

**EMBARGOED until delivery on Wednesday, Feb. 12, 2025**



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Director**

**Minnesota Department of Public Safety, Office of Traffic Safety  
*On Behalf of the Governors Highway Safety Association (GHSA)***

**Before the Subcommittee on Highways and Transit  
U.S. House Committee on Transportation and Infrastructure**

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## **Introduction**

Good morning. My name is Michael Hanson and I am the governor appointed highway safety representative for Minnesota and the Director of the Minnesota Department of Public Safety's Office of Traffic Safety. I also serve as the Chair of the Governors Highway Safety Association (GHSA). It is an honor to be testifying before the House Transportation and Infrastructure Committee's Highways and Transit Subcommittee. I want to extend my appreciation to subcommittee Chair Rouzer and Ranking Member Holmes Norton as well as full committee Chair Graves and Ranking Member Larsen for holding this hearing on such an important topic.

For those that aren't familiar with GHSA, the organization is a national nonprofit association representing the State and territorial Highway Safety Offices (SHSOs). The SHSOs implement statewide programs to address behavioral highway safety issues and are the recipients of grants under the National Highway Traffic Safety Administration's (NHTSA) Highway Safety Grant Program. SHSOs are public agencies in all states and territories, including the District of Columbia and Puerto Rico, and are run or overseen by a Governor appointed representative. Approximately half of SHSOs are a part of their respective state department of transportation, while the others are independent organizations or housed within a department of public safety, department of motor vehicles or related agency.

GHSA's members work to reduce motor vehicle crashes by implementing programs that leverage traffic enforcement, community engagement, public education, highway crash monitoring and other countermeasures to prevent crashes, deaths, and injuries on our roads. The SHSOs are focused on the behavioral aspects of highway safety, including impaired driving; inadequate adult and child occupant protection; speeding and aggressive driving; distracted and drowsy driving; younger and older driver safety; motorcycle safety; the safety of bicyclists, pedestrians and non-motorized road users; the safety of new vehicle technologies; traffic enforcement; traffic records; emergency medical services; driver education; and highway safety workforce development.

Roadway safety is a topic that I am extremely passionate about. Prior to my time serving as the director of the highway safety office, I served the Minnesota State Patrol for 32 years. During that time, I had direct exposure to the unsafe driving behavior on our roadways and the life changing and too often life ending impacts that they can have. It's because of those years as a state trooper that I believe so deeply in the work that highway safety offices do to change driver behavior and prevent crashes.

## **Roadway Safety Challenges**

Traffic crashes are one of the leading causes of preventable death in the United States. Crashes kill more than 40,000 people each year and injure another 2.4 million. That's more

## **EMBARGOED until delivery on Wednesday, Feb. 12, 2025**

than 100 deaths and 6,500 injuries every single day. These crashes – and the loss of life and severe injuries they cause – are entirely preventable.

According to a NHTSA study, the critical reason for the overwhelming majority of crashes is unsafe driver behavior.<sup>1</sup> More than two-thirds of those crashes are caused by either impaired driving or speeding.

Programs that are implemented by the SHSOs to address these unsafe driving behaviors are crucial in addressing roadway fatalities. Some traffic safety stakeholders argue that we can solve all of our problems by rebuilding the roads. While improved infrastructure can address some safety problems, it alone cannot address driver behavior. It will not make drivers buckle their seat belts or put their children in the right child restraint. It will not prevent drunk drivers from getting behind the wheel, hold them accountable, or help them overcome addiction. Eliminating behavioral approaches altogether would be a major mistake. Rather, we must implement all types of countermeasure strategies simultaneously to bring down fatal crash rates.

### Impaired Driving

Alcohol-impaired driving arguably remains our number one highway safety challenge. According to NHTSA, in 2022 alcohol-impaired driving crashes accounted for 32 percent of the fatalities on our roadways. Alcohol impairment is notably over-represented in crashes involving young adults, motorcyclists, bicyclists, pedestrians and speeding.

