Oregon
FFY 2023 Highway Safety Plan

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Highway Safety Plan

NATIONAL PRIORITY SAFETY PROGRAM INCENTIVE GRANTS - The State applied for the following incentive grants:

S. 405(b) Occupant Protection:	**Yes**
S. 405(c) State Traffic Safety Information System Improvements:	**Yes**
S. 405(d) Impaired Driving Countermeasures:	**Yes**
S. 405(d) Alcohol-Ignition Interlock Law:	**No**
S. 405(d) 24-7 Sobriety Programs:	**No**
S. 405(e) Distracted Driving:	**Yes**
S. 405(f) Motorcyclist Safety Grants:	**Yes**
S. 405(g) State Graduated Driver Licensing Incentive:	**No**
S. 405(h) Nonmotorized Safety:	**Yes**
S. 1906 Racial Profiling Data Collection:	**Yes**

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Highway safety planning process

Overview of Highway Safety Planning Process

Data Sources and Processes

A state-level analysis is completed, using the most recent data available, to certify that Oregon has the potential and data-driven need to fund projects in various program areas. Motor vehicle crash data, survey results (belt use and public perception), and other data on traffic safety problems are analyzed. Program level analysis is included for each of the National Highway Traffic Safety Administration (NHTSA) priority problem areas such as impaired driving, safety belts, and police traffic services. This data is then directly linked to performance goals and proposed projects for the coming year, and is included in project objectives. The data sources include, but are not limited to:

1. Fatal Analysis Reporting System (FARS)
2. Oregon's Crash Analysis Reporting System (CARS)
3. Oregon's Law Enforcement Data System (LEDS)
4. Oregon's Safety Priority Index System (SPIS)
5. Oregon's Geographic Information System Mapping Technology (GIS)
6. Driver and Motor Vehicle Services, Oregon Department of Transportation (DMV)
    a. Driver records
    b. Vehicle records
7. Criminal Justice Information System (CJIS)
8. Seat Belt Usage Observation Study
9. Public Opinion Survey
10. Project Evaluations
11. Center for Population Research and Census, Portland State University
12. Driver Education records, Western Oregon University
13. Motorcycle Safety Education, Oregon State University

Performance goals for each program are established by TSO Program Managers, taking into consideration partner input and data sources that are reliable, readily available, and reasonable as representing outcomes of the program. TSO Programs and their projects are designed to impact transportation safety problems identified by data through the problem identification process. TSO and its partner agencies work together in providing continuous follow-up to these efforts throughout the year, adjusting plans or projects in response to evaluation and feedback as feasible.

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Process for Establishing Performance Goals

Performance goals for each program are established by TSO Program Managers. Performance measures incorporate elements of the Oregon Benchmarks, Oregon Transportation Safety Action Plan, the Safety Management System, priorities and suggestions received at the Annual Planning Workshop from partners, and nationally recognized countermeasures. Both long-range and short-range measures are utilized and updated annually. Oregon starts with a minimum of 3, 5, or 8 year data history average, then a change rate of 3 percent, plus or minus, to initially propose performance measure targets. If the 3 percent performance change is deemed unreasonable based on crash data, partner input during planning workshops, and/or legislative and environmental changes (i.e. legalization of recreational use of marijuana and decriminalization of some illicit drug for personal use), the 3 percent may be adjusted in the target. This level of change has proven to be effective in prior Highway Safety Plans and is an easy way to forecast what can be expected. This level of change is generally representative of one standard deviation, meaning that the actions taken had an influence on the result outside of just pure chance. The Oregon highway safety community has also embraced this formula and supports the use of 3 percent reduction targets as a starting point.

As required under the FAST Act, the project selection process for NHTSA-funded grants relies on published reports and various types of data, studies or reviews. The Transportation Safety Office relies on the following resources in selecting projects for all of its funding sources, including NHTSA funding sources and programs contained in the Performance Plan. The resources of information include:

1. Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices - USDOT
2. National Agenda for Motorcycle Safety
3. Annual Report - TSO
4. Annual Reports - various SHSO's from across the country
5. State Highway Safety Showcase - GHSA
6. Mid-Year Project Evaluations - TSO
7. Research Notes - USDOT
8. Program Assessments – both for Oregon as well as various SHSO's nationwide
9. Uniform Guidelines for State Highway Safety Programs – USDOT

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Processes Participants

Problem analysis was completed by ODOT Transportation Safety Office staff, the Oregon Transportation Safety Committee (OTSC), and stakeholder input received in the fall and winter of 2022, with a formal Annual Planning Workshop (APW) hosted in January. This year's APW took place virtually via online meeting software, maintaining the ability to assign participants to 'break out rooms' to discuss performance measures and targets proposed for ODOT-TSO's 24 different safety programs for the upcoming fiscal year's HSP beginning October 1, 2022. [Submittal is made to NHTSA by July 1, 2022 for Oregon's HSP 2023 grant application].

HSP development process Organizations and Committees

AAA
Albany Area MPO
Association of Oregon Counties
Bend MPO
City of Roseburg/SWACT Chair
Clackamas County - Transportation Safety Program Manager
Clackamas County Dept. of Transportation and Development
Clackamas County Public Health Division
Confederated Tribes of Siletz Indians
DMV - Business Operations Administrator
DMV - Operations and Policy Analyst
DMV - Program Services Policy Analyst
DMV Driver Programs, CDL Programs
Federal Highway Administration (FHWA)
Governor Advisory Committee on DUII
Washington County Sheriff's Office
Governor Advisory Committee on MS
Judicial Outreach
Mothers Against Drunk Driving (MADD)
MV At-Risk Coordinator
NHTSA Region 10
ODOE- Public Transportation Division, Safe Routes to School
ODOT – Region 4 Traffic Design & Ops Manager
ODOT - TDS
ODOT Communications
ODOT Government Relations
ODOT R5 Bridge Maintenance
ODOT Region 1 Traffic
ODOT Traffic Roadway Safety
OHSU Doernbecher Children's Hospital
OHSU Doernbecher Injury Prevention Program
OR DOT Engineers
OR Metro - Safe Routes to School Coordinator
Oregon City School District Driver Education

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Oregon Metro - Senior Transportation Planner
Oregon State Police – GHQ Patrol Services Division
OSP - Patrol Services Division
Oregon Department of Justice (DOJ)
Oregon Transportation Safety Committee (OTSC)
Portland Bureau of Transportation
Scappoose Municipal Court
TSO – Program Managers
TSO - Region 1
TSO - Region 2
TSO - Region 3
TSO - Region 4
TSO - Region 5

Description of Highway Safety Problems

The geography in Oregon is quite diverse and is reflected in its economy, climate, and culture. Main industries include construction, farming, technology, fishing, hydroelectric energy, and tourism. Its climate is generally mild. Oregon's metropolitan areas include Portland, Salem and Eugene along the I-5 corridor in the western part of the state which have the typical congestion and traffic issues of any urban city. The remainder of the state is fairly rural with some areas even considered 'frontier.' The climate in the west is more humid and coastal-like in relation to higher incidences of rain, as well as snow in the Cascade Mountain range; west of the Cascades, eastern Oregon is higher desert climate.

Oregon's culture is also very diverse. Oregon's population is just over 4.3 million. The state's population has grown substantially in the last decade. With the legalization of recreational marijuana in 2016, and the recent passage of Ballot Measure 110 in 2020 (decriminalization of single use possession of controlled substances), Oregon has experienced a migration of folks moving into and visiting the state, which also increased vehicle miles traveled on Oregon roadways (until the COVID-19 pandemic of the last two years which experienced lower traffic volumes nation-wide).

From the recent Census 2020, Oregon's Caucasian population represents 86% of the total population, followed next by Hispanic or Latino origins at 13%, and Asians at 5 percent. Foreign born persons serve as 10% of Oregon's total population as well. Oregon has also had a recent influx of Afghan refugees (the ending of one war), and is currently preparing for Ukrainian refugees coming to the state as well (the beginning of another war). This, along with the increased migration to Oregon from other states, has a significant impact on traffic safety, law enforcement, health, and judiciary needs in educating the public and enforcing traffic laws.

Nationally, motor vehicle fatalities have been increasing from prior years, even with the multitude of efforts made towards 'Zero Fatalities' and 'Vision Zero' goals. The lowest number of Oregon fatalities ever recorded was 233 in 1943, where the highest was 737 fatalities in 1972; the fourth lowest number of fatalities ever recorded for Oregon was as recent as 313 in 2013; however, that has steadily increased since then with 2021 state data indicating 589 motor vehicle fatalities for Oregon, a 16% increase over 2020's 507 fatalities.

The number of serious, incapacitating injuries is significantly larger, where fatalities are unfortunately only the 'tip of the iceberg.' Oregon's Transportation Safety Action Plan 2021-2025 (TSAP) is a five-year document outlining strategies to not only reduce, but to eliminate fatalities and serious roadway injuries by 2035. It serves as the state's FHWA-required Strategic Highway Safety Plan (SHSP), and was just

recently approved in October of 2021. The Highway Safety Plan (HSP) is an annual plan that indicates traffic safety projects to be undertaken in the coming year working toward several performance measures and interim targets that are in alignment with the TSAP.

All priorities found in the HSP are aligned with TSAP priorities and recommended strategies, where projects funded by TSO are data-driven and utilize evidence-based countermeasures to the problems being addressed.

The Impaired Driving program continues a strong commitment through effective, coordinated partnerships across the spectrum of law enforcement, prosecutorial, treatment, prevention and education resources in Oregon. Key programs include high visibility enforcement, enhanced accountability for offenders, specialty/treatment courts, DUII training for officers and prosecutors, Drug Recognition Expert training, and community awareness campaigns to promote safety and good decision making when it comes to impairing substances and driving. Oregon has legalized both the medicinal as well as recreational use of marijuana which added to its serious injury and fatal impaired driving crash problem. In its recent Special Legislative Session of 2020, the state also legalized therapeutic usage of psilocybin, or what's commonly referred to as 'mushrooms,' a hallucinogenic plant; and Ballot Measure 110 which decriminalized single use amounts of illicit controlled substances like heroine, meth, and cocaine (the violator either pays $100 fine or agrees to go into a treatment program). As a result, the state has and continues to experience increased incidence of combined alcohol and drug use in DUII crashes than ever before, and continues to work on this alarmingly increasing and permanent challenge to safe driving behavior in Oregon.

The Oregon Motorcycle Safety program provides funding for a motorcycle safety training and education program, and is mandatory for those seeking a motorcycle endorsement. ODOT leadership and staff strategically plan for the Oregon Motorcycle Safety Program to take the next steps in continuously improving its service to motorcyclists and motorists. There has been a steady trend of increases in motorcycle fatalities involving impairment in Oregon and the TSO program manager is working closely with TSO's Impaired Driving Program Manager as well as both the GAC-MS (Governor's Advisory Committee on Motorcycle Safety) and the GAC-DUII on efforts to combat and reduce this alarming trend.

Oregon's Transportation Safety Office is also committed to comprehensive driver safety education and increased awareness for young motorists. Oregon's Driver Education program is nationally recognized and works hard to educate teen drivers on safe driving habits, where its mission lay in providing quality driver education to every novice driver in the state. The pandemic brought considerable challenges to the program in providing safe behind-the-wheel driving scenarios; inability to meet in-person for classroom training modules; and with some driver education providers not being open to the public for an extended period of time (and thus making some of them close their doors permanently). Fortunately the program was able to build, test, and successfully evaluate an on-line training pilot program that can be utilized in the future as a viable option for students as needed and as applicable.

The Occupant Protection program is continually focused on educating the general public, law enforcement, family medical providers, and families regarding proper selection and use of seat belts and other motor vehicle safety restraints. Oregon has traditionally had a high seat belt usage rate, at times the highest in the nation, but continuous education is needed for new citizens, visitors, and high-risk populations to maintain a high usage rate.

Oregon law enforcement agencies continue to pursue technology and equipment, when pre-approved through NHTSA, to enhance the electronic transfer of crash reporting and citations issued to integrate with state and other databases for analysis. With declining enforcement resources, these advances in technology provide valuable actionable information to Oregon law enforcement and the Transportation Safety Office for analysis. For the Traffic Safety Enforcement Program, or TSEP/HVE, citation numbers

and overtime enforcement hours worked declined significantly in 2020 due to the COVID-19 pandemic and other more pressing priorities; participation increased somewhat in 2021, but still not at pre-pandemic levels. In addition, the negative political climate regarding police enforcement in general has led to a high retirement and rocky attrition levels for Oregon law enforcement officers. This is a concern for traffic safety efforts as enforcement of traffic laws is one of the strongest countermeasures against risky driving behaviors.

With Oregon's population now surpassing 4 million, it is more important than ever for the Pedestrian Safety Program to work with the wide range of transportation, health, education and enforcement partners looking to promote Oregonian safety, health and well-being. Pedestrian safety is a major challenge in Oregon's more urban areas like Portland and Eugene, with at least 17% of Oregon's overall fatalities represented by non-motorists. Not only do pedestrians and motorists need to be aware of each other, but the industry trend of coming out with a new vehicle 'type' on a regular basis (i.e., the three-wheeled 'trikes,' electric scooters, enclosed cab, etc.) exacerbates the problem as the state tries to keep up with these new vehicle types in order to ensure alignment with current traffic law and maintain safety for all road users.

TSAP VISION Statement: Oregon envisions no deaths or life-changing injuries on Oregon's transportation system by 2035.

Every day, people arrive safely at their destinations in Oregon, but tragically, fatalities and serious injuries still occur on the Oregon transportation system. Any fatality or life-changing injury is a significant loss. Our safety leaders must work to implement state-of-the-art programs, policies, and projects to reduce transportation fatalities and life changing injuries by implementing state-of-the-art programs, policies, and projects related to safety engineering, emergency response, law enforcement, and education. The TSAP lays the foundation to consider and prioritize safety for all modes and all users of our transportation system in order to eliminate all deaths and life-changing injuries on the transportation system.

Achieving this vision by 2035 requires commitment and engagement from a variety of Oregon's agencies and stakeholders. Engineers, emergency medical service providers, law enforcement and educators traditionally play a strong role in advocating for, planning, designing, and implementing transportation safety plans and will continue to do so. However, this plan also includes goals, policies, strategies, and actions relevant to public health professionals, the media, private stakeholders, the individual transportation system user, and others. All of these organizations and individuals will be tasked with planning and implementing safe travel options, and traveling responsibly, with the safety of all users in mind."

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The Problem

- In 2020, FARS data shows 508 people were killed, a 3 percent increase over 2019; and 2020 state data indicates 27,998 non-fatal injuries in traffic crashes in Oregon, which is a 30% decrease in non-fatal injuries.

Methods for Project Selection

The following is a summary of the current process by the Transportation Safety Office (TSO) for the planning and implementation of its grant programs. The performance plan is based on a complete and detailed problem analysis prior to the selection of grant projects. A broad spectrum of agencies at state and local levels and special interest groups are involved in project selection and implementation. In addition, federal grants are awarded to TSO directly (on behalf of the State) that can then award contracts to public and non-profit partner agencies, and may manage multiple sub-grant projects. Self-awarded TSO grants help supplement basic programs to provide more effective statewide services involving a variety of agencies and groups working within traffic safety programs.

Each year's HSP planning begins with problem analysis by Transportation Safety Office staff, the Oregon Transportation Safety Committee (OTSC), and partner agencies and groups in the fall and winter of the preceding grant year. A state-level analysis is completed, using the most recent FARS and State data available. The data is directly linked to performance goals and proposed projects for the coming year, and is included in the project objectives.

Performance goals for each program are established by TSO Program Managers, taking into consideration partner input and data sources that are reliable, readily available, and reasonable as representing outcomes of the program. TSO programs and their projects are designed to impact problems identified through the problem identification process described above. TSO and its partner agencies work together in providing continuous follow-up to these efforts throughout the year, adjusting plans or projects as needed in response to evaluation and feedback.

List of Information and Data Sources

The sources of information include, but are not limited to:

1. Fatal Analysis Reporting System (FARS)
2. Oregon's Crash Analysis Reporting System (CARS)
3. Oregon's Law Enforcement Data System (LEDS)
4. Oregon's Safety Priority Index System (SPIS)
5. ARTS (ODOT - 'All Roads Transportation Safety' Program)
6. Driver and Motor Vehicle Services, Oregon Department of Transportation (DMV)
    a. Driver records
    b. Vehicle records
7. Criminal Justice Information System (CJIS)
8. Seat Belt Usage Observation Study
9. Public Opinion Survey
10. Project Evaluations
11. Center for Population Research and Census, Portland State University
12. Driver Education Program, Western Oregon University
13. Motorcycle Safety Education Program, Oregon State University

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14. Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices - USDOT
15. National Agenda for Motorcycle Safety
16. Annual Evaluation – ODOT TSO
17. Annual Evaluation - various SHSO's from across the country
18. State Highway Safety Showcase – GHSA
19. Mid-Year Project Evaluations
20. TSO Research Notes - USDOT
21. Program Assessments - various SHSO's from across the country
22. Uniform Guidelines for State Highway Safety Programs – USDOT

Description of Outcomes

Historically, transportation-related fatalities in Oregon trended downwards; until 2015 when there has since been a noticeable annual increase in transportation fatalities in Oregon. This increase is fairly common across the country, and fluctuates in relationship to a variety of economic, demographic, and system factors. The increase reinforces the importance of continuing to focus on and invest in multidisciplinary transportation safety efforts and programs.

The Transportation Safety Action Plan (TSAP) is Oregon's Strategic Highway Safety Plan (SHSP), providing the long-term vision of zero deaths and life-changing injuries from motor vehicle crashes, and provides goals, policies and strategies to work toward this vision. The long-term elements of the TSAP provide guidance to policy-makers, planners, and designers about how to proactively develop a transportation system resulting in fewer fatalities and serious injuries. The TSAP also includes a near-term component in the form of Emphasis Areas (EA) and Action Items. The EAs provide a framework for organizing and implementing near-term actions that will maximize the safety benefits of transportation investments.

The TSAP addresses all travel modes on all public roads in Oregon. This Plan was developed under the leadership of Oregon Department of Transportation (ODOT), but is implemented by ODOT along with residents, stakeholders, cities, counties, metropolitan planning organizations, tribal governments, and affected state agencies in Oregon, as well as non-traditional partners, stakeholders and advocates across the state. The current 2021-2025 TSAP was recently approved in October 2021.

Emphasis areas (EA) of the TSAP provide a strategic framework for developing and implementing the near-term component of the TSAP. Emphasis areas are near-term implementation focus areas directly related to the TSAP's long-term goals, policies, and strategies. The EAs were developed using the results of crash data analysis and input from committees, stakeholders, and the public. From this, four broad emphasis areas were chosen:

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Emphasis Area: Risky Behaviors. Reductions in fatalities and serious injuries can be accomplished by deterring unsafe or risky behaviors made by drivers and other transportation users. For this emphasis area, actions are identified to minimize impaired driving, unbelted, speeding and distracted driving crashes.

Emphasis Area: Infrastructure. Multimodal transportation assets in Oregon can be constructed or retrofitted to reduce fatal and serious injury crashes. Opportunities to do this include implementing safety treatments at intersections and along and across roadways to avoid lane departure crashes (i.e., rumble strips). For this emphasis area, actions are identified to minimize intersection and roadway departure crashes.

Emphasis Area: Vulnerable Users. Vulnerable road users can be characterized by the amount of protection they have when using the transportation system – pedestrians, bicyclists, and motorcyclists are more exposed than people in vehicles, making them more susceptible to injury in the event of an incident. Older drivers and pedestrians can also be more vulnerable to severe injuries in the event of a crash because of longer healing periods. For this emphasis area, actions are identified to minimize pedestrian, bicycle, motorcycle, and aging road user crashes.

Emphasis Area: Improved Systems. Opportunities to address and improve transportation safety come in a number of forms. Crash and other types of safety data can be advanced to better understand the causes and locations of crashes, leading to targeted solutions. Training is used to educate planners, engineers, designers, and construction staff about the importance of safety and how to incorporate it into their everyday job responsibilities. Fully funded, staffed and trained law enforcement and emergency response agencies can direct their efforts toward keeping users safe and, when crashes do occur, can ensure traffic incident management and emergency medical services personnel are available to respond. Adequate emergency response is essential for a safe transportation system. Commercial vehicle safety relies on licensing, training, and vehicle safety to decrease the frequency and severity of crashes. For this emphasis area, actions have been identified to continually improve data, train and educate transportation and safety staff, support law enforcement and emergency responders, and minimize commercial vehicle crashes.

The success of this plan is measured by monitoring the number and rate of fatalities and serious injuries and the combined number of non-motorized fatalities and serious injuries. FHWA requires annual targets be established, monitored, and reported – and there are penalties for not achieving those targets.

The TSAP is the framework for engaging residents, stakeholders, employers, planners, engineers, enforcement agencies, emergency medical service providers, and other stakeholders across the state to improve transportation safety in Oregon. Over time, and with focus, the vision of zero fatalities and life-changing injuries on Oregon roadways by 2035 can be achieved. The partnerships developed in creating this plan provide an understanding of the roles everyone can play to address safety and build trust in and ownership of the TSAP. The result has been a coordinated, multidisciplinary approach to implementing transportation safety improvements that reduce injuries and save lives. Oregon's Highway Safety Plan is in close alignment with the state's SHSP (Oregon's TSAP), HSIP (Highway Safety Improvement Plan-FHWA), and other state Transportation Safety Plans for specialized areas, like Bicycle and Pedestrian Safety.

The annual HSP targets tie in to the TSAP's long- and short-term (annual) performance targets; however, fatalities, fatal crashes, and serious injuries experienced significant spikes since 2015 in Oregon as well as other states; this makes the annual TSAP performance targets very conservatively estimated, sometimes with a 'maintain/contain' goal or target. The performance targets for 2023 are based on the newly updated 2025 TSAP targets approved in October 2021.

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Oregon's SHSO also creates dual performance measures/targets for its safety programs due to:

- NHTSA performance targets are based on five-year rolling averages (from actual data, as it's received); where more realistic annual targets need to be determined based on actual data vs. the TSAP's target for the grant year.
- FHWA requires the HSIP to be in alignment with the TSAP (SHSP); the HSIP also shares 3 performance measures with the HSP (targets must equal each other's plan); and where more realistic annual targets need to be determined based on actual data.

These two requirements lead to different target setting formulas, hence the dual performance measures.

Each fall/winter, Oregon's SHSO gathers the most current state crash data available (preliminary) to begin planning for the next year's HSP. Each TSO Program Manager reviews the data for trends, spikes, specific demographics, and other pertinent factors that may impact the performance target-setting for the next grant year.

ODOT-TSO's starting point is a +/-3% target for improvement for all of its performance measures; other variables are then considered, such as the current political environment; the pandemic crisis of this past and current grant year, and subsequent closing of schools, businesses, less cars on the road (but at higher speeds), etc.; in fine-tuning what the realistic target should be, or where the +/-3% figure does not appear feasible to achieve.

Then transportation safety advocates from across the state and of many disciplines attend an invitation-only day-long workshop hosted by ODOT-TSO. Its purpose is to inform partners about the recommended performance targets as developed by ODOT-TSO for the next year, and to garner input and feedback on how realistic the target is, or other information that may not have been considered, leading to the final refinement of Oregon's performance targets for the upcoming grant year/HSP.

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Assessment of Results in Achieving Performance Targets for FY22 and FY21

	FY 2022					FY 2021			
Performance Measure	Target Period	Target Year(s)	Target Value FY21 HSP	Data Source*/ FY 21 Progress Results	On Track to Meet FY21 Target Y/N ** (in-progress)	Target Value FY21 HSP	Target Year(s)	Data Source/ FY20 Final Result	Met FY21 Target Y/N
C-1) Total Traffic Fatalities	5 year	2016-2022	468	2016 – 2020 FARS 488	in-progress	306	2017-2021	2016 – 2020 FARS 488	N
C-2) Serious Injuries in Traffic Crashes	5 year	2016-2022	1,722	2016 – 2020 STATE 1,780	in-progress	1,274	2017-2021	2016 – 2020 STATE 1,780	N
C-3) Fatalities/VMT	5 year	2016-2022	1.46	2016 – 2020 FARS 1.37	in-progress	0.73	2017-2021	2016 – 2020 FARS 1.37	N
C-4) Unrestrained Passenger Vehicle Occupant Fatalities, All Seat Positions	Annual	2022	73	2020 FARS 94	in-progress	68	2021	2020 FARS 94	N
C-5) Alcohol-Impaired Driving Fatalities	Annual	2022	153	2020 FARS 191	in-progress	129	2021	2020 FARS 191	N
C-6) Speeding-Related Fatalities	Annual	2022	140	2020 FARS 124	in-progress	118	2021	2020 FARS 124	N
C-7) Motorcyclist Fatalities (FARS)	Annual	2022	63	2020 FARS 68	in-progress	58	2021	2020 FARS 68	N
C-8) Unhelmeted Motorcyclist Fatalities	Annual	2022	4	2020 FARS 4	in-progress	4	2021	2020 FARS 4	Y
C-9) Drivers Age 20 or Younger Involved in Fatal Crashes	Annual	2022	50	2020 FARS 59	in-progress	43	2021	2020 FARS 59	N
C-10) Pedestrian Fatalities	Annual	2022	72	2020 FARS 71	in-progress	68	2021	2020 FARS 71	N
C-11) Bicyclist Fatalities	Annual	2022	9	2020 FARS 14	in-progress	8	2021	2020 FARS 14	N
B-1) Observed Seat Belt Use for Passenger Vehicles, Front Seat Outboard Occupants (State Survey)	Annual	2022	97	2021 State survey/ 94.6	in-progress	97%	2021	2020 State survey 94.6	N

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Oregon's SHSO also manages other state funding and programs in its efforts to reduce the number of motor vehicle fatalities and serious injury crashes from year to year. These include:

- State Driver Education Funds: statutorily created, funds from driver licensing fees are collected and utilized for novice driver education training statewide; Oregon's DE program is nationally recognized as one of the most effective, and is sought after by other states. Evaluation of data includes comparisons of crashes caused by young drivers who took the Driver Education course vs those who did not complete the course, where there is a significant difference.
- State Motorcycle Safety Funds: statutorily created, and mandatory for obtaining an Oregon motorcycle endorsement, funds from motorcycle registration fees are collected and utilized for the required training courses/provider, including funds for range maintenance, fleet purchases, and motorist awareness of motorcycles on the road. These funds also support the Governor's Advisory Committee on Motorcycle Safety, or GAC-MS.
- Other State Funds: ODOT-TSO also manages state-funded grant projects for crossing guard training for the Oregon Department of Education; Trauma Nurses Talk Tough, a group of trauma nurses that conduct presentations to youth and teens about the consequences of poor decision-making while driving or riding in a motor vehicle; and subsidizing some of the costs of state training requirements.
- FHWA/HSIP Funds: The leading fatality crash type in Oregon is from roadway departure. ODOT's Traffic Roadway Section awards funds to ODOT-TSO to sub-award to law enforcement agencies to conduct traffic enforcement in these high crash locations.
- FHWA/SRTS Funds (and State SRTS Funds): FHWA funding is used to fund the non-infrastructure side of the programmatic work which includes education, encouragement, and engagement for kids, families, and communities regarding safe walking and rolling behaviors. HB 2017 of Oregon's 2017 Legislative Session provided for significant SRTS state funding for infrastructure projects. ODOT-TSO and the ODOT-Public Transportation Division (PTD) work in tandem in managing the combine infrastructure and non-infrastructure statewide program, where PTD and TSO put out competitive 'open-call' for applications for infrastructure (PTD), and non-infrastructure (TSO) SRTS projects on the same timeline and project implementation.
- FHWA/Work Zone Safety Funds: Construction workers and other motorists in a work zone are both at risk of dying or being seriously injured while in a work zone due to another motorist speeding, driving aggressively, and/or being distracted to where they may miss the temporary lane configuration change on that roadway due to the work being done and cause serious damage. These funds are awarded to law enforcement agencies to patrol or park near work zones and enforce traffic laws in or around the work zone (fines are doubled in an Oregon work zone).

Performance Plan

Sort Order	Performance measure name	Target Period	Target Start Year	Target End Year	Target Value
1	C-1) Number of traffic fatalities (FARS)	5 Year	2018	2023	488
2	C-2) Number of serious injuries in traffic crashes (State crash data files) (SHSP)	5 Year	2018	2023	1,783
3	C-3) Fatalities/VMT (FARS)	5 Year	2018	2023	1.37

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4	C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)	Annual	2022	2023	77
5	C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)	Annual	2022	2023	163
6	C-6) Number of speeding-related fatalities (FARS)	Annual	2022	2023	153
7	C-7) Number of motorcyclist fatalities (FARS)	Annual	2022	2023	64
8	C-8) Number of unhelmeted motorcyclist fatalities (FARS)	Annual	2022	2023	5
9	C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)	Annual	2022	2023	52
10	C-10) Number of pedestrian fatalities (FARS)	Annual	2022	2023	72
11	C-11) Number of bicyclists fatalities (FARS)	Annual	2022	2023	10
12	B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)	Annual	2022	2023	96

Performance Measure: C-1) Number of traffic fatalities (FARS)

Performance Target details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-1) Number of traffic fatalities (FARS)	Numeric	488	5 Year	2018

Performance Target Justification

Performance measures incorporate elements of the Oregon Benchmarks, Oregon Transportation Safety Action Plan, the Safety Management System, and nationally recognized measures. Both long-range and short-range measures are utilized and updated annually. Oregon uses a minimum of 3, 5, or 8 year history average, then a change rate of 3 percent, plus or minus, to initially propose performance measures. If the 3 percent performance change is deemed unreasonable based on crash data, partner input during planning workshops, and/or legislative and environmental changes (i.e. legalization of recreational use of marijuana and in Measure 110 the decriminalization of illicit controlled substances in 2020), the 3 percent may be adjusted in the target. This level of change has proven to be effective in prior Highway Safety Plans and is an easy way to forecast what can be expected. This level of change is generally representative of one standard deviation, meaning that the actions taken had an influence on the result

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outside of just pure chance. The Oregon highway safety community has also embraced this formula and supports the use of 3 percent.

Performance Measure: C-2) Number of serious injuries in traffic crashes (State crash data files)

Performance Target details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-2) Number of serious injuries in traffic crashes (State crash data files) (SHSP)	Numeric	1,783	5 Year	2018

Performance Target Justification

Performance measures incorporate elements of the Oregon Benchmarks, Oregon Transportation Safety Action Plan, the Safety Management System, priorities and suggestions received at the Annual Planning Workshop from partners, and nationally recognized measures. Both long-range (by the year 2025 (TSAP goals)) and short-range (current year) measures are utilized and updated annually. Oregon uses a minimum of 3, 5, or 8 year history average, then a change rate of 3 percent, plus or minus, to initially propose performance measures. If the 3 percent performance change is deemed unreasonable based on crash data, partner input during planning workshops, and/or legislative and environmental changes (i.e. legalization of recreational use of marijuana), the 3 percent may be adjusted in the target. This level of change has proven to be effective in prior Highway Safety Plans and is an easy way to forecast what can be expected. This level of change is generally representative of one standard deviation, meaning that the actions taken had an influence on the result outside of just pure chance. The Oregon highway safety community has also embraced this formula and supports the use of 3 percent reduction targets.

Performance Measure: C-3) Fatalities/VMT (FARS, FHWA)

Performance Target details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-3) Fatalities/VMT (FARS)	Numeric	1.37	5 Year	2018

Performance Target Justification

Oregon's population has grown in recent years to well over 4 million people and this growth translates into higher levels of travel. Oregon's VMT increased by 9.8 percent (more than 3 million more miles of travel) from 2008-2017. Historically, transportation-related fatalities and serious injuries in Oregon had trended downwards. Since 2013, however, there has been a steady annual increase in Oregon. We anticipate this past year's pandemic effects on VMT and traffic volumes to reflect an anomaly in this measure in the coming years. The increase in fatalities and serious injuries is common across the country, creating a need and intention to eliminate these fatalities and serious injuries as people travel on all public roads.

Performance Measure: C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)

Performance Target details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)	Numeric	77	Annual	2022

Performance Target Justification

With Oregon's safety belt use rate being one of the highest at 95 percent, it is not feasible to utilize the 3 percent reduction target. The targets selected for both unrestrained seat belt use and improper child restraint use for this coming year are based on both conservative estimates as well as historical trends. Sustained enforcement projects help to meet this measure.

Performance Measure: C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)

Performance Target details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)	Numeric	163	Annual	2022

Performance Target Justification

Oregon has seen steep increases in overall impaired fatal crashes, including a marked increase of impaired fatal crashes between vehicles and pedestrians. This increase has correlated with drops in law enforcement capacity statewide, and an industry trend to focus existing law enforcement on generalized patrol and away from specialized traffic units. However, there has been a trend of decreasing alcohol-only fatalities, despite sharp increases in drug and poly-substance fatalities. With many departments short-staffed, it is increasingly difficult to encourage or incentivize participation in overtime HVE, or TSEP grants focused specifically on key problems such as impaired driving. This target goal for maintaining or reducing the number of impaired fatal crash deaths accounts for the realities and challenges faced by city, county and statewide law enforcement and their abilities to reduce fatal crashes through enforcement, and the acknowledgement that fatal increases are tied directly to drug-involved crashes. Data indicates that alcohol-only fatal crashes appear to be on a sustained decline, with marked increases for drug-only and alcohol and drug polysubstance fatal crashes.

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Performance Measure: C-6) Number of speeding-related fatalities (FARS)

Performance Target details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-6) Number of speeding-related fatalities (FARS)	Numeric	153	Annual	2022

Performance Target Justification

Consistently within Oregon, serious injury and fatal crashes resulting from speed remains in the top two contributing factors. Speeding is a difficult behavior to change; we have not discovered any innovative countermeasures to change the driving behavior, and find that enforcement remains the most effective deterrent.

Trying to project the likelihood of an increase or decrease in fatal crashes involving speed utilizing 2 year old data is not only a challenge it is virtually impossible. Over the past several years there has been no consistent "trend" as it relates to speed related fatalities. Statewide, overall fatalities may have risen, but speed related fatalities declined and vice versa.

Law enforcement has become less engaged in doing self-initiated stops because of the negative climate toward them the past few years, and particularly in 2020 and year to date. Additionally, staffing is at a low for many agencies, and they are losing dedicated traffic teams or even general traffic enforcement.

Additionally, drivers are being referred to traffic school in many courts and there is no centralized database or tracking system for who's been to traffic school, how many times and when; it's all based off the "honor system." Traffic schools also negate the purpose of the provisional driver license program for young drivers since DMV is not aware of their violations and therefore the program doesn't work as designed or as effectively. It would be more effective as an "add on" versus an "in lieu of" sanction, especially for new drivers with incidents related to speed.

There has been an increase in overall traffic fatalities in 2021; additionally with COVID–19, while speeding became a huge problem nationwide as well as in Oregon, law enforcement was able to focus in on this and have been aggressively citing speeding drivers. With less vehicle miles traveled, less teens/young individuals driving, more people ride sharing or taking alternate methods of transportation or even just staying home, this provides a window of optimism that there will be an overall decline in all traffic related deaths including speed related.

