



October 2019

# TRAFFIC SAFETY

## Improved Reporting Could Clarify States' Achievement of Fatality and Injury Targets

## Why GAO Did This Study

Over 37,000 people were killed in traffic crashes on the nation's highways in 2017. Within the U.S. Department of Transportation (DOT), two agencies—NHTSA for behavioral factors and FHWA for highway infrastructure—provide about \$3 billion annually to states for programs to improve traffic safety. To ensure that states are held accountable for these funds, NHTSA and FHWA developed performance management frameworks that require states to use performance measures and targets in tracking traffic fatalities and serious injuries.

GAO was asked to review NHTSA's and FHWA's traffic safety performance management frameworks. This report examines the extent to which: (1) states have met fatality and serious injury targets, and NHTSA's and FHWA's approaches to assessing states' achievements, and (2) states have used performance measures and targets to make traffic safety funding decisions. GAO analyzed state-reported targets and NHTSA data from 2014 through 2017—the most recent data available—for all 50 states, the District of Columbia, and Puerto Rico; surveyed these states on the use of performance measures and targets; reviewed requirements in NHTSA's and FHWA's frameworks; and interviewed officials from NHTSA, FHWA, and 10 states, selected to obtain a mix of population sizes, geographic locations, and other factors.

## What GAO Recommends

GAO recommends that NHTSA (1) provide additional direction and clarification to ensure states assess and report progress in meeting fatality targets, and (2) report on states' final achievement of targets. DOT concurred with the recommendations.

View [GAO-20-53](#). For more information, contact Susan Fleming at (202) 512-2834 or [FlemingS@gao.gov](mailto:FlemingS@gao.gov).

## TRAFFIC SAFETY

# Improved Reporting Could Clarify States' Achievement of Fatality and Injury Targets

## What GAO Found

From 2014 through 2017, states did not achieve most of the fatality-related targets they set under the National Highway Traffic Safety Administration's (NHTSA) performance management framework (see table), and the number of serious injury targets states achieved during this period is unclear. GAO did not assess whether states achieved targets they set under the Federal Highway Administration's (FHWA) framework because the data were not yet available. State officials we interviewed said that achieving fatality targets may depend on factors outside their control, such as demographic, economic, and legislative changes. GAO's analysis of states' reports showed that nearly half of states did not provide the required assessment of progress to NHTSA on their most recent set of fatality targets. While NHTSA has taken steps to improve its review of these reports, officials acknowledged states are not clear on which target years to assess. Further, NHTSA lacks a mechanism to report whether states eventually achieve these targets. As a result, NHTSA and other stakeholders have limited insight into the results states have achieved from their use of federal safety funds. The extent to which states achieved serious injury targets is unclear because states have changed their definitions of serious injury over time. To ensure the consistency of these data, NHTSA and FHWA established a standard definition for reporting serious injuries, which states are in the process of adopting.

**Selected Traffic Fatality Performance Measure Targets Achieved by States, 2014–2017**

Traffic fatality performance measure	Number of states achieving target			
	2014	2015	2016	2017
Motorcycle fatalities	25	20	16	17
Pedestrian fatalities	14	3	8	10
Speed-related fatalities	25	25	17	19

Source: GAO analysis of National Highway Traffic Safety Administration data. | GAO-20-53

Note: States include the 50 states, the District of Columbia, and Puerto Rico.

In a survey that GAO administered, officials from a majority of states said that performance measures informed how they selected projects under NHTSA's framework. GAO found, however, that in the 2019 plans submitted by states to NHTSA, less than a third of states reported how performance targets and funded projects were linked. Since the submission of those plans, NHTSA has provided training and guidance to its staff to ensure future plans will more clearly identify these links. Under FHWA's framework, about one-third of states reported in GAO's survey that performance measures influenced their project selection; the remaining two-thirds reported using an alternative data-driven approach, such as cost-benefit analysis. FHWA officials said they are developing guidance to help states integrate performance measures and targets into methods that states are currently using to select highway safety projects.

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## Abbreviations

DOT	Department of Transportation
FARS	Fatality Analysis Reporting System
FHWA	Federal Highway Administration
HSIP	Highway Safety Improvement Program
HSP	Highway Safety Plan
NHTSA	National Highway Traffic Safety Administration

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October 22, 2019

The Honorable Roger Wicker  
Chairman  
The Honorable Maria Cantwell  
Ranking Member  
Committee on Commerce, Science, and Transportation  
United States Senate

The Honorable Thomas Carper  
Ranking Member  
Committee on Environment and Public Works  
United States Senate

The Honorable Peter DeFazio  
Chairman  
The Honorable Sam Graves  
Ranking Member  
Committee on Transportation and Infrastructure  
House of Representatives

Over 37,000 people were killed and an estimated 2.7 million were injured in traffic crashes in the United States in 2017, due to persistent safety issues such as speeding, distracted driving, and driving under the influence of alcohol. The U.S. Department of Transportation (DOT)—through the National Highway Traffic Safety Administration (NHTSA) and the Federal Highway Administration (FHWA)—annually provides about \$3 billion in federal funds to states to improve highway safety.<sup>1</sup> NHTSA provides grants to state highway safety offices to address behavioral factors that affect safety (such as impaired or distracted driving), while FHWA provides federal-aid highway funds to state departments of transportation for roadway safety improvements (such as rumble strips).

Since the late 2000s, we have highlighted the need for Congress to consider restructuring the nation’s transportation programs to move to a performance-based approach in order to improve accountability and help states more efficiently allocate federal surface transportation funding,

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<sup>1</sup>In this report, we use the term “states” to refer to the 50 states, the District of Columbia, and Puerto Rico.

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including funding used to enhance traffic safety.<sup>2</sup> In response to the Moving Ahead for Progress in the 21st Century Act, which established the requirements for a performance-based approach to traffic safety in 2012,<sup>3</sup> NHTSA and FHWA have each established performance management frameworks for traffic safety.<sup>4</sup> Under these frameworks, states use performance measures to track traffic fatality, serious injury,<sup>5</sup> and other metrics, and establish targets annually for those performance measures to evaluate progress. In rulemakings, NHTSA and FHWA indicated an intent for these performance management frameworks to help states select projects to reach their long-term safety goals, such as to reduce fatalities to zero, by directly linking investments to performance outcomes. The consistently high number of traffic fatalities—over 30,000 each year since 2007—has raised the question of whether NHTSA’s and FHWA’s recent application of performance management principles in federal highway safety programs is helping states achieve their safety goals and make the best use of federal funds.

We were asked to review NHTSA’s and FHWA’s traffic safety performance management frameworks.<sup>6</sup> This report examines: (1) the

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<sup>2</sup>See in particular, GAO, *Surface Transportation: Restructured Federal Approach Needed for More Focused, Performance-Based, and Sustainable Programs*, [GAO-08-400](#) (Washington, D.C.: Mar. 6, 2008).

<sup>3</sup>Pub. L. No. 112-141, § 1203, 126 Stat. 405, 524 (2012). In addition, the Fixing America’s Surface Transportation Act (FAST Act), enacted in 2015, contained some performance management related provisions. For example, the FAST Act shortened the time for states to make progress toward meeting performance targets under the National Highway Performance Program. Pub. L. No. 114-94, § 1406, 129 Stat. 1312, 1410 (2015).

<sup>4</sup>23 C.F.R. Parts 490, 1200, and 1300. Part 1200 was recodified to Part 1300 for fiscal year 2018 funds and thereafter. According to FHWA and NHTSA, these frameworks reflect an on-going approach to transportation performance management that uses system information to make investment and policy decisions to achieve national performance goals.

<sup>5</sup>In this report, we use the term “serious injuries” to refer to suspected serious injuries. Suspected serious injuries are any injury other than fatal that results in one or more of the following: (1) severe laceration resulting in exposure of underlying tissues, muscle, organs or resulting in significant loss of blood; (2) broken or distorted arm or leg; (3) an injury resulting from a crushing force; (4) suspected skull, chest, or abdominal injury other than bruises or minor lacerations; (5) significant burns, such as second- and third-degree burns over 10 percent or more of the body; (6) a state of unconsciousness when taken from a crash scene; or (7) paralysis. This is consistent with FHWA’s and NHTSA’s definition of suspected serious injuries in 23 C.F.R. §§ 490.205 and 1300.3.

<sup>6</sup>The Department of Transportation Reports Harmonization Act also included a provision for us to review states’ progress achieving traffic safety performance targets, among other things. See Pub. L. No. 115-420, § 5, 132 Stat. 5444, 5445 (2019).

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extent to which states have met fatality and serious injury targets, and NHTSA's and FHWA's approaches to assessing states' achievement of these targets; and (2) the extent to which states have used performance measures and targets to make funding decisions related to traffic safety.

