



## CITY COUNCIL STAFF REPORT

DATE: October 17, 2012

CONSENT AGENDA

SUBJECT: ACCEPTANCE OF \$70,000 IN GRANT FUNDING FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM TO BE USED TO ENFORCE, EDUCATE, AND BRING AWARENESS TO THE PUBLIC.

FROM: David Ready, City Manager

BY: Palm Springs Police Department

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### SUMMARY

It is recommended that the City Council authorize the City Manager to accept \$70,000 in OTS grant funding for the Police Department to utilize for a Selective Traffic Enforcement Program. The grant funds will be used to conduct DUI saturation patrols, distracted driving saturation patrols, warrant sweeps, and multimedia presentations at our local schools. It will also provide for traffic enforcement to concentrate on primary collision factor violations.

### RECOMMENDATION:

1. Accept \$70,000 in grant funding from the California Office of Traffic Safety for a Selective Traffic Enforcement Program.
2. Authorize the City Manager to execute all necessary documents.

### STAFF ANALYSIS:

The Police Department rigorously enforces DUI laws by conducting DUI saturation patrols, warrant sweeps, and developing awareness programs such as multimedia presentations at our local schools. The Police Department also enforces speed and red light violations by conducting operations at intersections and streets with disproportionate numbers of traffic collisions. These projects are labor intensive and thus expensive. The Police Department plans to conduct 97 special operations during

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this grant period. The department has been successful in obtaining grant funding to pay for the personnel and training costs for these programs.

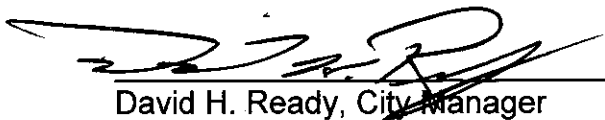
The Police Department was able to successfully solicit OTS grant funding for this community safety project and was awarded \$70,000 in grant funding.

This grant period is for a Selective Traffic Enforcement Program between October 1, 2012 and September 30, 2013.

FISCAL IMPACT:


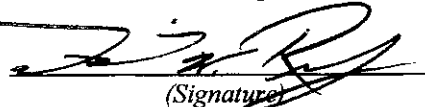
No fiscal impact. This is a reimbursable costs grant program. No matching funds are required to obtain this additional grant funding.

  
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Alberto Franz III, Police Chief

  
\_\_\_\_\_  
David H. Ready, City Manager

Attachments:

OTS STEP Grant Agreement PT13102

<b>1. GRANT TITLE</b> Selective Traffic Enforcement Program	
<b>2. NAME OF APPLICANT AGENCY</b> City of Palm Springs	<b>4. GRANT PERIOD</b>
<b>3. AGENCY UNIT TO HANDLE GRANT</b> Police Department	From: 10/1/2012 To: 9/30/2013
<b>5. GRANT DESCRIPTION</b> Time tested and best practice strategies will be used on an overtime basis to reduce the number of persons killed and injured in crashes involving alcohol, speed, red light running, and other primary collision factors. The funded strategies may include: DUI saturation patrols to apprehend impaired drivers; warrant service operations targeting repeat DUI violators who failed to appear in court or violate probation; stakeout operations for repeat DUI offenders; and the use of 'HOT Sheets' to help law enforcement identify and apprehend the 'worst of the worst' DUI offenders. Court sting operations may also be used to arrest offenders who drive from court after having their license suspended or revoked. Law enforcement personnel will receive specialized training to detect and apprehend drivers under the influence of drugs (legal and illegal). Also, special patrols will be used to enforce CA's hand held and texting while driving laws. The program may also concentrate on speed, aggressive driving, seat belt enforcement, intersection operations with disproportionate numbers of traffic crashes and special enforcement operations encouraging motorcycle safety. The grant funded strategies are designed to earn media attention, thus enhancing the overall deterrent effect.	
<b>6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: \$70,000.00</b>	
The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: <ul style="list-style-type: none"> <li>• Page 2 (OTS-38a)</li> <li>• Schedule A (OTS-38b) – Problem Statement, Goals and Objectives and Method of Procedure</li> <li>• Schedule B (OTS-38d) – Budget Estimate and Sub-Budget Estimate (if applicable)</li> <li>• Schedule B-1 (OTS-38f) – Budget Narrative and Sub-Budget Narrative (if applicable)</li> <li>• Schedule C (OTS-38g) – Quarterly Evaluation Data Form (if applicable)</li> <li>• Exhibit A – Federal Certifications and Assurances</li> <li>• Exhibit B* - OTS Grant Program Manual</li> </ul> *Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto. These documents can be viewed at: <a href="http://www.ots.ca.gov/Grants/Grant_Administration/Program_Manual.asp">www.ots.ca.gov/Grants/Grant_Administration/Program_Manual.asp</a> .	
We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.	
<b>7. APPROVAL SIGNATURES</b>	
<b>A. GRANT DIRECTOR</b>	<b>B. AUTHORIZING OFFICIAL OF APPLICANT AGENCY</b>
NAME: Paul Abshire                      PHONE: 760-323-8105 TITLE: Sergeant                              FAX: 760-323-8176 ADDRESS: 200 S. CIVIC DRIVE PALM SPRINGS, CA 92262  E-MAIL: Paul.abshire@palmspringsca.gov	NAME: David Ready                      PHONE: 760-323-8101 TITLE: City Manager                      FAX: 760-323-8207 ADDRESS: 3200 E. TAHQUIST CANYON WAY PALM SPRINGS, CA 92262  E-MAIL: David.ready@palmspringsca.gov
 _____ (Signature)	 _____ (Signature)
9/17/12 _____ (Date)	10/1/12 _____ (Date)
<b>C. FISCAL OR ACCOUNTING OFFICIAL</b>	<b>D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS</b>
NAME: Nancy Klukan                      PHONE: 760-323-8361 TITLE: ASSISTANT DIRECTOR OF FINANCE                      FAX: 760-323-8207 ADDRESS: 3200 E. TAHQUIST CANYON WAY PALM SPRINGS, CA 92262  E-MAIL: NANCY.KLUKAN@PALMSPRINGSCA.GOV	NAME: Finance Department  ADDRESS: 3200 E. TAHQUIST CANYON WAY PALM SPRINGS, CA 92262
_____ (Signature)	
_____ (Date)	