GHSA is likewise concerned about the increasing prevalence of drug-impaired driving, even as alcohol-impaired driving is still a major traffic safety problem. Though we know the data is incomplete, there is reason to believe that drugged driving is increasing. Further, states are finding that impaired driving cases increasingly involve alcohol and drugs used in combination, further suggesting a need to think about impaired driving holistically.

State's continue to implement programs to prevent impaired driving including educational campaigns to encourage drivers not to drive impaired and high visibility enforcement efforts to identify unsafe impaired drivers and remove them from the road.

In the Infrastructure Investment and Jobs Act (IIJA), Congress took a historic step to end impaired driving. Section 24220 of IIJA, which was previously known as the HALT Act, directed NHTSA to complete a rulemaking to require advanced impaired driving detection technology in all new vehicles. This technology, once implemented, would prevent an impaired driver from operating a vehicle and harming themselves or others. NHTSA published an ANPRM in March of 2024 soliciting feedback on a Federal Motor Vehicle Safety Standard (FMVSS) for the technology. The agency then missed the statutory November 15, 2024, deadline for completing the rulemaking. The Trump Administration has a once in a generation opportunity to end impaired driving by completing this

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<sup>1</sup> <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812506>

## **EMBARGOED until delivery on Wednesday, Feb. 12, 2025**

rulemaking and establishing this technology in new vehicles. GHSA strongly supports swift action to establish this FMVSS, which would significantly reduce the number of fatalities on our roads.

### Speeding

29 percent of the total traffic fatalities involved speeding and higher speeds are tied to an increased risk of crashes and increased crash severity<sup>2</sup>. Further, speeding vehicles present a unique threat to other more vulnerable road users. Unlike other leading highway safety issues for which we have successfully shifted cultural attitudes, speeding remains widely socially acceptable. Most drivers speed and despite ongoing speeding enforcement efforts, most drivers still have low expectations of receiving a citation or causing a crash.

States are using various combinations of proven engineering, enforcement and education countermeasures to address speeding. Because the public is generally not behind us, even proven countermeasures face political barriers and some states are even increasing speed limits and banning scientifically-proven solutions.

IJA permitted the use of federal funds for the installation of speed safety cameras in work and school zones to help control speeds in these high-risk areas. These cameras have proven to be effective at changing driver behavior, especially when paired with community outreach that communicates the safety benefits and ensures drivers know that the cameras are active, and unsafe speeding will result in a citation. Given the success of these programs, eligibility for federal grant funds should be expanded to allow states to use funds to install speed safety cameras more broadly.

### Pedestrian Safety

Another area of critical concern is the alarming surge in pedestrian injuries and fatalities. GHSA aggregates preliminary pedestrian safety data each year from its state members to identify pedestrian safety trends prior to the availability of final national data for those years. Based on preliminary state data, GHSA estimates that the nationwide number of pedestrians killed in motor vehicle crashes in 2023 was 7,318. This is a 5 percent decrease from 2022, but that is still a 14 percent increase since 2019. As we work to address the underlying behavioral causes of crashes, we must also take steps to protect pedestrians. To address these challenges, we must continue to take a holistic look at improving traffic safety and address the underlying causes of crashes while also designing infrastructure and vehicles that protect pedestrians.

### **Traffic Enforcement**

One of the key tools available to address unsafe driving behavior is traffic enforcement. Over the past several years, due to several factors including concerns for fair policing

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<sup>2</sup> <https://crashstats.nhtsa.dot.gov/#!/PublicationList/82>

## **EMBARGOED until delivery on Wednesday, Feb. 12, 2025**

practices, reduced public support and staffing shortages, the amount of traffic enforcement being conducted across the country has significantly decreased. We have seen a corresponding increase in unsafe driving behavior.