To address both of these objectives, we reviewed laws, regulations, and policy documents related to NHTSA and FHWA's performance frameworks, as well as our body of work on performance management in the federal government and transportation programs. We also interviewed highway safety and state department of transportation officials in 10 states about their approaches to setting targets and selecting projects to fund.<sup>7</sup> We selected states with a diversity of population sizes and geographic locations, among other factors.<sup>8</sup> We applied these criteria to select a non-generalizable sample of states that included states with varying characteristics within and across each criterion. These criteria allowed us to obtain information from officials representing a diverse mix of states, but this information cannot be generalized to all states because the states selected were part of a nonprobability sample. To gather additional information, we also interviewed NHTSA and FHWA officials and representatives of transportation associations.<sup>9</sup>

To evaluate the extent to which states have met the fatality and serious injury targets they set for NHTSA's traffic safety grant programs, we analyzed fatality targets established for NHTSA's Highway Safety Grants Program in states' highway safety planning documents from 2014 through 2017. We selected this time period because 2014 was the first year states were required to submit targets to NHTSA under their framework, and 2017 was the most recent year that fatality data were available during our review. We compared state targets to data on fatalities from NHTSA's Fatality Analysis Reporting System (FARS) and assessed the extent to

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<sup>7</sup>These states were Alabama, Florida, Maryland, Michigan, Nebraska, Nevada, New York, Oklahoma, Utah, and Washington.

<sup>8</sup>As part of selecting the sample of states, we also included states with varying population densities, miles of public road, numbers of achieved traffic safety targets, and levels of performance management experience. We based the level of performance management experience on recommendations from DOT and national transportation organizations.

<sup>9</sup>Specifically, we interviewed representatives from the American Association of State Highway and Transportation Officials, the Association of Transportation Safety Information Professionals, and the Governors Highway Safety Association.



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which states had achieved their targets over this time.<sup>10</sup> To assess the reliability of the data, we interviewed NHTSA officials about their methods for collecting and validating FARS data and reviewed related documentation. We determined that the data were sufficiently reliable for the purposes of our reporting objectives. To evaluate the extent to which states have met fatality and serious injury targets under FHWA's performance framework, we analyzed the initial set of fatality targets states established for 2018. We did not assess states' progress in achieving their initial set of FHWA targets because the data for 2018 were not yet available during our review. We also reviewed NHTSA's and FHWA's documents and guidance for establishing serious injury targets, and interviewed officials from these agencies about serious injury data. To evaluate NHTSA's and FHWA's approaches for assessing states' achievement of targets, we reviewed regulations and documents to analyze the approaches NHTSA and FHWA have developed to evaluate states' progress. We then compared NHTSA's and FHWA's approaches to federal internal control standards for information and communication.<sup>11</sup>

To assess the extent to which states have used performance measures and targets to make funding decisions related to traffic safety, we reviewed states' annual highway safety planning and reporting documents. Specifically, for all states, we reviewed the 2018 Annual Reports and 2019 Highway Safety Plans submitted to NHTSA, and the 2018 Highway Safety Improvement Program (HSIP) Annual Reports submitted to FHWA. These were the most recent reports available at the time of our review. We compared the content of reports to requirements in NHTSA's and FHWA's regulations.<sup>12</sup> In addition, from April through May 2019, we surveyed 52 state highway safety offices about NHTSA's performance framework and surveyed 52 state departments of

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<sup>10</sup>NHTSA's FARS system contains data on all fatal traffic crashes within the 50 states, the District of Columbia, and Puerto Rico.

<sup>11</sup>GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: September 2014).

<sup>12</sup>23 C.F.R §§ 924.15, 1300.11 and 1300.35. To help ensure the accuracy of the information we collected, two analysts reviewed each report and coded for the presence of required information using a data collection instrument.

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transportation about FHWA's performance framework.<sup>13</sup> We received responses from 50 state highway safety offices (96 percent response rate) and from all 52 state departments of transportation (100 percent response rate).<sup>14</sup> We also reviewed results from an FHWA survey of state departments of transportation from all states on transportation performance management.<sup>15</sup>

We conducted this performance audit from October 2018 through October 2019 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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## Background

Reducing transportation-related fatalities and serious injuries has consistently been DOT's top priority. Traffic fatalities and serious injuries may result from unsafe driver behaviors, such as speeding and alcohol- or drug-impaired driving, or from the design or condition of the road and its accompanying infrastructure. Within DOT, both NHTSA and FHWA are charged with reducing fatalities and serious injuries on the nation's highways and, respectively, provide grant funding to states to mitigate the behavioral and infrastructure-related causes of vehicular crashes.<sup>16</sup>

- NHTSA provided over \$600 million in fiscal year 2018 to state highway safety offices through the Highway Safety Grants Program

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<sup>13</sup>We conducted four pretests of the survey to ensure that the questions were clear and did not place an undue burden on officials, that the terminology was used correctly, and that the questionnaire was comprehensive and unbiased. We incorporated the feedback we received from these pre-tests into each survey instrument as appropriate. We then emailed the survey in a Microsoft Word document to recipients, which they completed and returned via email to us.

<sup>14</sup>The complete survey instruments and corresponding results can be found in appendixes I and II.

<sup>15</sup>FHWA conducted the survey of all 50 states, the District of Columbia and Puerto Rico, from December 2018 through February 2019 and received responses from 47 state departments of transportation, a 90 percent response rate.

<sup>16</sup>DOT also funds safety programs through the Federal Motor Carrier Safety Administration, whose primary mission is to prevent commercial motor vehicle-related fatalities and injuries.

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for activities designed to improve traffic safety by modifying driver behavior. For example, states may use NHTSA grant funding for efforts to increase seatbelt use, or to reduce impaired driving.

- FHWA provided about \$2.6 billion in fiscal year 2018 to state departments of transportation through the Highway Safety Improvement Program (HSIP) for projects to improve safety on all public roads. HSIP funds can be used for infrastructure projects, such as rumble strips, and other projects such as road safety audits, safety planning, and improving safety data. States are allowed to transfer up to 50 percent of their HSIP safety apportionment made available each fiscal year to the other core FHWA highway programs.<sup>17</sup> For example, from 2013 through 2018, 24 states transferred HSIP safety funding totaling over \$1 billion to other core programs and three states transferred approximately \$600 million into their HSIP safety program from other core programs.

Over the last decade, the federal government has taken steps to move toward a performance-based framework for traffic safety funding. Historically, most federal surface transportation funds were distributed through formulas that often had no relationship to outcomes or grantees' performance. In 2008, we recommended that Congress consider integrating performance-based principles into surface transportation programs such as NHTSA's Highway Safety Grants Program and FHWA's HSIP to improve performance and accountability in states' use of federal funds.<sup>18</sup> In particular, we noted that tracking specific outcomes that are clearly linked to program goals can provide a strong foundation for holding grant recipients responsible for achieving federal objectives and measuring overall program performance. The Moving Ahead for Progress in the 21st Century Act, enacted in 2012, formally required the Secretary of the Department of Transportation to, among other things, establish performance measures for states to use to assess fatalities and serious injuries to ensure further accountability for federal traffic safety

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<sup>17</sup> HSIP is one of five core formula programs under the larger Federal-Aid Highway Program. The Federal-Aid Highway Program supports state highway systems by providing financial assistance for the construction, maintenance and operations of the nation's 3.9-million-mile highway network. FHWA is charged with implementing the program in cooperation with the states and local governments. In addition to HSIP, there are four other core Federal-Aid Highway programs: the National Highway Performance Program, the Surface Transportation Block Grant Program, the Congestion Mitigation and Air Quality Improvement Program, and the National Highway Freight Program.

<sup>18</sup> [GAO-08-400](#).

funding provided to states.<sup>19</sup> See table 1 for a complete list of mandatory performance measures.<sup>20</sup>

**Table 1: National Highway Traffic Safety Administration’s (NHTSA) and Federal Highway Administration’s (FHWA) Required Performance Measures for Fatalities and Serious Injuries**

NHTSA	FHWA
<ul style="list-style-type: none"> <li>All traffic fatalities<sup>a</sup></li> <li>All traffic fatalities per 100 million vehicle miles traveled<sup>a</sup></li> <li>Alcohol-impaired fatalities</li> <li>Cyclist fatalities</li> <li>Motorcycle fatalities, all</li> <li>Motorcycle fatalities, unhelmeted</li> <li>Pedestrian fatalities</li> <li>Speed-related fatalities</li> <li>Unrestrained passenger fatalities</li> <li>Young driver (under 21 years old) fatalities</li> <li>All serious injuries<sup>a</sup></li> </ul>	<ul style="list-style-type: none"> <li>All traffic fatalities<sup>a</sup></li> <li>All traffic fatalities per 100 million vehicle miles traveled<sup>a</sup></li> <li>Non-motorized fatalities and serious injuries</li> <li>All serious injuries<sup>a</sup></li> <li>All serious injuries per 100 million vehicle miles traveled</li> </ul>

Source: GAO analysis of NHTSA and FHWA and information. | GAO-20-53

<sup>a</sup>Both the NHTSA and FHWA frameworks require these performance measures.