**GRANTS MADE EASY – STEP  
(Overtime)**

**SCHEDULE A  
Grant No. PT13102  
Page 1**

**GRANT DESCRIPTION**

**PROBLEM STATEMENT**

In 2010, California's traffic fatalities decreased 11.9 percent (3,081 vs. 2,715) – reaching their lowest level since the federal government began recording traffic fatalities in 1975. California 2009 Mileage Death Rate (MDR) – fatalities per 100 million miles traveled is 0.95, and marks the first time California has been below 1.0. California is much better than the national 1.14 MDR. Although the fatality rates have dropped for four consecutive years (2007-2010), total fatalities are projected to be up 3.5% in 2011.

Alcohol-impaired driving fatalities (fatalities in crashes involving a driver or motorcycle rider (operator) with a blood alcohol concentration (BAC) of 0.08 grams per deciliter (g/dL) or greater) dropped by 14.4 percent from 924 in 2009 to 791 in 2010. The 2010 figure is the lowest DUI death total ever. As a percent of total fatalities, alcohol-impaired fatalities decreased from 30 percent in 2009 to 29 percent in 2010. Unfortunately, this number has remained virtually unchanged in the past five years and DUI arrests have dropped in 2010 to 195,879 as compared to 208,531 in 2009. The 2010 DUI arrest figure represents more DUI arrests than any year between 1997-2005.

For the second year in row, OTS commissioned an observational survey of cell phone use by drivers within the state, looking for hand-held and hands-free talking as well as texting and other use of mobile devices while driving. The overall rate was 10.8 percent of drivers on the road using cell phones at any given daylight time, up from 7.3 percent in 2012. Although observed cell phone use increases were seen across all age groups, 16 to 25 year olds showed a dramatic rise, doubling from 9 percent to 18 percent.

The problem of drugged driving continues to rise. Based on data from the National Highway Traffic Safety Administration, 30 percent of all drivers who were killed in motor vehicle crashes in California in 2010 tested positive for legal and/or illegal drugs, a percentage that has been increasing since 2006.

Motorcycle fatalities decreased 10.7 percent from 394 in 2009 to 352 in 2010, but projections indicated over 400 motorcyclists were killed in 2011.

**GRANTS MADE EASY – STEP  
(Overtime)**

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**GRANT DESCRIPTION**

**Primary Collision Factor:** Over the years, approximately 60 to 75 percent of fatal and injury-combined collisions involved various Primary Collision Factors (PCF) such as, DUI, speed, right-of-way, traffic signals and signs, pedestrian violations, and improper turning.

Primary Collision Factor	Collisions	Victims
1. Improper Turning	512	21,764
2. Driving Under the Influence	470	12,477
3. Speed	394	48,999
4. Traffic Signals & Signs	362	5,460
5. Right of Way	167	24,897
<b>Total</b>	<b>1,905</b>	<b>113,597</b>
<b>Total Fatal and Injury Collisions</b>		<b>162,569</b>

Using local data (not OTS Rankings or SWITRS), complete the table below.