While national data on how the decrease in traffic enforcement has impacted unsafe driving behavior isn't readily available, there have been numerous reports of decreased enforcement leading to an increase in crashes. For example, DUI arrests fell by nearly 40% in Virginia and Washington, DC between 2010 and 2021 and DUI-related fatalities have risen by 33 percent<sup>3</sup>. St. Louis, Missouri has seen similar trends, in 2021 St. Louis police made 45,154 traffic stops, a little more than half of the 85,622 made in 2009. During that period traffic deaths in St. Louis have doubled<sup>4</sup>. In Austin, Texas the police budget was cut by one-third in 2020 which reduced staffing and traffic enforcement<sup>5</sup>. As a result, speeding citations dropped by 90 percent. Shortly after, Austin reached a record number of traffic deaths<sup>6</sup>.

It's clear that traffic enforcement is a crucial tool for addressing unsafe driver behavior. GHSA supports the proven role of traffic enforcement and the wider criminal justice system in preventing crashes and stopping dangerous drivers. Traffic enforcement holds drivers accountable for poor choices that without intervention can be deadly. High-visibility enforcement, in particular, remains an approach upheld by research and data. By focusing on data driven unsafe driver behaviors in traffic stops instead of citations for administrative requirements, like expired tags, we can help ensure traffic stops are fair and address unsafe driver behavior.

### **NHTSA Highway Safety Grant Programs**

NHTSA's mission is "to save lives, prevent injuries, and reduce economic costs due to road traffic crashes, through education, research, safety standards, and enforcement." SHSOs aren't connected with NHTSA's authority to regulate vehicle safety standards. Instead, they focus on improving driver behavior.

SHSOs primarily do this using federal funds that come from the NHTSA State and Community Highway Safety Grant Program and the NHTSA National Priority Safety Program, which are commonly referred to as the Section 402 and Section 405 grants, respectively. In order to participate in these programs, states must submit a highway safety

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<sup>3</sup> <https://www.nbcwashington.com/investigations/not-enough-officers-to-catch-the-ones-we-dont-get-dui-arrests-down-as-deaths-rise/3414906/>

<sup>4</sup> [https://www.stltoday.com/news/local/accident-and-incident/traffic-stops-and-tickets-have-plummeted-in-st-louis-traffic-deaths-have-gone-up/article\\_7d7844fc-73ae-5574-8cdc-f4571b4429ac.html](https://www.stltoday.com/news/local/accident-and-incident/traffic-stops-and-tickets-have-plummeted-in-st-louis-traffic-deaths-have-gone-up/article_7d7844fc-73ae-5574-8cdc-f4571b4429ac.html)

<sup>5</sup> <https://www.kut.org/transportation/2022-06-03/txdot-wants-cops-to-crack-down-on-speeders-but-apds-traffic-enforcement-units-are-understaffed>

<sup>6</sup> <https://www.kut.org/transportation/2022-06-03/txdot-wants-cops-to-crack-down-on-speeders-but-apds-traffic-enforcement-units-are-understaffed>

## **EMBARGOED until delivery on Wednesday, Feb. 12, 2025**

plan every three years that includes a performance plan with performance targets that demonstrate constant or improved performance, a data-driven countermeasure strategy that links to performance targets and NHTSA uniform guidelines, a description of how federal funds are planned to be used and a performance report for the last three years. Additionally, each year states are required to submit an Annual Grant Application (AGA) that includes any updates of the analysis in the triennial highway safety plan, identification of projects and subrecipients to be funded the following year and applications for any 405 grants the state wants to receive. States must also submit an Annual Report at the end of each fiscal year detailing what grant activities occurred during the fiscal year. Additionally, states are routinely subject to NHTSA conducted compliance reviews known as management reviews.

