, many exciting new technologies are available, such as connected and networked infrastructure, that can help provide more data and insights into real-world user behavior at these locations.

How can we leverage connected, digital infrastructure to collect better data to inform and conduct these analyses and better target our safety investments?

ANSWER. AASHTO has adopted a set of connected and automated vehicle *policy principles* which we believe can be used to safely advance and deploy connected, automated and cooperative vehicle technologies. First and foremost, USDOT needs to promote a national vision and strategy that advances our goals to promote equity, accessibility, sustainability, and quality of life. The national strategy must include innovative and flexible federal infrastructure investment, funding for CAV pilots and deployments that leverage public-private partnerships for digital and physical infrastructure, uniform federal policy that maintains traditional federal and state roles, and continued stakeholder convening to build trust and awareness of these technologies to meet community-identified needs.

Specific to the topic of data and digital infrastructure, the US needs to deploy and advance a connected vehicle ecosystem that enables reliable, consistent, and secure vehicle-to-infrastructure data exchanges to support cooperative automated transportation and CAV and protect personal information and proprietary data and promote secure, vehicle-to-infrastructure (V2I) enabling information sharing. In doing this, we need to:

- Preserve data privacy and data security
- Promote sharing of data from CAV and shared mobility platforms between public and private sectors
- Enable IOOs to leverage innovative ways to store, analyze, manage, secure, retain and discard CAV data.
- Develop national frameworks and best practice approaches to manage government and industry data and enact general data protection regulations; privacy-by-design, data reporting, data sharing, open source and other, related data standard needs.
- Promote Security-by-Design—Need to protect the security of the transportation system and the physical and digital infrastructure, to prevent cyber-attacks.
- Support technology interoperability across vendors, industry, jurisdictions, and regions.
- Address data governance roles and definitions for local governments, states, and the federal government, including federal guidance for state or privately-owned datasets, and defined data stewards for CAV data.
- Identify data stewards for CAV data and gain a clearer understanding of data ownership.

QUESTION FROM HON. RODNEY DAVIS TO SHAWN D. WILSON, PH.D., SECRETARY, LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, ON BEHALF OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS

Question 1. Dr. Wilson, what effect is rising inflation having on Louisiana's investment plans or safety programs?

ANSWER. Inflation is impacting the safety program just like all of our other programs. In this state fiscal year, the low bid for projects funded through the safety program are coming in about 26% higher than the estimate.

QUESTIONS FROM HON. ELEANOR HOLMES NORTON TO HON. LUDWIG P. GAINES, EXECUTIVE DIRECTOR, WASHINGTON AREA BICYCLIST ASSOCIATION

Question 1. What are the most important pedestrian travel and safety needs?

ANSWER. Pedestrian needs and safety needs to be prioritized as much as cars in Congress. Policy solutions geared towards vehicles should not be the ultimate solution.

Our towns and cities need more walkways and expanded sidewalks on both sides of the streets, and sidewalks need to be continuous, as well as we need a robust public transit system.

These solutions need to be planned for as well as have ADA accessibility. We need to look at how dollars are spent, and for every dollar that is spent on highways, we need equal or more dollars spent on pedestrian safety and accessibility.

For the health and wellbeing of everyone as well as the economic well being of our society, we need to invest in multi modal options (bike, public transit), and expanding our trail network.

Question 2. How should state and local departments of transportation use Infrastructure Investment and Jobs Act funds to address pedestrian travel and safety, including improving sidewalks, intersections, and crosswalks?

ANSWER. We need to spend funds on projects that are geared towards the 21st century. Using a formula that addresses years underinvestments in the areas of trail, public buses, sidewalks, and bike infrastructure.

State and local departments of transportation should prioritize traffic safety when looking at projects to fund, and should not use most dollars on expanding highways.

State and local governments should use a point system when awarding money for projects, and that point system should heavily weigh whether or not a project improves equity, traffic safety, and includes infrastructure for multimodal transportation options.