Collision Type	2009				2010				2011			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	4		6		16		17		3		7	
Injury	319		466		305		370		293		409	
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol Involved	2	39	3	55	2	36	3	53	1	34	1	45
Hit & Run	1	21	1	29	1	11	1	10	0	9	0	15
Nighttime (2100-0259 hours)	2	39	3	62	3	36	4	62	1	40	1	58
<b>Top 3 Primary Collision Factors</b>									<b>Fatal</b>	<b>Injury</b>	<b>Killed</b>	<b>Injured</b>
#1-22350 VC									0	52	0	71
#2-21801 VC									0	50	0	73
#3-21453 VC									2	26	2	47

**GRANTS MADE EASY – STEP  
(Overtime)**

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**GRANT DESCRIPTION**

**OFFICE OF TRAFFIC SAFETY - 2010 RANKINGS**

The OTS Rankings provide individual cities a way to compare their city's traffic safety statistics to those of other cities with similar-sized populations. Cities can use these comparisons to see what traffic safety areas they may have problems in and which they were doing well in. Identifying emerging or on-going traffic safety problem areas help cities plan how to combat the problems. It should be noted that OTS rankings are only indicators of potential problems; there are many factors that may either understate or overstate a city/county ranking that must be evaluated based on local circumstances.

The OTS Rankings are determined by the following: (1) Victim and collision data for the rankings is taken from the latest available California Highway Patrol (CHP) Statewide Integrated Traffic Records System (SWITRS) data; (2) Victim and collision rankings are based on rates of victims killed and injured or fatal and injury collisions per "1,000 daily-vehicle-miles-of-travel" (Caltrans data) and per "1,000 average population" (Department of Finance data) figures. This more accurately ensures proper weighting and comparisons when populations and daily vehicle miles traveled vary; (3) DUI arrest totals and rankings are calculated for cities only and are based on rates of non-CHP DUI arrests (Department of Justice data). This is so that local jurisdictions can see how their own efforts are working; and (4) Counties are assigned statewide rankings, while cities are assigned population group rankings.

NOTE: City rankings are for incorporated cities only. County Rankings include all roads – state, county and local – and all jurisdictions – CHP, Sheriff, Police and special. OTS Rankings are calculated so that the higher the number of victims or collisions per 1000 residents in a population group, the higher the ranking. Number 1 in the rankings is the highest, or "worst." So, for Group B, a ranking of 1/53 is the highest or worst, 27/53 is average, and 53/53 is the lowest or best. The same methodology also applies for DUI arrest rankings.

AGENCY	NCIC	COUNTY	GROUP	POPULATION (AVG)	DVMT
Palm Springs	3311	RIVERSIDE COUNTY	D	44,694	996,580
<u>TYPE OF COLLISION</u>		VICTIMS KILLED AND INJURED	RANKING BY DAILY VEHICLE MILES TRAVELED	RANKING BY AVERAGE POPULATION	
Total Fatal and		425	25/93	3/93	
Alcohol		78	9/93	1/93	
HBD Driver		4	30/93	13/93	
HBD Driver 21-		28	10/93	1/93	
Motorcyclists		18	21/93	5/93	
Pedestrians.....		21	46/93	9/93	
Pedestrians		1	63/93	61/93	
Pedestrians		11	7/93	1/93	
Bicyclists.....		23	56/93	19/93	
Bicyclists		1	72/93	70/93	
Composite			25/93	1/93	
		COLLISIONS			
Speed		55	48/93	11/93	
Nighttime.....		38	20/93	3/93	
Hit and		19	47/93	8/93	
	DUI ARRESTS	258	0.96 %	84/92	

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**GRANT DESCRIPTION**

**PERFORMANCE MEASURES**

**GRANT GOALS**

1. To reduce the number of persons killed in traffic collisions.
2. To reduce the number of persons injured in traffic collisions.
3. To reduce the number of persons killed in alcohol-involved collisions.
4. To reduce the number of persons injured in alcohol-involved collisions.
5. To reduce the number of persons killed in drug-involved collisions.
6. To reduce the number of persons injured in drug-involved collisions.
7. To reduce the number of motorcyclists killed in traffic collisions.
8. To reduce the number of motorcyclists injured in traffic collisions.
9. To reduce the number of motorcyclists killed in alcohol-involved collisions.
10. To reduce the number of motorcyclists injured in alcohol-involved collisions.
11. To reduce hit & run fatal collisions.
12. To reduce hit & run injury collisions.
13. To reduce nighttime (2100 – 0259 hours) fatal collisions.
14. To reduce nighttime (2100 – 0259 hours) injury collisions.