The pendulum can also swing the other way, however, with communities looking to disband and/or defund their local law enforcement. Traffic laws, speed reductions, and calming methods are all ineffective if there is no way to enforce the laws. By 2023, we could see the biggest increase in traffic fatalities overall in decades... or not, we just can't predict the future in this uncertain time. Moving forward, Oregon will continue to implement countermeasures proven effective remaining optimistic that there will be a decrease overall in traffic fatalities, including those speed related, as the reason for the decline. Data determining the outcome won't be available until 2024, or later.

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Performance Measure: C-7) Number of motorcyclist fatalities (FARS)

Performance Target details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-7) Number of motorcyclist fatalities (FARS)	Numeric	64	Annual	2022

Performance Target Justification

Oregon has experienced a general increase in motorcycle crashes over the past three years. Static or declining law enforcement availability to enforce speed, impaired, and equipment laws is leading to less compliance with Oregon Statutes and an increase in crashes due to riders' perception of low risk in detection and apprehension. Marijuana and alcohol continue to show up in medical examiner reports of deceased riders, and the coupling of these substances with riding in social situations continues to put Oregon riders at higher risk for being involved in fatal or serious injury crashes. Ongoing efforts to encourage positive social norms among riders to make decisions that do not increase risk, coupled with a heightened concern among riders that violator detection enforcement of existing laws is likely should lead to a reduction in overall crashes with this mode. While Oregon does have a mandatory helmet law, the State continues to experience a limited number of fatalities where riders were not wearing helmets at the time of the crash. A combination of riders visiting the state - possibly unaware of the requirement - or simple disregard for the law are the likely causative factors. Awareness campaigns targeting visiting riders, along with visible enforcement should result in a reduction of fatalities attributed to this scenario.

Performance Measure: C-8) Number of unhelmeted motorcyclist fatalities (FARS)

Performance Target details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-8) Number of unhelmeted motorcyclist fatalities (FARS)	Numeric	5	Annual	2022

Performance Target Justification

FARS data shows that over the past five years, Oregon has had at least twenty-three riders perish while riding unhelmeted. An additional thirty-one riders died in crashes where it was undetermined if the rider was wearing a helmet at the time of the crash. Research on this issue has demonstrated that helmets can save lives and reduce the severity of injury riders experience in crashes. Many of these deaths and severe injuries are preventable and, with Oregon being a mandatory helmet law state, the goal for the performance measure should be achievable. While Oregon does have a mandatory helmet law, the State continues to experience a limited number of fatalities where riders were not wearing helmets at the time of the crash. A combination of riders visiting the State - possibly unaware of the requirement - or simple disregard for the law are the likely causative factors. Awareness campaigns targeting visiting riders, along with visible enforcement should result in a reduction of fatalities attributed to this scenario.

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Performance Measure: C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)

Performance Target details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)	Numeric	52	Annual	2022

Performance Target Justification

The statistics on teen crashes are fluid and fatalities are not following any particular trend. Teens in Oregon fall in two categories; those that take driver education and those that do not. We need to take into account the overwhelming presence of non-driver educated teens, along with those that do not have access to Oregon's Driver Education program. The State's Driver Education Program (state fund) continues to fund both geographical expansion of accessibility, as well as alternative strategies to recruit, train and evaluate instructors, provide different formats of the curriculum (online, etc.), streamline the licensing process with DMV for passing students, and provide subsidies for low or no income families and foster children. Oregon hosts an annual Driver Education conference to provide continuing education and other updates to instructors, offering neighboring state Washington and other state driver education programs to participate in what's generally called the Pac-NW (Pacific Northwest) Driver Education conference.

Performance Measure: C-10) Number of pedestrian fatalities (FARS)

Performance Target details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-10) Number of pedestrian fatalities (FARS)	Numeric	72	Annual	2022

Performance Target Justification

Consistent with the national trend, pedestrian fatal crashes continue to rise in Oregon. In 2020, there were 71 pedestrian fatalities (14%). While these statistics are lower than previous years, likely due to Covid-19 stay at home orders, the percentage of pedestrian deaths are still high considering less traffic and stay at home orders. Using the most current national data from 2019, Oregon ranks the 20th highest pedestrian fatality rate state at 1.92 per 100,000 people (NHTSA.gov). A complex group of factors identified as possible contributors in pedestrian involved fatal crashes are used to understand and explain the data driven approach to selecting performance targets. These factors may include: conspicuity, infrastructure barriers to safe walking, pedestrian knowledge and attitudes for best practices, and behaviors of both pedestrians and drivers such as inattention, intoxication, not giving right of way and not following state traffic laws.

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Performance Measure: C-11) Number of bicyclists fatalities (FARS)

Performance Target details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
C-11) Number of bicyclists fatalities (FARS)	Numeric	10	Annual	2022

Performance Target Justification

The 14 bicyclist fatalities in 2020 accounted for 3 percent of all Oregon traffic fatalities. This is a steady increase of 1% since 2016. There is no current state bicycle fatality rate ranking available; however, the rate for Oregon is .28 per 100,000 (National rate is .26 with a range of 0.0-0.75). A complex group of factors identified as possible contributors in bicycle involved fatal crashes are used to understand and explain the data driven approach to selecting performance targets. These factors may include: infrastructure barriers to safe bicycling, beliefs, knowledge and attitudes regarding best practices, such a cultural norm of "us vs. them" and behaviors of both bicyclists and drivers such as inattention, not giving right of way and not following state traffic laws.

Performance Measure: B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)

Performance Target details

Performance Target	Target Metric Type	Target Value	Target Period	Target Start Year
B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)	Percentage	96	Annual	2022

Performance Target Justification

With Oregon's safety belt use rate being one of the highest at 95 percent, it is not feasible to utilize the 3 percent improvement target. The targets selected for both seat belt use and proper child restraint use for this coming year are based on both conservative estimates as well as historical trends. Sustained enforcement projects should help to meet this measure.

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Certification: State HSP performance targets are identical to the State DOT targets for common performance measures (fatality, fatality rate, and serious injuries) reported in the HSIP annual report, as coordinated through the State SHSP.

I certify: **Yes**

A-1) Number of seat belt citations issued during grant-funded enforcement activities*

Seat belt citations: **2,858**

Fiscal Year A-1: **2021**

A-2) Number of impaired driving arrests made during grant-funded enforcement activities*

Impaired driving arrests: **536**

Fiscal Year A-2: **2021**

A-3) Number of speeding citations issued during grant-funded enforcement activities*

Speeding citations: **7,247**

Fiscal Year A-3: **2021**

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Program Area: Community Traffic Safety Program

Description of Highway Safety Problems

Communities that plan for and work on identified transportation safety issues are foundational to the reduction of fatalities and serious injuries. However, many steps are involved in analyzing the data, identifying the priority problem issues, determining the best strategies to address the problems, identifying 'who' is responsible, then subsequent implementation, all at the local level. This transportation safety planning and training is necessary to the success of the State and other local plans. The program will use the research proven strategy of developing and educating local 'grass roots' groups charged with initiating traffic safety programs and encouraging efforts based on proven strategies such as the ones listed in the document "Countermeasures that Work," the development and implementation of local transportation safety action plans based on proven strategies, and implementing other research proven efforts at the local level.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	Number of active local transportation safety groups	2023	Annual	50

Countermeasure Strategies in Program Area

Countermeasure Strategy
Local Safety Action Plans

Countermeasure Strategy: Local Safety Action Plans

Program Area: **Community Traffic Safety Program**

Project Safety Impacts

This project provides transportation safety coordination and services by providing information and education on a variety of transportation safety related issues, coordinating traffic safety activities, and working with local traffic safety organizations. Communities that develop performance measures and plans to reduce crashes and deaths from motor vehicles have shown a reduction of fatal and serious injury crashes than communities who have not made such plans.

Linkage Between Program Area

Public participation is challenging to achieve and sustain. Since the largest contributing factor to crashes is human behavior, community involvement is key. Communities that develop performance measures and plans to reduce crashes and deaths from motor vehicles have shown a reduction in fatal and serious injury crashes than communities that do not. This collaborative countermeasure focuses on reducing fatal and severe injuries, with a data driven planning process and development of strategies to address traffic safety, particularly in the most vulnerable and isolated communities.

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Rationale

Planning for and then implementing plans to address traffic safety problems through education, enforcement, engineering, and EMS are the primary methods of reducing motor vehicle crashes and deaths.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
SA-23-25-02	Safe Communities – Clackamas County
SA-23-25-03	Safe Communities – Deschutes County
SA-23-25-04	Safe Communities – Lane County
SA-23-25-20	Safe Communities – Local Safe Community Services
SA-23-25-21	Safe Communities – Safe Communities Assistance
SA-23-25-22	Safe Communities – Local Safety Action Plans

Planned Activity: Safe Communities – Clackamas County

Planned activity number: **SA-23-25-02**

Primary Countermeasure Strategy ID:

Planned Activity Description

SA-23-25-02 - The project will work with local government to communicate the implementation of key objectives of the 2019 local TSAP, the Safe Communities Coalition concept, and to refine an aggressive 4-E approach to reducing death and injury. The project will adapt strategies from Montana State research on culture change regarding organizational and highway safety. As with all TSO community grants, the project will utilize NHTSA's "Countermeasures That Work" and FHWA's "Proven Safety Strategies" along with the safety program principles of the Safe Community model in Clackamas County.

Intended Subrecipients

Local Cities/Counties/Non-Profit Organizations

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Local Safety Action Plans

DRAFT

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Safe Communities (FAST)	$50,000	$12,500	$20,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Safe Communities – Deschutes County

Planned activity number: **SA-23-25-03**

Primary Countermeasure Strategy ID:

Planned Activity Description

SA-23-25-03 - The project will coordinate and implement portions of the Deschutes County and City of Bend level Transportation Safety Action Plans. This project will continue work to integrate the elements of the Safe Community concept within Deschutes County, and will specifically encourage partnerships within the county government, and with cities within the county. The project will provide hours for coordination activities to assist with and implement actions to initiate culture change inside and outside city and county government, moving the community toward a zero acceptable deaths approach to managing motor vehicle traffic.

Intended Subrecipients

Local Cities/Counties/Non-Profit Organizations

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Local Safety Action Plans

DRAFT

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Safe Communities (FAST)	$95,000	$23,750	$38,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funding to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Safe Communities – Lane County

Planned activity number: **SA-23-25-04**

Primary Countermeasure Strategy ID:

Planned Activity Description

SA-23-25-04 - The project continues to coordinate and implement portions of the new county and city level Transportation Safety Action Plans. This project will continue work to integrate the elements of the Safe Community concept within Lane County, and will specifically encourage partnerships within the county government, and with cities within the county. The project will provide hours for coordination activities to assist with and implement actions to initiate culture change inside and outside city and county government, moving the community toward a zero acceptable deaths approach to managing motor vehicle traffic and safety for all modal users.

Intended Subrecipients

Local Cities/Counties/Non-Profit Organizations

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Local Safety Action Plans

DRAFT

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Safe Communities (FAST)	$95,000	$23,750	$38,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Safe Communities – Safe Communities Services

Planned activity number: **SA-23-25-20**

Primary Countermeasure Strategy ID:

Planned Activity Description

SA-23-25-20 - The project will provide webinar and direct training, mentoring, and technical assistance to promote traffic safety volunteer efforts that mirror NHTSA's "Countermeasures That Work" and other proven efforts. This project with Oregon Impact will continue to offer local traffic safety advocates access to technical assistance via a weekday 1-800 "warm" line, and a project directed electronic newsletter featuring traffic safety resources, ideas and recognition for successful programs. This project will make phone contact with 100% of the recognized local traffic safety committees in Oregon during the fiscal year, and work with ODOT region staff to ensure that 100% of the recognized communities receive at least one in-person visit during the grant period. The project will be responsible to identify an effective performance measurement and realistic targets, and work to increase the number of citizens who volunteer to assist for traffic safety projects, and promote local safety advocacy and activities. The project will coordinate with TSO staff to assist locals in coordinating their efforts between program topics, with an aim to develop more holistic efforts in conducting outreach and education on transportation safety best practices.

Intended Subrecipients

Local Cities/Counties/Non-Profit Organizations

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Local Safety Action Plans

DRAFT

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Safe Communities (FAST)	$160,000	$40,000	$64,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Safe Communities –Safe Communities Assistance

Planned activity number: **SA-23-25-21**

Primary Countermeasure Strategy ID:

Planned Activity Description

SA-23-25-21 - The project will award grants to local governments for the coordination and implementation of allowable portions of new county and city level Transportation Safety Action Plans. This project will work with communities to integrate the elements of the Safe Community concept into local plan implementation, and will specifically encourage partnerships within county and city governments. The project will provide hours for coordination activities to assist with and implement actions to initiate positive transportation safety culture changes inside and outside city and county government, moving the community toward a zero acceptable deaths approach to managing motor vehicle traffic safety outreach and education, including implementation of the county's new Local Transportation Safety Action Plan.

Intended Subrecipients

Local Cities/Counties/Non-Profit Organizations

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Local Safety Action Plans

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit

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2023	FAST Act NHTSA 402	Safe Communities (FAST)	$100,000	$25,000	$40,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Safe Communities – Local Safety Action Plans

Planned activity number: **SA-23-25-22**

Primary Countermeasure Strategy ID:

Planned Activity Description

SA-23-25-22--This project will fund awards to local governments for the development and implementation of comprehensive traffic safety plans to address fatal and injury crashes using data driven decision making and identify countermeasures that will impact local safety problems in an effective manner. The plans will incorporate Engineering, Education, Enforcement and EMS solutions to address the Economic impacts of transportation related fatal and serious injury crashes.

Intended Subrecipients

Local Cities/Counties/Non-Profit Organizations

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Local Safety Action Plans

DRAFT

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Safe Communities (FAST)	$600,000	$150,000	$240,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Program Area: Distracted Driving

Description of Highway Safety Problems

There is strong evidence that 'high visibility enforcement' efforts are highly successful in changing improper driver behavior. In addition, the National Highway Traffic Safety Administration (NHTSA) indicates that public information and education programs should be comprehensive, seasonally focused, and sustained.

Distracted Driving is a dangerous behavior for drivers, passengers, non-occupants, and non-motorized travelers alike. From 2016-2020 there were 15,538 crashes resulting in 186 fatalities and 24,126 injuries caused by crashes involving a distracted driver in Oregon.

From 2016-2020 there were 1,237 crashes, resulting in 24 fatalities and 1,824 injuries caused by drivers reported to have been using a cell phone at the time of the crash. These crashes continue to be underreported in Oregon, but with recent law changes and updated crash data reporting requirements, reported numbers should initially rise before falling due to countermeasure efforts.

Currently with a national pandemic happening, COVID-19 virus, it is unknown how it might affect these project outcomes.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	Number of distracted driving fatalities related to mobile electronic devices	2023	Annual	4

Countermeasure Strategies in Program Area

Countermeasure Strategies
Communication Campaign
HVE for Distracted Driving

Countermeasure Strategy: Communication Campaign

Program Area: **Distracted Driving**

Project Safety Impacts

Year-round public education is necessary to inform and educate motor vehicle drivers and passengers regarding Oregon's law in relation to Distracted Driving (with a mobile electronic device).

Linkage Between Program Area

Many of the printed educational materials are grant funded and then distributed directly to the public through law enforcement, ODOT's Driver and Motor Vehicle Services, and community level special events. Other media is also provided as described below.

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Rationale

Besides overtime enforcement of traffic laws, education and outreach through paid and earned media campaigns is the only other eligible expenditure for this funding source. The two types of messaging Oregon uses are behavioral- and awareness-based. Funding is provided to allow for campaigns statewide, where the location of messaging is based on data and diverse population needs.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M8PE-23-20-02	Communications and Outreach: Distracted Driving Media
M8DD-23-20-05	Communications and Outreach: Distracted Driving Statewide
M8*DD-23-20-01	Communications and Outreach: Safe and Courteous Statewide

Planned Activity: Communications and Outreach: Distracted Driving Media

Planned activity number: **M8PE-23-20-02**

Primary Countermeasure Strategy ID:

Planned Activity Description

M8PE-23-20-02- This project will fund public information and education and media campaigns on Oregon's distracted driving law and best practices. Signage will be placed in Oregon airports. Facebook Ads, Google Ads and theater screen ads will be utilized. Billboards and bus transits will be used, along with geo-fencing of social media at special events. Over the Top (OTT)/Streaming television (TV) and Digital Radio will also be used. The state will conduct a statewide distracted driving education and outreach campaign using multimedia in English and Spanish languages. This work will be done using Oregon's "Park Your Phone" campaign materials.

Intended Subrecipients

ODOT-TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Communication Campaign

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405e Comprehensive Distracted Driving	405e Public Education (FAST)	$761,815	$190,454	
	BIL Supplemental 405e Comprehensive Distracted Driving				
	BIL 405e Comprehensive Distracted Driving				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M8DD-23-20-05	Communications and Outreach: Distracted Driving Statewide (No media)

Planned Activity: Communications and Outreach: Distracted Driving Statewide

Planned activity number: **M8*DD-23-20-05**

Primary Countermeasure Strategy ID:

Planned Activity Description

M8*DD-23-20-05 - This project will fund public information and education statewide on Oregon's distracted driving law and best practices; and conduct other types of education and outreach on distracted driving with these more flexible funds. It will also account for those expenditures related to managing the DD program that are not specifically eligible use of 405e funding; where flexed monies can support the program in this way.

Intended Subrecipients

ODOT-TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Communication Campaign

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405e Flex	405e Public Education (FAST)	$200,000	$50,000	
	BIL Supplemental 405e Flex				
	BIL 405e Flex				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M*8DD-23-20-01	Communications and Outreach: Safe and Courteous

Planned Activity: Communications and Outreach: Safe and Courteous (w/o Distracted Driving)
Planned activity number: **M8*DD-23-20-01**

Primary Countermeasure Strategy ID:

Planned Activity Description: Communications and Outreach: Safe and Courteous

M8*DD-23-20-01 - This project will fund PI and E (public information and education) and media campaigns statewide on Oregon's Safe and Courteous programs: Drowsy Driving, Following Too Close, Stop on Red, and Lights and Swipes laws and best practices; and conduct other types of education and outreach with these more flexible funds.

Intended Subrecipients
ODOT-TSO

Countermeasure strategies
Countermeasure strategies in this planned activity

Countermeasure Strategy
Communication Campaign

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405e Flex	405e Public Education (FAST)	$215,000	$53,750	
	BIL Supplemental 405e Flex				
	BIL 405e Flex				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M8DDLE-23-20-03	High Visibility Enforcement - DD
M8DDLE-23-20-04	HVE - DD

Planned Activity: High Visibility Enforcement – DD

Planned activity number: **M8DDLE-23-20-03**

Primary Countermeasure Strategy ID:

Planned Activity Description

M8DDLE-23-20-03 - This project will fund HVE (high visibility enforcement) of Oregon's distracted driving law statewide by partnering with the Oregon State Police to conduct sustained enforcement throughout the year and particularly in April during National Distracted Driving Awareness Month. Funding will be awarded to agencies based on data-driven problem identification.

Intended Subrecipients

Oregon State Police

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
HVE for Distracted Driving

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405e Comprehensive Distracted Driving	405e DD Law Enforcement (FAST)	$126,965	$31,742	
	BIL Supplemental 405e Comprehensive Distracted Driving				
	BIL 405e Comprehensive Distracted Driving				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: HVE-enforcement

Planned activity number: **M8DDLE-23-20-04**

Primary Countermeasure Strategy ID:

Planned Activity Description

M8DDLE-23-20-04- This project will fund HVE (high visibility enforcement) of Oregon's distracted driving law across the state through local law enforcement agencies' (city and county) enforcement. TSO will partner with local law enforcement agencies (sheriffs and chiefs of police) to conduct sustained enforcement throughout the year and particularly in April during National Distracted Driving Awareness Month. Funding will be awarded to Oregon Impact to manage this project, where awards to agencies will be based on data-driven problem identification.

Intended Subrecipients

Oregon Impact

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
HVE for DD

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405e Comprehensive Distracted Driving	405e DD Law Enforcement (FAST Comprehensive)	$634,845	$158,712	
	BIL Supplemental 405e Comprehensive Distracted Driving				
	BIL 405e Comprehensive Distracted Driving				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Program Area: Driver Education and Behavior

Description of Highway Safety Problems

Teen drivers between the ages of 15 and 20 are represented in many of the areas within the traffic safety focus as they are over-represented in crashes, citations, and convictions. The latest percentage shows Oregon teens at an over-representation of 14.6 percent of fatal and serious injury crashes even though they only represent 6.3 percent of Oregon's total licensed drivers. Oregon understands the specific needs of the young driver and through data collection and performance analysis has developed a novice driver education counter-measure known as the Oregon Playbook.

Other teen novice driver priorities also funded by TSO are data-driven and utilize evidence-based countermeasures to the problems being addressed. This includes advertising and promotion of education to the novice driver, as well as the state administrative rule requirement to include parental involvement in the teen driver education process.

Oregon's Highway Safety Office is also committed to comprehensive driver safety education and increased awareness for young motorists, even before the teen driving age. Oregon's Driver Education program works hard with stakeholders and partners to educate teen drivers on safe driving habits, where its passion lay in providing driver education opportunities to every youth in the state.

The 2020 National, and Oregon emergency declarations related to the COVID-19 pandemic restricting public gatherings and requiring social distancing have had a negative effect on Oregon's efforts to maintain and/or increase delivery of novice driver education.

Note: All priorities found in the HSP are aligned with TSAP priorities, action items, and recommended strategies, where projects funded by TSO are data-driven and utilize evidence-based countermeasures to the problems being addressed.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-9) Number of drivers age 20 or younger involved in fatal crashes (FARS)	2023	Annual	52

Countermeasure Strategies in Program Area

Countermeasure Strategy
Training for Driver Education

Countermeasure Strategy: Training for Driver Education

Program Area: **Driver Education and Behavior**

Project Safety Impacts

Continuing education opportunities for Driver Educators throughout Oregon result in more consistent delivery of novice driver education for both ODOT and non-ODOT Providers in the Pacific Northwest region. The best practice updates, curriculum information, and innovative ideas for Driver Education programs expose providers and instructors to new ideas and information at Oregon's annual regional training conference.

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Linkage Between Program Area

With the recent teen crash statistics rising steadily across the country, Oregon's crash data (with teens behind the wheel) continues to maintain a much slower rate of increase for those who have taken the Oregon approved program as opposed to those who have not. Oregon has become a leader in driver education and instructor training. As such, our model has become an example for the entire country. Through its annual conference, Oregon driver education administrators, providers and educators can share their knowledge and resources with instructors and administrators from non-ODOT programs and other states.

Rationale

There is a need to provide continuing education opportunities for Driver Educators throughout Oregon and for non-ODOT Providers in the northwest region. The Pacific Northwest Driver and Traffic Safety Conference provides best practice updates, curriculum information, continuing education credit, and innovative ideas for Driver Education programs.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
DE-23-20-02	Pre-Licensure Driver Education – PacNW Conference

Planned Activity: Pre-Licensure Driver Education – PacNW Conference

Planned activity number: **DE-23-20-02**

Primary Countermeasure Strategy ID:

Planned Activity Description

DE-23-20-02 – Provide support for both out-of-state and non-ODOT instructors to attend the annual Pacific Northwest Driver and Traffic Safety Conference in March each year.

Intended Subrecipients

Western Oregon University

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training for Driver Education

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Funding Sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Driver Education (FAST)	$15,000	$3,750	$6,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Program Area: Emergency Medical Services

Description of Highway Safety Problems

Traffic crashes contribute heavily to the patient load of Oregon hospitals and EMS agencies. A cohesive EMS system is essential to ensuring positive patient outcomes. The stabilization and long-distance transport of motor vehicle crash patients to facilities that can provide the appropriate level of trauma care is critical to reducing the negative health and financial impact of these injuries. Trauma patients are of particular concern for rural counties where motor vehicle crash patients may require a higher level of care than what the rural hospital or facility can provide. These crashes can seriously extend response times and delay adequate care needed in that critical 'golden hour' after a serious crash injury. Every effort needs to be made to increase Oregon's EMS workforce capacity and resources, and shorten response times due to these challenges.

[Due to the national pandemic and resulting limitations on social gatherings and group meetings, all planned 2020, and 2021 in-person EMS training conferences were cancelled in Oregon.]

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	Number of EMS training courses (and/or online training opportunities) for rural EMS personnel to earn CEUs	2023	Annual	66

Countermeasure Strategies in Program Area

Countermeasure Strategy
Training and Education for EMS (Rural and Frontier)

Countermeasure Strategy: Training and Education for EMS

Program Area: **Emergency Medical Services**

Project Safety Impacts

Continual training opportunities and equipment are needed for emergency responders to adequately treat serious injuries sustained from a motor vehicle crash, and to be most efficient during that 'golden hour' after the crash. These courses require recertification, continuing education credits, and/or field exercises that can be costly and not necessarily in the agency's budget; in addition, most of Oregon's rural emergency responders are volunteers. By keeping certifications and training up to date, we can continue to reduce the severity of injuries sustained from a crash, as well as extend the longevity of a crash victim's life with adequate treatment during that 'golden hour' after the crash occurs, and transit to the hospital.

Linkage Between Program Area

Without current certifications or training, many of the proven countermeasures for transportation safety purposes would not be feasible or effective. In addition, not having the proper training or equipment for treatment and transport of a crash victim can be detrimental to the survival and quality of life of the injured person. Many of Oregon's rural emergency providers are volunteers and do not have the resources to attend courses hosted elsewhere to maintain that certification. Funds allocated to the EMS

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program are to support and sustain this valuable training, to maintain and/or increase the EMS Workforce throughout the state, and to reduce emergency response times to motor vehicle crash scenes.

Rationale

Education is the basis for any successful venture; without it, resources are not adequately managed nor correctly obligated to where they are most needed. Most of the available countermeasures to unsafe driving behaviors would not be effective if they were not carried out as instructed or as needed (through education and training), in order to have a positive impact on the problem. Fatalities and serious injuries from motor vehicle crashes would continue and increase in number without continuous ongoing education and training for first responders and emergency medical technicians on responding to and providing medical care to motor vehicle crash victims.

Planned activities in countermeasure strategy

Unique Identifier

EM-23-24-01

Planned Activity Name

Statewide Services: EMS

Planned Activity: Statewide Services: EMS Planned activity number: **EM-23-24-01**

Primary Countermeasure Strategy ID:

Planned Activity Description

EM-23-24-01- This project will assist in strengthening Oregon's EMS capabilities statewide. It will be used as support for rural and frontier emergency medical services personnel (both paid and volunteer) to attend statewide training conferences to maintain licensure and obtain adequate training.

Intended Subrecipients

State EMS rural and frontier emergency response organizations

Countermeasure strategies

Countermeasure strategies in this planned activity

Unique Identifier	Planned Activity Name
EM-23-24-01	Statewide Services: EMS Rural/Frontier Training and EMS Equipment

Countermeasure Strategy
EMS Training and Education for rural and frontier EMTs

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Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Emergency Medical Services (FAST)	$40,000	$10,000	$10,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Program Area: Equipment Safety Standards, Vehicle

Description of Highway Safety Problems

From 2016-2020 an average of two people a year lost their lives due to defective brakes. Over that same time period, there has been an average of nine serious injuries from crashes due to defective brakes. Other vehicle safety equipment failures that are contributing to fatal and serious injury crashes include tire and wheel failures, steering equipment failures, and other vehicle defect failures.

Challenging driving conditions (rain, fog, snow/ice), congestion, aggressive/distracted/impaired driving are also aggravating factors in these crashes as they contribute to more reliance on proper equipment function and less on defensive driving strategies. This creates an environment which requires vehicle safety equipment to be functioning at peak performance levels at all times to offset the aggravating factors' impact to avoiding crashes. When the safety equipment fails there is little to no margin available to avoid these preventable crashes.

Neither long- nor short-term resident drivers are well-informed about Oregon's vehicle equipment/operation laws. This lack of knowledge presents challenges to a safe transportation system. Drivers unknowingly violate equipment and operation statutes by failing to properly maintain their vehicles, adding non-permissible equipment, or violating vehicle operation laws by using unsafe equipment. While Oregon law requires motorists to maintain their vehicle in a safe manner and ensure the equipment is functioning as required by law, there is a growing lack of general political support for the enforcement of these laws. This lack of support is leading to reduced levels of enforcement and will likely result in an increase in vehicle safety equipment failure-related crashes, injuries, and deaths. Crashes are preventable, and through education, enforcement, and compliance with the laws the stated target for reduction is achievable.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	Number of people killed or seriously injured due to defective/inadequate brakes, or no brakes	2023	Annual	11

Countermeasure Strategies in Program Area

Countermeasure Strategy
Training and Education for Vehicle Equipment Safety

Countermeasure Strategy: Training and Education for Vehicle Equipment Safety

Program Area: **Equipment Safety Standards, Vehicle**

Project Safety Impacts

Many drivers are generally not knowledgeable on Federal and State of Oregon vehicle safety equipment requirements. This lack of knowledge presents challenges as drivers continue to violate safety equipment statutes and rules - possibly leading to avoidable crashes. This project will be part of the agency wide Statewide Services program for public information and education related to vehicle safety equipment to increase motorist awareness.

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Linkage Between Program Area
This project will be part of the agency wide Statewide Services program for public information and education related to vehicle safety equipment. This project intends to reduce traffic crashes through encouragement of compliance with vehicle safety equipment laws through education and outreach.

Rationale
Many drivers are generally not knowledgeable on Federal and State of Oregon vehicle safety equipment requirements. This lack of knowledge presents hazards as drivers continue to violate safety equipment statutes and rules - leading to avoidable crashes. This project intends to reduce traffic crashes through specific education about safety equipment requirements and encourage compliance with vehicle safety equipment laws.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
CL-23-80-01	Statewide Services: Vehicle Equipment

Planned Activity: Statewide Services: Vehicle Equipment
Planned activity number: **CL-23-80-01**

Primary Countermeasure Strategy ID:

Planned Activity Description
CL-23-80-01- This project provides public information and education to transportation system users regarding federal and state equipment safety requirements. This work is completed through phone calls, email response to the public's questions, and the development/production/updates of informational products. Topical, user-friendly website postings, media releases, and informational brochures are in the planning for 2023. The budget for this project is primarily used to produce and print safety equipment publications, fund media campaigns on specific vehicle safety equipment topics, and research and distribute safety standards (upon request/need) through a subscription to the SAE standards database.

Intended Subrecipients
ODOT-TSO

Countermeasure strategies
Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Vehicle Equipment Safety

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Debris Hazard Control (FAST)	$15,000	$3,750	
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Program Area: Impaired Driving (Drug and Alcohol)

Description of Highway Safety Problems

The Impaired Driving program continues a strong commitment through effective, coordinated partnerships across the spectrum of law enforcement, prosecutorial, treatment, prevention and education resources in Oregon. Key programs include high visibility enforcement, enhanced accountability for offenders, specialty/treatment courts, improved DUII training for officers, prosecutors, and judges, Drug Recognition Expert training, and community awareness campaigns to promote safety and good decision-making when it comes to impairing substances and driving. These efforts are all guided by nationally identified best practices and countermeasures, state and local data to include fatal crash numbers, arrest and adjudication, recidivism, compliance, and survey results.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-5) Number of fatalities in crashes involving a driver or motorcycle operator with a BAC of .08 and above (FARS)	2023	Annual	163

Countermeasure Strategies in Program Area

Countermeasure Strategy
Enforcing Impaired Driving Laws
HVE for Impaired Driving
Laboratory Drug Testing Equipment
Sustained Enforcement for Impaired Driving
Training and Education for Impaired Driving
Communication Campaign
BAC Test Refusal Penalties
BAC Testing
NHTSA Impaired Driving Program Assessment

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Countermeasure Strategy: Enforcing Impaired Driving Laws

Program Area: **Impaired Driving (Drug and Alcohol)**

Project Safety Impacts

This project will provide for sustained overtime enforcement of impaired driving laws. Sustained enforcement of impaired driving laws are conducted throughout the grant year at data-driven locations or events. Enforcement has proven to be a deterrent to bad behaviors, as people tend to be more afraid of getting a ticket or arrested, than of getting in a crash: "it won't happen to me." In addition, seeing regular police presence on the roadways also encourages drivers to obey other traffic laws.

Linkage Between Program Area

Traffic law enforcement is conducted at locations and/or events as determined from state and local data analysis indicating an over-representation of the identified problem. Sustained law enforcement has proven effective for combating impaired driving, thus saving lives by getting the impaired driver off the street. Sustained enforcement is a primary impaired driving countermeasure utilized by Oregon as evidenced by its investment in these projects.

Rationale

Sustained enforcement is a proven deterrent to bad driving behavior like impaired driving. Oregon law enforcement agencies are sorely understaffed and short of resources, making it difficult for some agencies to even cover traffic enforcement on regular time. Some agencies have had to dissolve their traffic teams as well. The recent and ongoing COVID-19 pandemic has also had a negative impact on law enforcement staffing and the ability to participate in HVE and conduct traffic enforcement, as every contact is a potential exposure. The overtime grant awards enable the LEAs (law enforcement agencies) to conduct needed traffic enforcement so that just their presence alone deters bad driving behavior and helps to save lives and prevent injuries from car crashes.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
164AL-23-14-02	Sustained Enforcement – DUII
M5X-23-14-03	DRE Toxicology
164AL-23-14-01	Statewide Services for Impaired Driving
164AL-23-14-03	DUII Alcohol Education

Planned Activity: DRE Toxicology

Planned activity number: **M5X-23-14-03**

Primary Countermeasure Strategy ID:

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Planned Activity Description

M5X-23-14-03- This project is designed to encourage state and local law enforcement agencies to pursue the collection and analysis of blood evidence for drugs in DUII cases, for the purposes of improved prosecution, more complete data gathering, and as a tool for improving DRE evaluation accuracy. It will also cover the testing of urine for DRE cases to maintain evaluation accuracy and ratings, as well as urine collected voluntarily in HVE efforts such as Operation Trucker Check.

Intended Subrecipients

Oregon State Police

City, County and Tribal Police

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Enforcing Impaired Driving Laws

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Impaired Driving Mid	405d Mid BAC Testing/Reporting (FAST)	$140,000	$35,000	
	BIL Supplemental 405d Impaired Driving Mid				
	BIL 405d Impaired Driving Mid				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Statewide Services for Impaired Driving

Planned activity number: **164AL-23-14-01**

Primary Countermeasure Strategy ID:

Planned Activity Description

164AL-23-14-01- This project allocates funds for additional training and training materials, educational concepts and support and development of projects relating to the awareness and deterrence of impaired driving specific to alcohol. Additionally, this grant pays for the 24-DRUNK phone hotline to report

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impaired drivers, new impaired driving prevention projects and campaigns and for training related support across multiple traffic safety program areas that have an impaired driving touchpoint for increased reach and effect.

Intended Subrecipients
ODOT-TSO

Countermeasure strategies
Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Impaired Driving

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	164 Transfer Funds-AL	164 Paid Media Outreach/Education-AL	$60,000		$144,000

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Countermeasure Strategy: HVE for Impaired Driving

Program Area: **Impaired Driving (Drug and Alcohol)**

Project Safety Impacts
This project will provide for overtime enforcement of impaired driving laws. High visibility enforcement is short-term, highly visible (public/media) planned enforcement in a local data-driven problem location. HVE has proven to be effective in changing bad driving behaviors, as people tend to be more afraid of getting a ticket than of getting in a crash: “it won’t happen to me.”