Additionally, state and local governments should consider developing vision zero plans (see: <https://visionzeronetwork.org>), and using funding to help carry out the implementation of those plans

QUESTION FROM HON. STEVE COHEN TO HON. LUDWIG P. GAINES, EXECUTIVE DIRECTOR, WASHINGTON AREA BICYCLIST ASSOCIATION

Question 1. Mr. Gaines, in your testimony, you reference the recent Governors Highway Safety Association report, which found that traffic fatalities have a disproportionate impact on several communities—people of color, people in low-income areas, American Indians, rural residents, and the elderly. You also indicate that solutions exist but must involve community outreach, engagement, education, and resources.

Can you expand on some of your recommendations to reduce the disproportionate number of incidents occurring in predominantly minority communities?

ANSWER. In the past, America had a history of putting highways through black communities, disregarding safety and community input, and that era needs to end.

Engagement starts in the beginning. Residents walk, bike and take public transportation in their community, so oftentimes they know what the safety needs are.

We need to genuinely engage communities while presenting them with a mix of data about what health, economic, and environmental benefits they will receive from an infrastructure project.

We need to first engage residents from a place of “what changes would you like to see to improve traffic safety, and the overall health of the community?”

We also have to inform residents that when the data shows that safety changes or multiple modal infrastructure changes need to take place for the benefit of the whole community then changes will take place BUT they can help mold and shape the development of the project to fit a community-lead vision.

We also must seek out and work to engage residents in the minority communities who use non-car modes of transportation to get around to ensure their voices are

heard, because oftentimes engagement includes residents who are most privileged and able to be present during community engagement meetings.

Minority communities should be at the table to lead on the creation of vision zero plans for their communities, and take ownership over the outreach and implementation needed to achieve the plans' goals.

QUESTION FROM HON. NIKEMA WILLIAMS TO HON. LUDWIG P. GAINES, EXECUTIVE DIRECTOR, WASHINGTON AREA BICYCLIST ASSOCIATION

Question 1. Mr. Gaines, we have heard witnesses testify in previous hearings about the Safe System Approach as an alternative way states and local governments can address traffic safety.

Could you elaborate on the success of the Safe System Approach in reducing traffic fatalities and closing the road safety gap in communities of color and underserved communities?

ANSWER. Some examples of where a Safe System Approach has worked:

- Hoboken, N.J. (see: <https://usa.streetsblog.org/2022/07/14/a-new-jersey-city-eliminated-traffic-deaths-for-4-years-and-now-its-ending-injuries-too/>)
- Oslo, Norway (see: <https://highways.dot.gov/public-roads/winter-2022/07>)

Unfortunately, a Safe Systems Approach has not historically been implemented in communities of color and underserved communities because of lack of investments, no community driven engagement to develop the approach, and over investments in expanding highways and car only roads through communities of color and underserved communities.

To ensure the long term sustainability and health of communities of color and underserved communities we must get serious about investing in safe systems approaches throughout the country.

QUESTION FROM HON. PETER A. DEFazio TO BILLY L. HATTAWAY, P.E., PRINCIPAL, FEHR & PEERS

Question 1. Based on your experience both at Florida DOT and the city of Orlando, what further reforms are needed at the federal level to make it easier for local governments to redesign high speed arterial roadways to make them safer for all users, while maintaining a reasonable level of access and mobility?

ANSWER. Based on my 28 years at FDOT, especially my last 12 years in senior/executive management, most of the state's funding from FHWA is directed toward added capacity to the roadway transportation system, and based on my memory, funds are "boxed" into categories that don't provide the flexibility to use funds more directly for safety and implementation of Complete Streets.

MPO's have been developing performance measures to establish project prioritization but I am not convinced that the measurements being developed will lead to improved safety. Finally, there is no incentive/disincentive in the funding of transportation to encourage/discourage the continuation of sprawl development. Transportation agencies such as FDOT cannot fix those development patterns unilaterally.