**GRANT OBJECTIVES**

1. To issue a press release announcing the kick-off of the grant by November 15 of the first grant year. The press releases and media advisories, alerts, and materials should be emailed to the OTS Public Information Officer at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.
2. To include, when appropriate, that an at fault driver was suspected of or was in fact drug impaired (if possible not the drug involved, e.g., marijuana, prescription drugs, etc.) when reporting to the media the details from a crash or crash investigation.
3. To send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), with a copy to your OTS Coordinator. If an OTS template-based press release is used, the OTS PIO and Coordinator should be copied when the release is distributed to the press. If an OTS template is not used, or is substantially changed a draft press release should first be sent to the OTS PIO for approval. Drafts should be sent for approval as early as possible to ensure adequate turn-around time. Optimum lead time would be 10-20 days prior to the operation. Media communications reporting the results of grant activities such as Enforcement Operations are exempt from the recommended advance approval process, but still should be copied to the OTS PIO and Coordinator when the release is distributed to the press. Activities such as warrant or probation sweeps and court stings

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that could be compromised by advanced publicity are exempt from pre-publicity, but are encouraged to offer embargoed media coverage and to report the results.

4. To use the following standard language in all press, media, and printed materials: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
5. To issue a press release prior to each motorcycle safety enforcement operation to raise awareness about motorcycle safety in general and to draw attention to the motorcycle safety enforcement operations. If you (grantee) choose not to use the OTS template, the press releases and media advisories, alerts, and materials should be emailed to the OTS Public Information Officer at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.
6. To email the OTS Public Information Officer at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), and copy your OTS Coordinator, at least 30 days in advance a short description of any significant grant related traffic safety event or program so that OTS has enough notice to arrange for attendance and/or participation in the event.
7. To submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.), which is meant for general public use, to the OTS Public Information Officer at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), and copied to your OTS Coordinator, for approval 14 days prior to the production or duplication.
8. To include the OTS logo, space permitting, on grant funded print materials; consult your OTS Coordinator for specifics relating to this grant.
9. To develop and maintain a “Hot Sheet” program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions by December 31 of the first grant year. Updated Hot Sheets should be distributed to patrol and traffic officers every three to four weeks.
10. To conduct Standardized Field Sobriety Testing (SFST) training for 4 officers by January 31.
11. To send 4 law enforcement personnel to the NHTSA “Advanced Roadside Impaired Driving Enforcement” (ARIDE) 16 hour POST-Certified training by January 31.
12. To submit (not required but encouraged by OTS) a California Law Enforcement Challenge application to CHP according to instructions on the CHP website <http://www.chp.ca.gov/features/clec.html> and submit a copy of the application to CHP and the Office of Traffic Safety by the last Friday of March.
13. To conduct 56 DUI Saturation Patrols.
14. To conduct 7 highly publicized Motorcycle Safety enforcement operation(s) in areas or during events with a high number of motorcycle incidents or collisions resulting from unsafe speed, DUI, following too closely, unsafe lane changes, improper turning and other primary collision factor violations by motorcyclists and other drivers.
15. To conduct 9 Distracted Driving enforcement operation(s) targeting drivers using hand held cell phones and texting.



GRANTS MADE EASY – STEP  
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GRANT DESCRIPTION

16. To participate in the National Distracted Driving Awareness Month in April.
17. To participate in the statewide Click It or Ticket mobilization period in May.
18. To conduct 22 Traffic Enforcement operation(s), including but not limited to, primary collision factor violations.
19. To conduct 3 Warrant Service operation(s) targeting multiple DUI offenders who violate probation terms or fail to appear in court.
20. To collaborate with the county's "Avoid DUI Coalition" by: participating in all planning and scheduling meetings and MADD/Avoid DUI Seminars; providing your county Avoid Coordinator (Host) with your agency's schedule of operations that occur during any Avoid operational campaign period; and reporting daily, during holiday Avoid efforts, to the county Avoid Coordinator your agency's DUI arrests & DUI fatality information for the Avoid media campaign.

*NOTE: Nothing in this "agreement" shall be interpreted as a requirement, formal or informal, that a particular police officer issue a specified or predetermined number of citations in pursuance of the goals and objectives hereunder.*

**METHOD OF PROCEDURE**

**Phase 1 – Program Preparation, Training and Implementation (1<sup>st</sup> Quarter of the Grant Year)**

- The police department will develop operational plans to implement the "best practice" strategies outlined in the objectives section.
- A draft news release will be submitted to OTS to announce the grant program.
- All training needed to implement the program should be conducted this quarter.
- All grant related purchases needed to implement the program should be made this quarter.
- In order to develop the "Hot Sheets", research will be conducted to identify the "worst of the worst" repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. The Hot Sheets may include the driver's name, last known address, DOB, description, current license status, and the number of times suspended or revoked for DUI. Hot Sheets should be updated and distributed to traffic and patrol officers at least monthly.
- Implementation of the STEP program will be accomplished by deploying personnel at high collision locations.

**Phase 2 – Community Awareness (Throughout Grant Period)**

- The police department will work to create media opportunities throughout the grant period to call attention to the innovative program strategies and outcomes.

