
Iowa Legislative Fiscal Bureau

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Motorcycle Helmet Transfer Funds

ISSUE

Because the Iowa General Assembly did not pass a mandatory motorcycle helmet law during the 1993 Legislative Session, federal law required 1.5% (\$2.0 million) of federal highway funds to be transferred from highway construction projects to traffic safety (Section 402) programs in Federal Fiscal Year (FFY) 1995. During the 1994 Legislative Session, House File 2358 was passed, encouraging the Governor's Traffic Safety Bureau (GTSB) to explore funding opportunities for various purposes listed in the Bill. This **Issue Review** will provide information on the dispersion of funds from the Section 402 Program for FFY 1995 and the relationship between grants awarded and priorities set forth in HF 2358.

AFFECTED AGENCIES

Board of Regents
Department of Public Health
Department of Public Safety
Department of Transportation
Judicial Department
Various Local Police and Sheriff's Departments

CODE AUTHORITY

Federal Mandates

BACKGROUND

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 required states to pass a mandatory motorcycle helmet law and a mandatory safety seat belt use law no later than September 30, 1993, or transfer 1.5% of federal highway funds to traffic safety programs in FFY 1995 and 3.0% in both FFY 1996 and FFY 1997. Because the Iowa General Assembly has not passed a mandatory motorcycle helmet law, the GTSB will receive an additional \$2.0 million in FFY 1995 and an additional \$4.0 million in FFY 1996 for traffic safety programs. If a mandatory motorcycle helmet law is in effect by September 30, 1995, no funds will be

diverted in FFY 1997. The ISTEA bill terminates in FFY 1997, and it is uncertain whether the current requirements will remain in effect after FFY 1997.

The Section 402 Grant Program is a partnership effort between the federal government and the states. Each state has a Highway Safety Office that is designated by the Governor to receive Section 402 funds for coordinating highway safety programs. In Iowa, this is the GTSB. The GTSB develops a highway safety plan identifying the key highway safety problems in the State and the most effective countermeasures to address them. Funds are then allocated by the GTSB to State agencies, local governments, law enforcement agencies, public service groups, and other organizations on a grant application basis to carry out programs and projects consistent with the highway safety plan. At least 40.0% of these funds are to be used to address local traffic safety problems.

During the 1994 Legislative Session, many questions were raised concerning the purposes for which grants awarded through the GTSB from transfer funds may be used. Following is a review of federal guidelines provided by the GTSB in response to these concerns.

- Transferred funds may be used for any eligible Section 402 project. These funds do not require a State match.
- Section 402 funds must be used in the following highway traffic safety priority areas:
 - Impaired Driving Counter measures (Drunk/Drugged Driving)
 - Occupant Restraints/Protection
 - Police Traffic Services
 - Motorcycle Safety
 - Emergency Medical Services
 - Pedestrian/Bicycle Safety
 - Traffic Records
 - Road Safety
- Section 402 funds are designed to be used as "seed money" for program startup costs. Funding for a program generally discontinues after 3 years.
- Funds cannot be used to supplant funds used to maintain ongoing programs in the State.
- The National Highway Traffic Safety Administration (NHTSA) and the Federal Highway Administration (FHWA) have final approval of a grant proposal. The funds are intended to implement highway safety programs to reduce fatalities, injuries, and property damage.

CURRENT SITUATION

Below are the legislative priorities set forth in HF 2358 and the GTSB's programming plan for Section 402 transfer funds. These numbered priorities total \$1,545,700.

1. **Health - EMS** - To the Department of Public Health (DPH) to be allocated to Emergency Medical Services (EMS) associations for instruction of emergency medical care technicians

in accident scene procedures and for up to 25.0% of the costs for onetime purchases of vehicles and other emergency medical equipment.