One final thought, funding to local agencies tied to adopting *and* implementation of Vision Zero/Safe Systems Action Plans with meaningful performance measures for reductions in fatalities and serious injuries could be transformative in dealing with safety.

QUESTIONS FROM HON. ELEANOR HOLMES NORTON TO BILLY L. HATTAWAY, P.E., PRINCIPAL, FEHR & PEERS

Question 1. What are the most important pedestrian travel and safety needs?

ANSWER. The response to this question varies significantly across the states. In some states, their Departments of Transportation will not fund construction or maintenance of sidewalks. As a minimum, sidewalks should be included on transportation projects that are within urban/suburban areas, and adequate shoulder widths for rural areas, which also benefits motorists.

Once those minimum needs are met, to increase pedestrian activity, comfort becomes increasingly essential. Separation from the roadway proper, shade, and adequate sidewalk widths are necessary to encourage people to walk. At FDOT, we had two sidewalk widths for decades, five feet when separated by a grass planting strip, and six feet when at the back of curb.

Based on the implementation of Complete Streets at FDOT, sidewalks widths are now established based on the context of the built environment with widths increasing as the corridor becomes more urban, resulting in sidewalk widths of 6', 8', 10' and 12', for which the Department will fund construction and maintenance.

Finally, improving intersections by providing marked crosswalks on all legs, including pedestrian signals that are properly maintained, and providing mid-block crosswalks with pedestrian features such as rectangular rapid flashing beacons, or other traffic control devices to support safe crossing for pedestrians, especially at transit stops.

Question 2. How should state and local departments of transportation use Infrastructure Investment and Jobs Act funds to address pedestrian travel and safety, including improving sidewalks, intersections, and crosswalks?

ANSWER. First, create a requirement/encouragement for local agencies to adopt and implement Vision Zero/Safe Systems Safety Action plans by providing funding to those agencies who have the political will to do so, identifying their high injury network where the largest percentage of fatalities/serious injuries are occurring with a focus on equity as well. Then actually putting in place the measures necessary to address the specific causes and performing before/after implementation monitoring for results.

QUESTIONS FROM HON. STEVE COHEN TO BILLY L. HATTAWAY, P.E., PRINCIPAL, FEHR & PEERS

Question 1. Mr. Hattaway, I appreciated hearing about your experience with the Florida Department of Transportation when, in 2014, you convinced the executive team to adopt Complete Streets and move from a one-size-fits-all street design to designing the right street in the right place.

Can you discuss how this positively impacted road safety such as speed management?

ANSWER. A major challenge to improving transportation safety in Florida is both decades of focus on building a transportation system that was focused on “eliminating congestion”, maintaining the operating speed of roadways on the state system, and sprawl development patterns with separated land uses, lack of connectivity between developments and buildings set back from the roadway.

While FDOT implemented Complete Streets in 2014, the Design Manual which implemented that guidance into standards was not completed until 2018 as this was a complete format, criteria and other guidance changes. Consequently, due to the process for project development taking 3–5 years for new designs to be constructed, those projects that were designed based on complete streets are just now being built.

When at the City of Orlando, our Vision Zero Action Plan identified that nearly all our high injury network (18 corridors) were multi-lane high speed (45 mph+) roadways with suburban land development patterns. The City of Orlando is planning on working with FDOT to improve safety on those corridors, but the ability to retrofit those corridors is going to be a political and physical challenge.

As an additional effort to improve transportation safety FDOT is implementing new speed management efforts. One major initiative is that FDOT is in the process of developing new guidance on setting speed limits on their entire system. For more urban contexts and corridors with high crash rates, they will be using the 50th percentile of existing travel speeds instead of the 85th percentile for setting speed limits. This will result in lowering posted speed limits, reducing travel speeds, therefore reducing the frequency and severity of all crashes.

