



February 2, 2015

Dockets Management Facility
US Department of Transportation
1200 New Jersey Avenue, SE
West Building Ground Floor Room W12-140
Washington, DC 20590

Subject: FHWA Docket Number FHWA-2014-0032
Retrospective Regulatory Review – State Safety Plan Development and Reporting

The Montana Department of Transportation (MDT) respectfully submits the following comments in response to the Federal Highway Administration (FHWA), National Highway Traffic Safety Administration (NHTSA) and Department of Transportation's (DOT) request for comments.

The Montana Department of Transportation (MDT) is dedicated to improving safety across Montana roadways and ensuring that all travelers arrive safely at their destinations. MDT dedicates its resources to planning and constructing systems that enhance the quality of highway safety in Montana. Any changes should promote flexibility and the States choice on projects as well as performance targets.

- 1. How do State offices currently collect and report data to FHWA and NHTSA? Are any elements of these information collections or reports duplicative? If yes, what are those duplicative requirements and are there ways to streamline them?**

MDT reports NHTSA data through 3 separate documents, the Highway Safety Plan, the 405 Application and the Annual Report. For continuity, all three reports use data that is reported in the SHSP. MDT has developed its own unique system to gather and share that data based on our current technology and data input. A national system

to “streamline” the process may only make the process more difficult as each state is different in how they collect and report data.

The HSIP reports electronically through the Montana Highway Safety Improvement Program using a completely separate format and technology.

- 2. Are there changes FHWA and NHTSA should make to the HSIP and the HSP reporting processes to reduce burdens from duplicative reporting requirements, improve safety outcomes, and promote greater coordination among State agencies responsible for highway safety, consistent with the underlying statutory authority of these two grant programs?**

The HSP, HSIP and SHSP are all under the umbrella of the Montana Department of Transportation with the HSP and SHSP in the same division. There are already significant coordinated efforts to use the same data and reporting. Any new processes should take into account that states have worked out their own systems.

Burden would be reduced if reporting cycles could be limited to every two or three years. Plans and reports are due every year and tend to be just updates. A longer cycle would give states a chance for longer term analysis and reduce the burden of continual reporting.

- 3. Would States prefer to combine plans and reports for the HSIP and HSP into a single report for FHWA and NHTSA? Would States find a single report useful for these complementary but distinctly different programs?**

The Strategic Highway Safety Plan (SHSP), the state Highway Safety Plan (HSP) and the Highway Safety Improvement Program (HSIP) are three coordinated safety efforts but very separate documents. The HSP is a planning document for behavioral programs, the HSIP reports on infrastructure projects and the SHSP is an umbrella document for programs in and outside of MDT. FHWA and NHTSA have different requirements, policies and regulations for all of these programs. It would be imperative that any action to combine these should be left up to the states. FHWA and NHTSA would first need to agree upon letting the states set up their own system and structure for any combined report. Only after FHWA and NHTSA agree on minimum reporting requirements and states are given the authority to structure the document would a combined report be useful and reduce burden.

- 4. Are there any State legal or organizational barriers to combining plans and reports for the HSIP and HSP to FHWA and NHTSA? To what extent does the location of the State recipient of the Federal funds from FHWA and**

NHTSA, within the State's organizational structure, add to or reduce the burdens of consolidated plan development or reporting?

Each state will have separate legal and structural issues that they will need to address. In cases where plans are located in separate organizations, consolidation could increase the burden of reporting. Additionally, NHTSA and FHWA will need to overcome their organizational differences and requirements.

5. Are there SHSP requirements with higher costs than benefits? If so, what are those requirements and are there ways to improve them or should they be eliminated?

States should retain flexibility with the SHSP's. No changes to the federal requirements at this time.

6. Are there changes FHWA should make to the SHSP guidance to promote coordination among State agencies responsible for highway safety?

No changes at this time. States should be allowed to work out their own partnership issues without FHWA adding additional guidance or regulation for coordination.

MDT appreciates the opportunity to comment. We encourage FHWA and NHTSA to be considerate of limiting state burden and costs, preserving state flexibility and authority for administering its programs as provided in Title 23 USC, and allowing states to focus efforts on those most critical to safety management as it continues this rulemaking process.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Tooley". The signature is written in a cursive, flowing style.

Director Michael Tooley
Montana Department of Transportation