- \$230,000 will be awarded to the DPH to fund the following:
 - \$100,000 for the purchase of EMS equipment and to supplement the purchase of ambulances.
 - \$75,000 for a program based on the National Bystander Care Program and a pilot effort underway in Clarke County. The Program focuses on the need for citizen awareness of basic accident scene procedures, including starting victims' breathing, stopping bleeding, and calling for help.
 - \$40,000 for the purchase of a software program to link trauma and other hospital data to EMS run reports. This linkage effort coincides with the on-going development of a statewide EMS run report.
 - \$15,000 for the development and implementation of an accident scene management training program for emergency medical care technicians.
2. **Motorcycle Education** - To the Department of Education to be allocated to school districts within the State for driver's education classes for additional highway safety and motorcycle training programs.
- \$12,500 will be awarded to Eastern Iowa Community College to provide training for law enforcement officers on motorcycle accident investigation.
 - \$88,000 will be awarded to the Kragie/Newell Advertising company to develop a public service announcement and related advertising materials regarding motorcycle safety.
3. **Farm Safety on the Roadway** - To be allocated to educational institutions to be used for programs on farm vehicle safety and extraction from farm machinery.
- \$28,000 will be awarded to Iowa State University (ISU) to develop and distribute brochures addressing farm vehicle safety on Iowa's roadways. A companion radio Public Service Announcement will be developed for use by the WOI radio station.
 - \$10,000 will be awarded to the DPH for development of a training program for EMS personnel on farm vehicle extraction.
4. **Railroad Safety Education** - To the State Department of Transportation (DOT) to be used for the Iowa Operation Lifesaver Program to promote vehicle railroad crossing safety.
- \$29,000 will be awarded to the DOT Rail and Water Division for the Operation Lifesaver Program. The Program will develop a railroad crossing safety video to be distributed to all Iowa high schools for use in driver's education classes.
5. **Community Traffic Safety Programs** - To county traffic safety councils for the development of comprehensive traffic safety programs.
- \$60,000 will be awarded to continue a community traffic safety program in Black Hawk county. This program includes speed detection equipment, support for law enforcement training by the County Attorney's office, and a bicycle helmet promotion effort.

- \$182,500 will be awarded to community-based alcohol enforcement and education programs. These programs involve 13 agencies in 10 counties. The program will emphasize impaired driving enforcement at high risk times, cooperative multi-agency enforcement activities and public education focusing on younger drivers.
 - \$18,000 will be awarded to community-based occupant protection enforcement/education efforts. Programs in Ottumwa and Keokuk will focus on improving occupant protection use with a combination of public education and enforcement.
 - \$247,700 will be awarded to community-based enforcement and education programs emphasizing the Safe and Sober theme. These programs will involve 14 agencies in 11 counties and will focus on impaired driving, seat belt use, and safe driving. This will be coupled with corresponding cooperative multi-agency enforcement efforts.
 - \$25,000 will be awarded for a community-based program in a major Des Moines area suburb to pilot test a global positioning system that will identify traffic accident locations.
6. **Adolescent Substance Abuse** - To the DPH to be used for adolescent substance abuse prevention.
- \$15,000 will be awarded for substance abuse prevention through ISU. This money will be used to expand the current Section 402 funded ISU youth alcohol program to include communities and community groups. Currently, the program focuses only on high schools.
7. **Mobile Accident Reporting System** - To the DOT to be allocated to the Iowa State Patrol, local police departments, and county sheriff's offices for purchase of pen-based mobile computers to enhance the implementation of Iowa's mobile accident reporting system and to facilitate the development of additional computer-based enforcement reporting systems.
- \$350,000 will be awarded to the DOT for the purchase of pen-based mobile computers for local law enforcement agencies and the Iowa State Patrol for implementation of the Mobile Accident Reporting System.
8. **Electronic Traffic Citation** - To the DOT to be used to develop software to allow origination of uniform citations from computerized devices and for electronic communication of the record of the citation from the issuing agency to the court and electronic communication of the abstract of conviction from the court to the DOT.
- \$250,000 will be awarded to the DPS to design an electronically generated uniform traffic citation. The program will also address electronic communication of records to the court system and electronic transfer of court traffic conviction records to the DOT.

Other

Engineering - \$125,000. Funding will be provided for the following:

- Development of a work zone safety educational program to educate contract personnel regarding hazards and survival techniques.
- Development, testing, and implementation of a system to alert work zone workers about vehicles approaching at unsafe speeds.

- Development of the Incident Management System in a major multi-city area and for the development of an automated collision diagramming process in that area of the State.

Bicycle/Pedestrian - \$27,000. Funds have been awarded to the Iowa Head Injury Association for development of a youth oriented educational program with special emphasis on bicycle and pedestrian safety.

Other - \$349,911. Funds will be provided for the following purposes;

- \$60,000 will be awarded to the DPH for a child restraint safety program.
- \$40,000 to the DPS Division of Criminal Investigation Lab for the Automated Solid Phase Extraction Program, which automates the testing of blood and urine samples of impaired drivers.
- \$12,000 to the Judicial Department for training of up to 7 judicial officers on adjudication of alcohol and traffic-related matters.
- \$237,911 to the GTSB for the following purposes:
 - Development of the Safety Management System, as mandated by the ISTEA Act of 1991.
 - Purchase of a new computer system for the GTSB to upgrade service linkage with the federal financial system.
 - Production of materials that support new expanded program efforts.
 - Implementation of a "Safe and Sober Spokesperson" peer-to-peer program, in coordination with the NHTSA's national "Safe and Sober" campaign.
 - Provision of additional program support services to assist with the implementation of the expanded Highway Safety Plan in FFY 1995.
 - Training of additional Drug Recognition Experts on the Drug Evaluation and Classification Program.