Over the coming decade, I believe we will begin to see the results of these combined efforts in reducing fatalities and serious injuries.

Question 2. To date, in addition to D.C. and Puerto Rico, we’ve had 35 other state governments adopt Complete Streets policies.

From your experience, what are the biggest barriers to adopting Complete Streets and how can we continue to incentivize other states and localities to adopt them?

ANSWER. In my view the biggest barriers are a combination of lack of political will at the executive level, resistance to change by the engineering community, and in some states, true funding constraints.

State DOT’s have been focused on moving vehicles without delay and at higher speed for decades. The implementation of Complete Streets can sometimes have impacts on travel speeds and requirements for state agencies to provide more infrastructure for pedestrians and other vulnerable users. While I was in the private sector working throughout the country, I saw states where they were continuing to widen and build new roads while their existing infrastructure was not being adequately maintained. Those states have a bigger challenge in that they need to stop building new capacity and shift their funding to maintain their system.

For states that have better funding, such as Florida, where I have worked for 43 years, it is shifting priorities to provide Complete Streets in collaboration with local agencies who are willing to improve their land development patterns to more urban

development patterns, increase the local network of streets and require connectivity between developments.

While adopting a policy is a good first step, the real challenge is in implementation, which FDOT continues to do by changing their design standards, providing education and guidance to planners and engineers, and leading by example by promoting safer practices like road diets, modern roundabouts, raised crosswalks, and increased sidewalk widths.

Finally, supporting DOT's with funding to move their design guidance to support "designing the right street for the right place" instead of a one size fits all approach to street design would help remove that barrier to adopting and implementing Complete Streets.

FDOT received about \$300,000 in direct technical assistance from the Complete Streets Coalition to create our Complete Streets Action Plan, which took about a year. Then we paid a consultant \$750,000 over two years to rewrite/reformat the FDOT Design Manual and Complete Streets Handbook. Those costs were 2016–2018 and did not include any "in-house" support, which was substantial.

QUESTIONS FROM HON. NIKEMA WILLIAMS TO BILLY L. HATTAWAY, P.E., PRINCIPAL,
FEHR & PEERS

Question 1. In your testimony, you mentioned that you were able to "convince" Florida's Department of Transportation to adopt a Complete Streets strategy. Could you elaborate more on this experience, specifically:

What key policy considerations factored into this shift?

ANSWER. When the 2011 Dangerous by Design report listed 4 of the top 5 most dangerous metropolitan areas in the country in Florida, that was the driving force for Secretary Prasad to recruit me back to FDOT to lead the safety initiative. I shared with him that we historically "met or exceeded" American Association of State Highway Transportation Officials design guidance in Florida, which engineers traditionally believe produced a "safe" road, yet for pedestrians and bicyclists, we had created dangerous conditions based on both the Dangerous by Design report and our own subsequent analysis. The Secretary understood that we couldn't keep doing the same thing and expect different results.

During the 10 years that I was in the private sector before going back to FDOT, I gained the experience that led me to understand the importance of Complete Streets in supporting improved safety for pedestrians and bicyclists and quality of life for communities and I used that experience to illustrate to him how we would accomplish the implementation.

The other driving force for change was our experience in working with cities with true urban downtowns that had been pushing FDOT for years to design their streets in a more Complete Street fashion or at least let them modify the state roads passing through their cities to be slower speed and make pedestrian movement more comfortable and safer.

Finally, I was able to demonstrate to the leadership team that Complete Streets didn't necessarily increase costs, and in some cases could reduce project cost such as reduced right of way costs by having narrower travel lanes.

Question 2. Which considerations could help convince other state agencies to re-evaluate their roadways?

ANSWER. While every state agency thinks their situation is unique, I found through my work in numerous states while in the private sector that we have more in common than most believe. I believe the same considerations that drove Florida to move in this direction, would apply to many states, especially those in the sunbelt states that also have suburban sprawl land development patterns and documented problems with pedestrian safety.