Linkage Between Program Area
High visibility enforcement is conducted at locations and/or events as determined from state and local data analysis that indicate an over-representation of the identified problem (impaired driving/crashes) than others. HVE has proven effective for combating impaired driving, thus saving lives by getting the impaired driver off the street. HVE is one of three primary impaired driving performance measures utilized by Oregon as evidenced by its investment in these projects.

Rationale
High visibility enforcement is a proven deterrent to bad driving behaviors like impaired driving. Oregon law enforcement agencies are sorely understaffed and short of resources, making it difficult for some agencies to cover traffic enforcement on regular time. Some agencies have had to dissolve their traffic teams as well. The recent and ongoing COVID-19 pandemic has also had a negative impact on law enforcement staffing and the ability to participate in HVE and conduct traffic enforcement, as every contact is a potential exposure. The overtime grant awards enable the LEAs (law enforcement agencies) to conduct needed traffic enforcement at higher incidence locations as identified through data analysis.

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Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M5X-23-14-09	High Visibility Enforcement - OSP DUII
M5X-23-14-36	HVE DUII Enforcement – City, County, Tribal LEAs

Planned Activity: High Visibility Enforcement - DUII

Planned activity number: **M5X-23-14-09**

Primary Countermeasure Strategy ID:

Planned Activity Description

M5X-23-14-09 Oregon State Police continue to participate in High Visibility Enforcement events throughout the year, designated at high-incidence windows for DUII, or local events that have a focus on alcohol, drugs, or a history of related impaired driving. This grant will provide overtime funds for troopers working in coordinated statewide DUII specific patrols.

Intended Subrecipients

State, Law Enforcement Agencies

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
HVE for Impaired Driving

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Impaired Driving Mid	405d Mid	$100,000	$25,000	
	BIL Supplemental 405d Impaired Driving Mid				
	BIL 405d Impaired Driving Mid				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Planned Activity: HVE DUII Enforcement

Planned activity number: **M5X-23-14-36**

Primary Countermeasure Strategy ID:

Planned Activity Description

M5X-23-14-36 - This grant will provide mini-grants for overtime hours to city, county and tribal law enforcement agencies to conduct DUII saturation patrols during High Visibility Enforcement events throughout the year. Approximately 50 cities and 20 counties covering over 80 percent of the state's population will receive overtime grant funds for FFY2023. Agencies participating in High Visibility Enforcement events will provide DUII specific patrols at designated high incidence windows for impaired driving. This grant also allows for flexibility to accommodate participation during local community events that are identified as high impaired-driving risk periods.

Intended Subrecipients

City, County and Tribal Law Enforcement Agencies

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
HVE for Impaired Driving

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Impaired Driving Mid	405d Mid	$600,000	$150,000	
	BIL Supplemental 405d Impaired Driving Mid				
	BIL 405d Impaired Driving Mid				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Countermeasure Strategy: Sustained Enforcement for Impaired Driving

Program Area: **Impaired Driving (Drug and Alcohol)**

Project Safety Impacts

This project will provide for sustained overtime enforcement of impaired driving laws. Sustained enforcement of impaired driving laws are conducted throughout the grant year at data-driven locations or events. Enforcement has proven to be a deterrent to bad behaviors, as people tend to be more afraid of getting a ticket or of getting arrested, than of getting in a crash: "it won't happen to me." In addition, seeing enhanced police presence on the roadways also encourages drivers to obey traffic laws.

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Linkage Between Program Areas

Traffic law enforcement is conducted at locations and/or events as determined from state and local data analysis indicating an over-representation of the identified problem. Sustained law enforcement has proven effective for combating impaired driving, thus saving lives by getting the impaired driver off the street. Sustained enforcement is a primary impaired driving countermeasure utilized by Oregon as evidenced by its investment in these projects.

Rationale

Sustained enforcement is a proven deterrent to high-risk behavior like impaired driving. Oregon law enforcement agencies are sorely understaffed and short of resources, making it difficult for some agencies to even cover traffic enforcement on regular time. Some agencies have dissolved their traffic teams as well, due to budget and staffing constrictions. The overtime grant awards enable the LEAs (law enforcement agencies) to conduct needed traffic enforcement on an enhanced basis so that their presence alone deters high-risk driving behavior and helps to save lives and prevent injuries from traffic crashes.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M5X-23-12-23	Sustained Enforcement – DUII
164AL-23-14-02	Sustained Enforcement - DUII

Planned Activity: Sustained Enforcement - DUII

Planned activity number: **M5X-23-12-23**

Primary Countermeasure Strategy ID:

Planned Activity Description

M5X-23-12-23 - Provides statewide overtime enforcement by DREs representing multiple law enforcement agencies, allowing local DRE's to quickly respond to callouts statewide

Intended Subrecipients

State, City, County, Tribal Law Enforcement Agencies

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Sustained Enforcement for Impaired Driving

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Impaired Driving Mid	405d Mid BAC Testing/Reporting (FAST)	$140,000	$35,000	
	BIL Supplemental 405d Impaired Driving Mid				
	BIL 405d Impaired Driving Mid				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Sustained Enforcement – DUII

Planned activity number: **164AL-23-14-02**

Primary Countermeasure Strategy ID:

Planned Activity Description

164AL-23-14-02 - This project continues a pilot project for Yamhill County Sheriff's Office to reduce the increasing numbers of impaired driving fatality crashes occurring in Yamhill County. In 2020, a six month period experienced 7 crashes resulting in 9 fatalities. All the crashes but two were immediately connected to an impaired driver (one is still pending results from the crime lab from a Drug Recognition Expert's investigation and subsequent blood draw).

[Note: In 2017, a similar pilot was conducted to fund dedicated speed enforcement activities. After 18 months, the Sheriff went to the Board of County Commissioners with the results and was able to secure funding to permanently sustain those activities.] This 2023 project is also "seed money" to combat the increasing impaired driving problem in the County with additional, dedicated DUII enforcement resources and activities. To show their commitment to this project, they intend to purchase a vehicle for these specific activities.

Intended Subrecipients

Local Law Enforcement Agencies

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Sustained Enforcement for Impaired Driving

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	164 Transfer Funds-AL	164 Alcohol	$139,620		$55,848

Countermeasure Strategy: Training and Education for Impaired Driving

Program Area: **Impaired Driving (Drug and Alcohol)**

Project Safety Impacts

Law enforcement training for impaired driving detection must be regularly provided to both current and new law enforcement officers for certification and re-certification purposes. These courses include NHTSA's Standardized Field Sobriety Testing (SFST), ARIDE (Advanced Roadside Impaired Driving Enforcement), and/or Drug Recognition Expert training (DRE). Successful prosecution of impaired drivers, and the subsequent reduction of recidivism, requires accurate detection, testing, and maintaining of evidence by law enforcement officers, prosecutors and the courts. This project provides for those certified instruction activities, and the ability to take the needed training to remote, rural and frontier counties who struggle to attend the necessary training required for continued certification.

Linkage Between Program Area

Without successful detection and arrest of an impaired driver by law enforcement, successful prosecution and accountability is not possible. Absent prosecution, the impaired driver faces no consequences that may otherwise involve intervention for the likely substance abuse issues present, thus endangering more lives on the roadway.

Rationale

Enhanced and high visibility enforcement events are effective in reducing the incidence of impaired driving, thus saving lives and reducing serious injuries from motor vehicle crashes. To participate in this type of enforcement, officers are required to attend regular impaired driving detection training to both maintain their skills as well as learn any new techniques and relative case law.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M5X-23-12-22	DUII Prosecutor (1)
M5X-23-12-01	Statewide Services: DUII
M5X-23-12-06	Traffic Law Enforcement Education and Training for DUII
M5X-23-12-16	DRE Training
164AL-23-14-20	Law Enforcement Spokesperson
M5X-23-12-12	DUII Multi-Disciplinary Conference
M5X-23-15-06	State Judicial Outreach Liaison

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164AL-23-14-03	DUII Alcohol Education
M5X-23-12-02	DUII Outreach and Education
M5X-23-15-01	State Electronic Search Warrant Template Program
M5X-23-12-18	Purchase of Breath Alcohol Content Instruments
M8*AL-23-20-01	NHTSA Impaired Driving Program Assessment
M8CP-23-12-26	Clear Alliance Impaired Driving Education

Planned Activity: DUII Prosecutor

Planned activity number: **M5X-23-12-22**

Primary Countermeasure Strategy ID:

Planned Activity Description

M5X-23-12-22 - This project provides the hours necessary for the Department of Justice to provide Oregon with traffic safety resource prosecutor services and subject matter expertise to city, county, tribal and state prosecutors in handling complex DUII laws and unique or difficult cases. These services will be provided throughout Oregon to assist with DUII cases, along with education and training for prosecutors and law enforcement relating to DUII law, procedures and case law updates.

Intended Subrecipients

Oregon Department of Justice

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Impaired Driving

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Impaired Driving Mid	405d Mid Court Support (FAST)	$280,000	$70,000	
	BIL Supplemental 405d Impaired Driving Mid				
	BIL 405d Impaired Driving Mid				

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Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Statewide Services: DUII

Planned activity number: **M5X-23-12-01**

Primary Countermeasure Strategy ID:

Planned Activity Description

M5X-23-12-01 - This project provides for diverse methods of delivering information and activities designed to focus on the perils and risks of impaired driving. This includes conference and training support, strategic planning, statewide surveys, ride share projects and projects conducted on behalf of the Governor's Advisory Committee on DUII as well as continued support of the DRE program.

Intended Subrecipients

ODOT-TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Impaired Driving

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Impaired Driving Mid	405d Mid	$149,000		
	BIL Supplemental 405d Impaired Driving Mid				
	BIL 405d Impaired Driving Mid				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Traffic Law Enforcement Education & Training for DUII

Planned activity number: **M5X-23-12-06**

Primary Countermeasure Strategy ID:

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Planned Activity Description

M5X-23-12-06 - Through a partnership with the Oregon District Attorney's Association, this project funds "Protecting Lives, Saving Futures" and "Prosecuting the Drugged Driver" trainings with prosecutors and law enforcement to build a common understanding of the complications and strategies unique to impaired driving cases and how each role can assist the other in a solid case resulting in an effective prosecution and outcome.

Intended Subrecipients

Oregon Department of Justice w/ Oregon District Attorney's Association

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Impaired Driving

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Impaired Driving Mid	405d Mid Training (FAST)	$65,000	$16,250	
	BIL Supplemental 405d Impaired Driving Mid				
	BIL 405d Impaired Driving Mid				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: DRE Training

Planned activity number: **M5X-23-12-16**

Primary Countermeasure Strategy ID:

Planned Activity Description

M5X-23-12-16 - Provides training and coordination of the Oregon Drug Evaluation and Classification (DEC) program and other related impaired driving programs in accordance with the International Association of Chiefs of Police (IACP) and National Highway Traffic Safety Administration (NHTSA) guidelines and recommendations. This grant provides for a DRE school and field certifications to be conducted in FFY 2023 as well as providing for a statewide training conference.

Intended Subrecipients

Oregon State Police

DRAFT

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Impaired Driving

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Mid	405d Mid Drug and Alcohol Training (FAST)	$140,000	$35,000	
	BIL Supplemental 405d Mid				
	BIL 405d Mid				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Law Enforcement Spokesperson

Planned activity number: **164AL-23-14-20**

Primary Countermeasure Strategy ID:

Planned Activity Description

164AL-23-14-20 - This project provides funding for the management and training of all DUII related law enforcement training in the State of Oregon. SFST and SFST Refresher training is held at various locations across the state. Additional goals are to increase the number of Standardized Field Sobriety Test (SFST) certified trainers and provide mobile video training to state, county, city and tribal agencies, as well as to keep officer training records available for those organizations managing HVE grants.

Intended Subrecipients

Department of Public Safety Standards and Training

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Impaired Driving

DRAFT

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	164 Transfer Funds-AL	164 Alcohol	$110,000		$44,000

Planned Activity: DUII Multi-Disciplinary Conference

Planned activity number: **M5X-23-12-12**

Primary Countermeasure Strategy ID:

Planned Activity Description

M5X-23-12-12 - This project provides funding for registration assistance to attend this training conference, specifically focused on DUII issues, which includes participating disciplines such as law enforcement, prosecutors, judges, prevention and treatment professionals and others across the DUII spectrum of involvement. The DUII Multidisciplinary Task Force Conference will reach well over 300 partners within the State of Oregon working in the DUII subject area.

Intended Subrecipients

DUII Multi-Disciplinary Task Force

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Impaired Driving

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Impaired Driving Mid	405d Mid Drug and Alcohol Training (FAST)	$130,000	$32,500	
	BIL Supplemental 405d Impaired Driving Mid				
	BIL 405d Impaired Driving Mid				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Planned Activity: State Judicial Outreach Liaison

Planned activity number: **M5X-23-15-06**

Primary Countermeasure Strategy ID:

Planned Activity Description

M5X-23-15-06 - This project provides for the expertise of a State Judicial Outreach Liaison (SJOL). The purpose of the ABA State Judicial Outreach Liaison program is to provide a foundation for the American Bar Association Judicial Division (ABA) to focus their outreach efforts on educating and mobilizing support for NHTSA's alcohol and drug impaired driving program activities. The SJOL will improve judicial community outreach and promote confidence and trust in their state and within their region. This role serves as an educator, writer, community outreach advocate, consultant, and liaison, regarding alcohol and drug-impaired driving for the ABA. The SJOL will work with the ABA Judicial Fellows, NHTSA staff and the ABA Judicial Division staff throughout the year to accomplish established goals.

Intended Subrecipients

ODOT-TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Impaired Driving

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Impaired Driving Mid	405d Mid Court Support (FAST)	$100,000	$20,000	
	BIL Supplemental 405d Impaired Driving Mid				
	BIL 405d Impaired Driving Mid				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: DUII Alcohol Education

Planned activity number: **164AL-23-14-03**

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Primary Countermeasure Strategy ID:

Planned Activity Description

164AL-23-14-03 - A comprehensive traffic safety public information and education program will be implemented. Materials and supplies developed through this project provide the general population with safe driving messages relevant to alcohol and other intoxicating substances. DUII related PSAs in the form of billboards, print, water closet, television, social media and radio will be produced and distributed throughout the grant year. Public opinion survey questions specific to impaired driving may also be conducted, along with focus groups to target effective messaging.

Intended Subrecipients

ODOT-TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Communication Campaign

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	164 Transfer Funds-AL	164 Paid Media	$300,000	$20,000	

Planned Activity: DUII Outreach and Education

Planned activity number: **M5X-23-12-02**

Primary Countermeasure Strategy ID:

Planned Activity Description

M5X-23-12-02- A comprehensive traffic safety public information and education program will be implemented. Materials and supplies developed through this project provide the general population with safe driving messages relevant to alcohol and other intoxicating substances. DUII related PSAs in the form of billboards, print, water closet, television, social media and radio will be produced and distributed throughout the grant year. Public opinion survey questions specific to impaired driving may also be conducted, along with focus groups to target effective messaging.

Intended Subrecipients

ODOT-TSO

DRAFT

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Communication Campaign

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Impaired Driving Mid	405d Mid Paid/Earned Media (FAST)	$200,000	$40,000	
	BIL Supplemental 405d Impaired Driving Mid				
	BIL 405d Impaired Driving Mid				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: State Electronic Search Warrant Template Program

Planned activity number: **M5X-23-15-01**

Primary Countermeasure Strategy ID: BAC Test Refusal Penalties

Planned Activity Description

M5X-23-15-01 - This project provides for the development of an enhanced DUII search warrant protocol that is accepted throughout the Oregon court system. The goal of the project is creation of a standardized search warrant and affidavit that is convenient and efficient for law enforcement officers seeking to collect toxicological evidence in impaired driving cases. Through collaboration between the Oregon Department of Justice, law enforcement and prosecutorial partners, and the Oregon judicial community, agreed upon language will be developed to create an electronic form that can easily be filled in with case specific details. This form is intended to be convenient for officers working from a desktop computer station or from a mobile device in their patrol vehicle. The proposed system would allow completed warrants/affidavits to be more easily sent to prosecutors for review, and to judges for consideration/approval. By streamlining this process with a standardized warrant form, law enforcement will be better able to collect time-sensitive evidence as part of impaired driving investigations.

Intended Subrecipients

ODOT-TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
BAC Test Refusal Penalties

DRAFT

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Impaired Driving Mid	405d Mid Court Support (FAST)	$100,000	$20,000	
	BIL Supplemental 405d Impaired Driving Mid				
	BIL 405d Impaired Driving Mid				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Purchase of Breath Alcohol Content Instruments

Planned activity number: **M5X-23-12-18**

Primary Countermeasure Strategy ID: BAC Testing

Planned Activity Description

M5X-23-12-18 – As new technology becomes available, this project will fund the purchase of new or replacement testing instruments used for detection and measurement of Breath Alcohol Content (BAC) for law enforcement agencies around the state. This project could potentially require a 3 year rollout.

Intended Subrecipients

Oregon State Police

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
BAC Testing

DRAFT

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Impaired Driving Mid	405d Mid Court Support (FAST)	$150,000	$37,500	
	BIL Supplemental 405d Impaired Driving Mid				
	BIL 405d Impaired Driving Mid				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Countermeasure Strategy
Impaired Driving Program Assessment

Planned Activity: Impaired Driving Program Assessment

Planned activity number: **M8*AL-23-20-01**

Primary Countermeasure Strategy ID: NHTSA Impaired Driving Program Assessment

Planned Activity Description

M8*AL-23-20-01 – This project will help ODOT TSO identify strengths and opportunities for improvement in reducing the incidence of impaired driving crashes. This project will also help ODOT TSO identify opportunities for development and improvement to the overall impaired driving program. Stakeholders and partners will be interviewed (GAC DUII members, LEAs, judicial system, treatment, etc.). Experts in the field conduct the interviews, compile results, and prepare a report of recommendations to strengthen Oregon's efforts in preventing impaired driving crashes.

Intended Subrecipients

ODOT TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

NHTSA Program Assessment: Impaired Driving Program

DRAFT

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405e Flex	405e (FLEX)	$35,000	$7,000	
	BIL Supplemental 405e Flex				
	BIL 405e Flex				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Clear Alliance: Impaired Driving Education

Planned activity number: **M8CP-23-12-26**

Primary Countermeasure Strategy ID:

Planned Activity Description

Research shows the lower the perception of harm of a substance, the higher the use, and the earlier a person will try them. CLEAR Alliance has been focusing on a common public misconception among youth and adults that marijuana is a non-impairing and non-addictive drug that is safer than alcohol. Education and public awareness about today's marijuana and its impact on driving has been significantly lacking in Oregon due to the political sensitivity surrounding the drug. This is a problem as it can lower the perception of marijuana's harm, it can increase youth and adult marijuana use rates, which increases the risk of impaired driving on our roads and highways. Without crucial education available, we cannot expect Oregon youth, or their parents to be equipped with facts necessary to make safe and healthy decisions.

CLEAR Alliance's mission is to educate youth and adults concerning the consequences and risks of impaired driving. CLEAR Alliance educates youth and adults concerning the consequences of impaired driving in order to increase awareness and prevent and reduce youth and adult impaired driving incidences in Oregon. CLEAR Alliance is requesting grant funds for the projects that pertain to impaired driving education and outreach.

Intended Subrecipients

Clear Alliance

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Impaired Driving

DRAFT

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405e Flex	405(e) Alcohol	$280,000	$70,000	
	BIL Supplemental 405e Flex				
	BIL 405e Flex				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

DRAFT

Program Area: Judicial Outreach

Description of Highway Safety Problems

There is limited outreach and training available for Oregon judges, prosecutors, district attorneys, and court clerks/administrators relating to traffic safety issues. There are numerous issues of inconsistent adjudication of traffic safety laws from jurisdiction to jurisdiction which provide citizens with inconsistent and mixed messages.

Judges have limited information and training on Impaired Driving laws and adjudication, especially surrounding ignition interlocks and drug impaired driving (specifically marijuana and other now legal drug possessions of a minimal, or 'single use' amount (Ballot Measure 110, 2020 Legislative Special Session) in Oregon) as well as other popular 'new' drug trends. Driver education, motorcycle safety and increased speed limits also need to be addressed. Approximately 180 courts make up the city, county and state court system. There are no dedicated traffic safety education programs for these courts or their staff (except for the 36 state courts). This project seeks to provide much needed training and education, as well as legislative updates to as many Oregon judges and court administrators as possible surrounding traffic safety.

The annual Judicial Education Conference will provide a forum for local judges and court staff to learn about traffic safety issues, new and pending legislation, and new traffic related case law. This program will continue to extend training opportunities to statewide courts, court staff, prosecutors and DA's as well as build on continuing partnerships with these disciplines.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	Number of judges participating in annual transportation safety related judicial training programs	2023	Annual	49

Countermeasure Strategies in Program Area

Countermeasure Strategy
Education for Judicial

Countermeasure Strategy: Education for Judicial

Program Area: **Judicial Outreach**

Project Safety Impacts

There is limited outreach and training available for judges, prosecutors, district attorneys, and court clerks/administrators relating to traffic safety issues. There are numerous issues of inconsistent adjudication of traffic safety laws from jurisdiction to jurisdiction which provide citizens with inconsistent and mixed messages.

Linkage Between Program Area

Approximately 180 courts make up the city, county and state court system. There are no dedicated traffic safety education programs for these courts or their staff. This project seeks to provide much needed

training and education to as many Oregon judges and court administrators as possible surrounding traffic safety.

The annual Judicial Education Conference will provide a forum for local judges and court staff to learn about traffic safety issues. This program will continue to extend training opportunities to statewide courts, court staff, prosecutors and DA's as well as continuing to build on partnerships in these respective disciplines.

Rationale

There is limited outreach and training available for judges, prosecutors, district attorneys, and court clerks/administrators relating to traffic safety issues. There are numerous issues of inconsistent adjudication of traffic safety laws from jurisdiction to jurisdiction which provide citizens with inconsistent and mixed messages.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
TC-23-24-08	Judicial Education and Training

Planned Activity: Judicial Education and Training

Planned activity number: **TC-23-24-08**

Primary Countermeasure Strategy ID:

Planned Activity Description

TC-23-24-08 Oregon's highway safety office helps facilitate a traffic safety related education conference to Oregon municipal, justice, and circuit court judges in the spring of each year. In addition to judges, the training is also offered to court administrators. Topics covered include legislative updates from the current or just past legislative session --and other relevant traffic safety topics of interest expressed by the judges.

Additionally, Oregon District Attorney's Association (ODAA) delivers Traffic Safety Education trainings each year to prosecutors from around the state. Often times, these are joint trainings with prosecutors and law enforcement.

Intended Subrecipients

ODOT-TSO; Oregon Judges Association

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Education for Judicial

DRAFT

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Traffic Courts (FAST)	$30,000	$7,500	$20,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

DRAFT

Program Area: Motorcycle Safety

Description of Highway Safety Problems

ODOT leadership, staff, the Governor's Advisory Committee on Motorcycle Safety, and stakeholders strategically influence, inform and assist in the development of the annual safety plan chapter for the Oregon Motorcycle/Moped Rider Safety Program. This collaboration and ongoing partnership with these key groups allows the program to continue to refine its efforts in working towards the goals and performance measures set forth. These partnerships also allow the program to continuously improve its service to motorcyclists, moped riders, and motorists.

Leading causative factors contributing to crashes include the following: riding on public roads impaired, riding too fast for conditions, riding distracted, riding fatigued, not following basic riding strategies/tactics (practicing situational awareness, maintaining escape routes, maintaining follow distance/space cushion), and riding above the posted speed. These rider actions continue to contribute to motorcycle crashes, fatalities, and injuries in single vehicle, multi-vehicle, curve, roadway departure, and intersection crashes.

Other motorists continue to violate motorcyclist and moped riders' right of way due to distracted driving, in-attentional blindness, motion blindness, errors in proximity/speed judgement, speeding motorcycle riders, and not "expecting" riders. This is resulting in crashes, fatalities and injuries.

Riders choose to wear non-compliant helmets, or wear no helmet at all even though Oregon has a mandatory helmet law. Department of Transportation (DOT) compliant helmets reduce head trauma. Riders also choose to wear clothing that does not provide the protective characteristics that motorcycle-specific riding gear provides. This can result in increased injury severity or contribute to the death of the rider.

People returning to riding after a significant break (months/years) may not be taking into account the changes in motorcycle technology, power, weight, and handling characteristics of modern motorcycles. Additionally, returning riders may not be accounting for personal human factors or choices (slower reaction time, vision decline, reduced physical fitness, use of alcohol/drugs preceding or during a ride, decreased situational awareness, and unpracticed riding skills) that negatively impact their ability to ride safely. These factors overwhelmingly contribute to motorcycle crashes resulting in fatalities in Oregon.

Legislative proposals including the repeal of the helmet law, increased speed limits in rural areas, and lane sharing/splitting may lead to additional crashes. Passage of these proposals may make the goal of eliminating motorcycle and moped crashes less achievable.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-7) Number of motorcyclist fatalities (FARS)	2023	Annual	64
2023	C-8) Number of un-helmeted motorcyclist fatalities (FARS)	2023	Annual	5
2023	Impaired Driving (Riding - .08 BAC or using drugs)	2023	Annual	28

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Countermeasure Strategies in Program Area

Countermeasure Strategy
Communication for Motorcycle Safety
Training and Education for Motorcycle Safety

Countermeasure Strategy: Communication for Motorcycle Safety

Program Area: **Motorcycle Safety**

Project Safety Impacts

This project will provide funding for the Motorcyclist Safety Program Public Information and Education campaign to increase individual and collective awareness of the presence of motorcycles on highways, and safe driving practices that reduce injury and fatality crashes involving motorcyclists.

Linkage Between Program Area

2020 FARS Data Motorcyclist Fatalities	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total (C-7)	40	51	34	46	61	55	57	85	57	68
Helmeted	34	46	32	41	57	46	48	73	46	55
Unhelmeted (C-8)	5	4	2	4	3	4	3	4	8	4
Unknown	1	1	0	1	1	5	6	8	3	9

Riders may be overly reliant on their assumption that they are visible and have been recognized by other transportation system users. Passenger vehicle and truck drivers may have difficulty estimating the speed of motorcyclists. The smaller profile of a motorcycle and rider, coupled with clothing/gear color may blend in with surrounding colors and can make detection, recognition, and accurate approach-speed determination of motorcycles more difficult than that of other transportation system users. In-attentional, or motion blindness may play a part in vehicle drivers not consciously detecting and yielding the right of way to motorcycle riders.

Rationale

Oregon motorcycle riders continue to experience right of way violations by other drivers, which result in injury and fatality crashes. The Motorcycle Safety Communications and Outreach: Other Driver Awareness of Motorcyclists campaign will increase individual and collective awareness of the presence of motorcycles on or near roadways; and educate on safe driving and riding practices that reduce injury and fatality crashes involving motorcyclists.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M9MA-23-50-01	MS Communications and Outreach: Other Driver Awareness of Motorcyclists

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Planned Activity: MS Communications and Outreach: Other Driver Awareness of Motorcyclists

Planned activity number: **M9MA-23-50-01**

Primary Countermeasure Strategy ID:

Planned Activity Description

M9MA-23-50-01 - This project will provide funding to maintain/increase general motorist awareness of motorcycle riders and specific issues related to detecting and interacting with them in the transportation system. Public safety announcements, including media and equipment purchases for public awareness displays will be the primary methods used to accomplish this work. This work will primarily be focused in counties with the highest motorcycle involved multi-vehicle crashes in Oregon by utilizing ODOT CAR's Unit State crash data which identifies the counties within the State with the highest number of motorcycle crashes involving a motorcycle and another motor vehicle.

Final State Crash Data - 2020 MC/Multivehicle Crashes by County	
County	**# of Motorcycle Crashes (MCC) involving multiple vehicles**
MULTNOMAH	61
CLACKAMAS	37
LANE	34
WASHINGTON	33
JACKSON	28
MARION	25
DESCHUTES	16
DOUGLAS	14
LINN	11
JOSEPHINE	10
YAMHILL	10
KLAMATH	8
BENTON	7
CLATSOP	7
COOS	6
POLK	6
MALHEUR	6
WASCO	6
UMATILLA	5
LINCOLN	5
HOOD RIVER	4
COLUMBIA	3
CROOK	3
TILLAMOOK	3
HARNEY	2
JEFFERSON	2
GRANT	1
WALLOWA	1
UNION	1
WHEELER	1
CURRY	1
BAKER	1

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Intended Subrecipients
Motorists in Oregon, ODOT-TSO, law enforcement agencies, safety training providers

Countermeasure strategies
Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Motorcycle Safety

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405f Motorcycle Programs	405f Motorcycle Safety (FAST)	$ 25,000	$6,250	
	BIL Supplemental 405f Motorcycle Programs				
	BIL 405f Motorcycle Programs				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Countermeasure Strategy: Training and Education for Motorcycle Safety
Program Area: **Motorcycle Safety**

Project Safety Impacts
The continuous enhancement of the state motorcycle safety training program is provided through ongoing logistics support (equipment), training, and curriculum course assessment/development. The project will also increase the awareness of need for and use of motorcycle safety-specific riding protective gear, including DOT compliant helmets as well as the need to rider sober, well rested, aware of how prescribed medications may impact the rider, and the primary causative factors related to fatal motorcycle crashes in Oregon.

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Linkage Between Program Area

2020 FARS Data Motorcyclist Fatalities		2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total (C-7)		40	51	34	46	61	55	57	85	57	**68**
Helmeted		34	46	32	41	57	46	48	73	46	**55**
Unhelmeted (C-8)		5	4	2	4	3	4	3	4	8	**4**
Unknown		1	1	0	1	1	5	6	8	3	**9**

The majority of motorcyclist crashes continue to be caused by risky behavioral decisions that include riding impaired, speeding, and riding too fast for conditions. The level of injury and the potential of a crash being a fatal crash increases when riders choose not to wear a certified Department of Transportation (DOT) motorcycle helmet that is being maintained and is within the manufacturer's "lifespan" of the helmet as well as protective motorcycle riding-specific clothing.

The mission of the training and education program is to foster safe and responsible use of motorcycles on public roads through quality rider education programs and public information campaigns. A key portion of this program is providing information on the benefits and protective qualities of purpose- built motorcycle rider protective clothing – including DOT certified helmets. Ongoing support of the training and education program includes activities that directly or indirectly support the delivery of information related to the benefits and value of wearing a DOT certified helmet. Additionally, promotion of sober and legally compliant riding while being well rested are critical to eliminating the preventable crashes that Oregon continues to experience annually.

Rationale

The majority of motorcyclist crashes continue to be caused by risky behavioral decisions that may include riding impaired, speeding, and riding too fast for conditions. The injury severity level and outcome of these crashes can also be influenced by riders' choices related to the safety gear they wear. The Oregon Motorcycle Safety Program will continue to promote informed rider choices related to safety gear, sobriety, compliance with Oregon laws, and riding well rested which may lead to less severe injuries sustained in crashes as well as fewer fatalities as a result of a crash.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M9MT-23-50-02	Motorcycle Rider Training

Planned Activity: Motorcycle Rider Training

Planned activity number: **M9MT-23-50-02**

Primary Countermeasure Strategy ID:

DRAFT

Planned Activity Description

M9MT-23-50-02 - This project will broadly provide funding for motorcycle rider safety training, focused media, projects, and equipment/materials. This may include but is not limited to the following: purchase/deployment of the *Skidbike* system and support equipment, research/development/purchase of appropriate and available protective barriers for training range(s), secret shopper/post course survey services for training course evaluations, virtual training software/hardware, development of new training materials and support related to the delivery of those materials, training motorcycles/mopeds, updating of existing in-state and out-of-state adopted training materials, training site support vehicles, safety equipment, safety related media/outreach related to the benefits of DOT compliant motorcycle helmets, and training events/presentations.

These projects will address crash causative factors, injury reduction information campaigns, and emerging needs/issues using state and federal crash data to guide program focus areas. This will be accomplished through the development of new partnerships in addressing rider safety issues, leveraging existing partnerships, and capitalizing on the allowances that the federal funding guidelines provide for – which differ from the permitted uses of the Oregon Motorcycle Safety Program state funds. This work may include partnering with online and brick mortar motorcycle-related retailers to develop and distribute media material like 'Get home to ride another ride,' 'Don't drink and ride / Rider Sober,' and/or 'Don't ride faster than conditions allow / Ride for the conditions.'

These projects will implement data-driven program activities including media, education, enforcement partnerships, and outreach designed to reach motorcyclists and motorists in those jurisdictions where the incidence of motorcycle crashes involving an impaired operator is highest (i.e., the majority of counties or political subdivisions in the State with the highest numbers of motorcycle crashes involving an impaired operator) based upon State data.

Majority Of Counties Or Political Subdivisions In The State With The Highest Numbers Of Motorcycle Crashes Involving An Impaired Operator, Based Upon State Data, Sorted by 2020 (state) numbers.

County	2020 Total Fatal & Injury Crashes involving a Motorcycle Operator having BAC = 0.08 or higher or Using Drugs, with Casualties Limited to the Motorcycle Operator
Multnomah County, Oregon	11
Lane County, Oregon	5
Douglas County, Oregon	4
Washington County, Oregon	4
Clackamas County, Oregon	3
Clatsop County, Oregon	3
Deschutes County, Oregon	2
Hood River County, Oregon	2
Josephine County, Oregon	2
Linn County, Oregon	2
Marion County, Oregon	2
Columbia County, Oregon	1
Coos County, Oregon	1
Crook County, Oregon	1
Grant County, Oregon	1
Lincoln County, Oregon	1
Polk County, Oregon	1
Tillamook County, Oregon	1
Umatilla County, Oregon	1

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Intended Subrecipients

Oregon motorcycle and moped riders, ODOT-TSO staff and partner organizations, law enforcement agencies, safety training providers.

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Motorcycle Safety

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405f Motorcycle Programs	405f Motorcyclist Training (FAST)	$28,312	$7,078	
	BIL Supplemental 405f Motorcycle Programs				
	BIL 405f Motorcycle Programs				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Program Area: Non-motorized (Pedestrians and Bicyclist)

Description of Highway Safety Problems

As vulnerable road users, bicyclists and pedestrians face special safety challenges when traveling on multi-modal roadways as they often face a higher risk of fatality or serious injury in motor vehicle related crashes (MVCs). Using the most current national available data from 2019, the number of pedestrian fatalities was 6,205 (NHTSA, 2021). Nationally in 2019, bicycle and pedestrian fatalities made up 20 percent of overall motor vehicle crash fatalities (bicycle (2.5 percent) and pedestrian (17.5 percent) (NHTSA FARS, 2021).

Compared to the national statistics, in Oregon, there were 71 pedestrian fatalities (13 percent) and 14 bicycle fatalities (2 percent) in 2020, for a combined total of 16 percent of Oregon's 2020 motor vehicle fatalities. Using the most current national data from 2019, Oregon ranks the 20th highest pedestrian fatality rate state at 1.92 per 100,000 people (NHTSA.gov). There is no current state bicycle fatality rate ranking available; however, the rate for Oregon is 0.28 per 100,000 (National rate is 0.26 with a range of 0.0-0.75).

