



# NORTH CAROLINA

Department of Transportation



## Bipartisan Infrastructure & Jobs Act: Highway Safety Implications

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N.C. Governor's Highway Safety Program

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# State Highway Safety Office funding is through NHTSA- two funding streams (402 & 405 funds)

- Provides for \$550 Billion in spending for a spectrum of different programs funded by a variety of funding mechanisms.
- New Infrastructure Law provides an additional \$62 million to both 402 & 405 funding

## Expanded use of 402 funds- flexible funding

- Encourages 402 funding for programs to address driver misuse of new technology, pediatric vehicular hyperthermia education, to prevent move over crashes, and to address unsecured vehicle loads- in addition to traditional areas.
- Allows states to use Section 402 funds in cross-border initiatives.
- Directs states to provide for a comprehensive, data driven traffic safety program that results from meaningful public participation and engagement from affected communities, particularly those most significantly impacted by traffic crashes resulting in injuries and fatalities.
- Allows 402 funds to be used for automated enforcement of school or work zones that comply with USDOT guidelines.

Changes to  
405 funds-  
area specific  
funding  
*effective FFY*  
*2024*

Eliminates Maintenance of Effort requirements for 405 funds

Expands 405 funding, esp in impaired driving and nonmotorized users

Expands Impaired Driving grants (405d) to make it easier for states to qualify for ignition interlock funding

Expand Distracted Driving grants (405e) so 50% of funds go to all states (remaining 50% goes to states with qualifying distracted driving laws)

Eliminates graduated licensing (405g) grant- such stringent restrictions few states qualified

Allows nonmotorized users (405 H) grant to be used for public education, law enforcement training and data collection

Creates two new 405 grants- preventing roadside deaths and driver/officer safety education

## Other Budget Changes

- More funding for Racial Profiling Database (1906) funds- NC to receive about \$1 million this year
- Expands funding for Research Grants done in coordination with National Academy of Sciences and Governor's Highway Safety Association (*NC GHSP director chairs committee*)
- LOTS of discretionary funding to be decided by US DOT Secretary- includes Vision Zero grants, Safe Streets for All grants, etc

# Programmatic Changes (*effective FY 2024*)

- NHTSA Highway Safety Plan will be due every 3 years rather than annually (doesn't change Strategic Highway Safety Plan)- annual updates required
- Eliminates Automated Enforcement Annual Survey
- Eliminates mandatory Traffic Records Assessment
- NHTSA to do national education on pediatric vehicular heatstroke (and requires states to do this as well using 402 funds)
- Strongly emphasizes community outreach and involvement, especially in underserved communities



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## Bipartisan Infrastructure & Jobs Act Implications & Recent USDOT Changes towards Highway Safety

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May 6, 2021

# National Roadway Safety Strategy

- Zero is the only acceptable number of deaths and serious injuries on our roadways
- U.S. DOT adopts the Safe System Approach as the guiding paradigm to address roadway safety
- Significant focus on equity and vulnerable roadway users

# Safe System Approach



# Highway Safety Improvement Program

- The HSIP is a core Federal-aid highway program, the purpose of which is to achieve a significant reduction in fatalities and serious injuries **on all public roads**.
- The HSIP is a Federally-funded, State administered program that is legislated under 23 U.S.C. 148 and regulated by 23 CFR Parts 924.
- The IJA increases HSIP Funding (NC roughly 78M)
- Continues:
  - Strategic Highway Safety Plan requirement (5 yr cycle)
  - Annual Safety Performance Targets & Reporting
  - Annual HSIP Report
  - Annual HSIP Implementation Plan
  - High Risk Rural Road Special Rule
  - Older Drivers & Pedestrians Special Rule
- Establishes Vulnerable Road User Safety Special Rule
- Establishes Vulnerable Road User Safety Assessment Report

# Strategic Highway Safety Plan



- SHSP remains a requirement – 5 year period
- The SHSP is a State's comprehensive transportation safety plan, based on safety data, developed after consultation with a broad range of safety stakeholders, and approved by the Governor of the State or a responsible State agency. (23 U.S.C. 148(a)(11)).
- Future SHSP will also contain the Vulnerable User Safety Assessment
- NC will start the SHSP Update process in 2022

# Highway Safety Improvement Program

- **High Risk Rural Roads (HRRR) Special Rule** – North Carolina is required to obligate in FY 2023 an amount equal to at least 200 percent of its FY 2009 high-risk rural roads set aside in the amount of \$4,726,978.
- **Older Drivers and Pedestrians Special Rule** – North Carolina is required to include strategies to address the increase in older driver and pedestrian fatal and serious injury rates in the next SHSP update. Additionally, a secondary analysis should be conducted to determine whether the emphasis on safety programs and countermeasures should be focused on drivers and/or pedestrians.
- **Vulnerable Road User (VRU) Special Rule** – North Carolina is required to obligate in FY 2023 not less than 15 percent of the amount apportioned under 23 U.S.C. 104(b)(3) for highway safety improvement projects to address the safety of vulnerable road users. All highway safety improvement projects, including those implemented under the VRU Special Rule, must be on a public road consistent with the SHSP and correct or improve a hazardous road location or feature, or address a highway safety problem.

# HSIP Flexibility

Allows flexibility with HSIP funds and Transportation Alternatives Projects in some cases

Increases flexibility with Safe Routes to School program

Allows HSIP funds to be used to support automated traffic enforcement and speed safety cameras

Flexibility with specified safety projects  
(Non- Infrastructure)

Workforce Development