States are also required to establish targets annually for each of the performance measures and measure progress toward these targets. NHTSA first required states to develop targets for their performance measures as part of their planning for fiscal year 2014, and FHWA first required states to establish targets for their performance measures set in 2017 for calendar year 2018. Starting with these targets, state highway safety offices and departments of transportation were required by both NHTSA and FHWA to set identical targets for the three common performance measures in both frameworks.<sup>21</sup> Both NHTSA’s and FHWA’s frameworks provide flexibility to states in how they may establish targets and emphasize using data to develop realistic and achievable targets rather than aspirational ones that reflect a long-term vision for future

<sup>19</sup>Pub. L. No. 112-141, § 1203, 126 Stat. 405, 524 (2012).

<sup>20</sup>States also have the option to track other performance measures, such as the number of fatalities involving a distracted driver or percentages of children in crashes who were unrestrained.

<sup>21</sup>23 C.F.R. §§ 1300.11(c)(2)(iii), 490.209(a)(1).

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performance. Because the frameworks do not require a specific reduction in fatalities or serious injuries, states may set targets that are higher or lower than their historical averages depending on state-specific factors, such as population increases or economic conditions. As a result, targets may reflect either an anticipated increase or decrease in fatalities or serious injuries.

NHTSA and FHWA require states to submit annual plans and reports to establish targets and describe their use of federal funds to improve safety and the results they have achieved relative to their targets. (See table 2.) NHTSA requires that states submit an annual Highway Safety Plan to, among other things, set targets, identify projects they will implement in the upcoming fiscal year, and describe how they will use funds from the Highway Safety Grants Program.<sup>22</sup> States are also required to submit an Annual Report to NHTSA that includes an assessment of the state's progress in achieving safety performance targets in the previous fiscal year.<sup>23</sup> States are required to submit an HSIP report to FHWA that describes, among other things, how they have used federal HSIP funding for highway safety improvement projects during the prior reporting period as well as performance targets for the upcoming calendar year.<sup>24</sup> In addition to the annual requirements, FHWA requires a Strategic Highway Safety Plan from states every 5 years that identifies a state's key safety needs and long-term goals, and guides investment decisions to reduce fatalities and serious injuries.<sup>25</sup>

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<sup>22</sup>23 C.F.R. §§ 1300.11-12.

<sup>23</sup>23 C.F.R. § 1300.35.

<sup>24</sup>23 C.F.R. § 924.15.

<sup>25</sup>23 C.F.R. § 924.9. According to FHWA, a state's Strategic Highway Safety Plan provides direction for the HSIP, and states must ensure that funded HSIP projects are consistent with this plan.

**Table 2: National Highway Traffic Safety Administration’s (NHTSA) and Federal Highway Administration’s (FHWA) Targets and Annual Reporting Requirements**

	<b>NHTSA</b>	<b>FHWA</b>
<b>Deadline for states to submit targets</b>	July 1 each year	August 31 each year
<b>Document where targets established</b>	Highway Safety Plan	Highway Safety Improvement Program Annual Report
<b>Unit of measurement for targets</b>	For performance measures shared with FHWA, targets reflect a state’s desired 5-year-average for a performance measure ending with the current year. <sup>a</sup> (e.g., targets established for 2020 will reflect the desired average from 2016 through 2020.)  For all other performance measures, states may select the years included in their targets, and may express the target as a single year or multi-year average.	All targets reflect a state’s desired 5-year-average for a performance measure ending with the current year. (e.g., targets established for 2020 will reflect the desired average from 2016 through 2020.)
<b>Reporting mechanism</b>	Highway Safety Plan Annual Report	Highway Safety Improvement Program Annual Report

Source: GAO analysis of NHTSA and FHWA information. | GAO-20-53

<sup>a</sup>Both the NHTSA and FHWA frameworks require performance measures for all traffic fatalities, all traffic fatalities per 100 million vehicle miles traveled, and all serious injuries.

NHTSA and FHWA rely on states and localities to collect and report fatality and serious injury data used in the performance framework. In addition to providing information through annual plans and reports, states report traffic fatalities to NHTSA’s FARS database, which tracks all fatal traffic crashes nationwide. When a fatal crash occurs, a state or local police officer completes a crash report form unique to each state. These forms can include a variety of data fields, such as the time of the crash, weather conditions, and the number of killed or injured persons. FARS analysts—state employees who are trained by NHTSA’s data validation and training contractors—use the data in crash report forms to compile a record of the fatal crash. However, NHTSA’s collection and validation of these data may take up to 24 months following the end of a calendar year before it is finalized. FARS also contains serious injury data associated with fatal crashes, though neither NHTSA nor FHWA maintain a database of all serious injuries. Rather, the agencies rely on states and localities to collect and store records of serious injuries resulting from traffic crashes and report this information to them each year. Based on data the states and localities provide, NHTSA estimates the number of total injuries resulting from crashes to track overall national trends.

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## States' Overall Achievement of Fatality and Serious Injury Targets Is Unclear due to Incomplete Reporting and Data Limitations

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### States Did Not Achieve Most of Their NHTSA Fatality Targets from 2014 through 2017, and NHTSA and States Do Not Fully Report Progress and Communicate Results

From 2014 through 2017, states did not achieve about two-thirds of the targets they set for the required fatality performance measures, according to our analysis of state-reported NHTSA data. In addition, for a majority of the fatality performance measures required by NHTSA, these data show that the number of targets states achieved generally decreased from 2014 through 2017. (See table 3.) Over this same time, fatalities increased nationwide by 13 percent from about 33,000 in 2014 to over 37,000 in 2017. NHTSA officials said that fewer states achieved their targets over this time because fatalities increased nationwide over the same period due to increases in vehicle miles traveled and corresponding exposure to driving-related risks.<sup>26</sup>

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<sup>26</sup>We did not assess states' progress in achieving their initial set of FHWA targets because the data for 2018 were not yet available during our review.

**Table 3: States' Achievement of National Highway Traffic Safety Administration (NHTSA) Fatality Performance Measure Targets, Fiscal Years 2014–2017**

Traffic fatality performance measure	Number of states achieving target			
	2014	2015	2016	2017
All traffic fatalities	26	16	10	9
All traffic fatalities per 100 million vehicle miles traveled	23	18	15	16
Alcohol-impaired fatalities <sup>a</sup>	17	20	13	17
Cyclist fatalities <sup>b</sup>	N/A	19	18	12
Motorcycle fatalities, all	25	20	16	17
Motorcycle fatalities, unhelmeted	26	26	21	23
Pedestrian fatalities	14	3	8	10
Speed-related fatalities	25	25	17	19
Unrestrained passenger fatalities	31	28	17	15
Young driver (under 21 years old) fatalities	30	22	13	15

Source: GAO analysis of NHTSA data. | GAO-20-53

Notes: States include the 50 states, the District of Columbia, and Puerto Rico. Data as of March 2019.

Fiscal years refer to the fiscal year Highway Safety Plan in which the state established the target, and not necessarily the fiscal year measured by the target.

<sup>a</sup>NHTSA estimates the number of alcohol-related fatalities through the use of statistical imputation because blood-alcohol test results are not always known for drivers and passengers involved in a crash. NHTSA does not provide the statistical error associated with these estimates.

<sup>b</sup>NHTSA required states to set a target for the cyclist fatality performance measure beginning in fiscal year 2015.

Officials from the 10 states we selected said that achieving targets often depends on factors outside of their control, such as demographic and economic factors, as well as changes to state laws.

- **Demographic factors.** Officials from eight of the 10 selected states said that demographic factors such as increases or decreases in population affect traffic safety. For example, officials from one state said that when companies expanded in the state, the population increased rapidly and the economy improved and led to more driving. Officials from another state noted that the increasing population in the state's urban areas has increased the number of pedestrian fatalities.
- **Economic factors.** Officials from seven of the 10 selected states noted that economic factors such as low unemployment can affect traffic safety. For example, officials in one state said that fatalities decreased during the 2009 recession, but when the economy began to improve and more people were employed, fatalities increased.



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These officials noted that the number of people driving is also affected by gas prices because when prices increase, people drive less.