Nationally, pedestrian fatalities have increased in percentage of overall traffic fatalities from 12 percent in 2008 to 16 percent in 2017 and increasing to 17 percent in 2018-2019 (NHTSA.gov). Bicyclist fatalities have also increased in their percentage of total crash fatalities from 1.9 percent in 2008 to 2.3 percent in 2019. Many factors can be involved in pedestrian and bicycle fatalities that can contribute to these increases nationally such as: lack of multimodal or pedestrian and bicycle facilities to make travel safer, poor lighting, vehicle design, and roads not designed for active modes of transportation. However, there are also many risky road user behaviors that can be addressed through education programs such as higher driving speeds, increased intoxication by road users, and distraction by road users, conspicuity, road user impatience and aggressive driving behaviors and not giving right of way. Given this, there are many risky road user behaviors that can be addressed by education programs.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-10) Number of pedestrian fatalities (FARS)	2023	Annual	72
2023	C-11) Number of bicyclists fatalities (FARS)	2023	Annual	10

Countermeasure Strategies in Program Area

Countermeasure Strategy
HVE for Non-Motorized
Training and Education for Non-Motorized

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Countermeasure Strategy: HVE for Non-Motorized

Program Area: **Non-motorized (Pedestrians and Bicyclist)**

Project Safety Impacts

Oregon pedestrians and bicyclists face numerous barriers to safe walking and rolling including crosswalk and intersection safety, motorists speeding in high pedestrian and bicyclist use areas including down-towns and school zones, infrastructure that lacks pedestrian and bicycle facilities, and lack of awareness or knowledge on the part of all road users regarding non-motorist safety laws and best practices.
All road users (motorized and non-motorized) bear responsibility in non-motorized motor vehicle crashes, however, the non-motorist is most at risk for serious injury and fatality. Nearly half of pedestrian crashes occur in a crosswalk or an intersection, often where drivers fail to yield the right-of-way. The projected impact of focused HVE operations statewide is three fold: 1) to educate all road users on the safest behaviors for pedestrians and motorists, 2) to enforce Oregon transportation safety laws to encourage safe behaviors from all road users, and 3) to decrease pedestrian and motorist conflicts particularly at crosswalks and intersections and ultimately decrease non-motorists' serious injuries and fatalities.

Linkage Between Program Area

Based on the program area problem identification for Oregon, pedestrian and bicyclist injuries and fatalities consistently represent a disproportionate percentage of overall traffic injuries and deaths with a combined total of 17% of the overall state MVC fatality data. To decrease this percentage, Oregon has set the performance targets to decrease pedestrian and bicyclist fatalities from the moving average. To accomplish this Oregon has planned to use the countermeasure strategy of HVE for Non-Motorized operations to invest in education and awareness of Oregon state laws and best practices for all road users to decrease risk for vulnerable non-motorized road users.

Rationale

The HVE countermeasure was selected because enforcement of laws are consistently shown to bring awareness, education and encourage behavior change.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
FHX-23-68-02	High Visibility Enforcement - Ped

Planned Activity: High Visibility Enforcement - Ped

Planned activity number: **FHX-23-68-02**

Primary Countermeasure Strategy ID:

Planned Activity Description

FHX-23-68-02 - This is a statewide pedestrian safety enforcement (PSE) program that provides for overtime traffic enforcement activities through a mini-grant program to Oregon law enforcement agencies, to also include operations, training and evaluation, and diversion classes as applicable.

Intended Sub-recipients

City and County Law Enforcement Agencies

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Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
HVE for Non-Motorized

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	405h - Non-Motorized Traffic Safety	405h Law Enforcement	$150,000	$37,500	
	BIL Supplemental 405h Non-Motorized Traffic Safety				
	BIL 405h Non-Motorized Traffic Safety				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Countermeasure Strategy: Training and Education for Non-Motorized

Program Area: **Non-motorized (Pedestrians and Bicyclist)**

Project Safety Impacts

Education of Oregon transportation laws and safe best practices to all road users, of all modes, is extremely important to the Non-Motorized program. Education to all age groups and road users are an important part of the program. The projected impacts of the Training and Education for Non-Motorized Countermeasure is planned as a means of prevention and education on unsafe behaviors for all road users.

Linkage Between Program Area

It is increasingly important to educate all road users about how to safely share the road with other road users of different modes of transportation. Since Oregon has set the performance targets of decreasing pedestrian fatalities and sustaining bicyclist fatalities, the training and education countermeasure on how to share the road safely with other road users has been identified as an integral part of Oregon's Non-Motorized program in triangulation with HVE and Media Education Campaigns.

Rationale

Education of laws and safe best practices is a reliable strategy to promote expected behavior and give the road user tools to prevent and intervene on less safe behaviors thus decreasing risk of serious injury and fatality.

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Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
FHTR-23-60-04	Bicycle/Pedestrian Friendly Driver Class
PS-23-68-01	Statewide Services: Pedestrian and Bicycle Safety
PS-23-68-11	ODOT Region 1 Pedestrian and Bicycle Safety Education
PS-23-68-15	ODOT Region 5 Pedestrian and Bicycle Safety Education

Planned Activity: Bicycle/Pedestrian Oregon Friendly Driver Class

Planned activity number: **FHTR-23-60-04**

Primary Countermeasure Strategy ID:

Planned Activity Description

FHTR-23-60-04 - The program will develop, promote and implement driver education classes on pedestrian and bicycle laws and best practices in the regions surrounding Eugene, Bend, and Portland and will aim to serve as a statewide program to other areas within the state as needed.

Intended Sub-recipients

Commute Options, Lane County Council of Governments, and The Street Trust

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Non-Motorized

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405h Non-Motorized Safety	405h Public Education	$179, 254	$44,8135	
	BIL Supplemental 405h Non-Motorized Safety				
	BIL 405h Non-Motorized Safety				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Planned Activity: Statewide Services: Pedestrian and Bicycle Safety

Planned activity number: **PS-23-68-01**

Primary Countermeasure Strategy ID:

Planned Activity Description

PS-23-68-01- This project will update/reprint pedestrian safety resource and educational materials; continue participation in an annual public opinion telephone survey for questions related to bicycle and pedestrian safety; develop annual statewide media campaign with TSO media contractor; support the statewide Pedestrian and Bicycle Safety Education Program through the technical service contractor. Collaborate with ODOT Roadway Engineers, ODOT Active Transportation Unit, Region Traffic Safety Coordinators and local agencies to educate and inform public on infrastructure enhancements; and promote pedestrian and bicycle safety education training to both drivers and pedestrians.

Intended Sub-recipients

ODOT-TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Non-Motorized

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Pedestrian/Bicycle Safety (FAST)	$420,000	$105,000	
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: ODOT Region 1 Pedestrian and Bicycle Safety Education

Planned activity number: **PS-23-68-11**

Primary Countermeasure Strategy ID:

Planned Activity Description

PS-23-68-11 –This project will fund grassroots education and outreach efforts through mini-grants focused on pedestrian and bicycle safety either by expanding programs or funding new programs to address behavior that has been contributing to the rise in pedestrian deaths identified (data-driven) by neighborhoods, community groups, and other local organizations.

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Intended Sub-recipients
Local non-profits, Cities, or Counties

Countermeasure strategies
Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Non-Motorized

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Pedestrian/Bicycle Safety (FAST)	$350,000	$87,500	
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: ODOT Region 5 Pedestrian and Bicycle Safety Education
Planned activity number: **PS-23-68-15**

Primary Countermeasure Strategy ID:

Planned Activity Description
PS-23-68-15 -This project will fund up to three education and outreach efforts in ODOT Region 5 through mini-grants focused on bicycle and pedestrian safety either by expanding or enhancing existing programs or funding new programs and/or projects to increase the accessibility to education and safe use of bike/pedestrian systems by schools, cities, counties, and other local organizations to be determined and as appropriate. This project provides transportation safety education, outreach, training, program supplies, and/or services to a wide variety of community-based traffic safety programs.

Intended Sub-recipients
Local non-profits, Cities, or Counties

Countermeasure strategies
Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for Non-Motorized

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Pedestrian/Bicycle Safety (FAST)	$30,000	$7,500	
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Program Area: Occupant Protection (Adult and Child Passenger Safety)
Description of Highway Safety Problems

The Occupant Protection program is continually focused on educating the general public, law enforcement, family medical providers, and families regarding proper selection and use of seat belts and other motor vehicle safety restraints. Oregon has traditionally had a high seat belt usage rate, sometimes the highest in the nation, but continuous education is needed for new citizens, visitors, and high-risk populations to maintain a high use rate.

- **Non-use of Restraints:** According to the annual 2021 Oregon observed seat belt use survey, 5.1 percent of front seat passenger vehicle occupants did not use restraints, an improvement from 5.4 percent in the 2020 survey. During 2020, crash reports (FARS) indicate 31.9 percent of motor vehicle occupant fatalities were unrestrained and 14.2 percent were unknown restraint use.
- **Improper Use of Safety Belts:** Oregon law requires "proper" use of safety belt and child restraint systems. Some adult occupants inadvertently compromise the effectiveness of their belt systems and put themselves or other occupants at severe risk of unnecessary injury by using safety belts improperly. This is most often accomplished by placing the shoulder belt under the arm or behind the back, securing more than one passenger in a single belt system, or using only the automatic shoulder portion of a two-part belt system (where the lap belt portion is manual).
- **Improper Use of Child Restraint Systems:** Motor vehicle crashes remain a leading cause of death for children. Nationally, a total of 844 children younger than 13 died in motor vehicle crashes in 2019; nearly three-quarters of these deaths were children riding in passenger vehicles, according to the Insurance Institute for Highway Safety (IIHS). Proper restraint use can help significantly reduce these deaths. Although the majority of children ride restrained, 209 children killed in crashes in 2019 were unrestrained, where others were *improperly* restrained, (IIHS). Drivers are also confused by frequently changing state laws, national "best practice" recommendations, and constantly evolving child seat technology.
- **Premature Graduation of Children to Adult Belt Systems:** Current crash data from 2020 indicates that of the 1,019 injured children under age twelve, 9.8 percent were reported not using a child restraint system. This is slight improvement from 2019. Although Oregon law requires use of child restraints to age eight or four feet nine inches in height, Safe Kids Worldwide indicates many children will be eight to twelve years of age before they meet this height requirement and thus fit properly in an adult belt system.
- **Affordability of Child Restraint Systems:** Caregivers may have difficulty affording the purchase of child safety seats or booster seats, particularly when they need to accommodate multiple children. This contributes to non-use of seats, or the reuse of second-hand seats which may be unsafe for multiple reasons.
- **Risky Drivers:** According to the 2021 TSAP analysis, between 2014 and 2018, 900 fatal and serious injury crashes involved occupants not properly using restraints. In Oregon, 21 percent of fatal crashes involved an unrestrained occupant. Approximately 65 percent of these crashes occurred in a rural environment. The majority of unrestrained fatal and serious injury crashes (71 percent) result from lane departure crashes. Approximately 46 percent of all unrestrained fatal and serious injury crashes were speed related.
- **2021 Statewide Public Opinion Survey**: The annual public opinion survey of Oregonians conducted statewide showed the following results:
    - 96 percent of respondents reported 'Always using their safety belts when driving or riding in a

passenger vehicle,' the 2021 observed seat belt usage rate for Oregon was 94.9 percent.

- The respondents who reported they did not 'Always use safety belts' when they drive or are a passenger in a vehicle were asked why they do not. The most common reason statewide was a Short Trip, Driving/riding in a rural area, and In a Hurry.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-4) Number of unrestrained passenger vehicle occupant fatalities, all seat positions (FARS)	2023	Annual	77
2023	B-1) Observed seat belt use for passenger vehicles, front seat outboard occupants (survey)	2023	Annual	96

Countermeasure Strategies in Program Area

Countermeasure Strategy
Child Restraint System Inspection Station(s)
Communication Campaign for OP
HVE for OP
Training and Education for OP

Countermeasure Strategy: Child Restraint System Inspection Station(s)

Program Area: **Occupant Protection (Adult and Child Passenger Safety)**

Project Safety Impacts

Child passenger safety inspection stations and outreach efforts are proactive in working to reduce the likelihood of death and injury in motor vehicle crashes by providing access to hands-on education on proper use of car safety seats and boosters to caregivers from nationally certified Child Passenger Safety Technicians (CPSTs).

Linkage Between Program Area

Typically, community child passenger safety (CPS) efforts operate on minimal budgets, relying on donations and low dollar amount grants for funding. Outreach efforts face challenges in access to training, mentoring/technical support and resources.

Rationale

Child passenger safety inspection stations and outreach efforts are proactive in nature, working to reduce the likelihood of death and injury in motor vehicle crashes by providing access to hands-on education on proper use of car safety seats and boosters to caregivers from nationally certified Child Passenger Safety Technicians (CPSTs). Funds are allocated with the minimal requirement of at least one nationally certified Child Passenger Safety Technician (CPST) for each inspection station.

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Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M1CPS-23-45-11	OP: CPS Inspection Stations

Planned Activity: OP: CPS Inspection Stations

Planned activity number: **M1CPS-23-45-11, M1CPS-23-45-12, M1CPS-23-45-13, M1CPS-23-45-14, M1CPS-23-45-15**

Primary Countermeasure Strategy ID:

Planned Activity Description

M1CPS-23-45-11 thru -15 (for each of ODOT's five regions) - This project will fund mini-grants to local fitting stations to cover costs for purchase of equipment, supplies, child car seats, boosters, and training expenses for technician and instructor candidates (certification fee and/or necessary lodging and per diem expenses).

Intended Subrecipients

Local or non-profit agencies; ODOT Regions

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Child Restraint System Inspection Station(s)

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405b OP High	405b High Community CPS Services (FAST)	$46,000	$11,500	$12,000
	BIL Supplemental 405b OP High				
	BIL 405b OP High				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Countermeasure Strategy: Communication Campaign for OP

Program Area: **Occupant Protection (Adult and Child Passenger Safety)**

Project Safety Impacts

Year-round public education is necessary to inform & educate motor vehicle drivers and passengers regarding Oregon laws, proper usage of restraint systems, consequences of non- or improper use and availability of resources to assist them.

Linkage Between Program Area

Many of the printed educational materials are grant funded and then distributed directly to the public through law enforcement, child seat fitting stations, prenatal clinics, ODOT's Driver and Motor Vehicles Division, and community level special events.

Rationale

Other than enforcement, education campaigns are one of the only proven countermeasures available to us. The two types of messaging Oregon uses are behavioral and awareness based. Funding is provided to allow for campaigns statewide and the location of messaging is based on data and diverse population needs.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
OP-23-45-01	Statewide Services: OP

Planned Activity: Statewide Services: OP

Planned activity number: **OP-23-45-01**

Primary Countermeasure Strategy ID:

Planned Activity Description

OP-23-45-01 - This project will fund contracted media design, education material revisions, social media advertising, radio public service announcements and billboards; public attitude, and observed restraint use surveys; as well as TSO direct purchase, reproduction and distribution of educational and outreach materials.

Intended Subrecipients

ODOT-TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Communication Campaign for OP

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Occupant Protection (FAST)	$230,000	$57,500	$80,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Countermeasure Strategy: HVE for OP

Program Area: **Occupant Protection (Adult and Child Passenger Safety)**

Project Safety Impacts

Some adult occupants inadvertently compromise the effectiveness of their belt systems and put themselves or other occupants at severe risk of unnecessary injury by using safety belts improperly. During 2020, crash reports (FARS) indicate 31.9 percent of motor vehicle occupant fatalities were unrestrained and 14.2 percent were unknown restraint use.

The purpose of this project is to help maximize statewide enforcement visibility by involving the local police departments, in addition to Sheriff's Offices and Oregon State Police, in multi-agency traffic safety enforcement campaigns. Oregon will coordinate these campaigns with the timing of news releases, PSA postings, and nationwide events such as "Click It or Ticket" and National Child Passenger Safety Week.

Linkage Between Program Area

This project will provide grants to local police departments, sheriff's offices and Oregon State Police to conduct overtime enforcement activities that will maintain and increase compliance with safety belt/child restraint laws. Funding will be conditional on agency traffic enforcement during three (3) two-week blitzes, and during other times when additional traffic enforcement coverage is deemed appropriate by the local jurisdiction. Agencies will be encouraged to garner local media coverage of their planned efforts, their purpose and their results.

During 2021, fifty-two local police departments, fifteen Sheriff's Offices and the Oregon State Police participated in Oregon's safety belt HVE program. Many of these agencies enforce restraint laws as a matter of routine when working traffic however; the smaller local departments often do not have dedicated traffic enforcement officers so rely on the federal overtime funds to work on traffic safety problems in their communities.

HVE has been a strong contributing countermeasure strategy toward Oregon's annual observed seat belt use survey indicating Oregon's 2021 usage rate of 94.9 percent.

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Rationale

Oregon law requires "proper" use of safety belt and child restraint systems. Some adult occupants inadvertently compromise the effectiveness of their belt systems and put themselves or other occupants at severe risk of unnecessary injury by using safety belts improperly.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M1HVE-23-46-03	High Visibility Enforcement - OP
M1HVE-23-46-02	Statewide HVE for OP
OP-23-45-03	HVE Local Police Department for OP

Planned Activity: High Visibility Enforcement - OP

Planned activity number: **M1HVE-23-46-03**

Primary Countermeasure Strategy ID:

Planned Activity Description

M1HVE-23-46-03 - This project will fund law enforcement overtime for traffic enforcement and educational activities that facilitate compliance with Oregon motor vehicle restraint laws, including participation in three, two-week high-visibility enforcement “waves”. Expenses to undergo initial child passenger safety certification training may also be covered (certification fee and/or necessary lodging and per diem expenses).

Intended Subrecipients

State, City, County Law Enforcement Agencies

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
HVE for OP

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405b OP High	405b High HVE (FAST)	$636,816	$1159,204	
	BIL Supplemental 405b OP High				
	BIL 405b OP High				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Statewide HVE for OP

Planned activity number: **M1HVE-23-46-02**

Primary Countermeasure Strategy ID:

Planned Activity Description

M1HVE-23-46-02 - This project will fund administrative and trooper overtime hours for traffic enforcement and educational activities that facilitate compliance with Oregon motor vehicle restraint laws, including participation in three, two-week high-visibility enforcement "waves". Expenses to undergo initial child passenger safety certification training may also be covered (certification fee and/or necessary lodging and per diem expenses).

Intended Subrecipients

State, City, County Law Enforcement Agencies

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
HVE for OP

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405b OP High	405b High Occupant Protection (FAST)	$80,000	$20,000	
	BIL Supplemental 405b OP High				
	BIL 405b OP High				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: HVE Local Police Department for OP

Planned activity number: **OP-23-45-03**

Primary Countermeasure Strategy ID:

Planned Activity Description

OP-23-45-03 - This project will fund law enforcement overtime for traffic enforcement and educational activities that facilitate compliance with Oregon motor vehicle restraint laws, including participation in three, two-week high-visibility enforcement "waves". Expenses to undergo initial child passenger safety certification training may also be covered (certification fee and/or necessary lodging and per diem expenses).

Intended Subrecipients

Local Law Enforcement

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
HVE for OP

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Occupant Protection	$370,000	$92,500	$112,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Countermeasure Strategy: Training and Education for OP

Program Area: **Occupant Protection (Adult and Child Passenger Safety)**

Project Safety Impacts

This project will help provide for education to those interested in becoming a certified Child Passenger Safety Technician (CPST). To become certified as a CPST, one must complete a nationally standardized training (typically four days in length) taught by nationally certified Child Passenger Safety Instructors.

The knowledge the CPSTs receive from the standardized training, can in turn be used to educate parents and caregivers on the importance of a properly installed child safety seat and teach them how to properly install the child safety seat on their own.

Linkage Between Program Area

Organizations need numerous materials to support their outreach efforts and funding is often very limited for outreach efforts. Some adult occupants inadvertently compromise the effectiveness of their belt systems and put themselves or other occupants at severe risk of unnecessary injury by using safety belts improperly and are confused be frequently changing state laws and constantly evolving child seat technology. During 2020, crash reports indicate 31.9 percent of motor vehicle occupant fatalities were unrestrained. Current crash data from 2020 indicates that of the 1,019 injured children under age twelve, 9.8 percent were reported not using a child restraint system.

In many areas of the state, access to "seasoned" CPSTs is very limited making it difficult for new CPSTs to expand their skill base beyond their initial certification level. Once the Certification training has been completed, new CPSTs need mentoring and technical support as they typically possess a minimal amount of technical knowledge and experience. This project will continue to extend educational opportunities to certified Child Passenger Safety Technicians (CPSTs). This training will afford the CPST to share their education and experience with parents and caregivers on the importance of a properly installed child safety seat and teach them how to properly install the child safety seat on their own.

Rationale

Child passenger safety programs and outreach efforts are proactive in nature working to reduce the likelihood of death and injury in motor vehicle crashes by providing hands-on education to caregivers on proper use of car safety seats and boosters by nationally certified Child Passenger Safety Technicians

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(CPSTs). Typically, community child passenger safety (CPS) efforts operate on minimal budgets, relying on donations and small grants for funding. To become certified as a CPST, one must complete a nationally standardized training (typically three days in length) taught by nationally certified Child Passenger Safety Instructors. Depending on the location of the course and instructor base in the corresponding ODOT region, the cost to run a course is $5,000 to $8,000, which can be cost prohibitive for many organizations.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M1CPS-23-45-01	CPS Instructor/Technician Training

Planned Activity: CPS Instructor/Technician Training

Planned activity number: **M1CPS-23-45-01**

Primary Countermeasure Strategy ID:

Planned Activity Description

M1CPS-23-45-01 This project will fund administration, instruction service hours, and equipment & supplies necessary to train CPS technicians & instructors; may include instructor fees, facility rentals, training materials/supplies, delivery of CPS training, and training expenses for technician and instructor candidates may also be covered, along with per diem travel costs, certification fees, and possible conference registration.

Intended Subrecipients

Oregon Health & Science University

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training and Education for OP

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405b OP High	405(b) FAST Act Occupant Protection High	$160,000	$40,000	
	BIL Supplemental 405b OP High				
	BIL 405b OP High				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Program Area: Older Drivers

Description of Highway Safety Problems

In Oregon, older drivers (age 65+) are involved in the 2nd highest proportion of fatal and serious injury crashes and are typically overrepresented in traffic crashes.

While older drivers are a concern now in Oregon - (see ADDRESSING OREGON'S RISE IN DEATHS AND SERIOUS INJURIES FOR SENIOR DRIVERS AND PEDESTRIANS Final Report PROJECT SPR 828), crash numbers could increase even more dramatically over the next decade as the U.S. population ages. Operating a vehicle requires drivers to react quickly, see and hear clearly, judge distances and speeds, and be aware of other drivers and road users. As people age, it can lead to a decline in some of these abilities. When older drivers do crash, it also tends to be more severe as they can get hurt more seriously and face longer recovery times than younger drivers.

With the COVID-19 pandemic and endemic impacts to society in general, we continue to monitor how transportation system users have responded and the impacts of those behaviors related to safety. Higher driving speeds and other risky driving behaviors have increased coupled with a perceived and real decrease in public and political support for law enforcement traffic enforcement activities. This combination of factors seems to be exacerbating the problem of maintaining transportation safety for all road users.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	Number of fatal and serious injuries for drivers 65 years of age and older	2023	Annual	373

Countermeasure Strategies in Program Area

Countermeasure Strategy
Communication for Older Drivers

Countermeasure Strategy: Communication for Older Drivers

Program Area: **Older Drivers**

Project Safety Impacts

Year-round public education is necessary to inform and educate older motor vehicle drivers and concerned citizens regarding Oregon laws; to help identify warning signs that indicate when it may be necessary to limit or stop driving altogether; and availability of resources for refresher driving courses, or a plan to reduce/stop driving.

Through targeted messaging, education on the effects of aging can be evaluated by the individual driver, where they can make a conscious decision to modify their unsafe driving behavior, in turn reducing the number of serious injury and fatal crashes related to older drivers.

Linkage Between Program Area

In Oregon, older drivers (age 65+) are involved in the 2nd highest proportion of fatal and serious injury crashes. Year-round public education is necessary to inform and educate older motor vehicle drivers and

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concerned citizens regarding Oregon laws, identifying warning signs that indicate when it may be necessary to limit or stop driving, and availability of resources.

Rationale

Education and outreach campaigns are a proven countermeasure

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
DE-23-20-06	Communications and Outreach: Older Drivers

Planned Activity: Communications and Outreach: Older Drivers

Planned activity number: **DE-23-20-06**

Primary Countermeasure Strategy ID:

Planned Activity Description

DE-23-20-06 -This project will fund public education campaigns for Aging Road Users to increase awareness and to educate drivers, pedestrians and bicyclists on comprehensive evaluations and traffic safety strategies for preventing traffic crashes from occurring. Expand knowledge of transportation choices and community design features to meet the mobility needs of an aging population. Explore partnerships with organizations directly involved with messaging and education involved in this demographic to expand project reach.

Intended Subrecipients

ODOT-TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Communication for Older Drivers

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	402 FAST Act Driver Education funds	$20,000	$5,000	
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Program Area: Planning & Administration

Description of Highway Safety Problems

The Transportation Safety Office (TSO) coordinates a statewide program designed to prevent deaths and reduce serious injuries resulting from traffic crashes. The office manages federal and state funds by identifying problems (through analysis of data), developing countermeasures, managing sub-grant projects and evaluating the results for both local and statewide benefit. In addition, TSO coordinates its grant program with other transportation safety-oriented plans and activities throughout the state to ensure the greatest impact. Planning and efficient administration of the transportation safety program assures that clear and transparent processes are in place in effectively managing taxpayer dollars.

Associated Performance Measures

Planned Activities

Planned Activities in Program Area

Unique Identifier	Planned Activity Name
164PA-23-91-90	Planning and Administration: Sec 164
PA-23-91-90	Planning and Administration: Sec. 402

Planned Activity: Planning and Administration: Sec 164

Planned activity number: **164PA-23-91-90**

Primary Countermeasure Strategy ID:

Planned Activity Description

164PA-23-91-90 - Travel, services and supplies and office equipment will be funded for Governor's Advisory Committee on DUII.

Intended Subrecipients

ODOT-TSO

Countermeasure strategies

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	164 Transfer Funds-AL	164 Planning and Administration	$25,000		

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Planned Activity: Planning and Administration: Sec. 402

Planned activity number: **PA-23-91-90**

Primary Countermeasure Strategy ID:

Planned Activity Description

PA-23-91-90 - The following SHSO staff salaries are paid from 402 P & A funds (direct):

Fiscal Specialist -- Accounting/Vouchers/Claims

Office Manager – SHSO Manager

Operations Manager -- Accounting/HSP/HCS/Vouchers

Data and Evaluation Coordinator -- HSP, Annual Report, Data, GMSS application

Intended Subrecipients

ODOT-TSO

Countermeasure strategies

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Planning and Administration (FAST)	$746,000	$186,500	
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Program Area: Police Traffic Services

Description of Highway Safety Problems

Many agencies have experienced significant decreases to their budgets. Training is among the first things cut to help maintain department budgets. By putting together traffic safety trainings, such as the Police Traffic Safety Conference, TSO is keeping traffic safety awareness a priority as well as providing much needed training to officers from around the State that they might not otherwise receive.

Agencies provide shift briefing trainings routinely, but they rarely get to hear in depth training from local and national experts. By bringing these individuals in through conferences, they reach a wider audience and officers gain a broader knowledge base on key traffic safety issues they are facing.

Additionally, the Oregon Department of Public Safety Standards and Training (DPSST) has a regional traffic safety training system in place, but is not currently funded to provide traffic safety training on a regional basis. The ODOT Transportation Safety Office has the funds to provide traffic safety training, but does not have the staffing to provide regional law enforcement trainings. Through multi-year grants from ODOT TSO, DPSST has been providing this much needed outreach and is able to serve as a liaison between ODOT TSO and law enforcement agencies regarding traffic safety issues, raising awareness, and meeting training needs. DPSST is able to provide NHTSA recommended or sponsored training (such as the NHTSA Speed Measuring Device curriculum, SFST recertification, etc.); and DPSST is able to assist ODOT TSO with law enforcement related training such as Advanced Crash Investigations training and the annual Police Traffic Safety Training Conference.

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	Number of officers trained statewide through the Police Traffic Safety training conference	2023	Annual	225

Countermeasure Strategies in Program Area

Countermeasure Strategy
Education and Enforcement of Safety Corridors

Countermeasure Strategy: Education and Enforcement of Safety Corridors

Program Area: **Police Traffic Services**

Project Safety Impacts

Enforcement of traffic laws, and specifically, High Visibility Enforcement campaigns coupled with messaging (HVE, or TSEP programs) are proven countermeasures to negating risky driving behaviors. Speed is one of the key factors involved in fatal and serious injury motor vehicle crashes. This program seeks to maximize the statewide enforcement visibility by awarding overtime enforcement funds to the Oregon State Police, and at specific, high-crash locations: Safety Corridors, as identified by ODOT. A Safety Corridor is where a certain stretch of road (1/2 mile to 5 miles, etc.) that has experienced a crash rate of >150% of the state's average crash rates is identified; a safety corridor, with signage, is formed/approved; and fines are double if cited while driving within a Safety Corridors milepost limits.

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Linkage Between Program Area
This project will provide an overtime enforcement grant to the Oregon State Police to increase compliance of speed limits and other safe driving behaviors in identified Safety Corridors within the state, as identified by ODOT.

Rationale
Safety Corridors are higher-risk segments of road for safe travel, as identified by ODOT in relation to an over-represented # above and beyond the state's 'average crash rate' for that area/roadway. Fines are doubled in named/signed 'Safety Corridors' as long as the designation stands (could be 2-3 years before an improvement is seen, based on the individual road, roadway type, urban/rural, traffic volume, etc.). Providing additional traffic enforcement in these riskier driving areas helps to prevent fatal and serious injury crashes from occurring.

Planned activities in countermeasure strategy*

Unique Identifier	Planned Activity Name
RS-23-77-05	Roadway Safety

Planned Activity: Roadway Safety (Safety Corridors)
Planned activity number: **RS-23-77-05**

Primary Countermeasure Strategy ID:

Planned Activity Description
RS-23-77-05 - Provide overtime enforcement hours for priority safety corridor(s). Grantee will provide press releases for each safety corridor identified in addition to maintaining a Stakeholder group for each corridor.

Intended Sub recipients
State, City, County Law Enforcement Agencies

Countermeasure strategies
Countermeasure strategies in this planned activity

Countermeasure Strategy
Education and Enforcement of Safety Corridors

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Roadway Safety (FAST)	$25,000	$3,500	$0
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Countermeasure Strategies in Program Area

Countermeasure Strategy
Training for PTS

Countermeasure Strategy: Training for PTS

Program Area: **Police Traffic Services**

Project Safety Impacts

Through conference training opportunities officers are learning updated traffic safety information, including changes in legislation and new laws. Additionally, they are revitalized to go out and perform traffic safety enforcement.

Linkage Between Program Area

Most officers are required to obtain or maintain certifications. For instance, officers who work impaired driving enforcement must be currently certified in SFST (Standardized Field Sobriety Testing). Many Oregon law enforcement agencies statewide struggle for the resources to obtain this valuable training due to other budgetary priorities. By utilizing grant funds TSO is able to provide traffic safety trainings around the state to agencies, affording them the opportunity to send officers to these much needed traffic safety training conferences or courses. This training is essential to maintain the highly effective high visibility enforcement countermeasure to help deter bad driving behaviors.

Rationale

While many agencies provide shift briefing trainings routinely, officers rarely get in depth or specialized training from local and national experts. By bringing these individuals in through conferences, they reach a wider audience and officers gain a broader knowledge base on key traffic safety issues they are facing. Additionally, it is an opportunity to provide key legislative updates that many of the officers may never otherwise receive or learn about.

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Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
PT-23-30-03	DPSST Law Enforcement Training
PT-23-30-04	Statewide Law Enforcement Training

Planned Activity: Traffic Law Enforcement Education & Training for PTS

Planned activity number: **PT-23-30-03**

Primary Countermeasure Strategy ID:

Planned Activity Description

PT-23-30-03 - This project will co-fund the necessary hours for DPSST to provide various traffic safety trainings throughout the state to law enforcement officers. As part of these trainings, police officers receive RADAR/LIDAR training. The online RADAR/LIDAR course is also being updated with this project.

Intended Subrecipients

DPSST; State, City, County, Tribal LEAs

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training for PTS

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	FAST Act 402	$88,000	$20,000	$30,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Planned Activity: Law Enforcement Training Conference

Planned activity number: **PT-23-30-04**

Primary Countermeasure Strategy ID:

Planned Activity Description

PT-23-30-04 - This project will fund Advanced Crash Investigation Training for law enforcement, Police Traffic Safety Conference for sworn Oregon law enforcement officers, Advanced Motor Officer Training and provide support for the Law Enforcement Traffic Safety Advisory Committee quarterly meetings.

Intended Subrecipients

ODOT - TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Training for PTS

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	FAST Act 402	$150,000	$37,500	$60,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Program Area: Speed Management

Description of Highway Safety Problems

In Oregon, speed continues to be one of the top contributing factors to serious injury and fatality crashes on Oregon roadways, especially on rural roadways. In 2020, CARS data shows thirty-three percent of all traffic fatalities in Oregon involved speeding (traffic deaths). Data reflects excessive speed or driving too fast for present conditions continues to be one of the top contributing factor to fatal traffic crashes on Oregon roads.

The Oregon State Police and other city and county law enforcement agencies simply do not currently have the staffing levels needed to appropriately enforce traffic laws, specifically speed enforcement, to significantly reduce traffic crashes and resulting deaths and injuries. Multi-agency partnerships and high visibility enforcement events targeting speed enforcement will be required in 2023 to address this problem.

Oregon law enforcement agencies continue to utilize technology and speed measuring equipment to increase the number of citations and warnings issued as the number of speed related fatalities and serious injury crashes continue. With declining enforcement resources, these advances in technology provide valuable, near real time, actionable information to Oregon law enforcement and the transportation safety office for analysis. Citation numbers and overtime hours worked have declined, with some, but not all of it due to the pandemic and other law enforcement priorities in 2020 and in 2021; this is a concern as there does not appear to be a remedy in the near future.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-6) Number of speeding-related fatalities (FARS)	2023	Annual	153

Countermeasure Strategies in Program Area

Countermeasure Strategy
Communication for Speed
HVE for Speed

Countermeasure Strategy: Communication for Speed

Program Area: **Speed Management**

Project Safety Impacts

Agencies will be encouraged to share information about the dangers of speeding as well as high visibility enforcement activities they'll be conducting through media outlets and social media. Additionally, ODOT TSO will work with the agency media contractor to provide public information and education campaigns related to speeding.

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Linkage Between Program Area
Through targeted messaging, personal behavior related to speeding will be evaluated by the individual and they will make a conscious decision to modify their unsafe driving behavior in turn reducing the number of speed related serious injury and fatal crashes.

Rationale
Other than enforcement, education campaigns are one of the only proven countermeasures available to reduce risky speeding behaviors. The two types of messaging Oregon uses are behavioral and awareness based. Funding is provided to allow for campaigns statewide and the content of the messaging is based on the level of funding available for enforcement activities first.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
SC-23-35-05	Communications and Outreach: Statewide Media-Speed

Planned Activity: Communications and Outreach: Statewide Media-Speed
Planned activity number: **SC-23-35-05**

Primary Countermeasure Strategy ID:

Planned Activity Description
SC-23-35-05 - This project will be used to fund a community outreach survey and provide public education through various paid media outlets related to the dangers of speeding. Media may include Public Service Announcements, social media or print media showcasing the dangers of speeding.

