FETY MIPROVENENT PROGRAM 23 USA 148 Requirements) Canceled

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- DENNITIONS

 The tr
 - The tain "high risk rotal road" means any roadway functionally classified as a rural major or minor collector or a rural local road—

 (A) on which the accident rate for fatalities and incapable strewide average for those functions of the second street will be a second street with the second street will be Canceled
- The term 'highway safety improvement program' means the plogram carried out under this section.

 The term 'highway safety improvement program' means the plogram carried out under this section. accident rate for fatalities and incapaciting injuries that exceeds the statewide

 - The test in this way safety improvement project" means a project described in the State strategic highway safety plan that the corrects or improves a hazardous road location or feature; and addresses a highway safety problem strategic highway safety improvent
 - The tent "highway safety improvement project" includes a project for one or more of the following:

 Intersection safety improvement

 Pavement and shoulder widening.

 - Incretes a project for one or more of the
 Other section safety improvement
 Pavement and shoulder widening (including addition of a dessing lane to remedy thursafe condition).
 Installation of rumble crips or another warning devices do mobility of biases. stup or other war wag devices do not adversely at cet the safety of mobility of bicyclists, pedestrials, and the disabled.
 - Installation of a skid-resistant surface at an intersection or ther location with a high frequency of a cidents.
 - Construction of a point in protection of a point in the construction of a point including the separation of protection of a construction of a point including the separation of protection of a construction of a point including the separation of protection of a construction of a point including the separation of protection of a construction of a point including the separation of a point in canceled canceled renstruction of any project for the elimination or hazards at a chighway crossing that is eligible for funding to separation of protection of godes at railway. The crossing the construction of godes at railway. The construction of godes at railway.
 - Constitution of a reilway-highway cossing safety leature, including installation of projective devices.
 - The conduct of a model traffic enforcement a tryity at a railway-highway crossing.
 Construction of a traffic calming feature.
 Elimination of a road de obstacle.
 Improvement of highway signage and pavement warkings.
 Installation of enforcity control system for a real control system.
 - Pg: Nof 9 Improvement of Lighway signage and pavement markings.

 Installation of Optiority control system for emergency vehicles at signalized illustractions.

 8/26/05 HSAA memorandum Attachment

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- Instantation of a traffic control or other warning device at a location with high accident potential.
 Safety-constitute planning.
 Improvement in the collection and analyzes of crash data
 Planning, integrated in a operable emergency communications equipment, operational activities, or traffic.
 Colluding police assister.
 - assistance) relating to workzonesafety.

 Installation of suardrails, barriers (including parriers between construction work zones and traffic lanes to the safety of potorists and workers and crash attenuators.

 The station or retreating of structures or other measures to the safety of potorists and workers and crash attenuators.

 The station or retreating of structures or other measures to the safety of potorists and workers and maintenance to the safety of potorists and workers and maintenance to the safety of potorists and workers and maintenance to the safety of potorists and workers are safety of potorists and workers and maintenance to the safety of potorists and workers are safety of potorists are s • Installation of chardrails, braids (including Friers between construction work zones and specific l

 - Ustallation and maintenance signs (including fluorescent rellow-
 - Construction and yellow green signs at pedestrian-bicycle crossings and in school cones.

 Construction and operational improvements on high risk rural rocks.
- canceled
 - The term "State strategic Cobwar ransportation of the State Strate
- Canceled problems and opportunities.

 Program ay safas PURPOSE—The purpose of the highway safety improvement program shall be to acceive a signific of reduction in traffic fatalities and serious in the son public roads.

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- ELIGIBILITY

 To ob. To obligate funds apportioned under the new Section 104(b)(5) (Highway Safet) mprovement Program to carry out this section, a State shall to Highway Sant Improvement Program in which the State—

 (A) develops and implements of the state—

 and analyzes high-To obligate funds apportioned under the new Section 104(b)(5) [Highway Safet.]

 [Improvement Program] to carry out this section, a State shall have in effect a state. Highway Safety Improvement Program in which the State—10.

 [A) develops and implements a state strategic highway safety Man that identities and analyzes highway safety problems and opportunities.

 [B) 26/05 HSA 4 memorandum Attachment [C] Pg. 20 of 8
 - Pg. 2 of 9

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- Cancele(B)
- (C) Maluates the plan on a regular basis to ensure the accuracy of the data and priority of proposed improvements; and

 (D) submits to the Secretary an annual recomposite of the secretary and annual recompo D) submits of the Secretary an annual report (see expandou discussion of the ports on pg. 4-5 of this do.) Canceled

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June energy submon pg.

LIGIBLE PROJECTS

In Cenergy Submon pg.