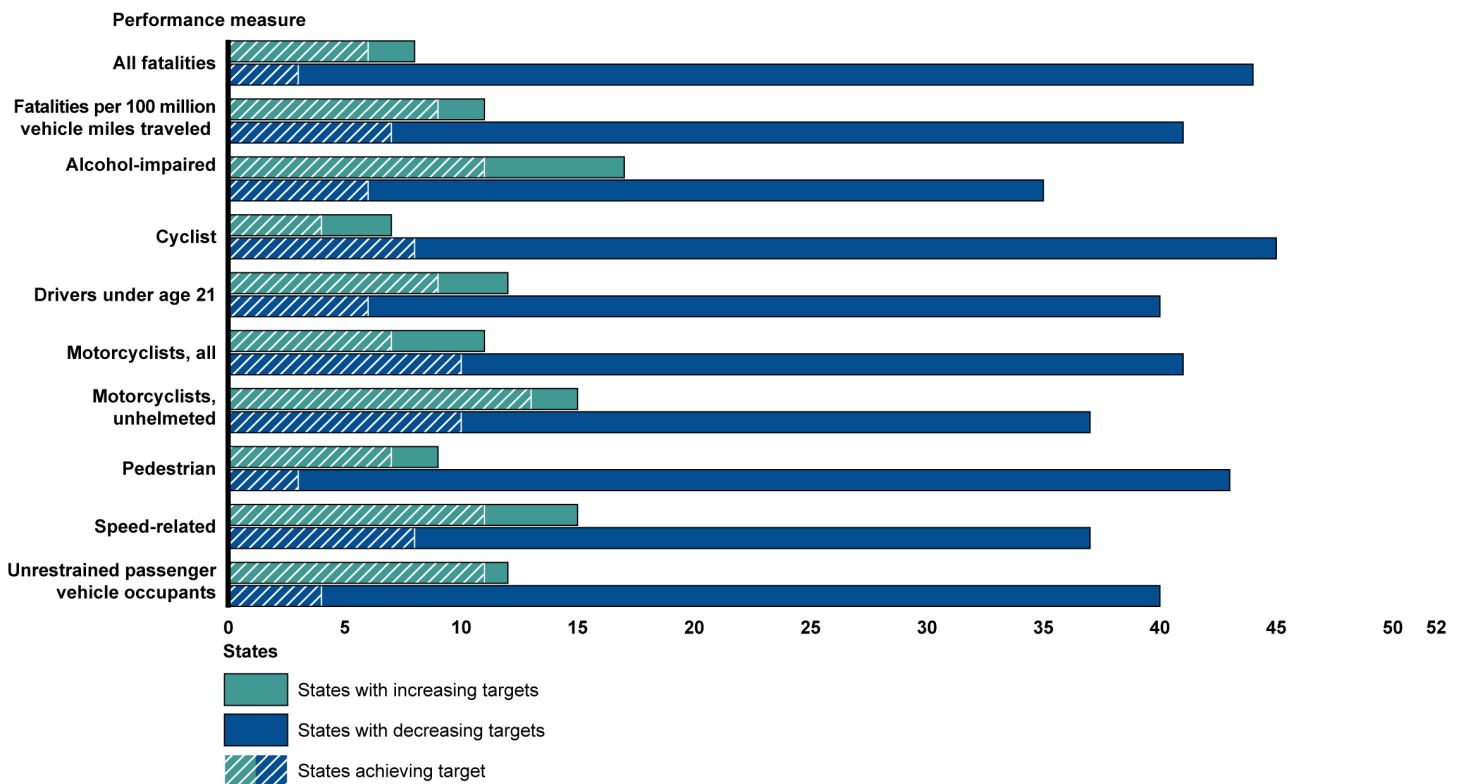
- **Changes to state laws.** Officials from eight of the 10 selected states said that changes in state laws can affect whether a state meets its targets. For example, officials from one state said fatalities increased beginning in 2012 when the state legislature passed a law allowing the operation of a motorcycle without a helmet, and continued to increase through 2017 when the state legislature increased the speed limit on some roads from 70 to 75 miles per hour. These officials also noted that they expect fatalities in their state to further increase as a result of the recent legalization of the recreational use of marijuana.

However, the extent to which states achieve targets does not necessarily reflect whether the number of fatalities has increased or decreased over time.

- First, states that achieved fatality targets did not necessarily experience reduced traffic fatalities. For example, for the 2017 targets, state-reported NHTSA data shows that 10 of 52 states achieved their target for the pedestrian fatalities performance measure, but five of these 10 states also experienced an increase in pedestrian fatalities compared to their 2012 through 2016 historical average. These data also show that the remaining 42 states did not achieve their total fatality target.
- Second, some states have experienced a decrease in traffic fatalities while not achieving their targets. For example, state-reported NHTSA data shows that 31 states did not achieve their targets for the speeding-related fatalities performance measure. However, these same data show that 11 of these 31 states decreased the total of number of these fatalities over their 2017 target period compared to their 2012 to 2016 average.
- Further, states that established targets that represented an increase in fatalities from historical averages (increasing targets) were more likely to achieve them than states that established targets that represented a decrease or no change in fatalities compared to their historical averages (decreasing targets), according to state-reported NHTSA data. Specifically, in 2017, for all of the required fatality performance measures, these data show that states that set increasing fatality targets relative to their historical 2012 to 2016 average achieved them at a higher rate than states that set targets that represented a decrease or no change to the number of fatalities (See fig.1.) For example, for the total fatality performance measure,

eight states set increasing targets relative to their historical 2012 to 2016 average, while 44 states set decreasing or unchanged targets relative to their averages.<sup>27</sup> However, these data show that six of the eight states with increasing targets for the total fatalities performance measure achieved them, while only three of the 44 states with decreasing or unchanged targets achieved theirs.

**Figure 1: States' Achievement of National Highway Traffic Safety Administration (NHTSA) Fatality Targets by Performance Measure and Target Type, Fiscal Year 2017**



Source: GAO analysis of National Highway and Traffic Safety Administration data. | GAO-20-53

Notes: States include 50 states, District of Columbia, and Puerto Rico. We determined each performance measure target developed by states to be increasing or decreasing based on a comparison to the 2012 to 2016 average of fatalities for that performance measure in that state. Decreasing targets include those that neither increased nor decreased compared to the 2012 to 2016

<sup>27</sup>By comparison, under FHWA's framework, in 2017, 27 states established targets for 2018 that decreased the average total fatalities relative to this historical average, while 25 states set increasing targets. NHTSA and FHWA required states to have the same total fatality target under both frameworks beginning in 2017 with the establishment of 2018 targets.

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average. Figure includes data available through March 2019, which includes data through fiscal year 2017.

Fiscal year refers to the fiscal year Highway Safety Plan in which the state established the target, and not necessarily the year measured by the target.

In response to statute, NHTSA requires states to assess and report progress in achieving targets in the following year's Highway Safety Plan and the NHTSA Annual Reports each year.<sup>28</sup> Such an approach is consistent with federal standards for internal control, which state that agencies should communicate quality information, including about activities and achievements.<sup>29</sup> According to NHTSA officials, state evaluations of their progress in these plans and reports are designed to be an interim assessment of a state's progress. For example, because fatality data can take up to 2 years to be recorded by states in FARS and validated by NHTSA, final FARS data are not available when states are required to report on the achievement of the prior fiscal year's targets in their Highway Safety Plans. Therefore, NHTSA encourages states to use state data to conduct this assessment or provide a qualitative analysis of the progress made in achieving these targets when FARS data are not available. Upon review of these reports, NHTSA publishes them on its website.

While NHTSA has established requirements for states to provide assessments of their progress on achieving the prior year targets in their Highway Safety Plans and Annual Reports, we found that many states have not done so. For example, in the 2019 Highway Safety Plans submitted to NHTSA in July 2018, a third of states (19 of 52) did not provide an assessment of the progress they had made in achieving the fatality targets established in their 2018 Highway Safety Plans. Similarly, in the 2018 Annual Reports, submitted to NHTSA in December 2018, half of states (26 of 52) did not provide an assessment of whether they had made progress toward achieving the fatality targets established in their 2018 Highway Safety Plans. Instead, many of these states assessed progress for an earlier year or performance period. NHTSA officials acknowledged that some states are not clear on which target years to assess in their Highway Safety Plans and Annual Reports.

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<sup>28</sup>23 C.F.R. §§ 1300.11, 1300.35.

<sup>29</sup>[GAO-14-704G](#).