**GRANTS MADE EASY – STEP  
(Overtime)**

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**GRANT DESCRIPTION**

**Phase 3 – Data Collection & Reporting (Throughout Grant Period)**

- The police department will submit a Quarterly Performance Report (QPR) and a separate quarterly Schedule C within 30 days following each calendar quarter.
- The final QPR, Schedule C, Claim and Executive Summary are due to OTS 30 days following the end of the grant period.
- Reports shall be completed and submitted in accordance with OTS requirements specified in the Grant Program Manual.

**METHOD OF EVALUATION**

Using the data compiled during the grant, the Grant Director will prepare the Executive Summary to accompany the final QPR. The Executive Summary will: (1) briefly state the original problem; (2) specify the most significant goals and objectives; (3) highlight the most significant activities that contributed to the success of the program and the strategies used to accomplish the goals; and (4) describe the program's accomplishments as they relate to the goals and objectives.

**ADMINISTRATIVE SUPPORT**

This program has full support of the City of Palm Springs. Every effort will be made to continue the activities after the grant conclusion.

SCHEDULE B  
 DETAILED BUDGET ESTIMATE  
 GRANT PT13102  
 PAGE 1

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION
164AL	20.608	MINIMUM PENALTIES FOR REPEAT OFFENDERS FOR DRIVING WHILE INTOXICATED
402PT	20.600	STATE AND COMMUNITY HIGHWAY SAFETY

COST CATEGORY	FISCAL YEAR ESTIMATES			TOTAL COST TO GRANT
	CFDA	FY-1 10/1/12 thru 9/30/13		
<b>A. PERSONNEL COSTS</b>				
Positions and Salaries				
<u>Overtime</u>				
DUI Saturations	20.608	\$ 31,864.00		\$ 31,864.00
Warrant Service Operations	20.608	\$ 5,334.00		\$ 5,334.00
				\$ -
				\$ -
				\$ -
Benefits @		\$ -		\$ -
Traffic Enforcement Operations	20.600	\$ 12,496.00		\$ 12,496.00
Motorcycle Operations	20.600	\$ 3,976.00		\$ 3,976.00
Distracted Driving Operations	20.600	\$ 10,224.00		\$ 10,224.00
		\$ -		\$ -
Category Sub-Total		\$ 63,894.00		\$ 63,894.00
<b>B. TRAVEL EXPENSE</b>				
In-State	20.600	\$ 3,304.00		\$ 3,304.00
Out-of-State				\$ -
Category Sub-Total		\$ 3,304.00		\$ 3,304.00
<b>C. CONTRACTUAL SERVICES</b>				
				\$ -
				\$ -
Category Sub-Total		\$ -		\$ -

SCHEDULE B  
 DETAILED BUDGET ESTIMATE  
 GRANT PT13102  
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<b>D. EQUIPMENT</b>				
				\$ -
Category Sub-Total		\$ -		\$ -
<b>E. OTHER DIRECT COSTS</b>				
Phlebotomist	20.608	\$ 2,802.00		\$ 2,802.00
				\$ -
				\$ -
Category Sub-Total		\$ 2,802.00		\$ 2,802.00
<b>F. INDIRECT COSTS</b>				
				\$ -
				\$ -
Category Sub-Total		\$ -		\$ -
<b>GRANT TOTAL</b>				
		<b>\$ 70,000.00</b>		<b>\$ 70,000.00</b>

**PERSONNEL COSTS**

Overtime for grant funded law enforcement operations may be conducted by personnel such as a Lieutenant, Sergeant, Corporal, Deputy, Officer, Community Services Officer, Dispatcher, etc., depending on the titles used by the agency and the grantees overtime policy. Personnel will be deployed as needed to accomplish the grant goals and objectives.

Costs are estimated based on an overtime hourly rate range of \$40.14/hour to \$78.26/hour.

Overtime reimbursed will reflect actual costs of the personnel conducting the appropriate operation up to the maximum range specified.

No benefits will be reimbursed in this grant.

**TRAVEL EXPENSE**

Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. Anticipated travel may include the Governors Highway Safety Association annual meeting. *All conferences, seminars or training not specifically identified in the SCH B1 budget, must be approved by OTS.*

*All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.*

**CONTRACTUAL SERVICES**

None

**EQUIPMENT**

None

**OTHER DIRECT COSTS**

Phlebotomist – To draw blood from suspected DUI drivers on scene as evidence in support of DUI convictions in a court of law. OTS funds will not be used for “testing” of the evidence.

**INDIRECT COSTS**

None

**PROGRAM INCOME**

There will be no program income generated from this grant.

