



May 23, 2022

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Dr. Steve Cliff
Deputy Administrator
National Highway Traffic Safety Administration
Department of Transportation
1200 New Jersey Avenue S.E., West Building
Washington, D.C. 20590-0001

Dear Deputy Administrator Cliff,

On behalf of the National Association of City Transportation Officials (NACTO), we are pleased to offer the following recommendations in response to NHTSA’s Notice of Proposed Rulemaking (NPRM) concerning Highway Safety Programs. NACTO and our 89 member cities and transit agencies have substantial direct experience working to make streets safer for all road users and are at the forefront of conversations about traffic safety. As creators of the nationally recognized [Urban Street Design Guide](#), [Urban Bikeway Design Guide](#), and [City Limits](#), NACTO has been a partner to the country’s cities in developing the practices proven to make streets safer. The following recommendations are drawn from these experiences and are specific to the 402, 405, and 1906 programs.

Update and enhance funding eligibility requirements for agencies/ jurisdictions that receive NHTSA funding for traffic enforcement.

Each year, NHTSA provides more than \$500 million in Highway Safety Grants to local enforcement agencies for traffic enforcement. While these funds are intended to encourage safe driving behaviors, the traffic enforcement practices they support are often [unjust, inequitable, and even deadly](#). To ensure this funding supports Biden Administration equity and safety goals, NHTSA should update requirements for receiving funding to focus on speeding and other major causes of traffic fatalities and injuries, rather than funding enforcement of infractions with limited connection to traffic fatalities, such as tinted windows. In addition, NHTSA’s updated requirements should enhance data collection and reporting procedures to ensure enforcement actions have a demonstrable public safety impact. To meet this goal, NHTSA should consider the following recommendations:

- In order to be eligible for NHTSA funding, require State and local law enforcement agencies to collect and publically report on data for all stops, including demographic data (at a minimum race and ethnicity),

and reason for the stop. To support this, NHTSA should also develop and require consistent data collection and reporting standards and procedures across all States and jurisdictions.

- Allocate NHTSA funds only to trained traffic safety personnel certified by an appropriate organization, rather than distributing funds broadly across enforcement agencies.
- Allocate NHTSA funds specifically to activities connected to high-risk actions such as speeding, traffic-control disregard, oversize vehicle violations, and failure to yield to pedestrians or bikes.
- Allocate NHTSA funds for enhanced crash data collection and analysis, especially speed analysis and black boxes analysis (“EDRs”) in all fatal and serious injury crashes.

Champion Transparent and Equitable Automated Enforcement.

Automated enforcement (e.g. speed and red light cameras) are a predictable, proven tool for reducing speeding and other, safety related, traffic violations. Thoughtfully implemented camera programs offer a more effective and more equitable path to traffic enforcement than manual enforcement because they address the sporadic, and prone to bias, aspects of manual traffic enforcement, and can help address some enforcement concerns by reducing the number of direct in-person interactions between people and law-enforcement officers. To support these efforts, NHTSA should:

- Develop clear guidance for cities and states to implement effective, equitable, automated traffic enforcement systems, particularly for speed enforcement.
- Provide technical support to cities and states implementing effective, equitable automated traffic enforcement systems, particularly for speed enforcement.
- Provide detailed guidance on adjudication of automated ticketing, including diversion programs in cases where fines would be unduly punitive.
- Continue efforts to ensure that automated traffic enforcement systems remain data-secure, and that states and cities issuing contracts require that data collected by third-party contractors remains in use only for traffic violation enforcement.

We appreciate your consideration of these recommendations. NACTO and our member cities stand ready to support NHTSA in strengthening the agency’s highway safety grant programs.

Sincerely,



Corinne Kisner
Executive Director, NACTO