Finally, FHWA could provide more incentive to states to adopt and implement Complete Streets.

QUESTION FROM HON. PETER A. DEFazio TO CINDY WILLIAMS, PRESIDENT, TIME STRIPING, INC., AND MEMBER, BOARD OF DIRECTORS, AMERICAN TRAFFIC SAFETY SERVICES ASSOCIATION (ATSSA), ON BEHALF OF ATSSA

Question 1. Although 2021 was the most dangerous year on America's roads in over a decade, data from the Federal Highway Administration show that 23 states chose to transfer funding out of the Highway Safety Improvement Program (HSIP) in fiscal year 2021.

Does the American Traffic Safety Services Association support the continued flexibility for states to transfer HSIP funding out of HSIP when fatalities in the state increase?

ANSWER. The American Traffic Safety Services Association (ATSSA) does not support the flex or transfer of any available funds out of the Highway Safety Improvement Program (HSIP). ATSSA believes that every dollar allocated for roadway safety infrastructure projects should be spent on those life-saving projects, especially at a time when we have seen a significant increase in roadway fatalities and serious injuries across the country.

QUESTIONS FROM HON. ELEANOR HOLMES NORTON TO CINDY WILLIAMS, PRESIDENT, TIME STRIPING, INC., AND MEMBER, BOARD OF DIRECTORS, AMERICAN TRAFFIC SAFETY SERVICES ASSOCIATION (ATSSA), ON BEHALF OF ATSSA

Question 1. What are the most important pedestrian travel and safety needs?

ANSWER. The pedestrian is the most unprotected user of the roadway system. It is vital that we continue to invest in roadway safety infrastructure to increase the deployment of life-saving safety countermeasures on sections of our roads that are shared by vehicles and pedestrians.

Whether that be an increase in physical barriers and delineators used between the pedestrian and vehicle, more signage and signals used to slow down and warn vehicles in high pedestrian areas, or the installment of more safe crossings using crosswalks and pavement markings, pedestrians deserve the same level of safety as motorists do.

Question 2. How should state and local departments of transportation use Infrastructure Investment and Jobs Act funds to address pedestrian travel and safety, including improving sidewalks, intersections, and crosswalks?

ANSWER. Pedestrian safety needs to be of greater focus as Americans change the ways in which they commute, travel, and live their lives. The IIJA provides increased funding for states and local departments of transportation to do the necessary planning and deployment of roadway safety infrastructure that can improve pedestrian safety.

One important funding stream to make these safety improvements is the Highway Safety Improvement Program (HSIP). The IIJA provides almost \$16 billion in dedicated HSIP funding to states for roadway safety and this funding should be used to address vulnerable road user safety. The Strategic Highway Safety Plan that is developed by each state can serve as the roadmap for making the necessary safety modifications that can best address pedestrian safety.

The IIJA also includes the Safe Streets and Roads for All Program. This discretionary grant program will provide \$1 billion each year to metropolitan planning organizations, local and Tribal governments to help prevent roadway deaths and serious injuries. As the name of the program implies, it is intended to address not just safety for the motorist but for other users of the transportation system such as pedestrians, bicyclists, and motorcyclists. By providing funding for planning and implementation of roadway safety strategies, this program will be an important tool for communities looking to address and improve safety outcomes.

QUESTIONS FROM HON. BRUCE WESTERMAN TO CINDY WILLIAMS, PRESIDENT, TIME STRIPING, INC., AND MEMBER, BOARD OF DIRECTORS, AMERICAN TRAFFIC SAFETY SERVICES ASSOCIATION (ATSSA), ON BEHALF OF ATSSA

Question 1. While roadway safety is a top priority for this committee and the U.S. Department of Transportation, traffic deaths increased by 11 percent last year over 2020's already high figures. Tragically, this is the largest increase in year-over-year fatalities since NHTSA began keeping such records in 1975.