GRANT # PT13102		Palm Springs Police Department				2011 FED/FISCAL BASE YEAR				2013 FED/FISCAL OPERATIONAL YEAR			
GME STEP-01 ONLY		ENTER FEDERAL FISCAL BASE YEAR DATA				ENTER STATE AND SEPARATE BY QUARTERS				ENTER STATE AND SEPARATE BY QUARTERS			
GOAL DATA POINTS		09-30-11		06-30-11		09-30-11		06-30-11		09-30-13		06-30-13	
YEAR		QTR 1		QTR 2		QTR 3		QTR 4		QTR 1		QTR 2	
10-01-10		01-01-11		04-01-11		07-01-11		10-01-11		01-01-13		04-01-13	
12-31-10		03-31-11		06-30-11		09-30-11		12-31-11		03-31-13		06-30-13	
TOTAL		TOTAL		TOTAL		TOTAL		TOTAL		TOTAL		TOTAL	
Total Traffic Fatalities - Victims	8	3	0	0	0	0	0	0	0	0	0	0	0
Total Traffic Injuries - Victims	104	143	96	68	411	0	0	0	0	0	0	0	0
Alcohol Involved Fatalities - Victims	2	0	0	0	2	0	0	0	0	0	0	0	0
Alcohol Involved Injuries - Victims	14	13	8	4	39	0	0	0	0	0	0	0	0
Drug Involved Fatalities - Victims	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Involved Injuries - Victims	0	0	0	0	0	0	0	0	0	0	0	0	0
Motorcycle Fatalities - Victims	0	0	0	0	0	0	0	0	0	0	0	0	0
Motorcycle Injuries - Victims	4	3	6	3	16	0	0	0	0	0	0	0	0
Alcohol Involved Motorcycle Fatalities - Victims	0	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Involved Motorcycle Injuries - Victims	0	0	0	0	0	0	0	0	0	0	0	0	0
Hit and Run Fatal Collisions	1	0	0	0	1	0	0	0	0	0	0	0	0
Hit and Run Injury Collisions	3	3	0	0	14	0	0	0	0	0	0	0	0
Nighttime (2100 - 0259 HRS) Fatal Collisions	4	1	0	0	5	0	0	0	0	0	0	0	0
Nighttime (2100 - 0259 HRS) Injury Collisions	14	13	8	8	48	0	0	0	0	0	0	0	0
OFFICERS TRAINED AS DRUG RECOGNITION EVALUATORS (DRE)	0	0	0	0	0	0	0	0	0	0	0	0	0
OFFICERS TRAINED IN "ADVANCED ROADSIDE IMPAIRED DRIVING (SFS1)	0	0	0	0	0	0	0	0	0	0	0	0	0
OFFICERS TRAINED IN "ADVANCED ROADSIDE IMPAIRED DRIVING (ARIDE)	0	0	0	0	0	0	0	0	0	0	0	0	0
DUI SATURATION PATROL CONDUCTED (GRANT FUNDED ENFORCEMENT ACTIVITY)	0	0	0	0	0	0	0	0	0	0	0	0	0
VEHICLE STOPS	0	0	0	0	0	0	0	0	0	0	0	0	0
FIELD SOBRIETY TESTS ADMINISTERED	0	0	0	0	0	0	0	0	0	0	0	0	0
DUI ARRESTS (ALCOHOL ONLY) FROM DUI SATURATION PATROLS	0	0	0	0	0	0	0	0	0	0	0	0	0
DUI ARRESTS (ALCOHOL/DRUG COMBINATION ONLY) FROM PATROLS	0	0	0	0	0	0	0	0	0	0	0	0	0
DUI SATURATION PATROLS	0	0	0	0	0	0	0	0	0	0	0	0	0
DRUG ARRESTS (POSSESSION, TRANSPORTATION, SALES, FROM SATURATION PATROLS	0	0	0	0	0	0	0	0	0	0	0	0	0
CRIMINAL ARRESTS (FELONY IN CUSTODY) FROM SATURATION PATROLS	0	0	0	0	0	0	0	0	0	0	0	0	0
RECOVERED/REVOKED DRIVER'S LICENSES	0	0	0	0	0	0	0	0	0	0	0	0	0
SUSPENDED/REVOKED DRIVER'S LICENSES	0	0	0	0	0	0	0	0	0	0	0	0	0
DISTRACED DRIVING ENFORCEMENT OPERATIONS CONDUCTED (GRANT FUNDED ENFORCEMENT ACTIVITY)	0	0	0	0	0	0	0	0	0	0	0	0	0
CITATIONS ISSUED	0	0	0	0	0	0	0	0	0	0	0	0	0
TRAFFIC ENFORCEMENT OPERATIONS CONDUCTED (GRANT FUNDED ENFORCEMENT ACTIVITY)	0	0	0	0	0	0	0	0	0	0	0	0	0
CITATIONS ISSUED	0	0	0	0	0	0	0	0	0	0	0	0	0
MOTORCYCLE SAFETY ENFORCEMENT OPERATIONS CONDUCTED (GRANT FUNDED ENFORCEMENT ACTIVITY)	0	0	0	0	0	0	0	0	0	0	0	0	0
MOTORCYCLE STOPS	0	0	0	0	0	0	0	0	0	0	0	0	0
VEHICLE STOPS	0	0	0	0	0	0	0	0	0	0	0	0	0
FIELD SOBRIETY TESTS ADMINISTERED TO MOTORCYCLIST	0	0	0	0	0	0	0	0	0	0	0	0	0
DUI ARRESTS (ALCOHOL ONLY) OF MOTORCYCLIST FROM MOTORCYCLE SAFETY ENFORCEMENT OPERATIONS	0	0	0	0	0	0	0	0	0	0	0	0	0
DUI ARRESTS (ALCOHOL ONLY) OF OTHER DRIVERS FROM MOTORCYCLE SAFETY ENFORCEMENT OPERATIONS	0	0	0	0	0	0	0	0	0	0	0	0	0
MOTORCYCLE SAFETY ENFORCEMENT OPERATIONS	0	0	0	0	0	0	0	0	0	0	0	0	0
DUI DRUG ARRESTS (DRUG ONLY) OF OTHER DRIVERS FROM MOTORCYCLE SAFETY ENFORCEMENT OPERATIONS	0	0	0	0	0	0	0	0	0	0	0	0	0
MOTORCYCLE SAFETY ENFORCEMENT OPERATIONS	0	0	0	0	0	0	0	0	0	0	0	0	0