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NHTSA officials stated that they work closely with states to review the contents of the Highway Safety Plans and Annual Reports. To do so, NHTSA has developed guides to help its staff review Highway Plans and the Annual Reports to ensure states meet requirements to provide assessments of their progress. NHTSA officials stated they expect most states to comply with the requirements to assess progress in future Annual Reports and Highway Safety Plans because states will be more familiar with the reporting requirements. However, NHTSA has had similar requirements for states to provide in-progress assessments in these documents for a number of years. For example, the requirement to report on progress achieving highway safety performance measure targets identified in the Highway Safety Plans in the Annual Report was introduced in 2013. Similarly, NHTSA's regulations have also required states to include an assessment of their progress in meeting state performance targets in their Highway Safety Plans since 2013.<sup>30</sup> Without additional clarification from NHTSA to states on which target years to assess in their Highway Safety Plans and Annual Reports, NHTSA and other stakeholders may lack a timely understanding of the progress states have made in achieving their targets. NHTSA could provide such clarification through outreach to states, or by providing guidance on NHTSA's website.

Beyond the required interim state assessments of progress contained in the Annual Reports and Highway Safety Plans, NHTSA does not communicate to the public and other stakeholders about whether states eventually achieve their fatality targets. Federal standards for internal control state that agencies should communicate quality information, including about activities and achievements, so that external parties—such as Congress and other stakeholders—can help realize agency goals and objectives.<sup>31</sup> NHTSA officials said that they have reported on states' achievement of fatality targets in the past. For example, NHTSA previously reported to Congress in 2017 on states' achievement of the fatality targets established in the 2014 and 2015 Highway Safety Plans in

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<sup>30</sup>These requirements were integrated into NHTSA's performance management approach in NHTSA's regulations in 2013 as part of an interim final rulemaking, and states were required to provide an assessment in their highway Safety Plans beginning in fiscal year 2015. See 78 Fed. Reg. 4986, 5012, 5024 (Jan. 23, 2013) (codified at 23 C.F.R. §§ 1200.35, 1200.11(d); see also 2018 uniform procedures codified at 23 C.F.R. §§ 1300.35, 1300.11(b)). See 83 Fed. Reg. 3466, 3484, 3497 (Jan. 25, 2018).

<sup>31</sup>[GAO-14-704G](#).

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response to a statutory requirement.<sup>32</sup> However, NHTSA did not provide this report to other stakeholders, and it has not subsequently reported to Congress or the general public on whether states achieved targets. NHTSA officials told us they did not have any plans to develop a similar report in the future because the requirement to report to Congress was repealed in January 2019.<sup>33</sup> NHTSA was directed by statute in January 2019 to provide information on its website on state performance relative to the targets in the Highway Safety Plan. The statute broadly directs NHTSA to report on state performance and does not specifically direct NHTSA to communicate whether states eventually achieve their performance targets. NHTSA officials told us that this effort was in its initial stages and NHTSA is still in the process of determining how to meet the statutory requirement.

By improving external communication of states' achievement of fatality targets, NHTSA could give stakeholders better insight into the results states and NHTSA have achieved in their efforts to reduce fatalities and hold states more accountable for their use of federal safety funds. NHTSA could provide such information to all stakeholders through its planned website or by developing an alternative mechanism to convey this information.

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### States' Achievement of Serious Injury Targets Is Unclear, and Consistent Data Will Not Be Available for Some Time

We were not able to determine the extent to which states achieved NHTSA serious injury targets from 2014 through 2017 because states' definitions of "serious injury" have changed over time. As a result, state serious injury data used to set targets and analyze results may not be comparable year to year over this time period. NHTSA officials noted that changes to serious injury definitions can affect the total number of serious injuries recorded by the states. Similarly, officials from the Association of Transportation Safety Information Professionals told us that based on their experience, when there is a change to how serious injury data are defined or collected by states, total serious injury numbers in that state may change by up to 15 percent the following year. In some cases, changes to serious injury totals may be more extensive. For example, in 2016, one state changed its definition as part of implementing a new database to store crash records. After this change, the number of serious injuries nearly doubled from the previous year.

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<sup>32</sup>23 U.S.C. § 402(n).

<sup>33</sup>Pub. L. No. 115-420, § 5(a), 132 Stat. 5444, 5445 (2019).

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NHTSA and FHWA have taken steps to standardize how states define and report serious injury data. In 2016, both FHWA and NHTSA set out requirements for all states to use a specific definition of serious injury by April 15, 2019, establishing a single national standard definition that will be used under both NHTSA's and FHWA's performance management framework.<sup>34</sup> This standard includes requirements for states to integrate this definition into their practices for collecting and recording serious injury data. According to NHTSA and FHWA, this standard will ensure consistent, coordinated, and comparable data at the state and national levels and will assist stakeholders in addressing highway safety challenges. Moreover, according to officials from the Association of Transportation Safety Information Professionals, adoption of this standard will be an improvement upon the previous approaches used by states to define serious injuries.

However, it will take time for states to adopt this standard and collect consistent data under the new national standard for serious injuries to use in the NHTSA's and FHWA's performance management frameworks.

- First, NHTSA's and FHWA's regulations require that states establish 5-year averages for serious injury targets; however, according to states' most recent reporting, many states have only recently adopted NHTSA and FHWA's national standard for defining serious injuries. Specifically, based on our review of information submitted by states in their 2018 HSIP reports, we found that 18 states had reported that they were fully compliant with the national standard as of the end of August 2018. FHWA officials told us that, based on their review of the information in the 2018 HSIP reports, they estimated that an additional 22 states planned to fully align their serious injury definition with requirements in the national standard by April 2019, and that the remaining 12 states had not indicated if they would be compliant with the national standard by that time. FHWA officials said they would conduct a compliance assessment in fall 2019 to determine whether states fully adopted the national standard.
- Second, data collected under previous, differing definitions cannot be retroactively converted to equivalent data under the definition

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<sup>34</sup>23 C.F.R. §§ 490.205, 1300.3. FHWA established its requirement in a March 2016 final rule. See 81 Fed. Reg. 13882, 13914-15 (Mar. 15, 2016). NHTSA established the same definition for serious injury in an interim final rule in May 2016, and included the definition in a final rule in January 2018. See 81 Fed. Reg. 32554, 32581 (May 23, 2016); 83 Fed. Reg. 3466, 3483-84 (Jan. 25, 2018).

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established by the national standard, and thus it will take time to develop a consistently defined set of serious injury data. Specifically, for those states that have adopted the new standard in the last year, it may be 4 to 5 years until a 5-year average of serious injury data under the new standard can be reported, while the transition period may be longer for those states that have yet to adopt the standard. For example, the American Association of State Highway and Transportation Officials noted that if a state was not currently using the national standard, it would take a lengthy and resource-intensive effort to adopt the standard, including changing reporting processes, guidance, and training. State officials we interviewed also said the costs of updating software and paper forms to collect and store serious injury information, and of training state officials to collect serious injury data using the national standard, could further delay implementation.

NHTSA and FHWA have taken steps to assist states with the transition to the new national standard for serious injuries. For example, in preparation for issuing the regulations, NHTSA and FHWA published state-specific guidance to help states adopt an interim standard before the national standard took effect in 2019. According to NHTSA and FHWA officials, this guidance, which aligned states' existing definitions with a scale for injury severity, helped states provide more consistent serious injury statistics prior to implementing the new national standard in the FHWA rulemaking. While this interim standard helps improve consistency of the definition of serious injury within a state, it does not standardize the specific definition across all states as does the new national standard. In addition, NHTSA and FHWA developed an outreach program and training to help states adapt to the new requirement prior to implementation in 2019.

While the transition occurs and until states have collected 5 years of data under the new national standard for serious injuries, NHTSA and FHWA plan to take different approaches to assessing states' progress toward serious injury targets and communicating the results of their assessments.

- NHTSA officials told us that they would wait to assess progress until the states had adopted a consistent set of data under the national standard for serious injuries. NHTSA officials also noted that they did not assess whether states achieved their serious injury targets in NHTSA's 2015 and 2017 reports to Congress, because of limitations with the data that the new standard seeks to mitigate. However, once

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the transition to the new national standard for serious injuries is complete, similar to state fatality targets, NHTSA does not have a formal mechanism for communicating whether states eventually achieve their serious injury targets. Communication of states' achievement of both fatality and serious injury targets could help NHTSA hold states more accountable for their use of federal funds.

- In contrast, as directed by statute and regulations, FHWA plans to evaluate whether each state has met or made “significant progress” toward meeting both the fatality and serious injury-related targets by improving upon the state’s historical 5-year baseline for four of the five required performance measures. As directed by statute and FHWA’s regulations, states that FHWA determines either have not met their 2018 targets or not made significant progress are required to develop an implementation plan to describe how they will achieve targets in future years.<sup>35</sup> Further, these states must use a portion of these states’ fiscal year 2021 HSIP funding exclusively for HSIP projects and may not transfer this portion of their HSIP funding to other core highway programs.<sup>36</sup> Once FHWA’s evaluation of state progress is complete, it plans to communicate the extent to which states achieve these targets on its website, which contains information on the 5-year averages that make up the baseline, targets, and results, and tracks this information over time.

