

# Q & A on Safety Performance Measures Final Rule

## SERIOUS INJURY

---

**Q: What is required for a State to meet the requirement on serious injury reporting?**

**A:** States are required to report serious injuries in compliance with 23 CFR Parts 490 and 1300. A State is considered compliant if it conforms with all of the following:

- (a) Maintains a statewide crash database capable of accurately aggregating the Model Minimum Uniform Crash Criteria (MMUCC) 4th Edition injury status attribute “Suspected Serious Injury (A)”,
- (b) Ensures police crash forms employ the verbatim MMUCC 4<sup>th</sup> Edition injury status attribute “*Suspected Serious Injury (A)*”,
- (c) Ensures the State crash database data dictionary and crash report user manual employs the verbatim terminology and definitions for the MMUCC 4<sup>th</sup> Edition injury status attribute “*Suspected Serious Injury (A)*” and
- (d) Ensures that none of the six serious injury types specified therein are included in any of the other attributes listed in the States’ injury status data element.

**Q: When must a State comply with the new definition?**

**A:** States are required to comply with the new definition by April 15, 2019. However, it is recommended that States begin using the MMUCC 4<sup>th</sup> Edition definition and attribute beginning January 2019 in order to have a complete and consistent data file for the entire 2019 calendar year.

**Q: What are the State Serious Injury Conversion Tables?**

**A:** The State Serious Injury Conversion Tables assist a State in reporting the required number and rate of serious injuries until it becomes compliant with the new serious injury definition. States that do not currently use the MMUCC 4<sup>th</sup> Edition attribute for “Suspected Serious Injury (A)” shall use the State Injury Conversion Tables to convert the equivalent definition and attributes from their State’s Motor Vehicle Crash Database to report serious injuries.

**Q: Where can I find the State Serious Injury Conversion Tables?**

**A:** The State Serious Injury Conversion Tables can be found on the FHWA website at the link below: [http://safety.fhwa.dot.gov/hsip/spm/conversion\\_tbl/](http://safety.fhwa.dot.gov/hsip/spm/conversion_tbl/).

## NON-MOTORIZED

---

**Q: Is the non-motorized safety performance measure two separate measures?**

**A:** No. The non-motorized safety performance measure is one measure that combines non-motorized fatalities and non-motorized serious injuries. The numbers are combined to account for the volatility of small data sets in some states and to minimize the number of safety performance measures that States must report.

**Q: How do I determine the number of non-motorized serious injuries in my State Motor Vehicle Crash Database?**

**A:** The number of non-motorized serious injuries is the total number of serious injuries where the injured person is, or is equivalent to, a pedestrian (2.2.36) or a pedalcyclist (2.2.39) as defined in the American National Standard (ANSI) D16.1-2007 Manual on Classifications of Motor Vehicle Traffic Accidents.



# Q & A on Safety Performance Measures Final Rule

For States that do not use the ANSI D16.1 definition in their State's Motor Vehicle Crash Database, the State Serious Injury Conversion Tables provide equivalent definitions for pedestrian and pedalcyclist.

**Q: Is the non-motorized safety performance measure identical to NHTSA's pedestrian and bicyclist measures in the Highway Safety Plan (HSP) (23 CFR 1300.11 and document DOT HS 811 025)?**

**A:** No. The HSIP's non-motorized safety performance measure combines the total number of non-motorized fatalities and non-motorized serious injuries during a calendar year in a State. The number of non-motorized fatalities is the total number of fatalities with the Fatality Analysis and Reporting System's (FARS) person level attribute codes: (5) Pedestrian, (6) Bicyclist, (7) Other Cyclist, and (8) Person on Personal Conveyance. The number of non-motorized serious injuries is the total number of serious injuries where the injured person is, or is equivalent to, a pedestrian (2.2.36) or a pedalcyclist (2.2.39) as defined in ANSI D16.1.

NHTSA has two separate measures that address non-motorized users: one for pedestrian fatalities and one for bicyclist fatalities. NHTSA does not include a performance measure for pedestrian or bicyclist serious injuries.

**Q: Where can I find more information to help set the HSIP target for non-motorized fatalities and serious injuries?**

**A:** A guide to help set the non-motorized fatalities and serious injuries target is located at <http://safety.fhwa.dot.gov/hsip/spm/>.

## HSIP TARGET SETTING

**Q: What years of data are used to set HSIP targets and measure baseline performance?**

**A:** States should begin to set their targets by first looking at trends and annual counts from their State data and FARS data. This is done by examining data from previous years, and using that data to make estimates of the target for future years.