DUI Arrests (Alcohol/Drug Combination Only) of Motorcyclist from Motorcycle Safety Enforcement Operations	0	0	0	0	0	0	0	0	0	0
DUI Arrests (Alcohol/Drug Combination Only) of Other Drivers from Motorcycle Safety Enforcement Operations	0	0	0	0	0	0	0	0	0	0
Drug Arrests (Possession, Transportation, Sales..) from Motorcycle Safety Enforcement Operations	0	0	0	0	0	0	0	0	0	0
Criminal Arrests (Felony in custody) from Motorcycle Safety Enforcement Operations	0	0	0	0	0	0	0	0	0	0
Suspended/Revoked Driver's Licenses	0	0	0	0	0	0	0	0	0	0
Motorcycle License Endorsement (CVC 12500(b))	0	0	0	0	0	0	0	0	0	0
Recovered Stolen Motorcycles	0	0	0	0	0	0	0	0	0	0
Recovered Stolen Vehicles	0	0	0	0	0	0	0	0	0	0
Vehicle Citations	0	0	0	0	0	0	0	0	0	0
Motorcycle Citations	0	0	0	0	0	0	0	0	0	0
<b>Repeat DUI Offender Warrant Service Operations (Grant Funded Enforcement Activity)</b>	0	0	0	0	0	0	0	0	0	0
Warrant Service Attempts	0	0	0	0	0	0	0	0	0	0
Warrants Served (Citations/Arrests)	0	0	0	0	0	0	0	0	0	0
<b>Stakeout Operations Conducted (Grant Funded Enforcement Activity)</b>	0	0	0	0	0	0	0	0	0	0
Arrests/Citations from Stakeout Operations	0	0	0	0	0	0	0	0	0	0
<b>Court Sting Operations Conducted (Grant Funded Enforcement Activity)</b>	0	0	0	0	0	0	0	0	0	0
Citations/Arrests from Court Sting Operations	0	0	0	0	0	0	0	0	0	0

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Failure to comply with applicable Federal statutes, regulations, and directives may subject Grantee Agency officials to civil or criminal penalties and/or place the State in a high risk grantee status in accordance with 49 CFR §18.12.

The officials named on the Grant Agreement, certify by way of signature on the Grant Agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

- 23 U.S.C. Chapter 4 - Highway Safety Act of 1966, as amended
- 49 CFR Part 18 - Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 23 CFR Chapter II - (§§1200, 1205, 1206, 1250, 1251, & 1252) Regulations governing highway safety programs
- NHTSA Order 462-6C - Matching Rates for State and Community Highway Safety Programs
- Highway Safety Grant Funding Policy for Field-Administered Grants

**Certifications and Assurances**

The Grantee Agency will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State as identified by the State highway safety planning process, including:

- National law enforcement mobilizations,
- Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits,
- An annual statewide safety belt use survey in accordance with criteria established by the Secretary for the measurement of State safety belt use rates to ensure that the measurements are accurate and representative,
- Development of statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources.

The Grantee Agency shall actively encourage all relevant law enforcement personnel in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 USC 402 (b) (1) (E))

**Other Federal Requirements**

Cash disbursements and balances will be reported in a timely manner as required by NHTSA. (49 CFR 18.21)

The same standards of timing and amount, including the reporting of cash disbursement and balances, apply to grantees as they do the State. (49 CFR 18.41)

Failure to adhere to these provisions may result in the termination of State drawdown privileges.