June 1988 Submon pg.

J IBLE PROJECTS

In Oveneral—A state may obligate funds apportioned to the State under the Highway Safety Improvement Program to carry out -Safety Improvement Program to carry out -

As proved under Flexiste Funding for States With Strategic Highway
Safety Plan, other safety projects canceled bicycle or pedestrian pathway or trail; or

Use of ther funding Cafety

Safe Plan, other safety projects

Ther funding Conservation—Nothing in this section prohibits the use of funds made available under other povisions of this title for highery safety impresement proets.

Use of Other funds—States are encouraged to address the functope of their safety needs and opportunities by using finds made available under other provisions of this title (Except a provision that specifically prohibits the use).

PLEXIBLE HYNDING FOR STATES WILL A STRATEGIC HIGHWAY SAFETY

PLAN

The further the gradual and a State strategic a highway salety plan a State gradual and a state gradual and

- up to 10 percent of the angular of funds apportioned to the State under the Highway Safety Hoprovement Program for a fiscal year to carry out safety projects under any other section as provided in the State strategic highway safety plan if the state certifies that

 (A) the State has met needs in the State relating to safety important the state has matche State? To further the implementation of a State strategic highway energy plan, a State may use

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Canceled Notating in this subsection requires a State to review any State process, plan, or program in effect on the date of enactment of this section.

8/26/05 HSAN memorandum Attachment Peroof 8 c.anceled

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HIGH REK RURAL ROADS

After making an apportionment under the Highway Safety Enprovement Program for a fiscal year Beginning after September 36, 2005, the Sectorary shall ensure, from amount made of stable to carry but this section for such a fiscal year, that strotal of \$90,000 and the str Canceled made available to carry out this section for such a fiscal year, that a total of \$90,000,000 of then apportionment is set aside by the States, proportionally according to the scale of such State of the total amount apportioned for use only for construction and operational ir provements of high risk rural hads.

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A State may use funds apportioned to a State pursuant to this subsection for any project under this section if the State certific to the Secretary that the State Las met all of Cate needs for construction and operational improvements on high rich rural roads. ELIMINATION OF HAZAROS RELATING TO RAILWAY-HIGHWAY EROSSINGS

Before making an appoint

- Inghesis Safety Improvement Program for a social y snall see aside, from mounts made available to carry but the mighway safes improvement program under section 148 for such fiscal year, at least \$220,000,000 for the elimination of hazards and the instruction of protective devices at rail-highway crossings.

 If a State demonstrates to the satisfaction of the Sacrataneeds for instruction of protective devices. > Before making an opportionment doder the Highway Safety Improvement Program for a Onighway safes improvement program under Section 148 for such fiscal year, at least
- > If a State demonstrates to the satisfaction of the Secretary that the State has mot all its Canceled use funds hade available by this section for other purposes ander this subsection.

 RTS

 A State shall about to the Secretary a report that:

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- (B) assesses the effectiveness of those improvements and

 (b) describes the extent to which the improvements and

 (c) describes the extent to which the improvements and

 (d) describes the extent to which the improvements and

 (e) describes the extent to which the improvements and

 (f) describes the extent to which the improvements and

 (g) describes the extent to which the improvements and

 (g) describes the extent to which the improvements and

 (g) describes the extent to which the improvements are a section contribute to the goals of:

 (g) the ducing the extent to the goals of: Canceled
- (iii) reducing the number of roadway related intrines;
 (iii) reducing the occurrence of roadway related crashes:
 (iv) mitigating the consequences of roadway-related crashes; and
 (v) relating the occurrences of crashes at railway-highway crossings.

 8/26/05 HSA 1 memorandus. Attachment canceled

- .—The Secretary shall emblish the content and schedure for
- CONCENTS; SCHEDOLE.—The this report.

 TRANSPAdescri' —states shall also subant to the Secretary an annual errort that uescribes in a clearly understandable faction, not less than 5 percent of locations determined by the State as exhibiting the most severe safety needs, using such criterio as the State determines to be appropriate to establish the relative seconty of those locations, inderens of accidents, injuries, a aths, traffic column levels, and other relevant data: and containing an assessment of a state of the stat canceled

 - (II) estimated clots associated with those renedies; and
 (III) impediatents to implementation other than cost associated with those remedie.