States can calculate the five most recent five-year averages of available data and draw a trend line using Excel or another software program. For example, to set a target for CY 2018 (5-year average data from years 2014-2018), States should use data from 2016 and prior years. The five consecutive five-year rolling averages to review would be 2008-2012 as the first five-year average, 2009-2013, 2010-2014, 2011-2015 and 2012-2016 as the most recent five-year average. These five different values are used to create a trend line. The trend line can be extrapolated and used to forecast future five-year averages, including 2013-2017 and 2014-2018 to set the CY 2018 target (5-year average data from years 2014-2018). The next step in deciding on a target is to consider the many elements that might modify the trend line.

**Q: Is there a prescribed methodology a State should use when setting the HSIP targets?**

**A:** No. FHWA does not prescribe a methodology for setting targets. States have the flexibility to use any methodology they deem appropriate. States should review data sets and trends and consider a variety of internal and external factors such as VMT, laws, and investments among others that may affect targets. Annual HSIP targets should be data driven, realistic and attainable.



# Q & A on Safety Performance Measures Final Rule

**Q: May States or MPOs establish aspirational or Toward Zero Deaths (TZD) annual targets when those targets are not reasonably achievable in the time frame represented by the target (annually) to meet the requirements of the Safety Performance Management (Safety PM) rule?**

**A:** FHWA strongly discourages using aspirational targets or TZD targets for setting annual targets. The FHWA and NHTSA agree that zero fatalities on our Nation's roads is the only acceptable goal; however, agencies should recognize that reaching zero fatalities will require time and significant effort by many different partner agencies. The Safety PM rule (23 CFR Part 490) is aligned with the TZD vision and represents an important step in helping States and MPOs work toward the ultimate goal of eliminating traffic deaths and serious injuries. Targets established in accordance with FHWA's performance measures rules should be considered as interim condition/performance levels that lead toward the accomplishment of longer-term performance expectations in the State DOTs' and MPOs' transportation plans such as the Long Range Plan (LRP) and/or the Strategic Highway Safety Plan (SHSP). States and MPOs should establish annual targets as part of the Safety PM requirements that make interim progress toward a long-term goal of TZD in a LRP or a SHSP.

States and MPOs should ensure their annual targets are data-driven, realistic and achievable. Setting aspirational or TZD targets that are not data-driven, realistic or achievable does not align with performance management framework or the stated congressional policy to improve project decision-making through performance-based planning and programming (23 U.S.C. 150(a)). Additionally, NHTSA requires States to submit data-driven annual targets in their Highway Safety Plans (HSP). Setting data-driven performance targets will enable decision makers to utilize their safety resources in ways that will result in the greatest reduction in fatalities and serious injuries and in increased accountability and transparency by allowing the public to better understand safety expectations and expenditure results.

In 23 CFR 490.101, a target is defined as a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by FHWA. The rule further provides that State annual targets must represent performance outcomes anticipated for the calendar year following each HSIP annual report (23 CFR 490.209(a)(2)). In addition, under NHTSA's Uniform Procedures for State Highway Safety Grant Programs, a State's HSP must identify the State's highway safety problems, describe its performance measures, define its performance targets, and develop evidence-based countermeasure strategies to address the problems and achieve the targets (23 CFR 1200.11(a)(1)).

The Statewide and Metropolitan Transportation Planning Rule (23 CFR Part 450) also requires States and MPOs to take a performance-based approach to planning and programming, linking investment decision-making to the achievement of performance targets in the Statewide Transportation Improvement Program (STIP) and the Metropolitan Transportation Improvement Program (TIP) (23 CFR 450.206 & 23 CFR 450.306). It may be difficult to demonstrate how investments contained in the STIP and TIP link to achievement of targets if the targets are aspirational or not data-driven. This requirement applies to safety targets in addition to other performance areas. The rule requires States to reflect safety targets in their Long Range Statewide Transportation Plans (23 CFR 450.216) and MPOs to reflect safety targets in their Metropolitan Transportation Plans (23 CFR 450.324) and describe the anticipated effects of their STIPs and TIPs toward achieving their safety targets. The FHWA and FTA review the STIPs and TIPs and make a joint finding regarding whether they meet the statutory and regulatory requirements (23 CFR 450.220 & 330).

FHWA Division Offices and NHTSA Regional Offices stand ready to work closely with States and MPOs to provide technical assistance as they develop their annual safety targets.