### Section 402 - State and Community Highway Safety Grant Program

Slightly less than half of NHTSA grant funding is allocated to Section 402, the State and Community Highway Safety Grant Program. Under Section 402, which is administered through a funding formula, states are permitted to program their funding for a wide range of highway safety purposes based on their data-driven problem identification. States use data to determine their unique highway safety needs and allocate resources accordingly.

Funds can be spent in accordance with national guidelines for programs to reduce drug- and alcohol-impaired driving; reduce speeding; encourage the use of occupant protection; encourage the use of child restraints; improve motorcycle safety; improve pedestrian and bicycle safety; reduce school bus deaths and injuries; reduce crashes from unsafe driving behavior; improve enforcement of traffic safety laws; reduce crashes caused by driver misuse of vehicle technology; increase vehicle recall awareness; prevent deaths among children unattended in vehicles; reduce roadside crashes; reduce crashes involving unsecured loads; improve driver performance; improve traffic records; enhance emergency services; increase awareness of commercial motor vehicles; and support school-based driver's education classes.

### Section 405 - National Priority Safety Program

The remaining half of funding is allocated under Section 405, the National Priority Safety Program, which is comprised of eight separate grant programs on Congressionally designated priority issues, each with different eligibility standards and allowable uses:

- Section 405(b): Occupant Protection: 13%
- Section 405(c): State Traffic Safety Information System Improvements: 14.5%
- Section 405(d): Impaired Driving Countermeasures: 52.5%, including 12% for ignition interlocks incentives and 3% for 24-7 sobriety program incentives
- Section 405(e): Distracted Driving: 8.5%
- Section 405(f): Motorcyclist Safety: 1.5%
- Section 405(g): Nonmotorized Safety: 7%
- Section 405(h): Preventing Roadside Deaths: 1%
- Section 405(i): Driver and Officer Safety Education: 1.5%

## **EMBARGOED until delivery on Wednesday, Feb. 12, 2025**

### Regulatory and Administrative Burden

Over the past several years there has been an increase in the administrative burden associated with the funding that states receive from NHTSA. In order to participate in NHTSA's grant programs, states are required to comply with an excessive number of separate program rules and separate sets of qualifications. States face onerous, duplicative record-keeping and reporting requirements. This administrative red tape is taking up a significant amount of the resources that should be used for the implementation of safety programs.

An example of this is the amount of detail that NHTSA is requiring for approval of the AGAs, which was intended to be a brief annual update on planned grant activities to supplement the triennial highway safety plan. Congress intended for the restructuring of the planning and grant application process in IIJA to reduce the administrative requirements, but instead the AGA's have ballooned to several hundred pages long in order to meet all of the NHTSA requirements. The required detail has resulted in several AGAs reaching between 300-500 pages.

We have also seen other requirements in IIJA expand beyond the bill's intention like the public participation and engagement requirements which focus on reaching impacted communities in the traffic safety planning process. While GHSA supports the goal of this program, NHTSA's implementation has been heavy handed and focused on oversight of the process for implementing it not on SHSO's achieving the desired outcomes. In addition to expanding the program to be a significant focus of the highway safety grants, NHTSA has limited the funding source available for implementation of the program to 402 Planning and Administration (P&A) funds. This limitation is not in line with the language in IIJA and makes it difficult for states to meet the requirements without impacting other safety programs.

Across the entire Highway Safety Grant program, NHTSA's oversight activities have increased significantly, creating an increased burden on states to demonstrate compliance. GHSA supports appropriate oversight and recognizes the importance of transparency when using federal funding, but the increased focus on oversight of the planning process for grants instead of the outcomes of the grant activities is creating a significant regulatory burden on states which in turn reduces the resources available for implementing safety programs.

The NHTSA behavioral safety programs are a critical element of tackling the roadway safety challenges that we see and SHSOs across the country are doing their best to implement meaningful programs to improve driver behavior but are bogged down by the amount of administrative red tape and limitations on how they can spend funding. These programs need to be more efficiently administered by NHTSA so that more of the federal funding can work towards improving safety instead of expending resources on meeting federal requirements to receive the funding.