Intended Subrecipients
ODOT-TSO

Countermeasure strategies
Countermeasure strategies in this planned activity

Countermeasure Strategy
Communication for Speed

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Speed Management (FAST)	$75,000	$18,750	$30,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Countermeasure Strategy: HVE for Speed

Program Area: **Speed Management**

Project Safety Impacts

Historically, when enforcement goes up, related crashes go down. The HVE countermeasure will fund police speed overtime enforcement activities in areas with a high incidence of speed-related serious injury and fatal crashes.

Linkage Between Program Area

Rationale

Speed continues to be one of the leading causes of serious injury and fatal crashes in Oregon. High visibility enforcement is one of the only proven countermeasures available in Oregon to change a vehicle operator's risky driving behavior when it comes to speed.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
SE-23-35-05	High Visibility Enforcement: Speed
SE-23-35-06	OSP High Visibility Enforcement

Planned Activity: High Visibility Enforcement: Speed

Planned activity number: **SE-23-35-05**

Primary Countermeasure Strategy ID:

Planned Activity Description

SE-23-35-05 -This project will be used to fund the speed overtime enforcement efforts of the 2023 TSEP program for city, county and/or tribal law enforcement agencies in ODOT Regions 1, 2, 3, 4 and 5.

Intended Subrecipients

City, County and Tribal Law Enforcement Agencies

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
HVE for Speed

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Speed Enforcement (FAST)	$550,000	$137,500	$550,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: OSP High Visibility Enforcement

Planned activity number: **SE-23-35-06**

Primary Countermeasure Strategy ID:

Planned Activity Description

SE-23-35-06 - This project will be used to fund overtime speed enforcement for the Oregon State Police to be used on rural state highways in areas that through statistical crash analysis, coupled with local OSP office expertise and knowledge of problem areas within each Command, show a high incidence of speed-related crashes, injuries, and fatalities.

Intended Subrecipients

Oregon State Police

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
HVE for Speed

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Speed Enforcement (FAST)	$125,000	$31,250	$50,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Evidence-based traffic safety enforcement program (TSEP)

Planned activities that collectively constitute an evidence-based traffic safety enforcement program (TSEP):

Unique Identifier	Planned Activity Name
M5X-23-14-09	High Visibility Enforcement - DUII
M1HVE-23-46-03	High Visibility Enforcement – OP
FHX-23-68-02	High Visibility Enforcement - Ped
SE-23-35-05	High Visibility Enforcement: Speed
OP-23-45-03	HVE Local Police Department for OP
SE-23-35-06	High Visibility Enforcement: Speed OSP
RS-23-77-05	Roadway Safety
M1HVE-23-46-02	Statewide HVE for OP
M5X-23-14-36	High Visibility Enforcement - DUII
M8DDLE-23-20-03	High Visibility Enforcement – DD
M8DDLE-23-20-04	High Visibility Enforcement – DD

Analysis of crashes, crash fatalities, and injuries in areas of highest risk.

Crash Analysis

Occupant Protection Enforcement**:**

Non-Use of Restraints: According to the annual 2021 Oregon observed seat belt use survey, 5.1 percent of front seat passenger vehicle occupants did not use restraints, an improvement from 5.4 percent in the 2020 survey. During 2020, crash reports (FARS) indicate 31.9 percent of motor vehicle occupant fatalities were unrestrained and 14.2 percent were of unknown restraint use status. **Improper Use of Child Restraint Systems:** Motor vehicle crashes remain a leading cause of death for children. Nationally, a total of 880 children younger than 13 died in motor vehicle crashes in 2018; more than 70 percent of these deaths were children riding in passenger vehicles, according to the Insurance Institute for Highway Safety (IIHS). Proper restraint use can help significantly reduce these deaths. Although the majority of children ride restrained, 193 children killed in crashes in 2018 were unrestrained, where others were *improperly* restrained, (IIHS). Drivers are also confused by frequently changing state laws, national "best practice" recommendations, and constantly evolving child seat technology.

Premature Graduation of Children to Adult Belt Systems: Current crash data from 2020 indicates that of the 1,019 injured children under age twelve, 9.8 percent were reported not using a child restraint system.

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Impaired Driving Enforcement: In 2020, 191 fatalities were alcohol-impaired (0.08 BAC or higher); 179 fatalities involved alcohol only at any detectable level; and 103 were a combination of both alcohol and other impairing drugs. Due to lack of monitoring methodology, there are a high number of ignition interlock devices (IID) that are not installed as required by law (in 2021, Oregon had only a 23% compliance rate). The state's impaired driving recidivism rate is about 33 percent. Additionally, between 80-90 percent of those arrested for impaired driving are evaluated to have a substance abuse/dependency issue. This means that 80-90 percent of DUII defendants are going through treatment and 33 percent of those are re-offending. Oregon voted to legalize recreational marijuana, effective July 2015. Increases have been seen in Oregon drug-impaired driving that closely resembles increases in Washington and Colorado (who also legalized recreational use). In addition, in 2020, Oregon voters decriminalized possession amounts of heroin, methamphetamine, fentanyl, cocaine, LSD, MDMA and all other federally scheduled drugs. Possession is now a voluntary $100 violation ticket, or a voluntary phone survey to gauge substance abuse risk. In 2013, 74 traffic fatalities were drug-related. In 2014, 80 traffic fatalities were drug related; in 2015, 88 traffic fatalities were drug-related; 2016 saw 103 drug-related traffic fatalities; in 2017, had 144 drug-related traffic fatalities, and 2018 saw the sixth straight year of increased drug-related traffic fatalities at 233 fatalities, and now drug-involved fatal crashes are eclipsing alcohol-only fatalities with 250 in 2020. Enforcement has shown itself to be the most effective tool at combating impaired driving, however with increased risks for first responders for COVID-19 and ongoing resource reprioritization at the local level, traffic-specific enforcement has decreased.

Pedestrian Safety Enforcement: Oregon pedestrians and bicyclists face numerous barriers to safe walking and rolling including crosswalk and intersection safety, motorists speeding in high pedestrian and bicyclist use areas including down-towns and school zones, infrastructure that lacks pedestrian and bicycle facilities, and lack of awareness or knowledge on the part of all road users regarding non-motorist safety laws best safety practices. All road users (motorized and non-motorized) bear responsibility in non-motorist involved motor vehicle crashes, however, the non-motorist is most at risk for serious injury and fatality. Nearly half of pedestrian crashes occur in a crosswalk or an intersection, often where drivers fail to yield the right-of-way. The projected impact of focused HVE operations statewide is three fold: 1) to educate all road users on the safest behaviors for pedestrians and motorists, 2) to enforce Oregon transportation safety laws to encourage safe behaviors from all road users, and 3) decrease pedestrian and motorist conflicts particularly at crosswalks and intersections and ultimately decrease non-motorist's serious injuries and fatalities.

Speed Enforcement: In 2020, 31 percent of all traffic fatalities in Oregon involved speeding (traffic deaths). Data reflects excessive speed or driving too fast for present conditions as the number two contributing factor to fatal traffic crashes on Oregon roads in the year 2020. The Oregon State Police do not currently have the staffing levels needed to appropriately enforce traffic laws to significantly reduce traffic crashes and resulting deaths and injuries. As in prior years, multi-agency partnerships and events will again be required in 2023 to help address this problem by combining resources.

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Over 4,000 people in Oregon were injured in speed-related crashes in 2020. Speed Racing continues to be an increasing problem in Oregon. Law Enforcement is seeing an increase in coordinated events where racers are taking over freeways, bridges and shutting down traffic. In addition to creating traffic issues for general motorists, spectators are being injured as vehicles lose control during these events. Officers do not have the resources available to effectively combat this issue without changes to current laws.

Distracted Driving Enforcement:

From 2016-2020 there 24,462 distracted driving crashes in Oregon resulting in 186 fatalities and 24,126 injuries caused by crashes involving a distracted driver in Oregon.

Cell phone use is a major driver distraction problem in Oregon as well as nationwide. From 2016-2020 there were 2,036 distracted driving crashes, resulting in 24 fatalities and 1,824 injuries caused by drivers reported to have been using a cell phone at the time of the crash. These crash types have historically been underreported in Oregon, a recent upgrade to the law makes it easier to enforce, convict and track, and therefore these numbers are likely to rise before falling.

Roadway Safety:

Work continues on balancing the 4-"E"s (Education, Enforcement, Engineering and Emergency Medical Services) for a more consistent, synergistic approach to transportation safety statewide. Efforts continue to educate both the public and local governments through University short courses, conducted mostly online due to the pandemic. Evaluation of Oregon's Safety Corridor* program continues to identify existing designated safety corridors that are not decommissioned within one year of meeting the decommissioning criteria (* mile-post to mile-post designation for roadway segments that indicate > 150% of the average crash rate; where fines are doubled and ODOT signs are placed, etc.). Enforcement continues to be a priority on these roadways to both effect the Safety Corridors' intent to slow motorists down, as well as to monitor the effect in reducing crashes and if the active corridors need to be de-commissioned.

Deployment of Resources

In 2022, city, county and state police agencies will again be awarded HVE grant projects. In past years, grantees were required to participate during these specific campaign and calendar events:

Required HVE Campaigns:

1. Christmas/New Year's Eve holidays (December-January) (Impaired Driving Focus)
2. Click It or Ticket mobilization (May) (Occupant Protection Focus)
3. Labor Day (late Aug-Sept) (Impaired Driving Focus)

Overtime enforcement activity data is compiled from individual agency reports that include hours worked, number and type of enforcement contacts made, educational activities and other earned media (news stories/articles) conducted during the HVE campaigns. [Many local and national media campaigns will be produced outside of this project in conjunction with several of the HVE and high incidence periods to reinforce the messages and heighten community awareness.]

Funding from each of the statewide program awards is used to produce public information and education media campaigns to support these TSEP programs.

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Traffic Safety Enforcement Program TSEP--(HVE)--Statewide	Awarded
405(d) – Impaired Driving Mid	**$700,000**
405(b) - Occupant Protection High	**$716,816**
405(e) - Distracted Driving	**$761,810**
Section 402 – Speed	**$675,000**
Section 402 - Occupant Protection High	**$370,000**
Section 402 – Roadway Safety – Safety Corridors	**$25,000**
405(h) – Non-Motorized	**$150,000**

Multiple 2023 enforcement events will be available to choose from based on NHTSA's and ODOT's Communications Calendars, and on local problem identification. All event reports will be evaluated as they come in to determine any needed adjustment to the enforcement calendar, or to individual program strategies and projects for the current year.

High-visibility enforcement (HVE) strategies

Planned HVE strategies to support national mobilizations:

Countermeasure Strategy
Child Restraint System Inspection Station(s)
Communication Campaign for OP
Enforcing Impaired Driving Laws
HVE for Impaired Driving
HVE for OP
HVE for Roadway Safety
Sustained Enforcement for Impaired Driving

HVE planned activities that demonstrate the State's support and participation in the National HVE mobilizations to reduce alcohol-impaired or drug impaired operation of motor vehicles and increase use of seat belts by occupants of motor vehicles:

Unique Identifier	Planned Activity Name
M5X-23-14-09	High Visibility Enforcement - DUII
M5X-23-14-36	HVE DUII Enforcement
M1HVE-23-46-03	High Visibility Enforcement - OP
M1HVE-23-46-02	Statewide HVE for OP
OP-23-45-03	HVE Local Police Department for OP

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Program Area: Statewide

Description of Highway Safety Problems

The geography in Oregon is quite diverse, as is its economy and culture. Main industries include construction, farming, technology, fishing, hydroelectric energy, and tourism. Its climate is generally mild. Oregon's metropolitan areas include Portland, Salem and Eugene, which have the typical congestion and traffic issues of any urban city. The remainder of the state is fairly rural.

Oregon's culture is also very diverse. Oregon's population is just over four million. According to the Census Bureau, the state's population grew by 11% between 2010 and 2020 and continues to grow. With the legalization of recreational marijuana in 2016, and its recent passage of Ballot Measure 110 allowing single-use possession of various controlled substances, Oregon continues to see a large migration of folks moving into and visiting the state. , From the recent Census 2020, Oregon's Caucasian population represents 86% of the total population, followed next by Hispanic or Latino origins at 13%, and Asians at 5 percent (roughly). Foreign born persons serve as 10% of Oregon's total population as well. This, along with the increased migration to Oregon from other states, has a significant impact on traffic safety, law enforcement, health, and judiciary needs in educating the public on, and enforcing traffic laws.

Nationally, motor vehicle fatalities have slowly been increasing from prior years. The lowest number of Oregon fatalities ever recorded was 233 in 1943, where the highest was 737 fatalities in 1972; the fourth lowest number of fatalities ever recorded for Oregon was as recent as 313 in 2013; however, preliminary 2021 data indicates 589 motor vehicle fatalities for Oregon, a 16.2% increase over the 507 motor vehicle fatalities recorded for 2020. And these increases are occurring with even less vehicle miles traveled on our roads in the last two years due to the pandemic.

The number of serious, incapacitating injuries is significantly larger, where fatalities are only the 'tip of the iceberg.' Oregon's Transportation Safety Action Plan 2021-2025 (TSAP) is a five-year document outlining strategies to not only reduce, but to eliminate fatalities and serious roadway injuries by 2035. It serves as the state's FHWA-required Strategic Highway Safety Plan (SHSP), and was recently updated in October of 2021. The Highway Safety Plan (HSP) is an annual plan that indicates traffic safety projects to be undertaken in the coming year working toward several performance measures and interim targets found in the TSAP.

Nationally, motor vehicle fatalities have trended upward over the last decade; several states also saw increases in fatalities in 2020 and 2021, some double-digit increases (percentages). For the ten-year period 2010-2019, Oregon's fatality numbers increased from 317 to 489 (54%). Many variables contributed to that, like increased population and vehicle miles traveled, but it's still a sobering number. The fourth *lowest* number of fatalities ever recorded for Oregon was as recent as 313 in 2013.

Oregon's fatality rate per 100M vehicle miles traveled (VMT, 2010-2019) fluctuated from 0.94 to 1.35; however, it rose significantly to 1.57 in 2020. The number of serious, incapacitating injuries is significantly larger. Oregon's Transportation Safety Action Plan (TSAP) is a five-year document outlining strategies to not only reduce, but to eliminate fatalities and serious roadway injuries by 2035. The Highway Safety Plan (HSP) is an annual plan that indicates traffic safety projects to be undertaken in the coming year working toward several performance measures and interim targets also found in the TSAP.

All priorities found in the HSP are aligned with TSAP priorities and recommended strategies, where projects funded by TSOO are data-driven and utilize evidence-based countermeasures to the problems being addressed.

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The Impaired Driving program continues a strong commitment through effective, coordinated partnerships across the spectrum of law enforcement, prosecutorial, treatment, prevention and education resources in Oregon. Key programs include high visibility enforcement, enhanced accountability for offenders, specialty/treatment courts, and improved DUII training for officers and prosecutors, Drug Recognition Expert training, and community awareness campaigns to promote safety and good decision-making when it comes to impairing substances and driving. Oregon has legalized both the medicinal as well as recreational use of marijuana which has added to the impaired driving crash problem. In 2020, the state also legalized therapeutic usage of psilocybin, or what's commonly referred to as 'mushrooms,' a hallucinogenic plant; and Ballot Measure 110 which decriminalized personal usage amounts of controlled substances like heroine, meth, and cocaine (the violator either pays $100 fine or agrees to go into a treatment program). As a result, the state is experiencing more poly-drug use DUII crashes than ever before, and continues to work on this significant challenge to affect this risky driving behavior.

The Oregon Motorcycle Safety program provides one of the nation's strongest comprehensive motorcycle safety training and endorsement programs. ODOT leadership and staff strategically plan for the program to take the next steps in continuously improving its service to motorcyclists and all motorists.

Oregon's Transportation Safety Office is also committed to comprehensive driver education and increased awareness for young motorists, even before the teen driving age. The program is nationally recognized for educating teen drivers on safe driving habits, where its passion lay in providing every youth in the state equal access to this important driver education training.

The Occupant Protection program is continually focused on educating the general public, law enforcement, medical providers, and families regarding proper selection and use of seat belts and other motor vehicle safety restraints. Oregon has traditionally had a high seat belt usage rate, sometimes the highest in the nation, but continuous education is needed for new citizens, visitors, and high-risk populations.

Oregon law enforcement agencies continue to pursue technology to enhance the electronic transfer of crash reporting and citations issued to integrate with state and other databases for analysis. With declining enforcement resources, these advances in technology provide valuable actionable information to Oregon law enforcement and the Transportation Safety Office for analysis. Citation numbers and overtime enforcement hours worked declined significantly in 2020 and 2021 due to the COVID-19 pandemic and other more pressing priorities. In addition, the current negative political climate regarding police enforcement in general has led to a high retirement and rocky attrition levels for Oregon law enforcement officers. This is a concern as enforcement of traffic laws is one of the strongest countermeasures against risky driving behaviors.

With Oregon's population now surpassing four million, it is more important than ever for the Pedestrian Safety Program to work with the wide range of transportation, health, education and enforcement partners looking to promote safety, health and well-being. The pedestrian safety problem is over-represented in urban areas of the state (Portland, Eugene, and Salem); with more people getting outside and walking during the Governor's (now expiring) Stay Home/Stay Alive Executive Order (while still maintaining six feet distance from others), the problem became even more exacerbated in 2021 (pedestrian fatalities went up 13% from 2020 to 2021; and so far in 2022, are up 107% (!) from the same time last year (29 vs 14).

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TSAP VISION Statement: Oregon envisions no deaths or life-changing injuries on Oregon's transportation system by 2035.

"Every day, people arrive safely at their destinations in Oregon, but tragically, fatalities and serious injuries still occur on the Oregon transportation system. Any fatality or life-changing injury is a significant loss that can be avoided by implementing state-of-the-art programs, policies, and projects related to safety engineering, emergency response, law enforcement, and education. The TSAP lays the foundation to consider and prioritize safety for all modes and all users of our transportation system in order to eliminate all deaths and life-changing injuries on the transportation system.

Achieving this vision by 2035 requires commitment and engagement from a variety of Oregon's agencies and stakeholders. Engineers, emergency medical service providers, law enforcement and educators traditionally play a strong role in advocating for, planning, designing, and implementing transportation safety plans and will continue to do so. However, this plan also includes goals, policies, strategies, and actions relevant to public health professionals, the media, private stakeholders, the individual transportation system user, and others. All of these organizations and individuals will be tasked with planning and implementing safe travel options, and traveling responsibly, with the safety of all users in mind."

Problem Identification Statement

Hundreds of thousands of Oregonians travel safely to and from work, recreation, and excursions on a daily basis. Even so, over 500 people died on Oregon's transportation system in 2020, which averages more than one person every day. Traffic crashes are one of the leading causes of preventable deaths and injuries in Oregon. While progress was made over the last decade, much more education and work needs to be done now and continually to combat poor driving behaviors and choices.

Oregon has experienced a higher number of roadway fatalities than in prior years. This is unfortunately the case across most of the nation. While updating the TSAP for 2021-2025, serious conversations were held on whether to maintain the goal of 'zero' fatalities by 2035, or to adjust the goal based on the last few years of increased crashes and fatalities. It was ultimately decided to continue to pursue 'zero' by 2035, recognizing that that is now even a bigger challenge than before.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	C-1) Number of traffic fatalities (FARS)	2023	5 Year	488

Countermeasure Strategies in Program Area

Countermeasure Strategy
Statewide communication
Statewide data collection and analysis
Statewide Program Management
Statewide training and education

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Countermeasure Strategy: Statewide communication

Program Area: **Statewide**

Project Safety Impacts

Communication is vital to the success of any program, project, directive, or relationship in general. Education and Outreach materials and information provided on traffic safety laws, issues, and best practices result from crash and other data analysis: where are the crashes happening, and why are they happening? Once the problem demographics are known, the chosen media format can be produced and aired (or distributed) per those target demographics (i.e., impaired driving messages are typically targeted to men ages 25-44, as that age group and gender is over-represented in impaired crash data). In addition, communication on traffic safety is an ongoing need as it is vital to educate new residents and visitors to the state on Oregon laws and transportation best practices. Medium formats vary, depending on the target market, message, distribution method, cost, and nature of the campaign (print, television, radio, social media, billboards, etc.).

Linkage Between Program Area

Through targeted messaging, personal behavior choices related to unsafe driving behaviors (speeding, driving impaired, riding unrestrained, etc.) will be evaluated by the individual, and they will be encouraged to make the conscious decision to modify their unsafe driving behavior, thereby reducing the number of motor vehicle fatalities and serious injuries.

Rationale

Education and Outreach campaigns are a proven countermeasure that can be applied to all transportation safety programs and problem areas, similar to enforcement. With the responsibility to educate the motoring public on Oregon law and safe practices, the most effective way to reach a majority of the populace (or the demographic market) is through multiple forms of communication and media. Funding is provided to allow for effective production, placement and distribution of the media, which is based on the identified problem, where it's happening, why it's happening, and who is doing it—to promote injury prevention and save lives on the roadway.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M8DE-23-20-01	Media Communications Statewide

Planned Activity: Media Communications Statewide

Planned activity number: **M8DE-23-20-01**

Primary Countermeasure Strategy ID:

Planned Activity Description

M8DE-23-20-01 - This project provides funding for Public Information and Education Media Services annual report on the level of use received by the Transportation Safety Office's PSAs and media campaigns, as well as their retail value and reach.

Intended Subrecipients

ODOT-TSO

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Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Statewide communication

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405e Flex	405e Paid Advertising (FAST)	$25,000	$6,250	
	BIL Supplemental 405e Flex				
	BIL 4053 Flex				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Countermeasure Strategy: Statewide data collection and analysis

Program Area: **Statewide**

Project Safety Impacts

With limited resources, the most effective way to combat a problem is to first identify it; determine where it's happening (on curves, in rural areas, around schools); why it's happening (not being aware, environmental condition, drowsy driving); who is it happening to (or who is conducting the unsafe behavior); and when it's happening (nighttime, certain holidays, day of week). Once this is all determined, the appropriate countermeasures and activities can be planned and implemented. Without accurate, timely, complete data, and its subsequent analysis, the state would struggle with where to dedicate funds, what projects to move forward, and how to justify why they chose one countermeasure over another (effectiveness of the effort).

Linkage Between Program Area

Without the data, problem identification would not be accurate, thereby wasting resources on a problem that may not exist, or is not as prevalent as another problem yet to be identified. Communications and Media plans would not be able to determine target markets, thereby not reaching the demographic that needs to hear the message (and wasting time and money).

Rationale

Without data and subsequent analysis, problem identification would not be accurate, thereby wasting resources on a problem that may not exist, or is not as prevalent as another problem yet to be identified. Communications and Media plans would not be able to determine target markets, thereby not reaching the demographic that needs to hear the message (thus wasting time and money).

Planned activities in countermeasure strategy

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Unique Identifier	Planned Activity Name
M8DE-23-20-04	Data/Research Operations

Planned Activity: Data/Research Operations

Planned activity number: **M8DE-23-20-04**

Primary Countermeasure Strategy ID:

Planned Activity Description

M8DE-23-20-04 - This project funds data and public opinion research conducted in relation to transportation safety programs.

Intended Subrecipients

ODOT-TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Statewide data collection and analysis

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405e Flex	405e Data/Media Public	$100,000	$25,000	
	BIL Supplemental 405e Flex				
	BIL 405e Flex				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Countermeasure Strategy: Statewide Program Management

Program Area: **Statewide**

Project Safety Impacts

Efficient Program and Project management allows for continual evaluation and improvement, as needed; ensures that fiscal and administrative policies are being followed; and keeps the state abreast of the most current data, countermeasures, and activities being conducted throughout the state to reduce motor vehicle fatalities and injuries. It also encourages advocates to partner on safety projects and activities.

Linkage Between Program Area

The most accurate and timely data might be available (along with a statistician to analyze that data) to identify a state's transportation problem areas. The chosen countermeasure and performance targets,

based on that analysis, may be very achievable. But without efficient project management, the project may be delayed; fiscal and regulatory mistakes might be made (liability); the project might not reach fruition due to programmatic or policy infractions or omissions, etc. If the project does not reach fruition, or doesn't adequately utilize the chosen countermeasure, the number of fatalities and injuries has not been affected, nor have unsafe driving behaviors been affected through the State's efforts.

Rationale

Efficient Program and Project management allows for continual evaluation and improvement, as needed; ensures that fiscal and administrative policies are being followed; and keeps the SHSO abreast of the most current data, countermeasures, and activities being conducted throughout the state to reduce motor vehicle fatalities and injuries. Funds allocated to each of TSO's program areas support the operating costs for that program during the grant year (salaries, travel, office supplies, etc.).

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
M5X-23-12-90	Impaired Driving Program Management
DE-23-20-90	Program Management: 402

Planned Activity: Impaired Driving Program Management

Planned activity number: **M5X-23-12-90**

Primary Countermeasure Strategy ID:

Planned Activity Description

M5X-23-12-90 - Salaries, benefits, travel, services and supplies and office equipment will be funded for program coordination.

Intended Subrecipients

ODOT-TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Statewide Program Management

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405d Impaired Driving Mid	405d Impaired Driving Mid(FAST)	$140,000	$35,000	
	BIL Supplemental 405d Impaired Driving Mid				
	BIL 405d Impaired Driving Mid				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Program Management: 402

Planned activity number: **DE-23-20-90**

Primary Countermeasure Strategy ID:

Planned Activity Description

DE-23-20-90 - Salaries, benefits, travel, services and supplies and office equipment will be funded for program coordination.

Intended Subrecipients

ODOT-TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Statewide Program Management

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Other	$1,400,000	$350,000	$500,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Countermeasure Strategy: Statewide training and education

Program Area: **Statewide**

Project Safety Impacts

Continual training opportunities are needed for law enforcement, the judiciary, health departments, treatment providers, and the like to combat transportation safety problems. Examples include Standardized Field Sobriety Testing for law enforcement officers; legislative updates for the judiciary; and Child Passenger Safety Technician courses for parents and caregivers. Some of these courses require recertification, continuing education credits, and field exercises that can be costly and not necessarily in the agency's budget (or a priority). By keeping certifications and training up to date, we can continue to recognize and address unsafe driving behaviors, as well as successfully adjudicate court cases as applicable.

Linkage Between Program Area

Without current certifications or training, many of the proven countermeasures for transportation safety purposes would not be feasible or effective. For instance, in the case of impairment, without proper training: Law enforcement would not be fully capable of identifying probable cause for the traffic stop; law enforcement may not accurately conduct a Standardized Field Sobriety Test, or be able to recognize that the driver is impaired by drugs and not by alcohol, and thus the need to call in a Drug Recognition Expert. If the judiciary was not up to date on the law or on the inner-workings of a DUII arrest, they might not make an adequate judgment; this in turn could lead to the offender not being prosecuted, which could lead to them driving impaired again in the future, thereby endangering lives on the roadway.

Rationale

There is a need to provide continuing education and outreach opportunities to assist with efforts to save lives on all Oregon roads.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
DE-23-21-02	Statewide Trauma Care Provider Training
M8DE-23-21-02	Transportation Safety Education/Outreach/Training Conference
DE-23-24-11	Region 1 Education Outreach
DE-23-24-12	Region 2 Education Outreach
DE-23-24-13	Region 3 Education Outreach
DE-23-24-14	Region 4 Education Outreach
DE-23-24-15	Region 5 Education Outreach

Planned Activity: Statewide Trauma Care Provider Training

Planned activity number: **DE-23-21-02**

Primary Countermeasure Strategy ID:

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Planned Activity Description

DE-23-21-02 - This project provides funding to continue statewide training of trauma care providers with the needed hours to teach the TNTT education program. TNTT's effective presentations address bicycle safety and other wheeled sport safety (skateboards, rollerblades, and scooters), high-risk drivers, safety belt use, impaired driving, cell phone use while driving (including texting/talking on cell phones, and speed) and dealing with distractions while driving.

Intended Subrecipients

Legacy Emmanuel

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Statewide training and education

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402	Other	$15,000	$3,750	$6,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Transportation Safety Education/Outreach/Training Conference

Planned activity number: **M8DE-23-21-02**

Primary Countermeasure Strategy ID:

Planned Activity Description

M8DE-23-21-02 - Provide for a statewide conference, and/or a series of regional conferences. The conference will provide a forum for sharing information and data of statewide significance in reducing transportation related deaths and debilitating injuries, and allow participants to connect traffic safety programs and ideas. The grant will provide for speakers, meals and lodging, facilities costs, and other conference related materials.

Intended Subrecipients

ODOT - TSO

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Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Statewide training and education

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405e Flex	405e Public Education (FAST)	$35,000	$8,750	
	BIL Supplemental 405e Flex				
	BIL 405e Flex				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Regional Education Outreach

Planned activity number: **DE-23-24-11, DE-23-24-12, DE-23-24-13, DE-23-24-14, DE-23-24-15**

Primary Countermeasure Strategy ID:

Planned Activity Description

DE -23-24-11, DE-23-24-12, DE-23-24-13, DE-23-24-14, DE-23-24-15

This project provides transportation safety education, outreach, enforcement, and/or services to a wide variety of community-based traffic safety programs for targeted crash reduction. Mini-grants may be provided to local jurisdictions and traffic safety organizations to address identified transportation safety problems in each of ODOTs five regions.

Intended Subrecipients

ODOT - TSO

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Statewide training and education

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act NHTSA 402		$125,000	$31,250	$50,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Program Area: Traffic Records

Description of Highway Safety Problems

Oregon conducted a NHTSA Traffic Records Assessment in 2021, completed in January of this year. This assessment serves as the foundation for the Oregon Traffic Records Strategic Plan which consists of a listing of priorities, recommendations, and performance measures designed to address improvements to Oregon's traffic records systems, as identified by the Assessment. Updates to the Plan are being worked on after the Assessment Advisory was reported out.

The Traffic Records Strategic Plan lays out a roadmap for incrementally improving Oregon's Traffic Records System and guides the work of an active Traffic Records Coordinating Committee (TRCC). The committee meets regularly to find areas of opportunity for both systemic and spot opportunity improvements to the traffic records system. Oregon has seen system improvements in the areas of EMS, Driver and Vehicle records, citation tracking and others, but there is much work to still be done as outlined in the Assessment and the TRCC Strategic Plan.

Associated Performance Measures

Fiscal Year	Performance measure name	Target End Year	Target Period	Target Value
2023	Number of traffic records performance measures identified in Traffic Records Strategic Plan	2023	Annual	1

Countermeasure Strategies in Program Area

Countermeasure Strategy
Improves timeliness of a core highway safety database
Strengthen the capacity of the TRCC to reflect best practices identified in the Traffic Records Assessment Advisory

Countermeasure Strategy: Improve timeliness of a core highway safety database

Program Area: **Traffic Records**

Project Safety Impacts

This project is for ODOT's Traffic Records Coordinating Committee improve the core traffic records systems by purchasing consultant time, and deploying software to gather and retain data needed to inform safety related decisions about programs, major projects and planning efforts for state and local government. Major project expenses include software, along with Information Systems project management and project analysis activities. These activities provide project leadership in developing project scope and requirements, documentation requirements, budget management, project reporting, and communication facilitation. It is expected that data elements IT1, IA1, and IC1, as listed below and as derived from the 2022 Oregon Traffic Records Strategic Plan; will be improved, in addition to others listed in the Traffic Records Strategic Plan.

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I T-1: The median or mean number of days from a) the date of an EMS run to b) the date when the EMS patient care report is entered into the database.
I A-1: The percentage of EMS patient care reports with no errors in critical data elements (example: Response Time).
I C-1: The percentage of EMS patient care reports with no missing critical data elements.

Linkage Between Program Area

Data collection is key to link program area problem identification data and performance targets, therefore it is imperative that the most current data be available to understand the problem.

Rationale

Data is required to effectively allocate funds to the highest and best use. It is important to have the most up to date data possible, in order to allow the state to plan activities around reducing traffic crashes.

Planned activities in countermeasure strategy

Unique Identifier	Planned Activity Name
F1906CMD-23-25-05	Criminal Justice Commission--Citation Database
M3DA-23-54-03	Use Capacity Building
M3DA-23-54-04	Vehicle Operator Education Module
M3DA-23-54-06	OHA EMS/NEMSIS Data Entry Devices
TS-23-54-05	CARS Modernization
TR-23-54-10	eCrash/eCitation Expansion

Planned Activity: CJC Citation Database

Planned activity number: **F1906CMD-23-25-05**

Primary Countermeasure Strategy ID:

Planned Activity Description

F1906CMD-23-25-05 - The Oregon Department of Justice-Criminal Justice Commission (CJC) is pursuing a vendor to create a secure, internet-accessible data collection portal to process and securely store data on several hundred-thousand traffic stops annually.

The primary goal of project is to institute a statewide data collection system that will:

1. Provide the public and policy makers with current data about who is being stopped, searched, and arrested at traffic stops;
2. Require law enforcement statewide to collect certain information about every discretionary traffic and pedestrian stop;
3. Contain all CJC findings, and aggregate data submitted by law enforcement, and be available to the public.

The project is a result of the 2015 Oregon State Police (OSP) and Attorney Generals Racial Profiling Prohibition Task Force and their recommendations, as encompassed in the 2019 Legislative Session in HB 2355.

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Intended Subrecipients
Oregon Department of Justice

Countermeasure strategies
Countermeasure strategies in this planned activity

Countermeasure Strategy
Improves timeliness of a core highway safety database

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 1906 Prohibit Racial Profiling	1906 Collecting and Maintaining Data	$375,000	$93,750	

Planned Activity: Use Capacity Building
Planned activity number: **M3DA-23-54-03**

Primary Countermeasure Strategy ID:

Planned Activity Description
M3DA-23-54-03 - This project will allow a pilot project to increase access to and use of NEMSIS data (Oregon Health Authority's database) in Oregon by engineers and other professionals for decision making purposes. The project will pilot test ways to track usage of data. It is expected that performance measure IX1, will measure accessibility of the EMS file: Identify the principal users of the file, query the principal users to assess a) their ability to obtain the data or other services requested and b) their satisfaction with the timeliness of the response to their request, document the method of data collection and the principal users' responses, as shown in the tables listed in the Traffic Records chapter of the 2023 Oregon Transportation Safety Performance Plan, the ability to increase the percent of data retrieval and analysis will be improved. Currently zero percent of data retrieval and analysis is available and tracked for these purposes by engineers and other professionals; where a successful project will result in one or more of these events being documented in the EMS database/NEMSIS.

Intended Subrecipients
ODOT Research

Countermeasure strategies
Countermeasure strategies in this planned activity

Countermeasure Strategy
Improves timeliness of a core highway safety database

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405c Data Program	405c Data Program (FAST)	$50,000	$12,500	
	BIL Supplemental 405c Data Program				
	BIL 405c Data Program				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: Vehicle Operator Education Module

Planned activity number: **M3DA-23-54-04**

Primary Countermeasure Strategy ID:

Planned Activity Description

M3DA-23-54-04 - This project will develop modules to allow driver education providers and testers to directly input driver education course completion electronically to DMV, and for DMV technicians to know real-time/instantly when students have completed driver education courses. ODOT-DMV is in Phase 3 of an 8-year phase-in of its 'new system'; this project is specific to the driver/operator database piece, and specific to receipt/confirmation coming in from 3rd party vendors on students passing knowledge tests, skills tests, scores, etc.

D-U-1: The number of standards-compliant data elements entered into the driver database or obtained via linkage to other databases. Currently the driver education database is not linked to the DMV Driver database, where the value is zero, with an increase of 1 or more records being linked between Oregon's driver education database and the DMV Driver database representing 100% improvement.