A detailed list of grant recipients, proposal descriptions, and funding amounts has been provided as Attachment A.

The federal transportation bill is currently in a joint conference committee with next action planned in September. To date, all efforts to repeal the diversion of funds from road construction to highway safety purposes have failed, but this remains a slim possibility. Motorcycle helmet requirements may not be maintained when the ISTEA bill terminates in FFY 1997.

ALTERNATIVES

1. Enact legislation during the 1995 session requiring use of motorcycle helmets to avoid the transfer of highway funds in FFY 1997.
2. Continue to seek alternatives for the use of funds administered through the GTSB. These funds cannot be appropriated by the General Assembly and must meet the program priority criteria established by the NHTSA.

BUDGET IMPACT

In FFY 1994, the GTSB received \$1.9 million in total funding to be awarded through the grant application process. The \$2.0 million transferred from highway construction projects in FFY 1995 more than doubles the GTSB's budget. Funding to be received in FFY 1995 is expected to remain approximately the same as the \$1.9 million received in FFY 1994. The additional \$4.0 million transferred in FFY 1996 will triple the Bureau's budget for that year.

The DOT will lose \$2.0 million in federal funding for highway construction projects in FFY 1995 and \$4.0 million in FFY 1996. Because the amount of federal funding received by the DOT is uncertain from year-to-year, these dollars have not been programmed for a specific highway construction project, and therefore, no specific project can be named which will not be completed due to lack of these funds. However, it can be concluded that funding transferred to the GTSB would have been used for highway construction projects, which will be delayed.

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Projects Proposed to be Funded in FY 1995 with Section 153 Transfer Funds

<u>State Agency</u>	<u>Proposal Description</u>	<u>Funding Amount</u>
Iowa State University (ISU)	1-day conference, training, speakers, supplies, materials, part-time coordinator	\$ 15,000
Division of Criminal Investigation Lab, Department of Public Safety (DPS)	Automated Solid Phase Extraction	40,000
State Court Administrator, Judicial Department	Train up to 7 judges, focusing on adjudication of alcohol and traffic-related matters	12,000
Iowa State Patrol, DPS	Statewide coordinated/cooperative law enforcement (multi-agency)	50,000
Department of Public Health (DPH) Emergency Medical Services (EMS)	EMS vehicle and equipment, trauma system development, bystander program development, accident scene program development, farm safety/machinery extraction	240,000
ISU	Program to educate Iowa's farm population on special operational characteristics of farm machinery	28,000
DPS	Software and systems development for uniform traffic citations, software development from "IOWA" System to Judicial System, computers, radio transmission equipment	250,000
DPH	Child Health coordinators and trainer, Committee Program Planner, educational materials, safety seats	60,000
Rail and Water Division, Department of Transportation (DOT)	Operation Lifesaver equipment for all schools with driver's education programs, with emphasis placed on railroad crossing safety	29,000
University of Northern Iowa	2 dual radar units	5,000
Flagger Stations, DOT	Consultant to provide roadway sensors, training in flagger stations to detect oncoming vehicles approaching too fast	25,000
Automated Collision Diagramming, DOT	Off-the-shelf software, configuration, conversation utility, on-site installation, manuals	10,000
Mobile Accident Reporting System (MARS), DOT	Computers to implement the MARS project, 100 units @ \$3,500 each	350,000
Work Zone Safety, DOT	Production of "Hazards of Road Construction" film for safety training	\$ 75,000