FHWA officials said that, as states transition to the new national standard for serious injuries, the use of data collected under multiple definitions in a state may occur in future assessments of significant progress as states collect 5 years of data under the national standard.<sup>37</sup> However, FHWA officials said that states will be able to take the limitations in the data into consideration and adjust targets each year as needed to minimize the risk that states’ results will vary significantly from their targets. An official from the Association of Transportation Safety Information Professionals said that he expects states may recalculate targets to account for changes in the data over the transition to the national standard for serious injuries, but that states have not expressed concerns about doing so. More

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<sup>35</sup>23 U.S.C. 148(i); 23 C.F.R. § 490.211(d).

<sup>36</sup>23 U.S.C. 148(i); 23 C.F.R. § 490.211(d).

<sup>37</sup>FHWA officials stated that the transition to the national standard will not affect the assessment of the 2018 targets because states will be evaluated using data under the interim standard, under which most states have had a consistent definition for serious injuries for at least 5 years.



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broadly, FHWA officials also stated that modifying its approach for the transition period would require additional rulemakings by both FHWA and NHTSA, which could be a lengthy process and thus may not be completed before most states collect 5 years of data under the new standard.<sup>38</sup>

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## States Have Not Fully Incorporated Performance Measures and Targets into Traffic Safety Funding Decisions, but NHTSA and FHWA Are Taking Steps to Assist States

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### Over Half of States Use Performance Measures and Targets to Make Funding Decisions under NHTSA's Framework, and NHTSA Is Taking Steps to Improve Reporting

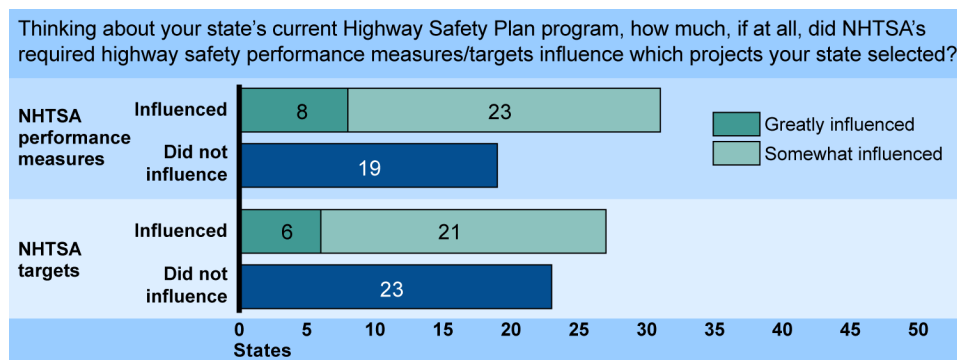
Officials from a majority of the states we surveyed reported that the performance measures and targets in the NHTSA framework influenced which projects they selected to fund to improve traffic safety and reduce fatalities and serious injuries. (See fig. 2.) For example, officials from two states we surveyed reported that the performance measures helped them identify emerging traffic safety trends, such as higher rates of speeding; as a result, the states directed more funding to projects addressing those issues. Officials from another state noted that the performance measures have led them to develop new projects to reduce cyclist and pedestrian fatalities, in addition to their traditional projects targeting impaired driving or seat belt use. In addition, other state officials responded that setting targets influenced their project selection by requiring staff to identify and

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<sup>38</sup>In our prior work, we found that rulemakings can range from 1 to nearly 14 years to complete, depending on a number of factors. More specifically, we found that a rulemaking takes an average of 4 years to complete, based on a sample of 16 rulemakings from four federal agencies, including DOT. See GAO, *Federal Rulemaking: Improvements Needed to Monitoring and Evaluation of Rules Development as Well as to the Transparency of OMB Regulatory Reviews*, [GAO-09-205](#) (Washington, D.C.: Apr. 20, 2009).

fund projects that would have a positive effect on the targets established. When NHTSA developed the performance measures for states, it noted that, in addition to helping states monitor and evaluate their progress, performance measures can be used to allocate resources towards the most pressing safety issues.<sup>39</sup>

**Figure 2: State-Reported Use of National Highway Traffic Safety Administration (NHTSA) Performance Measures and Targets to Select Projects**



Source: GAO survey results. | GAO-20-53

Officials from 19 states we surveyed said that the performance measures in the NHTSA framework did not influence their project selection. Similarly, officials from 23 states said the targets did not influence their project selection.<sup>40</sup> Officials we surveyed cited a variety of reasons for why they did not use this performance information to select projects. For example, officials from three of these states said their states already had a data-driven or performance-based approach to project selection. Officials from one state explained that the NHTSA performance measures provide them with a general overview of safety trends in the state, but that they rely on more detailed data analysis of safety trends in different localities to select projects. Officials from another state said they do not use the specific targets to select projects, because they look for ways to decrease fatalities, not to achieve a specific number of fatalities in a given year. Officials from another state explained that they receive limited safety funding and therefore select projects to make sure they are eligible

<sup>39</sup>NHTSA, *Traffic Safety Performance Measures for State and Federal Agencies* (Washington, D.C.: August 2008).

<sup>40</sup>Officials from 19 states said neither the performance measures nor the targets influenced their project selection.

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to qualify for NHTSA grants.<sup>41</sup> NHTSA officials acknowledged that the performance management framework can pose challenges for some states, but noted that they provide technical assistance and guidance to help states make the best use of their performance information.

State officials reported other safety benefits from NHTSA's performance framework in addition to improved project selection. Specifically, officials from almost three-quarters of states we surveyed said the NHTSA framework helped them to improve highway safety in their state. For example, officials from five states we surveyed reported that the framework has improved how they identify highway safety problems, such as by formalizing a data-driven approach to highway safety in their state. Officials we surveyed also noted that by requiring states to reach agreement on some NHTSA and FHWA targets, the framework helped them to increase collaboration with other highway safety stakeholders in the state. For example, officials from one state reported that the collaboration between the state department of transportation and highway safety office has increased their awareness of how physical road improvements and behavioral projects can work together to improve safety in the state. Officials from the 14 states who reported that the framework has not helped them improve safety cited various reasons, including that they used data-driven approaches prior to NHTSA's framework and that the framework has increased their administrative burden. NHTSA officials agreed that the framework imposed some administrative burdens on states, but stated that the benefits of using a performance-based approach to manage state highway safety programs outweighed any costs for states.

To ensure that the framework helps states to improve traffic safety, NHTSA regulations require states to include at least one performance measure (and associated target) for each program area contained in their Highway Safety Plans.<sup>42</sup> These requirements are consistent with federal

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<sup>41</sup>A state must identify the types of projects that it will conduct in order to qualify for some NHTSA grants. For example, states with a seat belt use rate of under 90 percent must meet additional application requirements in order to qualify for a grant. Specifically, the state may choose to demonstrate compliance with at least three of six criteria to qualify for a grant, such as by conducting sustained seat belt enforcement. See 23 U.S.C. § 405(b)(3)(B).

<sup>42</sup>23 C.F.R. § 1300.11(c)(2)(i). A "program area" is defined by regulation as "any of the national priority safety program areas identified in 23 U.S.C. 405 or a program area identified by a state in the Highway Safety Plan as encompassing a major highway safety problem in the State and for which documented effective countermeasure strategies have been identified or projected by analysis to be effective." 23 C.F.R. § 1300.3.

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standards for internal control that agencies should establish and operate activities to monitor the internal control system. Such monitoring activities should be built into the agency's operation.<sup>43</sup> We found 49 states included performance measures with all the program areas in their 2019 Highway Safety Plans.<sup>44</sup> For example, one state uses the number of motorcyclist fatalities and unhelmeted motorcyclist fatalities as performance measures for its motorcycle safety program area. The remaining three states included performance measures for at least 80 percent of their program areas. By requiring states to establish performance measures for their program areas, NHTSA can help ensure states have appropriate performance measures in place to evaluate whether they are achieving the objectives of their highway safety programs.

NHTSA's regulations also require states to describe the linkage between the countermeasure strategies—the safety initiatives a state plans to fund to address highway safety problems—and the performance targets in their Highway Safety Plans.<sup>45</sup> Requiring states to link their funding decisions with their targets aligns with a leading practice for performance management we have previously identified: that agencies should use performance information to allocate resources.<sup>46</sup> We examined the sections of 2019 Highway Safety Plans where states are prompted to provide this linkage, and found, however, that less than a third of states (12 of 52) described all the linkages between their performance targets and the countermeasure strategies in those sections. NHTSA officials noted that states are directed to submit similar information in other locations throughout the plans, and that NHTSA's review of the 2019 plans credited states with making these linkages by considering information in other sections of the plan.

