

Thank you for the opportunity to comment on NHTSA's rulemaking regarding Uniform Procedures for State Highway Safety Grant Programs. I have responded specifically to questions posed by NHTSA in the federal register. These responses derive from nearly two decades of work analyzing pedestrian, bicyclist, and motorist safety for cities and states across the country, as well as for multiple national (NCHRP, FHWA, and NHTSA) research projects.

Reducing Disparities and Increasing Community Participation

3. How can the Sections 402, 405, and 1906 formula grant programs contribute to positive, equitable safety outcomes for all? How can states obtain meaningful public participation and engagement from affected communities, particularly those most significantly impacted by traffic crashes resulting in injuries and fatalities?

- Build long-standing relationships with community groups where people are paid for their consistent participation. Build these relationships before they are needed for feedback on a specific plan, and establish ground rules of respect that include a say in the solutions and a commitment to be kept in the loop and treated as equals. Recognize the value of their lived experience and on-the-ground expertise. Crash data is valuable, but biased, and we need connections into the community for additional data that can be triangulated to come up with holistic solutions.

- Incorporate qualitative feedback based on people's experiences and perspectives into safety decisionmaking. This feedback may be obtained via community surveys, outreach events, focus groups, interviews, and/or crowd-sourced technology. In all cases, attention must be paid to the demographics of who responds and efforts should be made to redress imbalances – particularly for communities of color.

- Ensure that community members from affected areas have a say in the decisions. Make sure that the decisionmakers include a diversity of perspectives and that those members share power -- every committee should include non-white community members, women, and members of the disabled community. No committee should be more than 50% white or 50% male, and members of the disabled community should have multiple representatives to allow for the varied perspectives of disabled users (i.e., a vision impairment is significantly different than a mobility impairment).

- Create people-based metrics that balance community needs with crash-based metrics. Waiting for a certain number of crashes to occur before making changes should be considered unethical (even though it is currently part of the MUTCD), particularly if communities have reported those areas as unsafe, yet no changes have been made.

4. How can the formula grant program require practices to ensure affected communities have a meaningful voice in the highway safety planning process?

-Earmark a percentage of funding for community relationship building, and recognize that that effort needs to start well before the design phase and last in perpetuity beyond the project. Metrics will be important, too, as described below.

5. What varied data sources, in addition to crash-causation data, should States be required to consult as part of their Highway Safety Plan problem identification and planning processes to inform the degree to which traffic safety disparities exist on their roadways?

- Community outreach and feedback, as described above. We need to understand the experiences and perspectives of affected communities, as well as any barriers they may face in terms of reporting crashes to the police.

- Video cameras that take advantage of advanced algorithms to identify and classify surrogate safety measures. These data should supplement any crash and community feedback data.

- Pedestrian and bicycle volume data, just as AADT is collected. These data are crucial to understanding risk.

Triennial Highway Safety Plan

8. What information is needed to ensure the HSP provides comprehensive, longer-term, and data-driven strategies to reduce roadway fatalities and serious injuries?

- Crash types by mode by injury severity level. This is particularly needed for bicyclists and pedestrians, who are involved in a variety of crash types (e.g., left hook, right hook, broadside), but who are usually lumped into one category of "pedestrian-motor vehicle" or "bicycle-motor vehicle". We cannot address problems we do not understand.

- Examine all crashes, regardless of contributing factor, by major roadway characteristics such as speed, roadway type, number of lanes, and lighting condition. Too often fatalities are blamed on a behavior when the systemic root is an over-sized roadway that carries too much traffic at too high of a speed. Pedestrians, in particular, are often faulted for a crash that could have been avoided altogether on a smaller, slower road. Drivers, as the operators of lethal vehicles, have the ultimate responsibility for safety, but we have not communicated that to them via our roadway design.

- Related to the above, states need an updated inventory of roadway facilities and driver, pedestrian, and bicyclist volumes along those facilities.

Annual Grant Application

10. What types of data can be included in the annual grant application to ensure that projects are being funded in areas that include those of most significant need?

- Crash numbers and rates by severity and modal group by race and age, along with the proportion of the surrounding area that is zero-car households, a community of color, or low-income. Freeways should be treated as a separate category from roads that allow pedestrians and bicyclists.

Performance Measures

11. Should these measures be revised? If so, what changes are needed?

- At least for pedestrians and bicyclists, we should be capturing fatalities and severe injuries (KSI).

- To move forward with understanding transportation equity, all metrics should be broken down by race, major age category (e.g., < 18, 18-64, and 65+), and whether the person was disabled.

- In order to understand systemic effects, reporting on fatalities should also include the KSI (or fatalities for motor vehicles) by major road type, e.g., freeway, arterial roadway, collector, and local.

- Add a KSI metric for micromobility users, who comprise a growing share of traffic.

- Require that pedestrians and bicyclists receive a share of all funding at least equal to the proportion of fatalities on the network. For example, if pedestrians comprise 16% of a state's fatalities, 16% of federal and state funding should go to pedestrian-related improvement projects. In the unlikely event that the jurisdiction cannot possibly spend that much on pedestrian safety, that money should automatically default to bicyclists, rather than motorists.

12. Section 24102 of the Bipartisan Infrastructure Law requires performance targets "that demonstrate constant or improved performance." What information should NHTSA consider in implementing this requirement?

- Hold states accountable to reducing traffic fatalities year over year, no exceptions. If a region fails to meet its goal of reduced fatalities, there should be consequences in terms of reduced funding or a requirement to spend some proportion of funding (e.g., double the amount of the margin by which the goal was missed) on the category that experienced the increase. This should particularly be the case for pedestrians and bicyclists, who are consistently disproportionately injured, killed, and underfunded.

13. What should be provided in the Annual Report to ensure performance target progress is assessed and that projects funded in the past fiscal year contributed to meeting performance targets?

- Before/after crash statistics and exposure information by mode, as well as before/after community perception survey data. While it would be ideal to include three years before and after to control for regression to the mean, that is impractical if the performance needs to be reported in the following year. In that case, a case-control methodology is recommended.

Thank you again for the chance to comment. I am hopeful that with increased rigor, these performance measures will spur dramatic improvement in our transportation system, particularly for those who continue to be disproportionately negatively affected by our policies and built environment.

Regards,
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