## **EMBARGOED until delivery on Wednesday, Feb. 12, 2025**

### Funding that Supports Innovation

As challenges with roadway safety continue, we need to make sure federal funding is structured in a way that allows for new and innovative ideas like technology deployments, novel data, new safety countermeasures, and more. Congress should further expand the purposes for which 402 funds are allowed to be used to meet emerging behavioral highway safety concerns and provide states with the flexibility to try and evaluate new approaches to traffic safety. An example of this is the utilization of 402 funding to assist state emergency medical service (EMS) partners in providing whole blood at crash sites. This is a countermeasure that has been touted by NHTSA as a game changer for improving the survivability of crashes through post-crash care, yet states have had related projects rejected by NHTSA under 402 funding because of the current eligibility restrictions. Additionally, the safety areas identified within the 402 requirements should be considered eligible options for using the funds, not elements that are required to be included in a state's program.

While it may have once seemed helpful to dedicate funding to various specific priorities areas through the 405 program, this bifurcation of programs ultimately hurts more than it helps. As programs are subdivided further and further, states receive less money and face more complicated application and program rules. For each grant, states must provide separate qualification information and provide detailed accounts of state laws or programs. When grants are awarded, each grant also comes with its own unique restrictions that needlessly complicate the highway safety planning process as states must carefully consider how they can and cannot use the funding. This has resulted in some states opting out of receiving the funds because the administrative requirements to document and demonstrate compliance with all of the various requirements isn't worth the amount of funding available. This ultimately undermines the intent of the program because funds aren't being distributed to tackle the safety challenge they are intended for.

The best way Congress can address this issue would be to move all of the funding from the Section 405 programs and invest it into Section 402. This way, Congress can keep this funding dedicated to highway safety purposes. Section 402 provides states the most flexibility and the ability to closely tailor their programs to the actual needs on the ground, which does not always fit a nationwide model.

However, if Congress decides to continue to invest in Section 405 as a separate grant program, GHSA strongly encourages Congress to significantly reform these existing programs to dramatically increase state eligibility and allowable uses and eliminate administrative burdens. For example, the eligibility for the 405(c) program on state traffic safety information system improvements should be expanded to allow state's to utilize novel data sources like telematics data in order to gain a deeper understanding of when and where unsafe driver behavior is occurring and evaluate the effectiveness of countermeasures.



## **EMBARGOED until delivery on Wednesday, Feb. 12, 2025**

States need the flexibility to implement programs that address their unique safety challenges. Further, they need to be able to try new and innovative approaches to improving safety. By removing funding barriers we will be able to make a greater impact on roadway safety.

### Performance Management

As part of participating in national highway safety programs and receiving federal grants, states maintain performance plans in which they set targets to achieve high-level safety goals. States have three performance measures that are shared between NHTSA and Federal Highway Administration (FHWA)-funded programs – overall fatalities, serious injuries and fatalities per vehicle mile traveled (VMT). NHTSA-funded programs also set goals for a range of other key outcomes that are unique to these programs, like reducing unbelted fatalities, impaired driving fatalities, observed seat belt use, etc. that are linked to all of the various safety programs that states implement. States are required to use a data-driven process to set targets for each performance measure. They will typically examine historical data, trends and the anticipated impact of planned future programs, and then set a goal.

As part of a transition to a triennial highway safety plan, IJJA shifted NHTSA performance reporting to a triennial period. The IJJA also amended 23 U.S.C. 402 (k)(4)(A)(ii) to indicate that performance targets must “demonstrate constant or improved performance.” This prohibition on “regressive” performance targets has further divorced performance management from the data. Aggressively set targets are more likely to exceed what has historically been possible and they are less likely to be met. Although, NHTSA has argued that the consequences of not meeting a target are not “penalties” in terms of a “sanction” or loss of funding, the additional oversight and administrative steps for states that aren’t meeting their targets do constitute a “penalty” because they divert resources from other activities, reflect poorly on the state, and have been cited by advocates as a reason for further oversight.

