

Proposed Comments for the NPRM

Docket No. NHTSA–2022–0036

Preamble: Comments From the Public Meeting and Request for Comments: Rulemaking Process

GHSA Comments: In the NPRM, NHTSA suggests that the agency may not be able to meet this objective due to constraints imposed by the Administrative Procedures Act. NHTSA is aware that the planning process for the 2023 Highway Safety Plan has already begun in some States. Further, the NPRM creates new requirements related to problem identification and program planning that States must incorporate early in the Highway Safety Plan (HSP) planning cycle. We thank NHTSA for its acknowledgement of the circumstances and its commitment to expedience. We look forward to a completed rulemaking as soon as possible.

- Tennessee would like to note that our Highway Safety Planning Processes start early. Having a final rule as soon as possible ensures we have a quality plan in place. Tennessee goes through numerous approval processes internally before submission on July 1. With the change to a Triennial Highway Safety Plan and an Annual Grant Application, changes in how the process works will also need to be addressed. This is a process that takes time to implement into regular work deadlines.

Preamble: Section II.D. Transparency: Standardized Template for National E-Grant System

GHSA Comments: NHTSA requests comment on developing a standardized template, codified as an appendix to this regulation, that States could use to provide information in a uniform manner similar to what might be provided in a future e-grant application. GHSA recommends against creating a separate application “template” at this time via this rulemaking. Such a project would be a major undertaking in itself. A future e-grants system will not be ready for the first Triennial HSP period. States and NHTSA should be focused on the immediate transition at hand. The NPRM lays out a new, complex program structure that States will need to understand and adapt to, much less to also transition to a new application process. Any future template, or associated e-grants system should conform to the regulatory requirements in force at the time. The template will need to take into account how SHSO staff interact with the e-grant interface. Whether to codify the template may be revisited in the future, but generally establishing such a template in the regulation may make it difficult to update it if changes are needed.

- NHTSA announced that it is currently in the process of working on updating the grants management system. However, there is yet to be a timeline for when states should expect this. With a Triennial Highway Safety Plan (3HSP), it would be hard for states to start utilizing an “e-grants” system after submitting a portion of the three-year plan and annual grant applications via paper. Based upon reading documentation, everything would start in the 3HSP and then get updated in subsequent Annual Grant Applications within the three years as well as in Annual Reports at the end of each grant cycle.

- If an “e-grants” system is utilized during a three-year period, it would be an additional administrative burden for states to update the system for it to be current.
- Also, in the previous version, it was addressed that, ultimately, NHTSA would also include the tracking of the grant money in the same system. However, this was never implemented. Nothing about this has been addressed in an updated system.
- As states are the primary users of the interface system, it would be beneficial to allow states that would like to participate on the development team to do so. This would enable NHTSA to get an understanding from numerous Highway Safety Offices on how they complete their process. Different states do it in many different ways, with everyone having the common goal of reducing the number of fatalities and crashes on our nation’s roadways.