 These reports shall be mad available to the public by the Secretary through the Web site of the Department; and
- Canceled. Siscovery and Admission into evidence to be appropriate

 Siscovery and Admission into evidence to be appropriate

 Siscovery and Admission into evidence of Centrain Reports, Surveys, Surveys, scheduled lists, or data compiled or collected for any purpose direct or bublished by the force. THE PRINCE OF CESTAIN REPORTS,
 SUKVEYS, OND INFORMATION—Not whistanding and ther provision of law,
 reports, surveys, scheduled lists, or data compiled or collected for any purpose directly,
 relating the reporting requirements under the State highway safety improvement program
 or sublished by the Secretary, shall not be subjected discovery or
 in a Federal or State court processing or condamages arising from and purpose directly and state highway safety improvement program, shall not be subject to discovery or similted into evidence in a Federal or State court processing or considered for other purposes in any action for damages arising from any open ence at a location identified or addressed in such reports, surveys, schedules, lists, or other data.

 (Note that an additional report on Section 120. surveys, schedules, lists, a other data.

 (Note that an additional report on Section 130 efforts is also required; see pg. 8)

 FELURAL SHARE OF HIGHWAY SAFETY IMPROVEMENT PROJECTS

Except as provided it sections 120 and 130, the Federal share of the cost of a highway safety improvement earried out will funds apportuned to a State under the Highway arety Improvement Program shall be 90 percent.

RTIONNENT FORMULA

For the highway afety improvement program, in accordance with the following formula: canceled **PPORTIONMENT FORM LA

For the highway

**The following and the following arried arrival arri Refer to Improvement Program shall be 90 percent.

- For the highway afety improvement program, in accordance with the following formula:

 (i) 33 1/3 percent of the apportionments in the ratio that—

 (I) the total line miles of Federal-aid him (II) the total lane miles. (ii) 33 1/3 percent of the apportionments in the ratio that—
 (II) the total lane miles of Federal-aid highways in each State opears to
 (II) the total lane miles of Federal-aid highways in all States.
- Canceled

 - (ii) 33 1/3 percent of the apportionments in the ratio that—8/26/05 HSAN memorandum. Attachment

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- the total venicle miles traveled on lanes of Federal-aid nighways in each State; bears to III) the Gal vehicle rules traveled on lotes on Federal-aid highways will States.

 (II) the Gal vehicle rules traveled on lotes on Federal-aid highways will States.

 (I) the number of the apportion nearest in the state of the appoint in the state of the apportion nearest in the state of the appoint in the appoint in the state of the appoint in the appoint in the a
- Cancele(I)
 - If the number of fatalities on the Federal aid system in each State in the west fiscal year for which data are available, bears to

 (II) the number of fatalities on the Federal aid system in all State in the west fiscal year for which data are available, bears to

 (II) the number of fatalities on the Federal aid system in all State

 the latest fiscal year for which data are available.
- State shall receive a minimum of 1/ Fighway Safety Improvement Program. MINIMUM APPOR SONMENT Stwithstanding the above apportionment formula, each State shall receive a minimum of 1/2 of 1 percent of the funds apportioned under the canceled

aplementation:

Except as provided below (Interim Petrod), the Searcary shall approve obligation of furths apportione bunder the Highway Safety Incrovement Program, only if, and least than October 1, 2006, a State has developed and implemented a State strategic highway safet colon as required pursuant to Section 148(c).

The erim Period.

Before October 1 of the second fiscal year of the least on the latter of the least on the latter of the least of the latter Caplementation Excerning

- Interim Period
 (A) Before Contact Act Act and until the tate on which state develops and implements a State strategic highway safety foran, the Secretary shall apportion funds to a State for the highway safety Improvement program and the state may obligate thinks apportion to the State for the highway safety improvement program under section 148 for projects that were eligible for funding under sections 130 and 152 of the control that we eligible for runding under section 148 for projects that we eligible for runding under sections 130 and 152 of that title is in effect of the case before the date of enactment of this Act.
 - highway stety plan by October 1, 2007, the state shall receive for the highway safety improvement a togram for each subsequent facal year until the date of development of such plan an amount that equals the amount absortioned to the State for that program for fiscal year 2007.

 RURAL ROADS

 Definition: The arm "high risk tural road" classified as a small road " classified as a small road" classified as a small road " classified as a small road" classified as a small road " classified as a small road " classified as a small road " classified as a (B) No Strategic Righway Safety Plan - If a State has not developed a grategic highway safety plan by October 1, 2007, the state shall receive for the highway safety inprovement from the state shall receive for the highway safety in provement.