While there are various factors that contribute to these alarming statistics, many experts agree that driver error is the predominant cause of roadway accidents. As we move forward with cutting-edge technologies to increase safety, I've heard significant discussion about connected vehicle technologies, like vehicles-to-everything (V2X). V2X and related technologies allow commercial and passenger vehicles to communicate with each other and roadway infrastructure to help address driver error and improve safety outcomes. NHTSA estimates that safety applications enabled by connected vehicle technologies could eliminate or mitigate the severity of up to 80 percent of non-impaired crashes, including crashes at intersections or while changing lanes. And since IIJA was enacted, USDOT has posted notices of funding opportunities for RAISE, MEGA, INFRA, and Rural Surface Transportation programs that include explicit references to V2X.

Ms. Williams, can you detail for me how the use of connected vehicle technologies can help improve roadway safety for all users?

ANSWER. The prospect of the widespread use of connected vehicle technologies is very exciting for our industry. As you noted in your question, studies have shown

that this technology has the potential to greatly improve safety for all road users. As the recently released NHTSA fatality numbers have shown, driving on our roadways are more dangerous than ever, and a large portion of that decrease in safety comes from an increase in distracted driving and human error. The proposed technology would go a long way to eliminating some of that dangerous human element.

However, we must be sure that as we move along with this technology, that roadway safety infrastructure is not forgotten in the discussion. The failure to integrate these vehicles into the roadway system without the proper investments made into updating and upgrading our current roadway safety infrastructure could be catastrophic.

To perform effectively, CAV systems require adequate pavement markings, traffic signs and upgraded traffic signals to be able to safely move passengers. Updating the transportation system with these kinds of improvements will not only prepare us for the future but can be helpful to the driving public today. For example, recent studies have indicated that wider pavement markings are beneficial to CAVs, as well as older human drivers. Additionally, CAVs and drivers today benefit from contrasted pavement markings, especially in areas of glare. These are simple safety improvements that can be deployed now, and they have the dual effect of making roads safer for human drivers as well as CAVs. Finally, it is critical that CAVs are able to distinguish and safely navigate roadway work zones. Often these work zones create challenge areas for autonomous vehicles, and with men and women working on the road in these scenarios, it is imperative that the vehicle can traverse through a work zone without incident.

Question 2. The committee has heard from many sources over the past six months that supply chain disruptions are negatively affecting multiple points within the transportation sector, including surface transportation logjams. We don't often think about roadway safety when we talk about the supply chain, but we should.

Ms. Williams, can you expand upon the supply chain issues your company is having? How are supply chain constraints negatively affecting your ability to complete road safety projects?

ANSWER. Our company is dealing with a variety of issues right now that affect our ability to complete road safety projects—the supply chain, inflation and rising costs and workforce shortages.

Manufacturers and suppliers are having difficulty getting raw materials, including resins, color pigment, steel for cable and virgin glass for beads, to produce the products we apply on our roadway systems. Wire rope for guardcable has a wait time of 6–8 months, while pavement marking tape is out 12–18 weeks. When there is material available, my company is currently buying much further in advance than ever before in order to make certain we have product available when the job is ready to be performed. This creates an issue of cash flow concerns, as we are buying in bulk far before we are performing the work and before we are going to get paid for it.

There are also issues related to trucking and being able to have our orders shipped and delivered to us. This is created by a lack of concrete and dump truck drivers to deliver materials to the jobsite. Truck drivers are so heavily regulated by the USDOT that it is making it difficult to find and retain drivers and this is just one piece of the labor market shortage issue.

Shipping costs are astronomical due to the current inflation we are facing. Raw material prices have doubled in the past 18 months. These rising costs mean that bids for state DOT and municipal projects are coming in far over the engineering estimates. These cost increases have forced many state DOTs to cancel or delay projects to within their budgets.

These inflation and rising costs, supply chain and workforce challenges mean there is a real risk that my company will have no project work to perform in the coming months.