Intended Subrecipients

ODOT-DMV

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Improves timeliness of a core highway safety database

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405c Data Program	405c Data Program (FAST)	$270,580	$67,645	
	BIL Supplemental 405c Data Program				
	BIL 405c Data Program				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

Planned Activity: OHA EMS/NEMSIS Data Entry Devices

Planned activity number: **M3DA-23-54-06**

Primary Countermeasure Strategy ID:

Planned Activity Description

M3DA-23-54-06 - This project is to purchase data entry devices to allow more timely and accurate input of patient events into the NEMSIS system by EMS technicians. The devices will be provided, along with training and software to make them ready to implement for the participating local agencies. It is expected that data element IT, as listed below and derived from the Traffic Records chapter of the 2022 Oregon Transportation Safety Performance Plan, will be improved. I T-1: The median or mean number of days from a) the date of an EMS run to b) the date when the EMS patient care report is entered into the database. Currently submissions are within 5 hours; this will help Oregon achieve at or below goal when the State reaches a post COVID-19 period/crisis.

Intended Subrecipients

Oregon Health Authority

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Improves timeliness of a core highway safety database

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Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 405c Data Program	405c Data Program (FAST)	$100,000	$30,000	$100,000

Planned Activity: CARS Modernization

Planned activity number: **TS-23-54-05**

Primary Countermeasure Strategy ID:

Planned Activity Description

TS-23-54-05- This project is to evaluate and where applicable modernize the Oregon Vehicle Crash Reporting System to allow more timely availability of crash data in Oregon. This is a high priority data system improvement in the Traffic Records Strategic Plan. While many measures would be improved, the key measure anticipated to improve is C-T-1: The median or mean number of days from a) the crash date to b) the date the crash report is entered into the database.

Intended Subrecipients

Oregon Department of Transportation CARS Unit

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Improves timeliness of a core highway safety database

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 402	402 Funds (FAST)	$500,000	$125,000	
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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Planned Activity: eCrash/eCitation Expansion

Planned activity number: **TR-23-54-10**

Primary Countermeasure Strategy ID:

Planned Activity Description

TS-23-54-10- This project allows for the expansion of electronic citation and crash reporting by Oregon law enforcement agencies through the purchase of software and equipment. Through the purchase of system components such as the infrastructure (equipment/hardware, software and licenses) Oregon law enforcement agencies are able to move toward more accurate digital submission of crash and citation data to the courts and DMV for processing and analysis.

A side benefit of this project also addresses multiple improvement points within multiple systems, by allowing agencies to move forward with key system improvements identified in the current Traffic Records Coordinating Committee (TRCC) Strategic Plan, and in the most recent NHTSA assessment of Oregon's traffic records program. The project purpose is to improve the procedures/process flows for the Crash data system, and reflect best practices as identified in the Traffic Records Program Assessment Advisory, including an improvement to the interfaces with the Crash data system; improve the data quality control program for the Crash data system; improve the interfaces with the Citation and Adjudication systems; and improve the data quality control program for the Citation and Adjudication systems.

Intended Subrecipients

State, City, County Law Enforcement Agencies

Countermeasure strategies

Countermeasure strategies in this planned activity

Countermeasure Strategy
Improves timeliness of a core highway safety database

Funding sources

Source Fiscal Year	Funding Source ID	Eligible Use of Funds	Estimated Funding Amount	Match Amount	Local Benefit
2023	FAST Act 402	402 Funds (FAST)	$110,000	$27,500	$100,000
	BIL Supplemental 402				
	BIL 402				

Note: BIL Supplemental and BIL funding are identified as contingency funding sources to be used only when there are insufficient FAST Act funds to cover the balance of estimated funding amount or when FAST Act funding is totally exhausted.

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405(b) Occupant protection grant

Occupant protection plan

State occupant protection program area plan that identifies the safety problems to be addressed, performance measures and targets, and the countermeasure strategies and planned activities the State will implement to address those problems:

Program Area Name
Occupant Protection (Adult and Child Passenger Safety)

Participation in Click-it-or-Ticket (CIOT) national mobilization

Agencies planning to participate in CIOT:

*List attached

Description of the State's planned participation in the Click-it-or-Ticket national mobilization:

Planned Participation in Click-it-or-Ticket

Participation in Click It or Ticket National Mobilization Plan

During the 2020 calendar year, 100 vehicle occupants who died in Oregon traffic crashes were confirmed to be completely unbelted, 57 of which occurred in nighttime crashes. Forty-three percent of the injured child occupants under twelve years of age were improperly restrained (not using child restraints.) Therefore, Oregon's greatest opportunity for reducing fatalities and injuries through enforcement will be heightened scrutiny of restraint use among night time travelers.

Grant funding for safety belt overtime enforcement has been provided annually to Oregon law enforcement agencies since 1993 and structured around a campaign of three annual "blitzes" with additional, discretional overtime between blitzes as funding and staffing levels allow. For 2023, these two week blitzes will be scheduled as follows: one in February, the nationwide Click It or Ticket mobilization over Memorial weekend, and one over the Labor Day weekend. Agencies will be encouraged to focus on Oregon's identified high-risk population and geographic areas with lower-than-statewide average observed belt use rates. These segments presently include child passengers aged eight to twelve, and occupants traveling in the most remote, rural areas.

Grant-funded agencies will be required to participate in each blitz, and will be encouraged to work with local media to educate the public during the weeks just prior to and following each blitz. ODOT will report levels of law enforcement participation, planned outreach and media for the Click It or Ticket mobilization to NHTSA in the Annual Report.

Officers will be notified of child passenger safety training opportunities throughout the year, and will be encouraged to undergo child passenger safety training and to nurture community awareness of traffic safety generally. Grants will be administered through the Oregon State Police and TSO (for local police department and sheriff's office participation). Those agencies anticipated to participate during FFY2023 have been identified (above).

Campaign performance will be measured through results of the NHTSA-mandated statewide observed use survey, ODOT public attitude survey, and frequency/quantity/type of enforcement contacts reported by participating agencies.

List of Task for Participants & Organizations

*List attached

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Child restraint inspection stations

Countermeasure strategies demonstrating an active network of child passenger safety inspection stations and/or inspection events:

Countermeasure Strategy
Child Restraint System Inspection Station(s)
Training and Education for OP

Planned activities demonstrating an active network of child passenger safety inspection stations and/or inspection events:

Unique Identifier	Planned Activity Name
OP-23-45-01	Communications and Outreach for Child Restraint and Booster Seat Use
M1CPS-23-45-01	CPS Instructor/Technician Training
M1CPS-23-45-11 M1CPS-23-45-12 M1CPS-23-45-13 M1CPS-23-45-14 M1CPS-23-45-15	OP: CPS Inspection Stations

Total number of planned inspection stations and/or events in the State.

Planned inspection stations and/or events: **49**

Total number of planned inspection stations and/or events in the State serving each of the following population categories: urban, rural, and at-risk:

Populations served - urban: **20**

Populations served - rural: **45**

Populations served - at risk: **49**

CERTIFICATION: The inspection stations/events are staffed with at least one current nationally Certified Child Passenger Safety Technician.

Child passenger safety technicians

Countermeasure strategies for recruiting, training and maintaining a sufficient number of child passenger safety technicians:

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Countermeasure Strategy
Child Restraint System Inspection Station(s)
Training and Education for OP

Planned activities for recruiting, training and maintaining a sufficient number of child passenger safety technicians:

Unique Identifier	Planned Activity Name
OP-23-45-01	Communications and Outreach for Child Restraint and Booster Seat Use
M1CP3-22-45-01	CPS Instructor/Technician Training
M1CPS-23-45-11 M1CPS-23-45-12 M1CPS-23-45-13 M1CPS-23-45-14 M1CPS-23-45-15	OP: CPS Inspection Stations
M1CPS-23-45-01	Statewide Instructor Development

Estimate of the total number of classes and the estimated total number of technicians to be trained in the upcoming fiscal year to ensure coverage of child passenger safety inspection stations and inspection events by nationally Certified Child Passenger Safety Technicians.

Estimated total number of classes: **8**

Estimated total number of technicians: **80**

Maintenance of effort

ASSURANCE: The lead State agency responsible for occupant protection programs shall maintain its aggregate expenditures for occupant protection programs at or above the level of such expenditures in fiscal year 2014 and 2015.

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CITY POLICE DEPARTMENTS	COUNTY SHERIFFS	OREGON STATE POLICE
Albany	Benton	General HQ
Ashland	Clackamas	NW Region:
Aumsville	Columbia	Albany
Bandon	Crook	Astoria
Beaverton	Douglas	Capitol Mall
Burns	Jackson	McMinnville
Canby	Klamath	Newport
Carlton	Lane	Portland
Coburg	Malheur	SW Region:
Coos Bay	Marion	Central Point
Cornelius	Morrow	Coos Bay
Eagle Point	Multnomah	Grants Pass
Enterprise	Polk	Klamath Falls
Eugene	Tillamook	Roseburg
Florence	Washington	Springfield
Gervais	Yamhill	East Region:
Gladstone		Bend
Grants Pass		LaGrande
Gresham		Ontario
Hubbard		Pendleton
Junction City		The Dalles
Keizer		
Lake Oswego		
Lebanon		
Madras		
Medford		
Molalla		
Nyssa		
Oregon City		
Portland		
Prineville		
Redmond		
Reedsport		
Roseburg		
Salem		
Seaside		
Sherwood		
Silverton		
Springfield		
Stayton		
The Dalles		
Tigard		
Tillamook		
Toledo		
Tualatin		
Vernonia		

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Warrenton		
West Linn		
Winston		
Woodburn		
Yamhill		

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COUNTY	CITY	CONTACT	LOCATION/ Organization	ADDRESS	NUMBER OF NCPSTs Residing in County 2/28/2022	HIGH-RISK POPULATIONS	CONTACT NUMBER	DATE/HOURS OF OPERATION
BAKER	**BAKER CITY**	Phoebe Wachtel	**BAKER POLICE DEPARTMENT**	1768 Auburn Avenue	3	Spanish speaking immigrants, Low income, Rural	541-524-2014	Drop-in and By Appointment
BENTON	**CORVALLIS**	Denise Cardinali	**CORVALLIS FIRE DEPARTMENT**	400 NW Harrison Street	10	Low income	541-766-6961	Second week, dates vary; 8:30 - 11 am
CLACKAMAS	**LAKE OSWEGO**	Lake Oswego Police Department	**LAKE OSWEGO POLICE DEPARTMENT**	300 B Street	24	Spanish speaking immigrants, Low income	503-635-0275	First Saturday in February, May, August and November 10 am - 1:30 pm
CLACKAMAS	**MILWAUKIE**	Yvonne McNeil	**OREGON IMPACT**	2930 SE Oak Grove Boulevard	24	Spanish speaking immigrants, Low income	503-303-4954	First Friday of even-numbered months 1 - 3 pm
CLACKAMAS	**MILWAUKIE**	Lucie Drum	**AMERICAN MEDICAL RESPONSE**	12438 SE Capps Road	24	Spanish speaking immigrants, Low income	503-736-3460	Varies
CLATSOP	**WARRENTON**	Mike Sahlberg	**MEDIX AMBULANCE**	2325 SE Dolphin Avenue	1	Low income, Rural	503-561-5517	By Appointment
CLATSOP	**ASTORIA**	Mike Sahlberg	**LEWIS AND CLARK FIRE DEPARTMENT**	34571 US 101 Business	1	Low income, Rural	503-325-4192	By Appointment
CLATSOP	**SEASIDE**	Mike Sahlberg	**SEASIDE POLICE DEPARTMENT**	1091 S. Holladay Drive	1	Low income, Rural	503-738-6311	By Appointment
COOS	**COOS BAY**	Brian DuBray	**COOS BAY FIRE DEPARTMENT**	450 Elrod Avenue	11	Low income, Rural	541-269-1191	Second Tuesday 11 am - 1 pm or By Appointment

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COUNTY	CITY	CONTACT	LOCATION/ Organization	ADDRESS	NUMBER OF NCPSTs Residing in County 2/28/2022	HIGH-RISK POPULATIONS	CONTACT NUMBER	DATE/HOURS OF OPERATION
CROOK	**PRINEVILLE**	Casey Kump	**CROOK COUNTY FIRE AND RESCUE**	500 Northeast Belknap Street	2	Low income, Rural	541-447-5011	By Appointment
CURRY	**BROOKINGS**	Rob Johnson	**BROOKINGS POLICE DEPARTMENT**	898 Elk Drive	1	Low income, Rural	541-469-3118	By Appointment
DESCHUTES	**SISTERS**	Heather Miller	**SISTERS-CAMP SHERMAN FIRE DISTRICT**	301 S Elm Street	14	Low income, Rural	541-549-5791	By Appointment
DESCHUTES	**BEND**	Kathy Alexander	**BEND FIRE AND EMS**	1212 SW Simpson Avenue	14	Low income, Rural	541-610-3168	Third Monday 11:30 am - 2:00 pm
DESCHUTES	**REDMOND**	Clara Butler	**REDMOND FIRE DEPARTMENT**	341 Dogwood Avenue	14	Low income, Rural	541-504-5000	First Thursday 11 - 2 pm
DOUGLAS	**ROSEBURG**	Mark Moore	**OREGON STATE POLICE**	6536 Old Highway 99N	7	Low income, Rural	541-440-3334	By Appoinment
GILLIAM	**THE DALLES**	Michael Holloran	**SAFE KIDS COLUMBIA GORGE**	ODOT Conference Room, 3313 Brett Clodfelter Way	0	Low income, Rural	541-980-1019 safekids @gmail.com	By Appointment or Class in The Dalles English 2nd Monday 3 pm/Spanish 4:30 pm
GRANT	**JOHN DAY**	Charissa Moulton	**FAMILIES FIRST**	401 S. Canyon Road	3	Low income, Rural	541-575-1006	By Appointment
HARNEY	**BURNS**	Kari Nelson	**BURNS POLICE DEPARTMENT**	242 S. Broadway Avenue	2	Low income, Rural	541-285-6004	Drop-in and By Appointment

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COUNTY	CITY	CONTACT	LOCATION/ Organization	ADDRESS	NUMBER OF NCPSTs Residing in County 2/28/2022	HIGH-RISK POPULATIONS	CONTACT NUMBER	DATE/HOURS OF OPERATION
HOOD RIVER	**HOOD RIVER**	Joella Dethman or Elizabeth Stillwell	**SAFE KIDS COLUMBIA GORGE**	Hood River Fire 1795 Meyer Parkway	2	Spanish Speaking, Low income, Rural	541-490-8766 safekids@gmail.com	Classes 1st Monday 4-6 pm By Appointment
JACKSON	**CENTRAL POINT**	Nikki Peterson	**CENTRAL POINT POLICE DEPARTMENT**	155 S 2nd Street	10	Low income	541-664-5578	By Appointment
JEFFERSON	**MADRAS**	Brian Buchanon	**PARK PLACE CENTER/BEND POLICE DEPARTMENT (2 locations)**	765 S Adams Drive	2	Native Americans, Low income, Rural	541-475-7274	By Appointment
JOSEPHINE	**GRANTS PASS**	Kelly Busch or Justin Miller	**GRANTS PASS FIRE DEPARTMENT**	199 NW Hillcrest Drive	8	Low income, Rural	541-450-6200	By Appointment
KLAMATH	**KLAMATH FALLS & CHILOQUIN**	Amanda Mellentine	**KLAMATH TRIBAL HEALTH & FAMILY SERVICES**	3949 S 6th Street	4	Native Americans, Low income, Rural	541-882-1487	By Appointment
LAKE	**LAKEVIEW**	Abigail Finetti	**LAKE HEALTH DISTRICT**	700 South J Street	3	Low income, Rural	541-947-2114	By Appointment
LANE	**EUGENE**	Susan Hardy	**EUGENE FIRE DEPARTMENT STATION #2**	1705 W 2nd Ave	19	Spanish speaking immigrants, Low income	541-782-2510	Last Thursday of the month, 4 - 6:00 pm
LINCOLN	**NEWPORT**	Richard Giles	**SAFE KIDS**	coastcarseats@gmail.com	2	Low income, Rural	541-961-3566	By Appointment
LINN	**ALBANY**	Alfredo Mendez	**ALBANY FIRE STATION #12**	120 34th Avenue SE	11	Russian immigrants, Spanish speaking immigrants, Low income, Rural	541-917-7700	By Appointment

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COUNTY	CITY	CONTACT	LOCATION/ Organization	ADDRESS	NUMBER OF NCPSTs Residing in County 2/28/2022	HIGH-RISK POPULATIONS	CONTACT NUMBER	DATE/HOURS OF OPERATION
MALHEUR	**BURNS**	Kari Nelson	**BURNS POLICE DEPARTMENT**	242 S. Broadway Avenue	3	Low income, Rural	541-573-6781	By Appointment
MALHEUR	**ONTARIO**	Sheri Smith	**ONTARIO FIRE DEPARTMENT**	444 SW 4th Street	3	Spanish speaking immigrants, Low income, Rural	541-889-7684	Second Thursday 4 - 6 pm
MARION	**KEIZER**	Anne-Marie Storms	**KEIZER FIRE DISTRICT**	661 Chemawa Road	26	Low income, Spanish speaking immigrants	503-390-9111	By Appointment Saturday 11 am - 2 pm ; Monthly date varies
MORROW	**BOARDMAN**	Officer Shimer	**BOARDMAN POLICE DEPARTMENT**	200 City Center Circle	4	Spanish speaking immigrants, Low income, Rural	541-481-6071	By Appointment
MULTNOMAH	**PORTLAND**	Lucie Drum	**AMERICAN MEDICAL RESPONSE**	1 SE 2nd Avenue	40	Russian immigrants, Spanish speaking immigrants, Low income	503-736-3460	Varies
MULTNOMAH	**PORTLAND**	Lucie Drum	**Varies**	Varies	40	Russian immigrants, Spanish speaking immigrants, Low income	503-736-3460	Varies
MULTNOMAH	**GRESHAM**	Amber Kroeker	**LEGACY MOUNT HOOD MEDICAL CENTER**	24800 SE Stark Street	40	Russian immigrants, Spanish speaking immigrants, Low income	503-413-4005	Quarterly on Saturdays, by appointment
MULTNOMAH	**PORTLAND**	Amber Kroeker	**RANDALL CHILDRENS HOSPITAL AT LEGACY EMANUEL**	2801 N. Gantenbein Avenue	40	Russian immigrants, Spanish speaking immigrants, Low income	503-413-4005	By Appointment 2 - 3 Times per Week
MULTNOMAH	**PORTLAND**	Adrienne Gallardo	**DOERNBECHER CHILDREN'S HOSPITAL**	700 SW Campus Drive, Garage F, Level 4	40	Russian immigrants, Spanish speaking immigrants, Low income	503-494-3735	By Appointment Only Monday through Friday

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COUNTY	CITY	CONTACT	LOCATION/ Organization	ADDRESS	NUMBER OF NCPSTs Residing in County 2/28/2022	HIGH-RISK POPULATIONS	CONTACT NUMBER	DATE/HOURS OF OPERATION
SHERMAN	**MORO**	Katie Paul	**SAFE KIDS COLUMBIA GORGE**	Sherman County Courthouse, 500 Court Street	1	Low income, Rural	541-565-5030 safekids@gmail.com	By Appointment
UMATILLA	**PENDLETON**	Emily Smith	**ST ANTHONY HOSPITAL**	2801 S. Anthony Way	27	Native Americans, Spanish Immigrants, Low income, Rural	541-278-2627	Last Wednesday 1 - 4 pm
UNION	**LA GRANDE**	Shari Shaffer	**UNION COUNTY SHERIFFS OFFICE**	10200 S. McAlister Road	5	Low income, Rural	541-962-5636	First Thursday 2 - 4 pm
UNION	**LA GRANDE**	Robert Tibbetts	**LA GRANDE FIRE DEPARTMENT**	1806 Cove Avenue	5	Low income, Rural	541-963-3123	By Appointment
WALLOWA	**ENTERPRISE**	Jody Beck	**WALLOWA COUNTY HEALTH DEPARTMENT**	758 NW 1st Street	3	Low income, Rural	541-426-4848	By Appointment
WASCO	**THE DALLES**	Michael Holloran or Theressa Richey	**SAFE KIDS COLUMBIA GORGE**	ODOT Conference Room, 3313 Brett Clodfelter Way	3	Native Americans, Low income, Rural	541-980-1019 or 541-993-3339 safekids@gmail.com	2nd Monday each Month; English speaking 3pm/ Spanish speaking 4:30 pm -- or By Appt 7 days per week
WASCO	**THE DALLES**	Dana Woods	**SAFEKIDS COLUMBIA GORGE**	Mid-Columbia Fire & Rescue, 1400 8th Street	3	Native Americans, Low income, Rural	541-296-9445 safekids@gmail.com	By Appointment Monday through Friday 9 am -4 pm
WASHINGTON	**BANKS**	Banks Fire District	**BANKS FIRE DISTRICT 13**	13430 NW Main Street	28	Spanish speaking immigrants, Low income	503-324-6262	First Saturday each month 10 am - 2 pm

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COUNTY	CITY	CONTACT	LOCATION/ Organization	ADDRESS	NUMBER OF NCPSTs Residing in County 2/28/2022	HIGH-RISK POPULATIONS	CONTACT NUMBER	DATE/HOURS OF OPERATION
WASHINGTON	**BEAVERTON**	Leah Wolfe	**KUNI AUTO CENTER**	3725 SW Cedar Hills Boulevard	28	Spanish speaking immigrants, Low income	503-350-4005	Third Saturday each month 9 am - 11:30 am
WASHINGTON	**FOREST GROVE**	Chad Toomey	**FOREST GROVE FIRE DEPARTMENT**	1919 Ash Street	28	Spanish speaking immigrants, Low income	503-992-3240	Last Thursday 3 - 5 pm
WASHINGTON	**TUALATIN**	Amber Kroeker	**LEGACY MERIDIAN PARK MEDICAL CENTER**	19300 SW 65th Avenue	28	Spanish speaking immigrants, Low income	503-413-4005	3rd Saturday of the month, by appointment
WASHINGTON	**HILLSBORO**	Operated by OHSU	**TUALITY HOSPITAL**	334 SE 8th Avenue	28	Spanish speaking immigrants, Low income	503-846-5930	Second Saturday 9 - 11:30 am
YAMHILL	**NEWBERG**	Jill Dorell	**NEWBERG FIRE DEPARTMENT (2 locations)**	Stn #20 @ 414 E 2nd Street or Springbrook Fire Stn #21 @ 3100 Middlebrook Drive	3	Spanish speaking immigrants, Low income	503-537-1230	Varies
Green highlights appear where fitting station has regular, recurring schedule.								

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Oregon Counties	Certified Population Estimate July 1, 2021	County Population as Percentage Total State Population
Oregon	**4,266,560**	**22,769**
BAKER	16,860	0.40%
BENTON	93,976	2.20%
CLACKAMAS	425,316	9.97%
CLATSOP	41,428	0.97%
COLUMBIA	53,014	
COOS	65,154	1.53%
CROOK	25,482	0.60%
CURRY	23,662	0.55%
DESCHUTES	203,390	4.77%
DOUGLAS	111,694	2.62%
GILLIAM	2,039	0.05%
GRANT	7,226	0.17%
HARNEY	7,537	0.18%
HOOD RIVER	23,888	0.56%
JACKSON	223,827	5.25%
JEFFERSON	24,889	0.58%
JOSEPHINE	88,728	2.08%
KLAMATH	69,822	1.64%
LAKE	8,177	0.19%
LANE	382,647	8.97%
LINCOLN	50,903	1.19%
LINN	130,440	3.06%
MALHEUR	31,995	0.75%
MARION	347,182	8.14%
MORROW	12,635	0.30%
MULTNOMAH	820,672	19.23%
POLK	88,916	
SHERMAN	1,908	0.04%
TILLAMOOK	27,628	
UMATILLA	80,463	1.89%
UNION	26,295	0.62%
WALLOWA	7,433	0.17%
WASCO	26,581	0.62%
WASHINGTON	605,036	14.18%
WHEELER	1,456	0.03%
YAMHILL	108,261	2.54%

Prepared by Population Research Center
College of Urban and Public Affairs, Portland State University
December 15, 2021

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Incorporated City/Town	Certified Estimate July 1, 2021	Incorporated City/Town	Certified Estimate July 1, 2021	Incorporated City/Town	Certified Estimate July 1, 2021
Adair Village	1,318	Depoe Bay	1,559	Independence	10,081
Adams	393	Detroit	141	Ione	339
Adrian	159	Donald	1,012	Irrigon	2,037
Albany	57,199	Drain	1,174	Island City	1,144
Amity	1,809	Dufur	608	Jacksonville	3,080
Antelope	37	Dundee	3,243	Jefferson	3,339
Arlington	650	Dunes City	1,454	John Day	1,664
Ashland	21,554	Durham	1,950	Johnson City	537
Astoria	10,197	Eagle Point	9,854	Jordan Valley	131
Athena	1,212	Echo	657	Joseph	1,158
Aumsville	4,237	Elgin	1,717	Junction City	7,032
Aurora	1,133	Elkton	182	Keizer	39,458
Baker City	10,178	Enterprise	2,080	King City	5,184
Bandon	3,470	Estacada	5,014	Klamath Falls	22,022
Banks	1,834	Eugene	175,626	La Grande	13,087
Barlow	133	Fairview	10,446	La Pine	2,654
Bay City	1,424	Falls City	1,064	Lafayette	4,446
Beaverton	97,782	Florence	9,600	Lake Oswego	40,801
Bend	100,922	Forest Grove	26,242	Lakeside	1,906
Boardman	4,338	Fossil	449	Lakeview	2,428
Bonanza	404	Garibaldi	831	Lebanon	19,122
Brookings	6,809	Gaston	676	Lexington	238
Brownsville	1,705	Gates	548	Lincoln City	10,067
Burns	2,745	Gearhart	1,872	Lonerock	25
Butte Falls	451	Gervais	2,596	Long Creek	173
Canby	18,754	Gladstone	12,033	Lostine	242
Cannon Beach	1,498	Glendale	860	Lowell	1,211
Canyon City	666	Gold Beach	2,375	Lyons	1,207
Canyonville	1,649	Gold Hill	1,360	Madras	7,717
Carlton	2,270	Granite	32	Malin	731
Cascade Locks	1,398	Grants Pass	39,475	Manzanita	609
Cave Junction	2,149	Grass Valley	151	Maupin	427
Central Point	19,702	Greenhorn	3	Maywood Park	829
Chiloquin	767	Gresham	114,361	McMinnville	34,251
Clatskanie	1,725	Haines	376	Medford	87,353
Coburg	1,322	Halfway	352	Merrill	821
Columbia City	1,957	Halsey	959	Metolius	981
Condon	722	Happy Valley	25,738	Mill City	2,012
Coos Bay	16,005	Harrisburg	3,658	Millersburg	3,093
Coquille	4,018	Helix	194	Milton-Freewater	7,145
Cornelius	13,498	Heppner	1,187	Milwaukie	21,235
Corvallis	57,601	Hermiston	19,696	Mitchell	138
Cottage Grove	10,792	Hillsboro	108,154	Molalla	10,207
Cove	627	Hines	1,661	Monmouth	11,142
Creswell	5,684	Hood River	8,259	Monroe	654
Culver	1,636	Hubbard	3,478	Monument	115
Dallas	17,320	Huntington	503	Moro	374
Dayton	2,698	Idanha	156	Mosier	468
Dayville	134	Imbler	249	Mt. Angel	3,418

Prepared by:
Population Research Center
College of Urban and Public Affairs, Portland State University

December 15,2021

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Incorporated City/Town	Certified Estimate July 1, 2021	Incorporated City/Town	Certified Estimate July 1, 2021
Mt. Vernon	548	Sodaville	360
Myrtle Creek	3,501	Spray	140
Myrtle Point	2,479	Springfield	62,352
Nehalem	276	St. Helens	14,560
Newberg	25,376	St. Paul	434
Newport	10,591	Stanfield	2,201
North Bend	10,375	Stayton	8,265
North Plains	3,446	Sublimity	3,106
North Powder	504	Summerville	119
Nyssa	3,276	Sumpter	205
Oakland	932	Sutherlin	8,909
Oakridge	3,238	Sweet Home	9,893
Ontario	11,816	Talent	5,737
Oregon City	37,737	Tangent	1,231
Paisley	244	The Dalles	16,047
Pendleton	17,169	Tigard	55,854
Philomath	5,682	Tillamook	5,338
Phoenix	4,096	Toledo	3,611
Pilot Rock	1,328	Troutdale	16,319
Port Orford	1,156	Tualatin	27,910
Portland	658,773	Turner	2,866
Powers	712	Ukiah	163
Prairie City	841	Umatilla	7,520
Prescott	83	Union	2,153
Prineville	11,042	Unity	40
Rainier	1,913	Vale	1,914
Redmond	36,122	Veneta	5,271
Reedsport	4,311	Vernonia	2,403
Richland	165	Waldport	2,321
Riddle	1,214	Wallowa	799
Rivergrove	552	Warrenton	6,352
Rockaway Beach	1,476	Wasco	424
Rogue River	2,435	Waterloo	222
Roseburg	23,701	West Linn	27,452
Rufus	273	Westfir	260
Salem	177,694	Weston	706
Sandy	12,869	Wheeler	422
Scappoose	8,016	Willamina	2,248
Scio	959	Wilsonville	27,186
Scotts Mills	431	Winston	5,700
Seaside	7,157	Wood Village	4,478
Seneca	165	Woodburn	26,250
Shady Cove	3,095	Yachats	1,010
Shaniko	30	Yamhill	1,221
Sheridan	6,377	Yoncalla	1,036
Sherwood	20,496		
Siletz	1,249		
Silverton	10,591		
Sisters	3,286		

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405(c) State traffic safety information system improvements grant

Traffic records coordinating committee (TRCC)

Meeting dates of the TRCC during the 12 months immediately preceding the application due date:

Meeting Date
04/21/2021/
07/20/2021
10/19/2021
03/01/2022

Name and title of the State's Traffic Records Coordinator:

Name of State's Traffic Records Coordinator: **Walter McAllister**

Title of State's Traffic Records Coordinator: **Program Manager**

TRCC members by name, title, home organization and the core safety database represented:

List of TRCC members

TRCC Membership Roster

Executive Level TRCC

Name	System	Email	Title	Member Status
Walter McAllister	None	Walter.J.MCALLISTER@odot.oregon.gov	Traffic Records Program Manager	Non-Voting Member
Nick Fortey	None	nick.fortey@fhwa.dot.gov		Non-Voting Member
Mari Hembeck	None	mari.hembeck@dot.gov	Regional Representative	Non-Voting Member
Lt. Nathan House	Citation Data System	nathan.house@state.or.us	Lieutenant, Patrol Svcs Division	Voting Member (Law Enforcement)
Rod Kamm	GIS Data System	Rod.KAMM@odot.oregon.gov	ODOT Information Systems	Voting Member (Information Systems)
Chris Wright	Crash Data System	Chris.WRIGHT@odot.oregon.gov	Transportation Data Section Manager	Voting Member (Traffic Data)
JessBrown	None	Jess.E.BROWN@odot.oregon.gov	Manager, Investigations, Safety & Federal Programs	Voting Member (Motor Carrier)
Dagan Wright	Injury Surveillance Data System	DAGAN.A.WRIGHT@dhsoha.state.or.us	EMS and Trauma Systems	Voting Member (Public Health, Injury Control)

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Linda Beuckens	Driver License / History Data System	Linda.K.BEUCKENS@odot.oregon.gov	Program Services Group Manager	Voting Member (Driver and Motor Vehicles)
Traci Pearl	(SHSO)	Traci.PEARL@odot.oregon.gov	Transportation Safety Manager	Voting Member (Highway Safety)
Joseph Marek, PE, PTOE	Roadway Data System	joem@co.clackamas.or.us	Traffic Engineer, Clackamas County	Chair (Local County Traffic Engineering)
Jovi Anderson	Local Government	janderson@ci.bend.or.us	Program Technician, Bend	Voting Member (Local Government)
Angela Kargel	Roadway Data System	Angela.J.KARGEL@odot.oregon.gov	State Traffic Engineer, ODOT	Voting Member(Highway Infrastructure)

Traffic Records System Assessment

See Below

Traffic Records for Measurable Progress

Supporting documentation covering a contiguous 12-month performance period starting no earlier than April 1 of the calendar year prior to the application due date, that demonstrates quantitative improvement when compared to the comparable 12-month baseline period.

The performance measure is as follows:

Performance Measure	Integration	R-X-1: To measure accessibility of a specific file within the roadway database: Identify the principal users of the roadway file, query the principal users to assess a) their ability to obtain the data or other services requested and b) their satisfaction with the timeliness of the response to their request, document the method of data collection and the principal users' responses.

In the period beginning April 1, 2020, and ending March 31, 2021 there were no agency participants in the Traffic Count Monitoring system. During the period April 1, 2022 to March 31, 2023 twelve local agency users were established in the system, resulting in a 100% improvement.

Traffic Records Supporting Non-Implemented Recommendations

3.7 Prioritizing and Setting Performance Measures

The data system stakeholders reviewed all findings from the assessment rated as does not meet or partially meets in the developed matrix to prioritize the findings as high, medium, or low priority for the Traffic Records Strategic Plan. Based on the comments in the interviews assessment findings were categorized as

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either: high priority/ accomplishments possible in the near future, mid priority/ accomplishments possible within the next five years and/or possible after other questions rated as a high priority are accomplished, and low priority/ accomplishments possible in distant future. Section 4 breaks down the assessment findings prioritization based on these stakeholder discussions. Although findings may be labeled a medium or low priority they could be elevated to high priority within a year or two once other accomplishments have been achieved. As priorities evolve and benchmarks are achieved for high priority findings they will trigger the prioritization of others.

The data system stakeholders and the TRCC were consulted in the development of Performance Measures. The consultant worked with the traffic records data system stakeholders in the development of quantitative performance measures, action steps, and leaders to develop traffic records improvement strategies rated as very important.

Table 4.3 Low Priority

Assessment Question	Rating	Assessor Conclusion
Traffic Records Coordinating Committee Management		
Does the State have both an executive and a technical TRCC?	Partially Meets	Oregon has a single working-level technical TRCC structure with oversight provided by the Oregon Transportation Safety Committee (OTSC). The technical or working-level TRCC is made up of managers and professionals representing the Traffic Records core component areas. The Transportation Safety Committee oversees all TRCC projects and functions in an oversight and advisory role, but does not quite meet the standard of serving as an executive TRCC based on the Advisory ideal. The Advisory recommends that executive group members hold positions within their agencies that enable them to establish policy and direct resources within their areas of responsibility. Based on the evidence provided, a volunteer citizen-led committee falls short of meeting the Advisory ideal for an executive-level TRCC. However, the OTSC certainly plays a positive and important role in traffic records in Oregon. Perhaps the OTSC can be expanded to include additional members with executive roles in traffic records at the State level, which would help to meet this ideal.

