



STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION



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Docket No. NHTSA-2022-0036

The State of Connecticut Highway Safety Office (CT HSO) is pleased to submit comments on NHTSA's proposed rulemaking for the Infrastructure Investment and Jobs Act (IIJA). CT HSO fully supports the positions set forth by the Governors Highway Safety Association (GHSA) and shares its concern that much of the proposed rule would place additional administrative burdens on the states. We offer the following comments for consideration;

Any new requirements for the Triennial Highway Safety Plan (Triennial HSP), Annual Application, and Annual Report should be limited to what is directed in federal law, as amended by the Bipartisan Infrastructure Law (BIL). Additional requirements would likely create significant administrative burdens and inefficiencies which would both complicate the states' efforts, discourage grant subrecipient participation, and/or duplicate required content among the Triennial HSP, Annual Application, and the Annual Report. The content in these three submissions should be distinct from one another and should not significantly overlap. To require otherwise would be inefficient and place an undue burden on the states.

The Triennial HSP should focus on programs, countermeasure strategies, performance targets, funding, types of projects that a state plans to conduct, and other elements at the *program* level. The Annual Application should be limited to *project*-level information such as an identification of each subrecipient, a classification of the project under a Triennial HSP program area, and information to form the basis of vouchers (i.e. the project agreement number, subrecipient, amount of Federal funds by funding source, and the eligible use of funds). Any updated data analysis should be required only in the Triennial HSP and not again in each Annual Application.

NHTSA should consider altering the process to apply for a Highway Safety Plan (HSA) amendment, possibly by raising the funding thresholds or through other substantive changes which would streamline the process. As the process stands now, HSP amendments are significant administrative burdens and often take months from their initial submission dates to be approved. CT HSO encourages the implementation of any measures which would streamline the amendment process and allow the states to better focus on the efficient allocation of funds to its partners and projects.

Regarding the proposed requirement that performance targets "demonstrate constant or improved performance" while remaining data-driven, NHTSA and FHWA should collaborate with GHSA and the American Association of State Highway and Transportation Officials (AASHTO) to establish cohesive state target-setting procedures and outcomes that both agencies will consider compliant for regulatory purposes. Due to

the COVID pandemic, the past two years have skewed data-based performance measure trend lines, and NHTSA should either allow states to reset realistic goals based on this recent and applicable data, or remove penalizations for performance measures that are based on outdated data that no longer represents current trends.

In order to align with the U.S. DOT National Roadway Safety Strategy, NHTSA should afford states more flexibility to align their programs with the Safe System approach. This could include removing barriers to funding non-traditional partners, allowing states to diversify the countermeasures they use, and avoiding penalizing states for setting aggressive performance targets.

Finally, there should be alternative ways to fund equity partnerships that do not involve funding on a reimbursable basis, as many potential partners participate in reimbursable programs because they do not have such funds readily available. Assistance from NHTSA in restructuring the funding process to allow qualified partners to receive funding upfront is a necessary element in reaching this shared goal. CT HSO encourages and appeals to NHTSA to provide support to the states to remodel the current reimbursable-based process so the funds can be made available to potential recipients at the outset of projects.

CT HSO encourages NHTSA to administer the rule in a way that encourages the efficient administration of the processes it promulgates, so both the states and their community partners can maximize use of the funds.

Sincerely,

Joseph. T Cristalli
Transportation Safety Program Supervisor