Additionally, many of the current performance measures consider outcomes that have many contributing factors that are outside of the control of a SHSO. As a result, a SHSO may be implementing effective programs that improve driver behavior but be considered to be underperforming as a result of factors outside of their control.

In January, NHTSA published an update to the performance measures for states that will go into effect in 2026. While this update takes a step in the right direction by allowing states more flexibility to customize performance measures based on the safety challenges in their state, it doesn’t address many of the underlying structural challenges with performance measures.

# **EMBARGOED until delivery on Wednesday, Feb. 12, 2025**

## **Other Roadway Safety Issues**

### NHTSA Leadership

NHTSA has been without a Senate-confirmed administrator for much of the past 8 years. GHSA strongly encourages the appointment of a safety focused leader who can successfully be Senate confirmed. By appointing a proven leader with the expertise and vision to address critical safety issues, the Trump Administration can deliver meaningful change and save countless lives.

### Automated Vehicle Technology

GHSA supports the creation of a national regulatory framework for automated vehicle technology. This framework should maintain the traditional state and federal regulatory roles governing motor vehicles and driving. Federal law should not inappropriately preempt state and local highway safety laws. GHSA also urges Congress to make a priority of preparing and empowering NHTSA to play its part in this framework.

Outside of the Congressional discussion on automated vehicle policy, GHSA's broader focus has been to prepare SHSOs for what to expect and how to anticipate future trends. Automated vehicle technologies have the potential to offer significant safety benefits and GHSA agrees that we should promote their use. However, the best available evidence suggests that most of the United States will feature a mix of vehicles across the spectrum of automation for the foreseeable future.

New modes of automation will likely present novel behavioral safety risks and changes for law enforcement and first responders. Further, human behavior will still play a prominent, long-term role in highway safety and we need to both continue to invest in programs to address all of today's highway safety risks while proactively planning for an increasingly automated future.

### Vehicle Safety Technology

GHSA supports the expedited deployment of advanced driver assistance systems (ADAS) and crash avoidance systems for their life-saving benefit to the human-operated driving environment. The safety community should collaborate on solutions to address the driver behavioral risks posed by ADAS systems where driving responsibility is shared by the vehicle and driver. It's imperative that drivers understand the capabilities and limitations of the technology on their vehicles.

## **Conclusion**

Addressing the complex challenge of roadway safety demands a multifaceted approach that recognizes the critical interplay between infrastructure improvements, technological advancements, and, driver behavior. While upgrading roads and implementing new technologies like ADAS are vital, they cannot fully address the root causes of many

## **EMBARGOED until delivery on Wednesday, Feb. 12, 2025**

crashes, which stem from unsafe driving practices. Therefore, a balanced strategy that prioritizes behavioral programs, alongside engineering and technology solutions, is essential.

SHSOs work hard to implement meaningful and effective programs to save lives but there is room for improving grant programs to better enable states to implement effective safety countermeasures. The highway safety grants program is hampered by excessive administrative burdens and a lack of flexibility. The complex web of regulations and reporting requirements diverts valuable resources away from implementing safety programs. Streamlining these programs, reducing paperwork and empowering states to tailor their initiatives to their specific needs is crucial for maximizing the impact of federal funding. Furthermore, allowing states greater flexibility to explore innovative approaches, such as utilizing novel data sources and supporting emerging needs like improved post-crash care, will foster creativity and accelerate progress in roadway safety. A one-size-fits-all approach simply cannot address the diverse challenges faced by different states and communities.

GHSA looks forward to working with the subcommittee as it works to tackle the safety challenges on our roadways and improve the efficiency and effectiveness of federal grant programs.

Thank you for the opportunity to address the subcommittee today, and I look forward to your questions.