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Does the TRCC oversee quality control and quality improvement programs impacting core data systems?	Does Not Meet	The TRCC does not oversee quality control or quality improvement programs impacting the core data systems in Oregon. While the TRCC Strategic Plan does contain some performance measures regarding quality control for core component systems, there is no regular monitoring or formal reporting of quality performance measures to the TRCC. The TRCC should consider implementing a program which would allow committee members to receive more routine information regarding data quality. This would allow the TRCC to have some oversight and monitoring of data quality across the State's traffic records systems.
Does the TRCC influence policy decisions that impact the State's traffic records system?	Does Not Meet	While system owners participate in the TRCC quarterly and members from all systems are represented, the examples provided don't meet the Advisory ideal. Instances where the TRCC membership issued recommendations or guidance which led to implementation of legislation impacting traffic records systems, or led to changes in a department's official "policies" regarding traffic records systems or traffic records data would help to meet the ideal.
Does the executive TRCC meet at least once annually?	Partially Meets	The Oregon Transportation Safety Committee (OTSC) receives quarterly updates regarding TRCC proceedings and activities. However, only one agenda and no history of meeting dates have been provided so it is unclear how often the committee meets. As the OTSC only partially meets the Advisory ideal for an executive-level TRCC, it was determined that partial credit should be awarded here. If in the future, the OTSC is expanded to include membership to help it meet the Advisory ideal as an executive TRCC, then this rating would follow suit and improve accordingly.

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Assessment Question	Rating	Assessor Conclusion
Strategic Planning		
Does the TRCC have a process for integrating State and local data needs and goals into the TRCC strategic plan?	Partially Meets	The TRCC does not have a well-defined process for vetting stakeholder needs and integrating those needs into the strategic plan. State responses indicated that the TRCC relies on a series of public input meetings used in the development of the State's Traffic Safety Performance Plan to integrate State and local data needs. While some value for traffic records may result from this process, the TRCC would benefit from a more concerted effort to solicit and incorporate stakeholder input. Methods might include formal planning meetings to solicit specific needs or scheduled comment periods for stakeholders to influence the State's strategic direction in traffic records. Project descriptions in the strategic plan can serve to effectively document how State and local data needs are accounted for within prioritized projects.
Does the TRCC have a process for identifying and addressing impediments to coordination with key Federal traffic records data systems?	Does Not Meet	The TRCC does not have a process in place for identifying and addressing impediments to coordination with key Federal data systems.
Is the TRCC's strategic plan reviewed and updated annually?	Does Not Meet	While it appears the TRCC makes some updates to the traffic records strategic plan on an annual basis, these changes are not substantive and likely do not reflect the changing environment and any progress made year-to- year. For the most part, the plan itself suggests that changes are primarily for purposes of compliance with NHTSA Section 405(c) requirements. The State seems to lack a structured process for both developing and updating the strategic plan, precluding the ability to benefit from the significant results that naturally follow.
Does the TRCC consider the use of new technology when developing and managing traffic records projects in the strategic plan?	Does Not Meet	While the strategic plan briefly mentions technology as a general consideration, no express discussion of how new technologies are leveraged in data system improvements exists within the strategic plan. The absence of project-level information in the plan is

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		ultimately what leads to the lack of discussion concerning the use of technology.
Does the TRCC consider lifecycle costs in implementing improvement projects?	Does Not Meet	Because the strategic plan does not currently contain project-level information, there is no indication that lifecycle costs are a prominent consideration in the vetting and prioritization process. Once Oregon builds out project-level information in the strategic plan, one of the descriptors for each candidate project should be lifecycle costs anticipated beyond initial development and implementation.
Does the strategic plan make provisions for coordination with key federal traffic records data systems?	Does Not Meet	Nothing in the Plan document addresses how the strategic

Assessment Question	Rating	Assessor Conclusion
Crash		
Are quality control reviews comparing the narrative, diagram, and coded contents of the report considered part of the statewide crash database's data acceptance process?	Does Not Meet	TDD staff members do not currently engage in quality control analysis comparing the narrative, diagram, and coded contents of the crash report. The State's primary challenge is keeping up with the completion of the coding and reporting.
Are independent sample-based audits periodically conducted for crash reports and related database contents?	Does Not Meet	While the State does not periodically perform independent sample-based audits, they do perform data audits as needed to monitor coder performance and data quality. However, this process was not described and no documentation was provided.
Vehicle		
Does the State participate in the Performance and Registration Information Systems Management (PRISM) program?	Does Not Meet	Oregon currently does not participate in the Performance and Registration Information Systems Management program.
Are there accuracy performance measures tailored to the needs of data managers and data users?	Does Not Meet	The State has no accuracy performance measures.
Are there completeness performance measures tailored to the needs of data managers and data users?	Does Not Meet	There are no completeness performance measures for the vehicle system.

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Does the process flow diagram or narrative show alternative data flows and timelines?	Does Not Meet	A process flow diagram depicting alternative data flows was provided, but it does not show timelines. Although the State indicates that the times for the alternative business process flows (Assessment Query 94) are recorded in a separate document, no document or narrative describing the process in detail has been provided.
Are there accessibility performance measures tailored to the needs of data managers and data users?	Does Not Meet	The vehicle system has no accessibility performance measures.
Is data quality feedback from key users regularly communicated to data collectors and data managers?	Does Not Meet	The State response of "somewhat" to the question about data quality feedback is not sufficiently indicative of how such feedback is generated or delivered.

Assessment Question	Rating	Assessor Conclusion
Driver		
Is there a formal, comprehensive data quality management program for the driver system?	Does Not Meet	The response identified the DMV's audit process but did not address a formal data quality management program.
Has the state established numeric goals— performance metrics—for each performance measure?	Does Not Meet	Performance measures and performance metrics have not been established.
Does the driver system capture and retain the dates of original issuance for all permits, licensing, and endorsements (e.g., learner's permit, provisional license, commercial driver's license, motorcycle license)?	Partially Meets	The Oregon driver system captures and retains the issuance dates for all permits, endorsements and licenses and maintains this information for at least nine years. The issuance segment of the data system purges information nine years after the original date of issuance. This purge process can delete references to the original issue date and actual status of previously issued permits or license endorsements.
Does the custodial agency maintain accurate and up to date documentation detailing the reporting and recording of driver education and improvement course (manual and electronic, where applicable)?	Does Not Meet	Oregon does not record the completion of driver improvement or driver education courses on the driving record. Courses mandated by courts during the adjudication phase are not recorded on the driving record because it is a court action and process.
Are independent sample-based audits conducted periodically for	Does Not Meet	State auditors may do some independent periodic reviews. Individual DMV units also

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the driver reports and related database contents for that record?		audit their work. Formal independent sample audits are not being done.
Does the driver system capture novice drivers' training histories, including provider names and types of education (classroom or behind-the- wheel)?	Does Not Meet	The Oregon driver system does not collect any driver training history information. A special ad hoc report is used to determine if an individual completed driver education or motorcycle rider training. The report only identifies what portion of the licensing requirements are waived if an individual completes driver education or rider training.
Does the driver system capture drivers' traffic violation and/or driver improvement training histories, including provider names and types of education (classroom or behind-the-wheel)?	Does Not Meet	Oregon's driver system captures and stores traffic convictions. Driver improvement training history is not captured. There is no requirement for driver improvement courses for traffic violations. Restrictions and suspensions are placed on the driving record for traffic violation convictions.

Assessment Question	Rating	Assessor Conclusion
Roadway		
Is there an enterprise roadway information system containing roadway and traffic data elements for all public roads?	Partially Meets	ODOT has a transportation framework, Or Trans, which contains all data from Oregon's road authorities in one layer with one LRS. This network is interfaced with HPMS non-state roadway data. Other than the data required for HPMS, ODOT has very little traffic and roadway data for local roads, thus receiving a "partially meets the standard" rating. Oregon should consider expanding the roadway data coverage to include all local roads in the future.
Are local agency procedures for collecting and managing the roadway data compatible with the State's enterprise roadway inventory?	Partially Meets	The State (ODOT) receives minimal data from local agencies. Local agency line-work may have some minor differences, adding complexity to the HPMS submittal. All HPMS data on local roads is collected by the State ensuring that State practices are used. Traffic count data appears to be primarily the data the State receives from local sources. Prior to accepting the data, the State works with the local agency to ensure data collection and management practices are in place. Local agencies not providing any roadway data to the State may not be using a roadway data system

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		which is compatible with the State. The State should consider working with all these local agencies to advise them to use the same compatible standard as the State enterprise roadway inventory system in the future.
Are there procedures for prioritizing and addressing detected errors?	Partially Meets	The State described a procedure for making corrections to errors depending on the type of error. Priority is given to serious errors (fatal error to the system or the data in error is needed ASAP) which need to be urgently corrected, important errors though not urgent, or incidental errors which are logged, corrected in the order in which they are received and corrected when they can be. Documentation for these procedures was not provided resulting in a partial rating. The State should consider creating a procedure description for reconciling detected data errors in their roadway data system.
Is there a set of established performance measures for the uniformity of the State enterprise roadway information system?	Does Not Meet	The State does not have performance measures for the uniformity of the State enterprise roadway information system. HPMS requirements do not act as a substitute for actual performance measures. The State should be commended for the job they do and the fact they are considered to have one of the best HPMS programs in the nation. The State should consider developing an official State performance measure or measures for uniformity of all the State enterprise roadway data beyond what is required for HPMS.
Is there a set of established performance measures for the integration of the roadway data maintained by regional and local custodians (municipalities, MPOs, etc.) and other critical data systems?	Does Not Meet	The State does not have performance measures for integration of roadway data maintained by regional and local custodians. The State should consider recommending integration performance measures similar to the State performance measures to all local and regional roadway data custodians.

Assessment Question	Rating	Assessor Conclusion
Roadway		

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Are the location coding methodologies for all regional and local roadway systems compatible?	Partially Meets	Location data is compatible where the regional or local agency is utilizing GIS. For State highways, ODOT uses the TransInfo database which is the parent system for the official LRS. For non-state highways, ODOT uses the HGIS15 database which is the parent system for functionally-classified roads not on the State system. ODOT has recently initiated a project to merge the HGIS15 data into TransInfo. The State should consider contacting all local agencies to ensure they are all using GIS location data systems. It is not clear that they all are; thus, a "partially meets" rating.
Do roadway data systems maintained by regional and local custodians (e.g., MPOs, municipalities	Partially Meets	The State notes that local / regional agencies can link to the State system if they use GIS and are associated with the ODOT OrTrans framework layer. Outside of GIS, linkage has been done for special research or specific analyses, but not without manual effort. ODOT provides resources to allow the data to be linked and used together. The State should consider working with all local agencies to ensure they upgrade their roadway systems to a GIS- based roadway system compatible with the State system. Thus, the State receives a "partially meets" rating at this time.
Is there a set of established performance measures for the timeliness of the roadway data maintained by regional and local custodians (municipalities, MPOs, etc.)?	Partially Meets	The only performance measure for timeliness of roadway data maintained by regional and local custodians is the annual HPMS submittal to FHWA. The State should consider working with all the local agencies to encourage them to meet the State timeliness requirements in a formal manner. A performance measure calculated for the update timeliness (e.g., the median or mean number of days from (a) roadway project completion to (b) the date the updated critical data elements are entered into the roadway inventory file) might work for local agencies.
Is there a set of established performance measures for the accuracy of the roadway data maintained by regional and local custodians (municipalities, MPOs, etc.)?	Does Not Meet	The State does not have performance measures for the accuracy of the roadway data maintained by regional and local custodians. If and when the State defines and creates a State performance measure for accuracy of the State roadway data, then the State should consider

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		recommending that same performance measure to the local and regional roadway data custodians.
Is there a set of established performance measures for the completeness of the roadway data maintained by regional and local custodians (municipalities, MPOs, etc.)?	Does Not Meet	Oregon does not have an official performance measure for the completeness of the roadway data maintained by local agencies. The State does query local road agencies annually and uses quality assurance steps to monitor them. Crash coders sometimes find that a crash has occurred on an unknown road. In addition, public vehicular areas are hard to deal with because they are not State-controlled roadways (private sub-divisions, mall parking lots, etc.). These issues would have to be resolved. If the State defines and creates a State performance measure for State roadway data completeness, the State should consider recommending a similar performance measure to the local and regional roadway data custodians.

Assessment Question	Rating	Assessor Conclusion
Citation/Adjudication		
Is there a statewide authority that assigns unique citation numbers?	Does Not Meet	There is no statewide system that generates unique citation numbers. The State court case management assigns unique court case numbers upon filing, but that system does not assign numbers for the local courts. Each law enforcement agency assigns its own citation numbers.
Are the courts' case management systems interoperable among all jurisdictions within the State (including local, municipal and State)?	Does Not Meet	Although the State has described a system where information is accessible to authorized individuals, not all court management systems are inter-operable among the Circuit, municipal and justice courts.
Is citation and adjudication data used for traffic safety analysis to identify problem locations, areas, problem drivers, and issues related to the issuance of citations, prosecution of offenders, and adjudication of cases by courts?	Does Not Meet	The State has described how citation and adjudication data is used in the prosecution and adjudication of cases; however, it has not indicated if the data referred to is used for other aspects of traffic safety analysis as referred to in the question. No example analysis and description of the policy or enforcement actions taken as a result are provided.

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Does the citation system have a data dictionary?	Does Not Meet	The State has provided conflicting information in response to the data dictionary question and has not provided the dictionary for review.
Do the citation data dictionaries clearly define all data fields?	Does Not Meet	The State response of yes to this question is in conflict with the answer provided in the previous question. As there was no evidence provided, it is impossible to determine whether the State meets or partially meets the Advisory ideal.
Are the citation system data dictionaries up to date and consistent with the field data collection manual, training materials, coding manuals, and corresponding reports?	Does Not Meet	The State reports that the data dictionaries are frequently updated. However, the requested narrative describing the process—including timelines and the summary of changes—used to ensure uniformity in the field data collection manuals, training materials, coding manuals, and corresponding reports has not been provided.
Do the citation data dictionaries indicate the data fields that are populated through interface linkages with other traffic records system components?	Does Not Meet	A list of data fields populated through interface linkages with other traffic records system components is not provided. The State indicates that the citation data dictionaries do not indicate the interfaced fields.
Do the courts' case management system data dictionaries provide a definition for each data field?	Does Not Meet	A list and data dictionary for one State, one county/district, and one local (municipal) court if they do not use the same case management systems has not been provided as requested.
Does the State have a system for tracking administrative driver penalties and sanctions?	Does Not Meet	The State has indicated that there is a system for tracking administrative driver penalties and sanctions; however, no evidence (narrative description) was provided.

Assessment Question	Rating	Assessor Conclusion
Citation/Adjudication		
Does the State have a system for tracking traffic citations for juvenile offenders?	Partially Meets	The State has described a system in Circuit Courts for tracking traffic citations for juvenile offenders, and has provided statutory authority for situations where a juvenile case can be "waived into adult court." The State is unable to provide information for juvenile cases from local courts outside the State-funded court system. There is no information about how traffic citations for juvenile offenders are processed in justice and municipal courts.

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		Municipal and justice courts are "local" courts outside the State-funded court system.
Is citation data linked with the driver system to collect driver information, to carry out administrative actions (e.g., suspension, revocation, cancellation, interlock) and determine the applicable charges?	Partially Meets	The State has indicated that the citation data is linked with the driver system to determine applicable charges, namely whether the driver is eligible for a fine reduction or increase in penalty. The State has further stated that the courts do not determine applicable charges but has not indicated if the appropriate authority utilizes linked data to do so. The citation data that is passed is utilized by the DMV for administrative sanctions. The State has not elaborated on the use of citation data for the named functions in the municipal and justice courts.
Is adjudication data linked with the driver system to collect certified driver records and administrative actions (e.g., suspension, revocation, cancellation, interlock) to determine the applicable charges and to post the dispositions to the driver file?	Does Not Meet	The adjudication data from State courts is not linked with the driver system to post dispositions to the driver file.
In States that have an agency responsible for issuing unique citation numbers, is information on intermediate dispositions (e.g., deferrals, dismissals) captured?	Does Not Meet	The State does not have a single agency responsible for issuing a unique citation number.

Assessment Question	Rating	Assessor Conclusion
Citation/Adjudication		

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Are all citation dispositions—both within and outside the judicial branch—tracked by the statewide data system?	Partially Meets	Any and all citations issued by law enforcement in Oregon by law must be filed with a court by law enforcement. No pre-court filing administrative process to dispose of citations is approved. All citations filed in circuit courts are entered into the Judicial Department's case management system. Court staff members complete the record by entering the disposition of the case. The record will include whether the charges were dismissed or whether the defendant was convicted. In cases where a defendant is convicted of a traffic offense, the court submits an abstract of judgment to ODOT's Driver and Motor Vehicle Services Division (DMV). DMV adds the conviction information to the person's driver history. No information is provided about how cases are processed in justice and municipal courts. Municipal and justice courts are "local" courts outside the State-funded court system with jurisdiction limited to violations, lesser crimes, and some other less serious cases. Oregon Revised Statutes (ORS) 153.800 allows any court in Oregon including municipal and justice courts to establish a Violations Bureau. ORS 810.370 mandates all courts (including municipal and justice courts) to forward all convictions related to the operation of motor vehicles on streets and highways to the Department of Transportation within 24 hours of the time the defendant was sentenced by the court. The information provided does not indicate whether the State has any requirements for dismissals or other dispositions to be sent to the Department of Transportation. The answer is incomplete because it does not explain if the dismissals and deferrals are included in the definition of the required "convictions" and, therefore, reported.
Are final dispositions (up to and including the resolution of any appeals) posted to the driver data system?	Partially Meets	Oregon statute requires courts (includes circuit, justice, and municipal courts) to notify the Department of Transportation's Driver and Motor Vehicle Services Division (DMV) within 24 hours of sentencing a defendant for a traffic offense. No requirement is stated about

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		the reporting of dismissals, not guilty findings or any type of deferral action. Circuit Courts submit an abstract of judgment to DMV, and DMV posts information about the conviction to the defendant's driving record. Courts do not notify DMV if the violation is appealed. A flow chart for the different courts would complete the answer.
Do the appropriate portions of the citation and adjudication systems adhere to the National Incident-Based Reporting System (NIBRS) guidelines?	Partially Meets	The State is adherent as to crime reporting of citation data--some at the UCR level and others at the NIBRS level. Still others report at O-NIBRS level, a superset of data. Without the requested narrative statement detailing the systems and their adherence to the NIBRS guidelines, status is unclear as to all State and local agencies.

Assessment Question	Rating	Assessor Conclusion
Citation/Adjudication		
Do the appropriate portions of the citation and adjudication systems adhere to the National Law Enforcement Information Network (LEIN) guidelines?	Does Not Meet	No information or documentation of how the records might adhere to the National Law Enforcement Information Network (LEIN) guidelines is provided.
Do the appropriate portions of the citation and adjudication systems adhere to the Functional Requirement Standards for Traffic Court Case Management?	Partially Meets	The new Oregon eCourt system includes all of the functions identified in NCSC's Functional Requirement Standards for Traffic Court Case Management Systems. Currently, 26 out of the 36 Circuit Courts are on the new system. All Circuit Courts will convert to Oregon eCourt by June 2016. However, no information is provided about the local court records and whether the local courts will be on the eCourt system.
Do the appropriate portions of the citation and adjudication systems adhere to the NIEM Justice domain guidelines?	Does Not Meet	The State has indicated that data sent from the Judicial Department to the State Police is not NIEM compliant; however, code is currently being updated contemplating the NIEM standards. The State did not provide a narrative statement detailing the other systems (local courts) and their adherence to the NIEM Justice domain guidelines.

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Does the State use the National Center for State Courts guidelines for court records?	Partially Meets	The Circuit Courts have deployed or will deploy the eCourt system which meets the guidelines by June 2016. There is no narrative explanation about the local court record-keeping and their adherence to NCSC guidelines for court records or if a comparable guideline is being used.
Does the State use the Global Justice Reference Architecture (GRA)?	Does Not Meet	The State does not use the Global Justice Reference Architecture (GRA).
Does the State have an impaired driving data tracking system that meets the specifications of NHTSA's Model Impaired Driving Records Information System (MIDRIS)?	Does Not Meet	The Oregon eCourt system does have several MIDRIS components. Law enforcement agencies from around the State, including some of the largest agencies (Oregon State Police and Portland Police Bureau) electronically file citations with circuit courts. The citing agency transmits the citation information (including an image of the citation) to circuit courts on a daily basis. Additionally, district attorney offices, law enforcement agencies, and members of the State Bar are able to access case information (i.e., view case docketing information and documents filed in the case) online. It is not clear whether the local courts handle traffic cases and how the records are integrated into the State record system. In summary: The State does not have a single statewide impaired driving data tracking system that meets the specifications of NHTSA's Model Impaired Driving Records Information System (MIDRIS).
Do the courts' case management system data dictionaries clearly define all data fields?	Partially Meets	A sample of the data dictionary used by the Department's case management system is provided. No information is given as to what the local (justice and municipal) courts use to process their cases.

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Assessment Question	Rating	Assessor Conclusion
Citation/Adjudication		
Do the courts' case management system data dictionaries indicate the data fields populated through interface linkages with other traffic records system components?	Does Not Meet	The Judicial Department's Enterprise Technology and Services Division in the Office of the State Court Administrator indicates two data dictionary integrations – one with the State Police and one with the City of Portland which supplies traffic citation data to Odyssey (the Department's case management system) to create traffic violation cases only. However, the courts' case management system data dictionaries do not indicate the data fields populated through interface linkages with other traffic records system components.
Do the prosecutors' information systems have data dictionaries?	Does Not Meet	The State reports a dictionary of sorts from Law Enforcement Data System, and provided a sample from the Oregon Judicial Information system. No information about the types or number of prosecutor data systems are in use and no data dictionary was provided.
Does the State measure compliance with the process outlined in the citation lifecycle flow chart?	Partially Meets	The narrative describes how the State measures compliance with the citation lifecycle process specified in the flow chart in the Circuit Courts and some law enforcement agencies. This is not statewide nor are all courts included. Although the State has acknowledged that there is no single agency that measures compliance for all stages of the lifecycle of a citation, the State has described a system whereby responsible agencies are connected (either electronically or through manual process) and provide checks against one another to ensure compliance with the citation process.
Does the State distinguish between the administrative handling of court payments in lieu of court appearances (mail-ins) and court appearances?	Partially Meets	The Circuit Courts appear to meet the ideal. A written business process, which documents that the Department's system tracks how the case was resolved, is provided. No information is provided as to the local courts. A fair rating for the State cannot be provided without information about the local courts.

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Are the security protocols governing data access, modification, and release officially documented?	Partially Meets	The answer is quite extensive as to the Circuit Court official security protocols governing data access, modification, and release. The protocols are being updated and it is likely that they will meet the Advisory ideal. The information provided for the local courts or other agencies is that they are governed by Oregon public records law. The information as to the local courts is incomplete.
Is citation data linked with the vehicle file to collect vehicle information and carry out administrative actions (e.g., vehicle seizure, forfeiture, interlock)?	Does Not Meet	Citation data is not linked with the vehicle file to collect vehicle information and carry out administrative actions (e.g., vehicle seizure, forfeiture, interlock).

Assessment Question	Rating	Assessor Conclusion
Citation/Adjudication		
Is adjudication data linked with the vehicle file to collect vehicle information and carry out administrative actions (e.g., vehicle seizure, forfeiture, interlock mandates and supervision)?	Does Not Meet	Adjudication data is not linked with the vehicle file to collect vehicle information and carry out administrative actions (e.g., vehicle seizure, forfeiture, interlock mandates and supervision).
Is citation data linked with the crash file to document violations and charges related to the crash?	Does Not Meet	The State has indicated that citation data is linked with the crash file to document violations and charges related to the crash; however, the State did not provide the requested evidence.
Is adjudication data linked with the crash file to document violations and charges related to the crash?	Does Not Meet	No results of a sample query and/or description of how the adjudication or linked information is used to document violations and charges related to the crash is provided. The State has indicated that the adjudication data is not linked with the crash file to document violations and charges related to the crash.
Do the appropriate components of the citation and adjudication systems adhere to the National Crime Information Center (NCIC) data guidelines?	Partially Meets	The State has indicated adherence to NCIC data guidelines but has not provided the required narrative statement detailing the systems and their adherence to the NCIC guidelines.
EMS/Injury Surveillance		

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Does the injury surveillance system include EMS data?	Partially Meets	EMS data is available on a large subset of EMS transports in the State and the information collected is submitted to the NEMSIS Technical Assistance Center. However, that data only applies to patients treated at a trauma center, not all motor vehicle crash victims receiving EMS treatment. From this data, there were approximately 6,800 responses related to motor vehicle crashes in 2014.
Does the injury surveillance system include emergency department (ED) data?	Partially Meets	Emergency department data is available, but only for patients that presented at a trauma level hospital and not all motor vehicle crash victims treated in any emergency department.
Is the hospital discharge data available for analysis and used to identify problems, evaluate programs, and allocate resources?	Partially Meets	Hospital discharge data is available for analysis both internally and to external parties. A process has been implemented to obtain access for use by outside parties; however, no examples of its use for highway safety projects were available.
Is the trauma registry data available for analysis and used to identify problems, evaluate programs, and allocate resources?	Partially Meets	The trauma registry data can be used for analysis and problem identification. An analysis of pedestrian injuries was provided and the trauma registry was listed as a potential data source; however, how it was used in the development of the program was unclear.

Assessment Question	Rating	Assessor Conclusion
EMS/Injury Surveillance		
Does the hospital discharge dataset have formal documentation that provides a summary dataset—characteristics, values, limitations and exceptions, whether submitted or user created— and how it is collected, managed, and maintained?	Does Not Meet	Only a data dictionary is available, the Oregon Health Authority does not maintain documentation with additional characteristics of the hospital discharge data system.
Does the vital records system have formal documentation that provides a summary dataset—characteristics, values, limitations and exceptions, whether submitted or user created— and how it is collected, managed, and maintained?	Partially Meets	The vital records data layout includes information about elements and attributes, but is more of a data dictionary than summary documentation which would also include data collection and management information.

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Is there a process flow diagram that outlines the hospital discharge data's key data process flows, including inputs from other systems?	Does Not Meet	No process flow diagram is available for the collection and use of the State's hospital discharge data.
Is there a process flow diagram that outlines the trauma registry's key data process flows, including inputs from other systems?	Does Not Meet	Process flow diagrams may be included in the documentation on the State's Trauma Registry website, but it was not available.
Does the trauma registry have documented procedures for collecting, editing, error checking, and submitting data?	Does Not Meet	Documentation for supervisory responsibilities (controlling user access, system contents, etc.) is available, but information related to the collection, submission, and error-checking of the trauma data was not available. Training videos are available on YouTube but not provided in this Assessment.
Are there documented procedures for returning data to the reporting emergency departments for quality assurance and improvement (e.g., correction and resubmission)?	Partially Meets	There are no documented quality control procedures for returning data to the reporting agency outside of timeliness (late submissions trigger an automated message). However, ad-hoc quality control queries are conducted by the State epidemiologist and emergency departments are contacted when decreased visit counts or other data aberrations occur.
Are there documented procedures for returning data to the reporting vital records agency for quality assurance and improvement (e.g., correction and resubmission)?	Partially Meets	There is a daily edit report generated by NCHS to allow for correction of errors. The Oregon Vital Records agency edits the records and resubmits them to NCHS. It is unclear if the original submitting agency is involved or provides the correct information to the State during this process.
Are there formally documented processes for returning rejected EMS patient care reports to the collecting entity and tracking resubmission to the statewide EMS database?	Partially Meets	There is no documented process; returning patient care reports for correction is done on an informal basis. The ImageTrend software provides a process for tracking of reports through the system and quality control processes are included in the training modules.

Assessment Question	Rating	Assessor Conclusion
EMS/Injury Surveillance		
Is there performance reporting for the EMS system that provides specific timeliness, accuracy, and	Partially Meets	Data quality feedback is provided on a State-level and EMS providers receive a validation report when data is submitted to the State.

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completeness feedback to each submitting entity?		Timeliness and completeness are addressed in these reports, but not accuracy.
Are there timeliness performance measures tailored to the needs of trauma registry managers and data users?	Does Not Meet	There are no timeliness performance measures for the trauma registry. Performance measures are established to help a State or agency track progress in their data systems.
Are there accuracy performance measures tailored to the needs of trauma registry managers and data users?	Does Not Meet	There are no accuracy performance measures for the trauma registry. Performance measures are established to help a State or agency track progress in their data systems. The Oregon Trauma Registry Performance Report includes comparative trends over time, but it is not clear how that information is used to evaluate system accuracy.
Are there completeness performance measures tailored to the needs of trauma registry managers and data users?	Does Not Meet	There are no completeness performance measures for the trauma registry. Performance measures are established to help a State or agency track progress in their data systems.
Are there uniformity performance measures tailored to the needs of trauma registry managers and data users?	Does Not Meet	There are no uniformity performance measures for the trauma registry. Performance measures are established to help a State or agency track progress in their data systems.
Are there integration performance measures tailored to the needs of trauma registry managers and data users?	Does Not Meet	There are no integration performance measures for the trauma registry. Performance measures are established to help a State or agency track progress in their data systems.
Are there accessibility performance measures tailored to the needs of trauma registry managers and data users?	Does Not Meet	There are no accessibility performance measures for the trauma registry. Accessibility performance measures track the ability of principal users to obtain the data or other services and their satisfaction. The State collects such feedback during trauma center visits, but it is not clear how that information is used to evaluate the system.
Is there performance reporting for the trauma registry that provides specific timeliness, accuracy, and completeness feedback to each submitting entity?	Partially Meets	It was reported that quarterly performance reports are provided to each hospital, but the only available information about the content of those reports related to timeliness of data submission from trauma discharge; accuracy and completeness feedback was not included.
Are high frequency errors used to update trauma registry training content, data collection manuals, and validation rules?	Partially Meets	Data errors are reportedly used to update training and documentation. Based on user feedback, Cheat Sheets are developed and disseminated to key users as a form of training. The State's process for incorporating feedback

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		into training and edit check revisions is unclear beyond the Cheat Sheets.
Assessment Question	**Rating**	**Assessor Conclusion**
EMS/Injury Surveillance		
Are there timeliness performance measures tailored to the needs of vital records managers and data users?	Does Not Meet	Oregon Law requires submission of the record to the State within 5 days of the death and the contract with NCHS requires 85% of the records to be sent within 10 days of the registration date. However, these are not performance measures, which include baseline and goal metrics and are used to evaluate progress.
Are there accuracy performance measures tailored to the needs of vital records managers and data users?	Does Not Meet	Although the State follows all NCHS requirements, there are no accuracy performance measures for the vital records system. Performance measures include a goal against which a system may be evaluated regularly to determine success or need for improvement.
Are there completeness performance measures tailored to the needs of vital records managers and data users?	Does Not Meet	Although the State follows all NCHS requirements, there are no completeness performance measures for the vital records system. Performance measures include a goal against which a system may be evaluated regularly to determine success or need for improvement.
Are there uniformity performance measures tailored to the needs of vital records managers and data users?	Does Not Meet	Although the State follows all NCHS requirements, there are no uniformity performance measures for the vital records system. Performance measures include a goal against which a system may be evaluated regularly to determine success or need for improvement.
Are there integration performance measures tailored to the needs of vital records managers and data users?	Does Not Meet	Although the State follows all NCHS requirements, there are no integration performance measures for the vital records system. Performance measures include a goal against which a system may be evaluated regularly to determine success or need for improvement. It is unclear if vital records data is integrated with any other traffic records system components.

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Are there accessibility performance measures tailored to the needs of vital records managers and data users?	Does Not Meet	Although the State follows all NCHS requirements, there are no accessibility performance measures for the vital records system. Performance measures include a goal against which a system may be evaluated regularly to determine success or need for improvement.
Is there performance reporting for vital records that provides specific timeliness, accuracy, and completeness feedback to each submitting entity?	Partially Meets	A quality review report that includes timeliness, accuracy, and completeness measures is provided to all funeral homes. It is unclear if other submitting entities also receive performance reports.
Is limited state-level correction authority granted to quality control staff working with the statewide EMS database in order to amend obvious errors and omissions without returning the report to the originating entity?	Does Not Meet	Submission of EMS data is strictly voluntary, but agencies typically make corrections when errors are detected by the system or other analysts. Subsequently, there is no State-level correction authority.

Assessment Question	Rating	Assessor Conclusion
EMS/Injury Surveillance		
Is limited state-level correction authority granted to quality control staff working with the statewide emergency department and hospital discharge databases in order to amend obvious errors and omissions without returning the report to the originating entity?	Does Not Meet	The hospital datasets (ED and inpatient) are managed by the Oregon Hospital Association and the State is not involved in the submission and data correction processes. Although the State notes erroneous information and passes that information along to analysts, there seems to be no State-level correction authority.
Has the State established numeric goals— performance metrics—for each emergency department and hospital discharge database performance measure?	Does Not Meet	There are no performance metrics because there are no performance measures. With the implementation of the ESSENCE program, there is an opportunity to establish several numeric performance goals for the hospital databases.
Is limited state-level correction authority granted to quality control staff working with the statewide trauma registry in order to amend obvious errors and omissions without returning the report to the originating entity?	Does Not Meet	Correction authority is reportedly given to the State staff maintaining the trauma registry, but no information was provided with regards to the procedures that are in place to allow this activity.

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Has the State established numeric goals— performance metrics—for each trauma registry performance measure?	Does Not Meet	There are no numeric goals because there are no established performance measures. Even though timely reporting and complete records were reported as performance measures, the associated numeric goals were not provided.
Is limited state-level correction authority granted to quality control staff working with vital records in order to amend obvious errors and omissions without returning the report to the originating entity?	Does Not Meet	It was stated that Oregon vital records is the originating agency of the vital records and all changes to records are completed following law and administrative rules and are completed and approved by the Oregon vital records. It is unclear, but seems that there is no correction authority granted to State quality control staff and corrections are made to a vital record by the submitting agency which is also a State entity.
Are periodic comparative and trend analyses used to identify unexplained differences in the vital records data across years and agencies?	Partially Meets	Periodic trend analyses are conducted by NCHS that identify 'unknown' levels in order to revise tolerance levels. The State conducts quarterly and annual edits of 'unknown' levels as well, but it is unclear if other values are also evaluated or if differences are identified across agencies.
Data Use and Integration		
Does the State have a data governance process?	Does Not Meet	The State does not have a governance process specifically for traffic records. The State's DOT has several data governance structures in place but little was mentioned of the other traffic safety systems, nor is there an overall structure.
Is data from traffic records component systems— excluding crash—integrated for specific analytical purposes?	Does Not Meet	While the State has a robust roadway records system that consists of multiple layers that can be linked, this does not constitute linkage of two or more of the component traffic safety systems.

Traffic Records for Model Performance Measures

5.0 Demonstrated Achievement of the Quantitative Improvement in the Past Year

To demonstrate achievement of the quantitative improvement to qualify for NHTSA 405c funding in FFY 2018 Oregon submitted the following metric:

Under performance measure I-U-1, and I-U-2, Oregon had 0 NEMSIS 3.X records in the state file during the period beginning April 1, 2013, and ending March 31, 2014, and beginning April 1, 2014 and ending March 31, 2015, two one year periods. During the period beginning April 1, 2015 and ending March 31, 2016, Oregon had 17,809 (2,925 injury specific files) 100 percent NEMSIS 3.X compliant records in the state file, with additional files in the quality control que. During the last period beginning April 1, 2016 and ending March 31, 2017 Oregon had 163,059 (26,920 injury specific files) 100 percent NEMSIS 3.X compliant records in the state file with additional files in the quality control que. The resultant

improvements place Oregon in the place of showing improvement to both performance measures I-U-1 and I-U-2.

