



## HAAS ALERT

October 31, 2022

Barbara Sauers  
Acting Associate Administrator, Regional Operations and Program Delivery  
National Highway Transportation Safety Administration  
1200 New Jersey Avenue SE  
Washington, DC 20590

RE: Docket No. NHTSA-2022-0036  
Federal Register: 23 CFR Part 1300  
Request for Comment  
Uniform Procedures for State Highway Safety Grant Programs

Dear Acting Associate Administrator Sauers;

We greatly appreciate NHTSA's invitation for comments in response to the notice of proposed rulemaking for Uniform Procedures for State Highway Safety Grant Programs. HAAS Alert is a recognized industry leader in connected vehicle and V2X technology, and the leading national provider of digital alerting technology for roadside workers, emergency and incident responders, state and municipal agencies, and more. Digital alerting technology enables authorized vehicles (such as police, fire, EMS, utility, towing, and work zone/construction machinery) and connected infrastructure to deliver real-time safety notifications approaching drivers through popular navigation systems and applications, onboard units (OBU's), and directly to connected and automated vehicles.

Included herein are our comments on key sections of the Uniform Procedures for State Highway Safety Grant Programs.

- **Proposed Revision of Use of Grant Funds for Preventing Roadside Deaths** (*Page 56787*)  
The BIL specified five types of projects eligible for funding under section 405(h), but potential overlaps and conflicts with other programs have the potential to reduce the impact and efficacy of the funding deployed in this program. Three of the five areas identified - namely public education, enforcement efforts, and state records - are already eligible for funding within other 402 and 405 programs. Furthermore (*Page 56759*), it is noted that many commentators submitted comments asking NHTSA to place less emphasis on enforcement as a traffic safety countermeasure. By including these types of projects as eligible for funding under 405(h), there is significant risk that states may allocate these resources towards already-existing efforts, and the opportunity for states

to harness these funds for deployment of innovative life-saving equipment may be reduced or lost. We recommend reconsideration of this language and a potential amending of 405 (h) to remove these three use cases, as public education, enforcement, and state records are already well-funded highway safety efforts nationally. As the language stands, the disbursement of funds may potentially drive inequitable outcomes.

- **Proposed Redefinition of Digital Alert Technology & Public Information Campaigns** (Page 56811)

The new rulemaking defines digital alerting technology as “an electronic system to alert drivers to the location of the first responder vehicle on the roadside using traveler information systems, e.g., navigation providers, smartphone apps, or a connected vehicle on-board unit.” Today, digital alerting is being used not just by first responders, but also by many other state owned, contracted, or funded fleets and roadside workers including roadside assistance and towing providers, construction and work zone crews, school busses, snow plows, and more.

We propose that this definition be updated and expanded to include these other roadside professionals, who face the same risk as first responders and also represent hazards that drivers are legally required to slow down and move over for in nearly every state. An updated and appropriate definition could read, “an electronic system to alert drivers using traveler information systems, e.g. navigation providers, smartphone apps, or a connected vehicle on-board unit, to the location of a first responder vehicle, roadside assistance vehicle, work zone, or other hazards that require drivers to slow down and move over.”

In the same section, “public information campaigns” are defined as “activities to build awareness with the motoring public of a traffic safety issue through media, messaging, and an organized set of communications tactics that may include but are not limited to advertising in print, internet, social media, radio, and television.” This definition closely matches established funding for public information campaigns in 402 and 405 programs. We suggest amending this language to specifically clarify that that public information campaigns as defined under section 405(h) must include digital alert technology, as the technology is itself a messaging delivery mechanism for traffic safety issues.

- **Countermeasures and Qualification Criteria** (Page 56760 & 56811)

Countermeasure measure strategies for section 405H are currently unavailable, and the updated and approved guidance is not expected before FY24 State RFPs are released and/or before the July 1st due date for FY24 Highway Safety Plans. NHTSA notes that work on the next edition of the “Countermeasures that Work” guide, though a timeline for development and completion is not publicly available. The most recent edition of the Countermeasures that Work document (Tenth Edition, 2020) does not include a section on the newly-created high-priority area of 405H funding. As mentioned previously, it is absolutely vital that states and communities benefit from the unprecedented opportunity created by this program to secure and deploy innovative and lifesaving technologies to

prevent roadway deaths. The lack of clear guidance on this program and the timing challenge for additional clarification threatens to prevent those opportunities from being realized. As a result, we suggest that NHTSA specifically address the lack of guidance on this program and offer an amended or separate guidance as soon as possible on 405H to properly guide state applicants through this opportunity.

- **Minimizing Burden in Utilizing Funds** (*Page 56758*)

NHTSA indicates that commentators encouraged the agency to “minimize the administrative burden on the states and provide great flexibility.” We encourage NHTSA to extend this consideration to the states as well when administering and distributing funds, particularly within new funding programs such as 405H, so that the administrative burden is not constrictive to agencies wishing to work with an SHSO. As 405H does not have a previous precedent to follow that includes guidance and countermeasures, states require flexibility so that opportunities for programmatic success can occur. NHTSA’s intent to “not impose unnecessary administrative burdens on the State or their sub-recipients” should be embraced by each HSO, as each state operates autonomously with its own rules, regulations, and timelines, along with statutory requirements and guidance from the NHTSA Regional Offices and Governor’s Highway Safety Administration (GHSA).

As referenced separately in a discussion on Equity (*Page 56811*), underserved communities are all around us. As of July 2019, there were 16,410 incorporated places registered in the United States with a population of less than 10,000; in contrast, only ten cities nationwide have a population of one million or more. Many small towns in America are under-served by transportation funding and new technologies and would benefit from the opportunity to utilize funds to make the roadways safer for all modalities. Consequently, federal agencies should factor in the challenges of administrative burden and staffing limitations when determining timelines and requirements for grant programs to ensure equal opportunity.

The inclusion of funding for digital alerting in section 405H is one of many transformative components in the BIL with the potential to dramatically improve road safety for all users including everyday drivers, emergency and incident responders, roadway and work zone workers, and other vulnerable road users. HAAS Alert works with thousands of fire departments, EMS agencies, police departments, tow truck fleets, and other professionals that trust digital alerting to protect them from deadly and injurious collisions with approaching drivers when they’re at their most vulnerable on the road. Given the recent spike in collisions and fatalities nationwide, and considering the current automotive industry uncertainty and reassessment of full-scale C-V2X (5.9 mhz) technologies nationwide, the funding available to states under 405H for digital alerting represents one of the country’s most significant standing investments in safety-focused V2X and automotive connectivity. We are optimistic that by improving the definition, guidance, and timeline constraints of this critical new programming, NHTSA and the Department will ensure that this lifesaving technology is available to as many communities as possible and can change the trajectory of roadway injuries and fatalities in our country.

We appreciate the opportunity to participate in this critical discussion and remain grateful to NHTSA and the Department for its continued engagement with industry on these important topics. As always, our team remains available to you for any additional support or guidance we may provide.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cory Hohs', written in a cursive style.

Cory Hohs  
Chief Executive Officer  
HAAS Alert