# Q & A on Safety Performance Measures Final Rule

**Q: Which safety stakeholders should be involved in setting targets?**

**A:** Coordinating for the target setting process is important to comply with the regulation on setting identical targets for the common measures in the HSIP and Highway Safety Plan (HSP). State DOTs and State Highway Safety Offices (SHSOs) will need to coordinate on setting the three identical targets. State DOTs and MPOs are also required to coordinate during the target setting process. States should include other stakeholders in the target setting process such as law enforcement, emergency medical services and others to garner buy-in from all safety stakeholders in the State.

**Q: Since FHWA will make the determination whether a State has met or made significant progress using FARS data, should a State use FARS data when setting their HSIP fatality targets?**

**A:** Setting HSIP targets involves a review of a variety of data sets. The FARS data is a good place to begin but it is not the only data to review. The State crash database can provide a validity check on the FARS data and should be consulted. State crash databases tend to have more timely data than FARS.

**Q: Do the 5 safety performance measures have to be reflected in a States' Strategic Highway Safety Plan (SHSP)?**

**A:** Yes. The SHSP must include goals that are consistent with the safety performance measures. States can achieve this by establishing goals in their SHSPs that consider reductions in serious injuries and fatalities for all road users on all public roads. States could also adopt SHSP goals that directly correspond to each of the safety performance measures.

**Q: Where can I find more information on setting targets and the SHSP?**

**A:** FHWA has several publications at <http://safety.fhwa.dot.gov/hsip/spm/> on target setting practices. The SHSP information is located at <http://safety.fhwa.dot.gov/hsip/shsp/>.

## MPO HSIP TARGETS

**Q: Can MPO HSIP targets be less stringent than the State DOT HSIP targets?**

**A:** The MPO may choose the target that is most appropriate for the planning area. Since States and MPOs must coordinate during the target setting process, they will both be aware of the methodologies each uses to set the HSIP targets. FHWA does not stipulate a specific methodology States or MPOs must use to establish HSIP targets. MPO and State targets should be data driven.

**Q: What does it mean if a bi-state MPO agrees to support a States' HSIP target?**

**A:** If a bi-state MPO agrees to support a State HSIP target, the bi-state MPO would agree to plan and program projects that support each State achieving its target.

**Q: When do MPOs need to establish HSIP targets?**

**A:** MPOs have 180 days after the State establishes and reports their targets to establish HSIP targets. States establish and report HSIP targets in their HSIP Annual Report due August 31 each year. If a State submits its HSIP report prior to August 31<sup>st</sup>, FHWA still considers the HSIP targets as being established and reported on August 31. Therefore, MPOs must establish their HSIP targets no later than February 27 each year.

**Q: Where can I find more information on MPO requirements?**

**A:** A fact sheet on safety performance measure requirements specific to MPOs is located at <http://safety.fhwa.dot.gov/hsip/spm/>.



# Q & A on Safety Performance Measures Final Rule

## **MET OR MADE SIGNIFICANT PROGRESS**

---

**Q: How will significant progress be determined?**

**A:** A State has met or made significant progress when at least 4 out of the 5 HSIP targets are met or the actual outcome for the target is better than baseline performance.

**Q: When does FHWA determine if a State has met or made significant progress?**

**A:** FHWA determines whether a State has met or made significant progress toward meeting its HSIP targets at the end of the calendar year when target year data is available. FHWA will report its findings to States by March of the following year. For example, FHWA will begin to assess significant progress for the 2014-2018 HSIP targets in December 2019 and will report its findings to States no later than March 2020.

**Q: Will the State DOT be evaluated on the MPO HSIP targets for significant progress?**

**A:** No, State DOTs are not evaluated on MPO HSIP targets. When determining if a State has met or made significant progress, FHWA will only use the State's HSIP targets submitted to FHWA in the HSIP Annual Report.

**Q: What is the consequence if a State does not meet or make significant progress?**

**A:** If a State DOT does not meet or make significant progress toward meeting its HSIP targets, the State shall use obligation authority equal to the HSIP apportionment for the fiscal year prior to the target year only for HSIP projects and submit an HSIP Implementation Plan to FHWA. For example, if a State DOT does not meet or make significant progress towards meeting its 2018 safety targets, in Fiscal Year (FY) 2021, the State DOT must use obligation authority equal to the FY 2017 HSIP apportionment only for HSIP projects and submit an HSIP Implementation Plan by June 30, 2020.

**Q: Where can I find additional information on met or made significant progress?**

**A:** A fact sheet on the determination of Met or Made Significant Progress is located at <http://safety.fhwa.dot.gov/hsip/spm/>.