- O Definition: The serm "high risk tural road" means any roadway, ductionally chassified as fural major or and or collector or a rural local and —

 A) On which the rash rate for stalities and a cexceeds the statewide average. A) On which the rash rate for fatalities and incapacitating in these exceeds the statewide average for those functional classes of tradway; or 8/26/05 HSA 1 memorandum. Attachment

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- (B) That will likely have increased traffic volume that are likely to the date a crash rate for fatalities and incapacitating injuries that
- Canceled o Annual Set Aside Funding: Section 148 requires that a total of \$90,000,000, set aside by the States for use only for construction and operational improvement on high tisk rural roads. Canceled
 - portionment:

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- \$90,000,000 apportion approportion are lactoring to the share of each State of the total argost apportioned under Section 48. Each State hall regive a minimum of ½ of 1% of the set-aside foods.
- Federal Share: Ninety percent (90%) of the cost except as provided by Section (50%) Increased Federal Share for Certain Safety Projects.

 Data Needs: Crash data wor be needed to develop crash rates for fatalities and inconsciptions in increased as a statement of the cost except as provided by Section (50%).
- canceled reteral Share: Ninety percent (90%) of the cost except as place (c) - Increased Federal Share for Certain Safety Projects.

 Data Needs: Crash data was be needed to incapacitating injuries of collectors and Incapacitating injuries on a statewide and corridor basis for rural major of minor collegors and rural local roads. Proteted traffic volumes may be used to justify a rural road as a future high risk road way if the additional traffic will likely create a trash rate that it digher than the statewide average.

 Special Paie: If a State Stiffied to differ see Transcred traffic we want as a future high risk road way if the admit as have that it ligher than the statewide average.

 Special P. J. C.
 - Special P.Me: If a State Stiffies to the Secretary that it is met all of its needs for construction and operational improvements on high risk rural rocks, the State may use these funds for any project under Section 148.

 Obligation of tands

 Interim Period: Before October 1, 3006 and until fee State develops and included a section of the sect

- Obligation of dands

 Interim Perior
 impler implements a StSP, funds will be apportioned and may be obligated for projects that were eligible for funding under the previous Section 130 and 152 programs.

 Once a State has developed a SHSP, it estate may obligate funds as apportioned.

 It so SHSP is developed by October 1, 2007 the amount apportioned.

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• By SHSP is developed by October 1, 2007, the State will rective the amount apportioned to that State for fiscal year 2007. This amount will remain fix of for each substituent fiscal year until the data of development of a SHSP. Canceled canceled

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- (Title I, Statitle D, Section 1401)

 Elementation of Hazards Relating to Railway-Highway Crossings

 Set Aside Funding: Section 100(e) is amended to at for the elemination of the elemination of the elemination of the elemination of the elementation of the elementatio Canceled Annual Set Aside Functing: Section 100(e) is amended to state that at least \$220M/s. "secuside" from annuals made available to carry out the Highway Safety Improved railway-highway crossings. (a) least 500/ The same of the community of the Highway Safety Improvement regram for the emination of Sazards and the fastallation of Sazard
- inder this subsection (Section 30(e)). [Those ther purposes generally being dimination of hazards at railway-highery crossings.]

 Eligible Projects:

 Installation of grade crossing protective devices at or near grade crossings for the specific benefit of the read user at the crossing)

 Separation grades at crossings

- Refection of high ways to eliminate grade crossing structures

 Refection of high ways to eliminate grade crossings

 Refection of a fortion of a railway, only if less costly than the above methods bettiended by the second of the funds set aside shall be apportioned to the funds set aside shall be apportioned to the public problem.

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- Appertionment:

 O Fifty person of the funds set aside shall be apportioned persuant to section
 - public railway-la hway crossing in each State the total number of public railway-highway crossings is all States.
 - The minimum apportion can for each State is ½ of 1% of the set aside foods.
- available for years after no end of the fish year in which the funds are wocated.

 Funds are Share: Ninety persont (2001) Federal Share: Ninety percent (90%) of the cost, except as provided in Section 120%, effective October 1, 2005.

 A ports to Consess: No later than April 1, 2000, and every shall submit a report to Consess:

 - Reports to Congress: No later than April 1, 2006, and every two years thereafter, the Secretary shall submit a report to Congress pursuant to section 130(g).

 Data compilation and are tyses: A new section, 130(k) that been added that states that no more than 2% of the funds apportioned to a State to carry out Section 130 may be used for compilation and tralysis of data as support of activities.

The FHWA has defined the following grade crossing improvements is "protective decises": installation of landard organs and pavement markings; installation or replacement of active warning devices; upgrading active arning devices, including track circuit improvements and interconnections with highway tracks lungulation; crossing unface improvements; general site incrovements.

26/05 HSAN mark canceled Pg. 3 of 8 The FHWA sas defined the following grade crossing improvements is "protective decrees": installation or standard rights and pavement markings; installation or replacement of active warning devices; upgrading active warning devices, including track circuit improvements and into connections with highway traffic signals; crossing illustration; crossing turface improvements; general site increasements.

8/26/05 HSA 1 memorandum: Attachment

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