Projects Proposed to be Funded in FY 1995 with Section 153 Transfer Funds

<u>State Agency</u>	<u>Proposal Description</u>	<u>Funding Amount</u>
Governor's Traffic Safety Bureau (GTSB)	GTSB computers and laptops for area administrators	30,000
GTSB	Safety Management System, Safe & Sober, printer materials, travel, overtime	187,911
Drug Recognition Experts (DRE), GTSB	DRE miscellaneous	20,000
Davenport Police Department	400 overtime hours, 2 moving radars, travel, training	17,000
Ottumwa Police Department	200 overtime hours, 3 Preliminary Breath Testers (PBTs), 2 directional flashing units, 2 stationary radars	7,000
Scott County Sheriff's Department	200 overtime hours for operating while intoxicated enforcement, travel, training, Mobile Data Terminal	11,500
Burlington Police Department	664 overtime hours for Alcohol, Occupant Protection enforcement and training, 2 PBTs, laser speed detector	18,500
Clinton County Sheriff's Office	475 overtime hours, training, travel, 2 radar units, 1 PBT	13,500
Jasper County Sheriff's Office	210 overtime hours, 2 moving radars	7,500
Eastern Iowa Community College District	\$400/person for motorcycle accident investigation at Scott Community College, commodities, training, travel	12,500
Keokuk Police Department	400 overtime hours, radar updates, hand-held radar, computer, monitor, printer	11,000
Indianola Police Department	490 overtime hours, training, educational materials, 2 PBTs	12,000
Fort Madison Police Department	540 overtime hours for education/enforcement, travel, training, a moving radar unit, 4 PBTs, commodities	15,000
Dubuque County Sheriff's Office	384 overtime hours, 3 radars, 3 PBTs	14,500
Newton Police Department	250 overtime hours, 3 traffic signs, 3 mesh signs with ribs, 4 safety vests	6,000
Fort Dodge Police Department	Laser stationary radar, 2 moving radars, 4 PBTs	10,500

Projects Proposed to be Funded in FY 1995 with Section 153 Transfer Funds

<u>State Agency</u>	<u>Proposal Description</u>	<u>Funding Amount</u>
Dubuque Police Department	800 overtime hours, 2 PBTs, 2 radar units, 2 belt and 2 shoulder battery packs, travel, training	\$ 22,000
Iowa Head Injury Association	Project Coordinator and Assistant to develop an elementary program for injury prevention, travel expenses, telephone, postage, printing	27,000
Cerro Gordo County Sheriff's Office	200 overtime hours, educational materials, 4 dual radar units, 6 PBTs, Auto-cad computer programs	17,000
Cedar Rapids Police Department	418 overtime hours, accident investigation camera to include a battery and a case charger	12,000
Bettendorf Police Department	1 FTE, mobile data terminal, travel, training	38,500
Ankeny Police Department	64 overtime hours, laser radar unit, travel, training	6,000
Perry Police Department	384 overtime hours, 1 moving radar, 2 PBTs, travel, training	11,000
City of West Des Moines	Training, Global Positioning System base station, 16 mobile units, radio transmitter, receiver, software, software integration	25,000
Woodbury County Sheriff's Office	Speed display screen unit, 4 PBTs, 5 moving/dual radar units	13,000
Iowa City Police Department	200 overtime hours, speed monitor, laser speed detector, moving radar, Vericom VC2000 computer	14,500
Pottawattamie County Sheriff's Office	8 PBTs, 4 traffic control arrows, 8 reflective vests, 1 moving radar unit	7,000
Council Bluffs Police Department	500 overtime hours, plotter printer	16,000
Sioux City Police Department	Portable speed device with a radar unit, 6 directional arrows	4,200
Kragie/Newell, Inc.	Public communication services for motorcycle helmet, bicycle, and pedestrian safety issues	88,000
Black Hawk County Attorney's Office	Training, public awareness	2,000
Black Hawk County Sheriff's Office	Laser unit	4,500

Projects Proposed to be Funded in FY 1995 with Section 153 Transfer Funds

<u>State Agency</u>	<u>Proposal Description</u>	<u>Funding Amount</u>
La Porte City Police Department	1 dual radar unit, 1 PBT	2,500
Rainbow Cyclists	Elementary school bike helmet program (1,000 helmet rebates)	\$ 5,000
Black Hawk County Health Department	2 PTE coordinators, overtime, training, commodities	35,000
Bi-State Regional Commission	Coordinate Multi-Disciplinary Safety Team and develop an incident management system	15,000
Black Hawk County Health Department	3 dual radars, PBTs, TV/VCR	6,000
Marshalltown Police Department	193 overtime hours, travel, training, 3 moving/stationary radars, TV/VCR	10,000
Des Moines Police Department	6 moving radars, 5 directional arrows, 8 PBTs	16,000
Coralville Police Department	FTE salary	24,000
Marshall County Sheriff's Office	FTE salary, travel, training, billboards, 2 dual radars, 3 PBTs	31,000
Des Moines County Sheriff's Office	Saturation overtime, 3 radar units, 6 PBTs	12,000
		<u>\$ 2,047,611</u>