Equipment acquired under this Grant Agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the Grantee Agency; or the State, by formal agreement with appropriate



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officials of a political subdivision or State agency, shall cause such equipment to be used and kept in operation for highway safety purposes (23 CFR 1200.21);

The Grantee Agency will comply with all applicable State procurement procedures and will maintain a financial management system that complies with the minimum requirements of 49 CFR 18.20;

**Federal Funding Accountability and Transparency Act**

The State will comply with FFATA guidance, OMB Guidance on FFATA Subaward and Executive Compensation Reporting, August 27, 2010, ([https://www.fsrs.gov/documents/OMB\\_Guidance\\_on\\_FFATA\\_Subaward\\_and\\_Executive\\_Compensation\\_Reporting\\_08272010.pdf](https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf)) by reporting to FSRS.gov for each sub-grant awarded:

- Name of the entity receiving the award;
- Amount of the award;
- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; , and an award title descriptive of the purpose of each funding action;
- A unique identifier (DUNS);
- The names and total compensation of the five most highly compensated officers of the entity if-- of the entity receiving the award and of the parent entity of the recipient, should the entity be owned by another entity;
  - (i) the entity in the preceding fiscal year received—
    - (I) 80 percent or more of its annual gross revenues in Federal awards; and(II) \$25,000,000 or more in annual gross revenues from Federal awards; and(ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;
- Other relevant information specified by OMB guidance.

The Grantee Agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794) and the Americans with Disabilities Act of 1990 (42 USC § 12101, et seq. PL 101-336), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse and alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights

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Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; The Civil Rights Restoration Act of 1987, which provides that any portion of a state or local entity receiving federal funds will obligate all programs or activities of that entity to comply with these civil rights laws; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

**The Drug-free Workplace Act of 1988 (41 U.S.C. 702;):**

The Grantee Agency will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
  1. The dangers of drug abuse in the workplace.
  2. The grantee's policy of maintaining a drug-free workplace.
  3. Any available drug counseling, rehabilitation, and employee assistance programs.
  4. The penalties that may be imposed upon employees for drug violations occurring in the workplace.
- c. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- d. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
  1. Abide by the terms of the statement.
  2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- e. Notifying the agency within ten days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction.
- f. Taking one of the following actions, within 30 days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted:
  1. Taking appropriate personnel action against such an employee, up to and including termination.
  2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or local health, law enforcement, or other appropriate agency.
- g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f) above.

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**Buy America Act**

The Grantee Agency will comply with the provisions of the Buy America Act (49 U.S.C. 5323(j)) which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest; that such materials are not reasonably available and of a satisfactory quality; or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

**Political Activity (Hatch Act)**

The Grantee Agency will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

**Certification Regarding Federal Lobbying**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The Grantee Agency official certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The Grantee Agency official shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including sub-contracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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**Restriction on State Lobbying**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

**Certification Regarding Debarment And Suspension**

Instructions for Primary Certification

1. By signing and submitting this Grant Agreement, the Grantee Agency official is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The Grantee Agency official shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the Grantee Agency official to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the Grantee Agency official knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The Grantee Agency official shall provide immediate written notice to the department or agency to which this Grant Agreement is submitted if at any time the Grantee Agency official learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this Grant Agreement is being submitted for assistance in obtaining a copy of those regulations.
6. The Grantee Agency official agrees by submitting this Grant Agreement that, should the covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The Grantee Agency official further agrees by submitting this Grant Agreement that it will include the clause

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titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

**Certification Regarding Debarment, Suspension, and Other Responsibility Matters –  
Primary Covered Transactions:**

1. The Grantee Agency official certifies to the best of its knowledge and belief, that its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
  - b. Have not within a three-year period preceding this Grant Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
  - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
2. Where the Grantee Agency official is unable to certify to any of the Statements in this certification, such Grantee Agency official shall attach an explanation to this Grant Agreement.

**Instructions for Lower Tier Certification**

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1. By signing and submitting this Grant Agreement, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this Grant Agreement is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this Grant Agreement is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this Grant Agreement that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency

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with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion –  
Lower Tier Covered Transactions:**

1. The prospective lower tier participant certifies, by submission of this Grant Agreement, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this Grant Agreement.

**Policy to Ban Text Messaging While Driving**

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, Grantee Agencies are encouraged to:

1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted driving including policies to ban text messaging while driving-
  - a. Company-owned or –rented vehicles, or Government-owned, leased or rented vehicles; or
  - b. Privately-owned when on official Government business or when performing any work on or on behalf of the Government.
2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as-
  - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
  - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

**Environmental Impact**

The Grantee Agency official has reviewed the Grant Agreement and hereby declares that no significant environmental impact will result from implementing this traffic safety program. If, under a future revision, this program will be modified in such a manner that a program would be instituted that could affect environmental quality to the extent that a review and statement would be necessary, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969 (42 USC 4321 et seq.) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517).