NHTSA has taken steps this year to improve states' reporting and its own review of the 2020 Highway Safety Plans. For example, NHTSA officials

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<sup>43</sup>[GAO-14-704G](#).

<sup>44</sup>We did not include states' administrative or traffic records program areas in our analysis.

<sup>45</sup>23 C.F.R. § 1300.11(d)(1)(ii). "Countermeasure strategies" are a proven effective or innovative countermeasure proposed or implemented with grant funds under 23 U.S.C. Chapter 4 or Section 1906 to address identified problems and meet performance targets. Examples of proven effective countermeasures include high-visibility occupant protection enforcement, driving-under-the-influence courts, or alcohol screening and brief intervention programs. 23 C.F.R. § 1300.3.

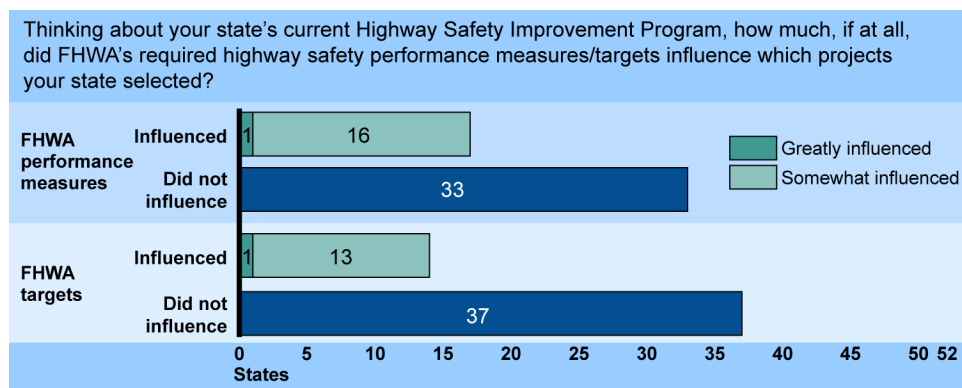
<sup>46</sup>[GAO-05-927](#).

told us that they have held in-person meetings with state highway safety officials to emphasize the need to provide linkages between their targets and countermeasures in their 2020 Highway Safety Plans. NHTSA officials said they have also held training in 2019 for staff who review these plans to ensure states adhere to reporting requirements. Specifically, during the training, NHTSA officials said they provided guidance to staff on reviewing Highway Safety Plans; this guidance prompts reviewers to check whether states link their countermeasure strategies with targets, and to provide feedback to states that have not provided these linkages. As a result of these actions, NHTSA anticipates that states will more clearly identify linkages in their 2020 plans.

### Some States Use Performance Measures and Targets for Funding Decisions under FHWA's Framework, and the Agency Is Developing Guidance to Assist States

While states recently began setting performance measure targets under FHWA's framework in 2017, officials from about a third of states we surveyed reported that performance measures in FHWA's framework influenced their decisions about which infrastructure-based safety projects to fund. (See fig. 3.) Slightly fewer respondents said the targets they set influenced their project selection. These states reported that this performance information influenced their decision making in different ways. For example, officials from one state reported funding more pedestrian and bicycle safety projects as a result of the trends indicated by the performance measures. Officials from another state said they have shifted to selecting projects that can be constructed quickly in order to reach their annual safety targets.

**Figure 3: State-Reported Use of Federal Highway Administration (FHWA) Performance Measures and Targets to Select Projects**



Source: GAO survey results. | GAO-20-53

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Officials from about two-thirds of states we surveyed said the performance measures and performance targets did not influence their HSIP project selection. Instead, many of these state officials reported that the FHWA performance framework has not changed their project selection methodology, and that they used alternative data-driven approaches to select highway projects.<sup>47</sup> For example, officials from four states reported that they used their 5-year Strategic Highway Safety Plans, which highlight traffic safety issues to guide project selection. In other cases, state officials reported that they continued to use a data-driven approach, such as cost-benefit analysis or crash data analysis, to maximize safety benefits and select the most cost-effective highway safety projects. This approach is consistent with a recent FHWA survey of state departments of transportation, which reported that most states used their 5-year Strategic Highway Safety Plans and cost to prioritize projects. Federal guidelines, including those at FHWA, encourage the use of cost-benefit analysis for selecting infrastructure projects.<sup>48</sup> We have also previously reported that such analysis can lead to better-informed transportation decisions.<sup>49</sup> According to FHWA officials, performance management is not intended to supplant the use of other data-driven project selection methods, but to complement and be integrated into existing methods. To help further this synthesis, FHWA officials told us that they are developing a guide to better explain how states can incorporate the use of performance measures into existing methods, such as cost-benefit analysis, to select projects and achieve their safety targets. FHWA officials expect to issue this guide by January 2020.

Overall, a slight majority of states we surveyed (27 of 52) reported that FHWA's performance framework assisted them in improving safety. Officials cited safety benefits beyond improved project selection, such as increased awareness of highway safety issues for state leaders and the public; and increased collaboration with other highway safety agencies

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<sup>47</sup>FHWA officials noted that some states may not have included the safety performance measures in their state transportation improvement plans since the performance framework requirements took effect because they are only required to do so when the plans are updated.

<sup>48</sup>See, for example, Executive Order No. 12893, "Principles for Federal Infrastructure Investments," 59 Fed. Reg. 4233 (Jan. 31, 1994).

<sup>49</sup>GAO, *Highway And Transit Investments: Options for Improving Information on Projects' Benefits and Costs and Increasing Accountability for Results*, [GAO-05-172](#) (Washington, D.C.: Jan. 24, 2005) and GAO, *Surface Transportation: Many Factors Affect Investment Decisions*, [GAO-04-744](#) (Washington, D.C.: June 30, 2004).

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within the state. State officials who did not find the framework helpful cited various reasons. For example, some state officials we surveyed said they were already using performance measures prior to FHWA's framework. Other officials surveyed said FHWA's performance framework was not helpful because they have a "Vision Zero" or a "Toward Zero Deaths" policy in their state.<sup>50</sup> According to these officials, under such a policy, the state's goal is to achieve zero traffic fatalities. Officials from a state with such a policy explained that setting a target to achieve any fatalities was not acceptable to the public or the state because it suggests that not every life is important. FHWA officials said that setting annual targets, however, can ensure states are on track to reach their long-term goals, such as to reduce fatalities to zero.

To encourage states to integrate the performance framework into their other safety plans, FHWA regulations require states to link their performance measure targets to the long-term goals in their 5-year Strategic Highway Safety Plans. States must provide a description in their HSIP reports of how each target supports these goals.<sup>51</sup> FHWA has developed and issued a template for the HSIP report that prompts states to describe the link between their targets and their Strategic Highway Safety Plans' goals. However, about half of the states did not describe how all of their targets support their Strategic Highway Safety Plans' goals in their 2018 HSIP report, and thirteen of these states did not describe these linkages for any of their targets. In response to our analysis, FHWA officials have taken additional actions to improve states' HSIP reporting. Specifically, FHWA officials provided training to staff and state officials that referenced our analysis that states did not describe the linkages between targets and long-term goals in their HSIP reports. During the training, FHWA officials emphasized the importance of including such information as states prepare their 2019 HSIP reports. Additionally, FHWA officials said they are updating the guide its staff uses to review HSIP reports to ensure states are describing how the targets they set support their Strategic Highway Safety Plan's goals.

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<sup>50</sup>"Vision Zero" is a multi-national effort to reduce traffic fatalities to zero. Similarly, "Toward Zero Deaths" is a national highway safety strategy shared by government agencies, safety advocates and safety associations to reduce traffic fatalities to zero.

<sup>51</sup>23 C.F.R. § 924.15(a)(iii)(B).

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## Conclusions

In light of the large number of fatalities that occur each year on the nation's highways and the billions of federal dollars DOT provides annually to states to improve traffic safety, the ability to assess the outcomes of federal surface transportation safety programs and hold grant recipients accountable for results is critical. NHTSA and FHWA have made great strides over the last decade in moving to a performance-based approach for traffic safety funding to improve accountability for federal funds. The results, however, that states have achieved under these frameworks are not always clear. For example, NHTSA has required states to report on their interim progress achieving targets, but states have not had clear direction on what results to assess. In addition, NHTSA lacks a formal mechanism to communicate whether states have been achieving the targets set under their framework. Without improved communication of progress, Congress will be limited in its ability to hold NHTSA and states accountable for their use of federal funds. Moreover, improved reporting of states' achievements under NHTSA's framework could help provide insight into the effectiveness of the overall federal traffic safety program.

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## Recommendations for Executive Action

We are making two recommendations to NHTSA:

- The NHTSA Administrator should provide direction and clarification to states to ensure compliance with requirements to assess and report progress made in achieving fatality targets. (Recommendation 1)
- The NHTSA Administrator should develop and implement a mechanism that communicates to Congress and other stakeholders whether states achieve their fatality and serious injury targets. (Recommendation 2)

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## Agency Comments

We provided a draft of this report to DOT for comment. In its comments, reproduced in appendix III, DOT stated that it concurred with our recommendations. DOT also provided technical comments, which we incorporated as appropriate.

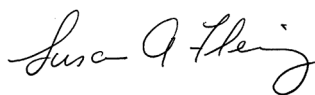
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We are sending copies of this report to the appropriate congressional committees, the Secretary of Transportation, and other interested parties. In addition, the report will be available at no charge on the GAO website at <http://www.gao.gov>.



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If you or your staff have any questions about this report, please contact Susan Fleming at (202) 512-2834 or [flemings@gao.gov](mailto:flemings@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Key contributors to this report are listed in appendix IV.



Susan A. Fleming  
Director, Physical Infrastructure

# Appendix I: Survey of State Highway Safety Offices on NHTSA's Performance Management Framework

The questions we asked in our survey of state Highway Safety Offices and the aggregate results of the responses to the closed-ended questions are shown below. Our survey was comprised of closed- and open-ended questions. We do not provide results for the open-ended questions. We sent surveys to 52 state highway safety offices about the National Highway and Traffic Safety Administration's (NHTSA) performance framework from the 50 states, Puerto Rico and the District of Columbia. We received responses from 50 state highway safety offices, for a 96 percent response rate. For more information on our survey methodology, see page 4 of this report.

Q1a. NHTSA has implemented a performance management framework that requires states to set targets for highway safety performance measures and to track their progress towards meeting those targets. Generally speaking, has NHTSA's highway safety performance framework assisted you in improving highway safety in your state?

Response	Number of responses
Greatly assisted	6
Somewhat assisted	29
Did not assist	14
Don't know	1
No answer/not checked	0

Q1b. Why has NHTSA's highway safety performance framework assisted or not assisted you in improving highway safety in your state?

(Written responses not included.)

Q2a. Each year, states use Highway Safety Plan (HSP) funding and select projects to address identified highway safety problems. How much, if at all, has NHTSA's highway safety performance framework changed your state's current approach to selecting HSP projects?

Response	Number of responses
Changed, a great deal	2
Changed, somewhat	25
Did not change at all	22
Don't know	1
No answer/not checked	0

Q2b. In what ways, if any, has NHTSA's highway safety performance framework changed your state's current approach to selecting HSP projects?

(Written responses not included.)

Q3a. Thinking about your state's current HSP program, how much, if at all, did NHTSA's required highway safety performance measures influence which projects your state selected?

Response	Number of responses
Greatly influenced	8
Somewhat influenced	23
Did not influence	19
Don't know	0
No answer/not checked	0

Q3b. In what ways, if any, have NHTSA's required performance measures influenced which HSP projects your state selected?

(Written responses not included.)

Q4a. Thinking again about your state's current HSP program, how much, if at all, did the specific targets your state set for NHTSA's required performance measures influence which projects your state selected?

Response	Number of responses
Greatly influenced	6
Somewhat influenced	21
Did not influence	23
Don't know	0
No answer/not checked	0

Q4b. In what ways, if any, have the specific targets your state set for NHTSA's required performance measures influenced which HSP projects your state selected?

(Written responses not included.)

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# Appendix II: Survey of State Departments of Transportation on FHWA's Performance Framework

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The questions we asked in our survey of state departments of transportation and the aggregate results of the responses to the closed-ended questions are shown below. Our survey was comprised of closed- and open-ended questions. We do not provide results for the open-ended questions. We surveyed 52 state departments of transportation about the Federal Highway Administration's (FHWA) performance framework from the 50 states, Puerto Rico and the District of Columbia. We received responses from all 52 state departments of transportation, for a 100 percent response rate. For more information on our survey methodology, see page 4 of this report.

Q1a. FHWA has implemented a performance management framework that requires states to set targets for highway safety performance measures and to track their progress towards meeting those targets. Generally speaking, has FHWA's highway safety performance framework assisted you in improving highway safety in your state?

<b>Response</b>	<b>Number of responses</b>
Greatly assisted	4
Somewhat assisted	23
Did not assist	22
Don't know	3
No answer/not checked	0

Q1b. Why has FHWA's highway safety performance framework assisted or not assisted you in improving highway safety in your state?

(Written responses not included.)

Q2a. Each year, states use Highway Safety Improvement Program (HSIP) funding and select projects to address identified highway safety problems. How much, if at all, has FHWA's highway safety performance framework changed your state's current approach to selecting HSIP projects?

Response	Number of responses
Changed, a great deal	1
Changed, somewhat	17
Did not change at all	33
Don't know	1
No answer/not checked	0

Q2b. In what ways, if any, has FHWA's highway safety performance framework changed your state's current approach to selecting HSIP projects?

(Written responses not included.)

Q3a. Thinking about your state's current HSIP program, how much, if at all, did FHWA's required highway safety performance measures influence which projects your state selected?

Response	Number of responses
Greatly influenced	1
Somewhat influenced	16
Did not influence	33
Don't know	2
No answer/not checked	0

Q3b. In what ways, if any, have FHWA's required performance measures influenced which HSIP projects your state selected?

(Written responses not included.)

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Q4a. Thinking again about your state's current HSIP program, how much, if at all, did the specific targets your state set for FHWA's required performance measures influence which projects your state selected?

<b>Response</b>	<b>Number of responses</b>
Greatly influenced	1
Somewhat influenced	13
Did not influence	37
Don't know	1
No answer/not checked	0

Q4b. In what ways, if any, have the specific targets your state set for FHWA's required performance measures influenced which HSIP projects your state selected?

(Written responses not included.)

# Appendix III: Comments from the Department of Transportation



**U.S. Department of  
Transportation**  
Office of the Secretary  
of Transportation

Assistant Secretary  
for Administration

1200 New Jersey Avenue, SE  
Washington, DC 20590

OCT 07 2019

Susan A. Fleming  
Director, Physical Infrastructure Issues  
U.S. Government Accountability Office (GAO)  
441 G Street NW  
Washington, DC 20548

Dear Ms. Fleming:

Reducing traffic fatalities and injuries is the top priority for the National Highway Traffic Safety Administration (NHTSA). NHTSA has developed a performance management framework to increase accountability and transparency of actions taken to reduce fatalities and injuries on America's roadways. The agency has made great strides over the last decade in moving to a performance-based approach. Specifically, NHTSA is working closely with State Highway Safety Offices to improve the use of performance measures to focus efforts on evidence-based programs to reduce traffic fatalities and injuries and improve accountability.

NHTSA continues to improve upon its implementation of the performance management framework by:

- Helping to strengthen the collaboration among State Departments of Transportation, Highway Safety Offices and other safety stakeholders on performance measurement and target setting;
- Issuing a rulemaking and working with States to link funding decisions with "data-driven" targets;
- Providing technical assistance to encourage States to develop realistic and achievable targets and use problem identification to direct funding to programs that are proven effective;
- Implementing measures to ensure that, where a State has not met its performance targets, it will describe how it will adjust its upcoming Highway Safety Plan to better meet performance targets;
- Establishing a process for posting State performance targets and achievement on NHTSA's website.

Upon review of the GAO's draft report, we concur with the two recommendations to (1) provide additional direction and clarification to ensure States assess and report progress in meeting fatality targets, and (2) develop a method to communicate to Congress and other stakeholders States' final achievement of targets. We will provide a detailed response to each recommendation within 180 days of the final report's issuance.

We appreciate the opportunity to respond to the GAO draft report. Please contact Madeline M. Chulumovich, Director Audit Relations and Program Improvement, at (202) 366-6512 with any questions or if you would like to obtain additional details.

Sincerely,

Keith Washington  
Deputy Assistant Secretary for Administration

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# Appendix IV: GAO Contact and Staff Acknowledgments

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## GAO Contact

Susan A. Fleming, (202) 512-2834, or [FlemingS@gao.gov](mailto:FlemingS@gao.gov)

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## Staff Acknowledgments

In addition to the contact named above, Sara Vermillion (Assistant Director); Matt Voit (Analyst-in-Charge); Carl Barden; Caitlin Cusati; Timothy Guinane; Geoffrey Hamilton; Georgeann Higgins; Catrin Jones; Jesse Mitchell; Joshua Ormond; Kelly Rubin; and Laurel Voloder made key contributions to this report.



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