In addition, it should be noted that Oregon continues to undergo the conversion from NEMSIS 2.X to 3.X standards during the subject period. The overall numbers of NEMSIS 2.X submissions will continue to decline as more EMS transport agencies continue switching from NEMSIS 2.X to NEMSIS 3.X reporting.

7.0 Traffic Records Deficiencies and Performance Measures

Table 7.1
Crash
System

Data Quality		Reportable CrashData	
Deficiency	Timeliness		A high-speed imaging and document management system for crash reports could improve the timeliness of processing for ODOT. Delays in crash report processing while DMV builds a case file (30-90 days) are unnecessary.
Deficiency	Timeliness		The CAR Unit could begin processing crash reports almost as soon as they are received by DMV rather than waiting months for the paper to be released to them. Courts, law enforcement agencies, and DMV would benefit from improved timeliness and accuracy supported by more field data collection. Current actions are addressing this issue; however, increased staffing demands need to be addressed.
Performance Measure	Timeliness		Decrease the number of days until the annual statewide crash data file is available each year.
Performance Measure	Timeliness		Increase the percentage of crash reports reported to FMCSA within 90 days.
Performance Measure	Timeliness		C-T-1: The median or mean number of days from a) the crash date to b) the date the crash report is entered into the database.
Performance Measure	Timeliness		C-T-2: The percentage of crash reports entered into the database within XX days after the crash (e.g., 30, 60, or 90 days).
Deficiency	Accuracy		Oregon does not have a formal data quality measurement program that addresses all of the data quality attributes. In particular, the data accuracy and completeness measures should be expanded. The measures should be based on initial submissions by law enforcement, not just the final data file created by the CAR unit staff.

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	Deficiency	Accuracy	An error-tracking system that can report the number and type of errors for each law enforcement agency's crash reports does not exist.
	Deficiency	Accuracy	There is a need to improve the Police Officer's Instruction Manual as part of the next crash report form revision.
	Deficiency	Accuracy	Location data could be improved by including GPS and/or map- based location coding tools in projects for electronic crash data collection.
	Deficiency	Accuracy	Crash data system accuracy could be improved if system generated validations were added (hard-coded business rules.)
	Performance Measure	Accuracy	Increase the number of crash data elements having system generated validations within the crash database data entry screen (CDS).
	Performance Measure	Accuracy	C-A-1: The percentage of crash records with no errors in critical data elements (example: crash severity).
	Performance Measure	Accuracy	C-A-2: The percentage of in-state registered vehicles on the State crash file with Vehicle Identification Number (VIN) matched to the State vehicle registration file.
	Deficiency	Completeness	Crashes are under-reported.
	Deficiency	Completeness	Outreach is needed to build support for law enforcement crash reporting.
	Deficiency	Completeness	A public report of percentage of crashes, by jurisdiction, reported by each law enforcement agency does not exist.
Data Quality		**Reportable CrashData**	
	Deficiency	Completeness	State law does not require reporting of crashes by police agencies and it is suspected that the state is missing 30-35% of all reportable crashes.
	Deficiency	Completeness	Crash location data is often inaccurate on an operator's report and the source of approximately two-thirds of the data is provided from operator reports.
	Deficiency	Completeness	Missing location data from the crash form.
	Performance Measure	Completeness	Increase the percentage of crash reports submitted by law enforcement officers.
	Performance Measure	Completeness	Increase the percentage of fatal and injury crash reports (no property damage only) submitted by law enforcement officers.
	Deficiency	Completeness	Missing MMUCC data elements on the crash form.

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Performance Measure	Completeness	Increase the number of MMUCC collected data elements present on the crash form.
Deficiency	Completeness	Missing location data from the crash form.
Performance Measure	Completeness	Increase the percentage of crashes coded with a geospatial coordinate value.
Performance Measure	Completeness	C-C-1: The percentage of crash records with no missing critical data elements.
Performance Measure	Completeness	C-C-2: The percentage of crash records with no missing data elements.
Performance Measure	Completeness	C-C-3: The percentage of unknowns or blanks in critical data elements for which unknown is not an acceptable value.
Deficiency	Uniformity	The number of MMUCC data elements entered into the crash database or obtained via linkage to other databases.
Performance Measure	Uniformity	C-U-1: The number of MMUCC-compliant data elements entered into the crash database or obtained via linkage to other databases.
Deficiency	Integration	Web-based crash reporting for both operator reports and law enforcement reports is lacking. Web reporting will help agencies with no automation to submit their reports electronically and reduce the amount of data entry and delay in both DMV and the CAR unit.
Deficiency	Integration	Electronic data transfer of crash data from law enforcement is non- existent. Failure to accept electronic data is inevitably going to cause resistance among law enforcement agencies and could have a deleterious effect on the ongoing efforts to increase the proportion of crashes they investigate.
Deficiency	Integration	Subsidies for law enforcement field data collection equipment and software should be based on the proportion of crash reports submitted by that agency in their jurisdiction.
Deficiency	Integration	Law enforcement agencies' ongoing budget may not include the cost of vehicle replacements, including field data collection hardware and software maintenance.
Deficiency	Integration	ODOT is unable to share crash report images simultaneously with the Crash Analysis and Reporting Unit and the DMV, or with other legitimate users.
Deficiency	Integration	ODOT’s crash database cannot currently accept data electronically submitted from other sources, whether law enforcement or operator reports.

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Performance Measure	Integration		Increase the number of law enforcement officers that utilize a system that links local citation database to court data system electronically to send citations to courts.
Performance Measure	Integration		C-I-1: The percentage of appropriate records in the crash database that are linked to another system or file (examples: Crash w/in
Data Quality		**Reportable CrashData**	
Deficiency	Accessibility		A method of generating crash report images from electronically submitted crash reports does not exist.
Deficiency	Accessibility		Oregon is unable to generate crash images to serve the need for DMV, TDD, regional engineers, and others access to crash reports.
Deficiency	Accessibility		Direct access to crash report images (when available) through the GIS is unavailable.
Deficiency	Accessibility		Limited crash analysis available on the Internet via TransGIS and TransViewer, however, analysis and data extracts are available for up to 22 years of crash data through the CAR Unit.
Performance Measure	Accessibility		Increase the percentage of law enforcement agencies using on-line crash data system for data retrieval and statistical reports.
Performance Measure	Accessibility		Increase the number of ODOT region staff, as well as city and county users, accessing on-line collision diagramming tools for specific corridor segments.
Performance Measure	Accessibility		C-X-1: To measure accessibility: Identify the principal users of the crash database, query the principal users to assess a) their ability to obtain the data or other services requested and b) their satisfaction with the timeliness of the response to their request, document the method of data collection and the principal users' responses.
Table 7.2 Roadway System			
Data Quality		**Roadway Data**	
Deficiency	Timeliness		Delays between a) the date a roadway project is completed to b) the date the updated critical data elements are entered into the database.
Performance Measure	Timeliness		R-T-1: The median or mean number of days from a) the date a periodic collection of a critical roadway data element is complete (e.g., Annual

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			Average Daily Traffic) to b) the date the updated critical roadway element is entered into the database.
Performance Measure	Timeliness		R-T-2: The median or mean number of days from a) the date a roadway project is completed to b) the date the updated critical data elements are entered into the database.
Deficiency	Accuracy		Roadway segment records may contain errors in critical data elements (example: Surface/Pavement).
Performance Measure	Accuracy		R-A-1: The percentage of all roadway segment records with o errors in critical data elements (example: Surface/Pavement).
Deficiency	Completeness		There is no statewide central source where all county roadway inventory and traffic count data are captured. The ODOT Asset Management System will have the capability of including local roadway data; however, a common location coding method must be implemented before this becomes practical.
Performance Measure	Completeness		Increase the percentage of traffic count data contained within the ODOT Asset Management System (one statewide source).
Performance Measure	Completeness		R-C-1: The percentage of road segment records with no missing critical data elements.
Performance Measure	Completeness		R-C-2: The percentage of public road miles or jurisdictions identified on the State's basemap or roadway inventory file.
Performance Measure	Completeness		R-C-3: The percentage of roadway unknowns or blanks in critical data elements for which unknown is not an acceptable value.
Data Quality		**Roadway Data**	
Performance Measure	Completeness		C-4: The percentage of total roadway segments that include location coordinates, using measurement frames such as a GIS basemap.
Deficiency	Uniformity		There is no statewide central source where all county roadway inventory and traffic count data are captured. The ODOT Asset Management System will have the capability of including local roadway data; however, a common location coding method must be implemented before this becomes practical.
Deficiency	Uniformity		State highway referencing need to eliminate multiple occurrences of the same mile point on a single route. A pilot project on OR 140 is

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		underway to demonstrate any resulting efficiencies.
Performance Measure	Uniformity	Decrease the number of instances where there are multiple occurrences of the same mile marker on a single route.
Performance Measure	Uniformity	R-U-1: The number of Model Inventory of Roadway Elements (MIRE)-compliant data elements entered into a database or obtained via linkage to other databases.
Deficiency	Integration	There is a need to create necessary translation mechanisms between coordinate-based and other location coding methods used by ODOT to support ongoing analyses and to support spatial analysis of routes and areas in addition to specific points on the roadway. Beginning with 2007 crash data, coordinates are available for all jurisdictions of roadway.
Performance Measure	Integration	R-I-1: The percentage of appropriate records in a specific file in the roadway database that are linked to another system or file (example: Bridge inventory linked to roadway basemap).
Deficiency	Accessibility	Limited roadway data is available for on-line spatial reporting in TransGIS and Internet road inventory reporting in TransViewer.
Performance Measure	Accessibility	Increase the percentage of roadway data that is available for on-line spatial reporting (TransGIS).
Performance Measure	Accessibility	R-X-1: To measure accessibility of a specific file within the roadway database: Identify the principal users of the roadway file, query the principal users to assess a) their ability to obtain the data or other services requested and b) their satisfaction with the timeliness of the response to their request, document the method of data collection and the principal users' responses.

Table 7.3 Vehicle System Data Quality **Vehicle Data**

Deficiency	Timeliness	Delays between a) the date of a critical status change in the vehicle record to b) the date the status change is entered into the database.
Performance Measure	Timeliness	Decrease the number of days until vehicle registration and title information is available

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			through the Law Enforcement Data System (LEDS) network.
Performance Measure	Timeliness		V-T-1: The median or mean number of days from a) the date of a critical status change in the vehicle record to b) the date the status change is entered into the database.
Performance Measure	Timeliness		V-T-2: The percentage of vehicle record updates entered into the database within XX days after the critical status change (e.g., 1, 5, or 10 days).
Deficiency	Accuracy		Verifying VIN and make/model between the insurance and registration databases has identified some data quality concerns.
Performance Measure	Accuracy		Decrease the number of errors received when verifying VIN and make/model between the insurance and registration databases.
Data Quality		**Vehicle Data**	
Performance Measure	Accuracy		Maintain 100% of inspection records reported over a 12-month period that were matched to a company registered in MCMIS.
Performance Measure	Accuracy		V-A-1: The percentage of vehicle records with no errors in critical data elements (example: VIN).
Deficiency	Completeness		Increase the percentage of vehicle records with no missing critical data elements.
Performance Measure	Completeness		Increase the percentage of fatal and non-fatal crash records in the MCMIS database with complete vehicle information (i.e., the number of crash records with complete vehicle information divided by the number of crash records reported) over a 12-month time period.
Performance Measure	Completeness		V-C-1: The percentage of vehicle records with no missing critical data elements.
Performance Measure	Completeness		V-C-2: The percentage of vehicle records with no missing data elements.
Performance Measure	Completeness		V-C-3: The percentage of unknowns or blanks in critical data elements for which unknown is not an acceptable value.
Performance Measure	Completeness		V-C-4: The percentage of vehicle records from large trucks and buses that have all of the following data elements: Motor Carrier ID, Gross Vehicle Weight Rating/Gross Combination Weight Rating, Vehicle Configuration, Cargo Body Type, and Hazardous Materials (Cargo Only).

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Deficiency	Uniformity	Increase the number of standards-compliant data elements entered into a database or obtained via linkage to other databases.
Performance Measure	Uniformity	V-U-1: The number of standards-compliant data elements entered into a database or obtained via linkage to other databases.
Deficiency	Integration	Data collection using machine-readable features of registration documents is not available.
Deficiency	Integration	Older technology is the primary barrier to data linkage between the crash and vehicle databases.
Deficiency	Integration	Legislation would be required in Oregon in order to use the link between driver and vehicle data to support blocking registrations for suspended or revoked drivers who are vehicle owners.
Performance Measure	Integration	Increase the percentage of vehicle owners and operators that can be linked to the driver database.
Performance Measure	Integration	Increase the percentage of vehicle owners and operators that can be linked to the crash database.
Performance Measure	Integration	V-I-1: The percentage of appropriate records in the vehicle file that are linked to another system or file (example: Vehicle registration linked to Driver file).
Deficiency	Accessibility	Law enforcement officers have access to the vehicle registration and title information through the Law Enforcement Data System (LEDS) network. Oregon is not a participant in the National Motor Vehicle Title Information System (NMVTIS).
Performance Measure	Accessibility	Increase the percentage of active titles and brands updated to the National Motor Vehicle Title Information System (NMVTIS) Vehicle Identification Number (VIN) pointer and brand files *(currently 0%)*.
Performance Measure	Accessibility	V-X-1: To measure accessibility: Identify the principal users of the vehicle database, query the principal users to assess a) their ability to obtain the data or other services requested and b) their satisfaction with the timeliness of the response to their request, document the method of data collection and the principal users' responses.

Table 7.4 Driver System

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Data Quality		Driver Data
Deficiency	Timeliness	There are delays between receiving crash reports at DMV and posting on the driver record.
Performance Measure	Timeliness	Increase the percentage of crash occurrences posted on the driver record within less than 25 days following the crash.
Deficiency	Timeliness	The state is unable to meet the Federal requirement for reporting commercial driver convictions in 10 days. DMV receives only limited information electronically.
Performance Measure	Timeliness	Increase the percentage of commercial driver convictions reported within 10 days.
Performance Measure	Timeliness	D-T-1: The median or mean number of days from a) the date of a driver's adverse action to b) the date the adverse action is entered into the database.
Performance Measure	Timeliness	D-T-2: The median or mean number of days from a) the date of receipt of citation disposition notification by the driver repository to b) the date the disposition report is entered into the database.
Deficiency	Accuracy	Centralized issuance and facial recognition software are planned to decrease the chances of license fraud.
Performance Measure	Accuracy	Decrease the percentage of duplicate records for individuals.
Performance Measure	Accuracy	D-A-1: The percentage of driver records that have no errors in critical data elements (example: Date of Birth).
Performance Measure	Accuracy	D-A-2: The percentage of records on the State driver file with Social Security Numbers (SSN) successfully verified using Social Security Online Verification (SSOLV) or other means.
Deficiency	Completeness	Histories of serious offenses when licensing drivers from other states for non-commercial drivers are not recorded, as is done for commercial drivers in compliance with CDLIS.
Deficiency	Completeness	Oregon is lacking a statewide citation tracking system.
Deficiency	Completeness	Not all traffic cases result in a disposition, so not all convictions are reported to the DMV.
Performance Measure	Completeness	Increase the percentage of convictions reported to the DMV. *(Currently, not measurable.)*
Performance Measure	Completeness	Increase the percentage of fatal and non-fatal crash records in the MCMIS database with

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			complete driver information (i.e., the number of crash records with complete driver information divided by the number of crash records reported) over a 12-month time period.
Performance Measure	Completeness		D-C-1: The percentage of driver records with no missing critical data elements.
Performance Measure	Completeness		D-C-2: The percentage of driver records with no missing data elements.
Performance Measure	Completeness		D-C-3: The percentage of unknowns or blanks in critical data elements for which unknown is not an acceptable value.
Deficiency	Uniformity		Increase the number of standards-compliant data elements entered into the driver database or obtained via linkage to other databases.
Data Quality		**Driver Data**	
Performance Measure	Uniformity		Increase the percentage of Social Security Numbers (SSNs) and immigration documents verified. *(Note: DMV is currently verifying SSNs for all licenses, ID cards, and driver permits. DMV began using the Federal Systematic Alien Verification for Entitlements (SAVE) system to verify immigration status in January 2010.)*
Performance Measure	Uniformity		D-U-1: The number of standards-compliant data elements entered into the driver database or obtained via linkage to other databases.
Deficiency	Integration		Electronic receipt of citation records from courts is lacking.
Deficiency	Integration		The driver records database is currently not capable of supporting linkage with crash and other databases.
Deficiency	Integration		DMV receives only failure-to-appear and suspension orders from Circuit Courts electronically, even though many courts transmit convictions electronically through the Oregon Justice Information Network (OJIN). Driver file includes a notation of crash involvement that is placed on the file manually at DMV. There is no easy way to generate a merged crash/driver dataset for analytic use.
Performance Measure	Integration		Increase the percentage of conviction records submitted to the DMV electronically.
Performance Measure	Integration		Increase the percentage of DMV driver records in which the notation of crash involvement is placed automatically (versus manually).

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Performance Measure	Integration	D-I-1: The percentage of appropriate records in the driver file that are linked to another system or file (example: Driver in crash linked to adjudication file).
Deficiency	Accessibility	No reported deficiencies.
Performance Measure	Accessibility	D-X-1: To measure accessibility: Identify the principal users of the driver database, query the principal users to assess a) their ability to obtain the data or other services requested and b) their satisfaction with the timeliness of the response to their request, document the method of data collection and the principal users' responses.

Table 7.5 Citation/Adjudication System

Data Quality		Citation/Adjudication Data
Deficiency	Timeliness	Courts, law enforcement agencies, and DMV would benefit from improved timeliness and accuracy supported by more field data collection of citation information.
Performance Measure	Timeliness	Increase the percentage of citations sent to courts within 10 days.
Performance Measure	Timeliness	Increase the percentage of convictions sent to the DMV within 10 days of conviction.
Performance Measure	Timeliness	C/A-T-1: The median or mean number of days from a) the date a citation is issued to b) the date the citation is entered into the statewide citation database, or a first available repository.
Performance Measure	Timeliness	C/A-T-2: The median or mean number of days from a) the date of charge disposition to b) the date the charge disposition is entered into the statewide adjudication database, or a first available repository.
Deficiency	Accuracy	A quality control program for citation/adjudication data with measurable attributes does not exist.

Data Quality		Citation/Adjudication Data
Deficiency	Accuracy	Very limited electronic citation issuance statewide. Lack of DMV systems and documents (license and registration) using data linkage and

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		automatic form completion possibilities for law enforcement officers in the field.
Performance Measure	Accuracy	Increase the percentage of citation locations that match statewide location coding.
Performance Measure	Accuracy	Decrease the percentage of errors found during citation data audits of critical data elements.
Performance Measure	Accuracy	C/A-A-1: The percentage of citation records with no errors in critical data elements (example: time citation issued).
Performance Measure	Accuracy	C/A-A-2: The percentage of charge disposition records with no errors in critical data elements (example: citation reference number).
Deficiency	Completeness	Increase the percentage of citation records with no missing critical data elements.
Performance Measure	Completeness	C/A-C-1: The percentage of citation records with no missing critical data elements.
Performance Measure	Completeness	C/A-C-2: The percentage of citation records with no missing data elements.
Performance Measure	Completeness	C/A-C-3: The percentage of unknowns or blanks in critical citation data elements for which unknown is not an acceptable value.
Deficiency	Uniformity	There is no statewide repository for citations and there is no way to track how many cases are deferred statewide or how many convictions fail to make it to DMV. There is no single numbering system for citation forms.
Performance Measure	Uniformity	Increase the percentage of citations contained within a single statewide data repository.
Performance Measure	Uniformity	C/A-U-1: The number of Model Impaired Driving Record Information System (MIDRIS)-compliant data elements entered into the citation database or obtained via linkage to other databases.
Performance Measure	Uniformity	C/A-U-2: The percentage of citation records entered into the database with common uniform statewide violation codes.
Deficiency	Integration	Oregon does not have a statewide Citation Tracking System to contain data on the life cycle of all citations issued and adjudicated in the state.
Deficiency	Integration	Oregon Judicial Information Network (OJIN) requires improvement with an up-to-date case management system (CMS). All courts in Oregon should use the upgraded CMS to transfer citations electronically to the driver file.

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Deficiency	Integration	Oregon is lacking the linkage between the Citation/Adjudication Data Component and other components of the State's Traffic Record System.
Deficiency	Integration	Oregon is lacking an interface between DMV and courts to receive electronic convictions.
Deficiency	Integration	Very limited electronic citation issuance statewide. Lack of DMV systems and documents (license and registration) using data linkage and automatic form completion possibilities for law enforcement officers in the field.
Deficiency	Integration	Very few agencies are able to send data electronically to the courts.
Performance Measure	Integration	Increase the number of citations that are distributed from law enforcement agencies to local courts electronically.
Performance Measure	Integration	C-I-1: The percentage of appropriate records in the citation file that are linked to another system or file (example: DWI citation linked to Adjudication file).
Deficiency	Accessibility	Outreach is needed to educate judges on how to access the state's driver file.

State traffic records strategic plan

Strategic Plan, approved by the TRCC, that— (i) Describes specific, quantifiable and measurable improvements that are anticipated in the State's core safety databases (ii) Includes a list of all recommendations from its most recent highway safety data and traffic records system assessment; (iii) Identifies which recommendations the State intends to address in the fiscal year, the countermeasure strategies and planned activities that implement each recommendation, and the performance measures to be used to demonstrate quantifiable and measurable progress; and (iv) Identifies which recommendations the State does not intend to address in the fiscal year and explains the reason for not implementing the recommendations:

Planned activities that implement recommendations:

Unique Identifier	Planned Activity Name
F1906CMD-23-25-05	Criminal Justice Commission--Citation Database
M3DA-23-54-03	ODOT Research – NEMSIS Use Capacity Building Pilot
M3DA-23-54-04	ODOT DMV – Vehicle Operator Education Module(s)
M3DA-23-54-06	Oregon Health Department – EMS/NEMSIS Local Data Entry Device/Training
TS-23-54-05	CARS Modernization
TR-23-54-10	ODOT TSO/Local Agency – E Crash/E Citation Expansion

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Quantitative and Measurable Improvement

Supporting documentation covering a contiguous 12-month performance period starting no earlier than April 1 of the calendar year prior to the application due date, that demonstrates quantitative improvement when compared to the comparable 12-month baseline period.

The performance measure is as follows:

Performance Measure	Uniformity	R-X-1: To measure accessibility of a specific file within the roadway database: Identify the principal users of the roadway file, query the principal users to assess a) their ability to obtain the data or other services requested and b) their satisfaction with the timeliness of the response to their request, document the method of data collection and the principal users' responses.

In the period beginning April 1, 2020, and ending March 31, 2021 there were no agency participants in the Traffic Count Monitoring system. During the period April 1, 2022 to March 31, 2023 twelve local agency users were established in the system, resulting in a 100% improvement.

State Highway Safety Data and Traffic Records System Assessment

Date of the assessment of the State's highway safety data and traffic records system that was conducted or updated within the five years prior to the application due date:

Date of Assessment: **1/19/2021; next TR Assessment is scheduled for completion in January 2026**

Requirement for maintenance of effort

ASSURANCE: The lead State agency responsible for State traffic safety information system improvements programs shall maintain its aggregate expenditures for State traffic safety information system improvements programs at or above the average level of such expenditures in fiscal years 2015 and 2016.

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405(d) Impaired driving countermeasures grant

Impaired driving assurances

Impaired driving qualification: **Mid-Range State**

ASSURANCE: The State shall use the funds awarded under 23 U.S.C. 405(d)(1) only for the implementation and enforcement of programs authorized in 23 C.F.R. 1300.23(j).

ASSURANCE: The lead State agency responsible for impaired driving programs shall maintain its aggregate expenditures for impaired driving programs at or above the average level of such expenditures in fiscal years 2014 and 2015.

Impaired driving program assessment

Date of the last NHTSA-facilitated assessment of the State's impaired driving program conducted:

Date of Last NHTSA Assessment: 12/2015

Authority to operate

Direct copy of the section of the statewide impaired driving plan that describes the authority and basis for the operation of the Statewide impaired driving task force, including the process used to develop and approve the plan and date of approval.

Authority and Basis of Operation

Oregon's GAC on DUII Executive Order

The Governor's Advisory Committee (GAC) on Driving Under the Influence of Intoxicants (DUII) was created by Executive Order No. EO-83-20 on December 13, 1983. The main purpose and role of the Committee is to advise the Governor and other statutorily created agencies on the problems and issues relating to driving under the influence of intoxicants in Oregon.

Charles E. Hayes, Chair - International Association Chiefs of Police

Cate Duke, Vice-Chair - MADD Statewide Volunteer Coordinator

Lois E.J. Harvick - Victim Impact Panel Coordinator, Lane County

Raymond Crutchley – Judge, Deschutes County Circuit Court

Rep. Ron Noble - Oregon State Representative

Joshua Wilson - Oregon State Sheriffs Association representative

Jason Malloy - Chief of Police, City of Newport/ OACP representative

Justin Nielsen – Renaissance Recovery Resources - Treatment Providers representative

R. Lynn Howard – Oregon District Attorneys Association representative

Date that the Statewide impaired driving plan was approved by the State's task force.

Date impaired driving plan approved by task force: **June 04, 2021**

Governor's Advisory Committee (GAC) on DUII Guidelines and Objectives

I. Purpose and Scope

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The Governor's Advisory Committee (GAC) on Driving Under the Influence of Intoxicants (DUII) was created by Executive Order No. EO-83-20 on December 13, 1983. The main purpose and role of the Committee is to advise the Governor and other statutorily created agencies on the problems and issues relating to driving under the influence of intoxicants in Oregon.

Objectives

The Committee objectives are to:

(a) Heighten public awareness of the seriousness of DUII;

(b) Assist in the effort to end the impaired driving problem in an organized and systematic manner;

(c) Generate public support for increased enforcement of state and local DUII laws; and

(d) Educate the public as to the dangers of impaired driving and its effects.

Plan Approval

The GAC on DUII met on May 7, 2021, to discuss impaired driving issues in the State and to develop this Plan. The membership subsequently approved the final version of the Plan on June 4, 2021.

Key Stakeholders

Oregon GAC on DUII Members

Charles E. Hayes, Chair - International Association Chiefs of Police

Cate Duke, Vice-Chair - MADD Statewide Volunteer Coordinator

Lois E.J. Harvick - Victim Impact Panel Coordinator, Lane County

Raymond Crutchley – Judge, Deschutes County Circuit Court

Rep. Ron Noble - Oregon State Representative

Joshua Wilson - Oregon State Sheriffs Association representative

Jason Malloy - Chief of Police, City of Newport/ OACP representative

Justin Nielsen – Renaissance Recovery Resources - Treatment Providers representative

R. Lynn Howard – Oregon District Attorneys Association representative

Date that the Statewide impaired driving plan was approved by the State's task force.

Date impaired driving plan approved by task force: **June 04, 2021**

Strategic plan details

State will use a previously submitted Statewide impaired driving plan that was developed and approved within three years prior to the application due date.

Continue to use previously submitted plan: **No**

ASSURANCE: The State continues to use the previously submitted Statewide impaired driving plan.

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National Highway Traffic Safety Administration
Regional Operations and Program Delivery
Office of Grants Management and Operations

FY 2023 Impaired Driving Countermeasure Grant Classifications (23 CFR 1300.23)

ALCOHOL-IMPAIRED-DRIVING FATALITY RATES* PER 100 MILLION VMT
FATALITY ANALYSIS REPORTING SYSTEM (FARS) 2017-2019 FINAL

State	2017-2019			
	Fatalities	VMT	Rate	Classification
Oregon	471	109,409	0.43	Mid-range

*Alcohol-impaired driving fatalities are estimates derived from a sophisticated statistical procedure.

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405(e) Distracted driving grant

Sample Questions

Distracted Driving

Being alert is an essential part of safe driving. Pay close attention to your surroundings, be aware and always on the lookout for other users of the road. Avoid the following distractions:

- It is illegal for drivers under 18 years of age to use a cell phone or other mobile electronic device while operating a vehicle. Turn it off or put it in the back seat and ignore it.
- Drivers 18 years of age or older must use a hands-free accessory to use a cell phone or other mobile electronic device. The hands-free accessory must only require minimal use of a finger to activate or deactivate the device. Consider assigning your passenger to be in charge of the device.
- It is illegal to have a TV, tablet or other video display visible to the driver.

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Legal citations

The State's texting ban statute, prohibiting texting while driving and requiring a minimum fine of at least $25, is in effect and will be enforced during the entire fiscal year of the grant.

Is a violation of the law a primary or secondary offense? **Primary Offense**

Date enacted: **10/1/2007**

Date amended: **3/16/2018**

Prohibition on texting while driving.

Requirement Description	State citation(s) captured
Prohibition on texting while driving.	Yes

Definition of covered wireless communication devices.	Yes
Minimum fine of at least $25 for an offense.	Yes

Citations

Legal Citation Requirement: **Prohibition on texting while driving.**

Legal Citation: **ORS 811.507**

Amended Date: **3/16/2018**

Citations

Legal Citation Requirement: **Definition of covered wireless communication devices.**

Legal Citation: **ORS 811.507**

Amended Date: **3/16/2018**

Citations

Legal Citation Requirement: **Minimum fine of at least $25 for an offense.**

Legal Citation: **ORS 811.507**

Amended Date: **3/16/2018**

Legal citations for exemptions to the State's texting ban:

Citations

Legal Citation Requirement:

Legal Citation: **ORS 811.507**

Amended Date: **3/16/2018**

The State's youth cell phone use ban statute, prohibiting youth cell phone use while driving and requiring a minimum fine of at least $25, is in effect and will be enforced during the entire fiscal year of the grant.

Is a violation of the law a primary or secondary offense?:**Primary Offense**

Date enacted: **10/1/2007**

Date amended: **3/16/2018**

Prohibition on youth cell phone use while driving.

Requirement Description	State citation(s) captured
Prohibition on youth cell phone use while driving.	Yes
Definition of covered wireless communication devices.	Yes
Minimum fine of at least $25 for an offense.	Yes

Citations

Legal Citation Requirement: **Prohibition on youth cell phone use while driving.**

Legal Citation: **ORS 811.507**

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Amended Date: **3/16/2018**

Citations

Legal Citation Requirement: **Definition of covered wireless communication devices.**

Legal Citation: **ORS 811.507**

Amended Date: **3/16/2018**

Citations

Legal Citation Requirement: **Minimum fine of at least $25 for an offense.**

Legal Citation: **ORS 811.507**

Amended Date: **3/16/2018**

Legal citations for exemptions to the State's youth cell phone use ban.

Citations

Legal Citation Requirement:

Legal Citation: **ORS 811.507**

Amended Date: **3/16/2018**

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405(f) Motorcyclist safety grant

Motorcycle safety information

To qualify for a Motorcyclist Safety Grant in a fiscal year, a State shall submit as part of its HSP documentation demonstrating compliance with at least two of the following criteria:

Motorcycle rider training course: **Yes**

Motorcyclist awareness program: **Yes**

Reduction of fatalities and crashes: No

Impaired driving program: **Yes**

Reduction of impaired fatalities and accidents: **No**

Use of fees collected from motorcyclists: **Yes**

Motorcycle rider training course

Name and organization of the head of the designated State authority over motorcyclist safety issues:

State authority agency: **Oregon Department of Transportation - Transportation Safety Office**

State authority name/title: Amy Joyce**, Administrator, Governor's Representative for Highway Safety TSO**

Introductory rider curricula that has been approved by the designated State authority and adopted by the State:

Approved curricula: **(ii) TEAM OREGON Basic Rider Training**

Other approved curricula:

CERTIFICATION: The head of the designated State authority over motorcyclist safety issues has approved and the State has adopted the selected introductory rider curricula.

Countermeasure Strategy
Training and Education for Motorcycle Safety

Unique Identifier	Planned Activity Name
M9MT-23-50-02	ODOT Approved Motorcycle Safety Training Program

Counties or political subdivisions in the State where motorcycle rider training courses will be conducted during the fiscal year of the grant and the number of registered motorcycles in each such county or political subdivision according to official 2019 State motor vehicle records, provided the State must offer at least one motorcycle rider training course in counties or political subdivisions that collectively account for a majority of the State's registered motorcycles.

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County or Political Subdivision	Number of registered motorcycles
Baker	672
Benton	2506
Clackamas	13823
Clatsop	1523
Coos	2723
Deschutes	9860
Douglas	4415
Jackson	8828
Josephine	4497
Klamath	2541
Lane	11965
Linn	4846
Malheur	562
Marion	9399
Multnomah	19337
Sherman	91
Washington	14367
Yamhill	3531

Total number of registered motorcycles in State.

Total # of registered motorcycles in State (2019): **134,178**

Motorcyclist awareness program

Name and organization of the head of the designated State authority over motorcyclist safety issues.

State authority agency: **Oregon Department of Transportation**

State authority name/title: Amy Joyce**, Administrator, Governor's Representative for Highway Safety TSO**

CERTIFICATION: The State's motorcyclist awareness program was developed by or in coordination with the designated State authority having jurisdiction over motorcyclist safety issues.

Performance measures and corresponding performance targets developed for motorcycle awareness that identifies, using 2019 preliminary State crash data, the counties or political subdivisions within the State with the highest number of fatal & injury motorcycle crashes involving a motorcycle and another motor vehicle. This information is provided in the Motorcycle Safety 405(f) section titled MS Communications and Outreach: Other Driver Awareness of Motorcyclists.

Fiscal Year	Performance measure name	Target Period	Target Start Year	Target End Year	Target Value	Sort Order
2023	C-7) Number of motorcyclist fatalities (FARS)	Annual	2022	2023	64	7
2023	C-8) Number of un-helmeted motorcyclist fatalities (FARS)	Annual	2022	2023	5	8

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Motorcyclist Fatalities	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total (C-7)	40	51	34	46	61	55	57	85	57	68
Helmeted	34	46	32	41	57	46	48	73	46	55
Unhelmeted (C-8)	5	4	2	4	3	4	3	4	8	4
Unknown	1	1	0	1	1	5	6	8	3	9

Counties or political subdivisions within the State with the highest number of fatal & injury motorcycle crashes (MCC) involving a motorcycle and another motor vehicle using 2020 final State crash data. This program grant is referred to as the MS Communications and Outreach: Other Driver Awareness of Motorcyclists.

Final State Crash Data - 2020 MC/Multivehicle Crashes by County	
County	# of Motorcycle Crashes (MCC) involving multiple vehicles
MULTNOMAH	61
CLACKAMAS	37
LANE	34
WASHINGTON	33
JACKSON	28
MARION	25
DESCHUTES	16
DOUGLAS	14
LINN	11
JOSEPHINE	10
YAMHILL	10
KLAMATH	8
BENTON	7
CLATSOP	7
COOS	6
POLK	6
MALHEUR	6
WASCO	6
UMATILLA	5
LINCOLN	5
HOOD RIVER	4
COLUMBIA	3
CROOK	3
TILLAMOOK	3
HARNEY	2
JEFFERSON	2
GRANT	1
WALLOWA	1
UNION	1
WHEELER	1
CURRY	1
BAKER	1

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Countermeasure strategies and planned activities that demonstrate that the State will implement data-driven programs in a majority of counties or political subdivisions where the incidence of crashes involving a motorcycle and another motor vehicle is highest.

Countermeasure Strategy
Training and Education for Motorcycle Safety

Unique Identifier	Planned Activity Name
M9MA-23-50-01	MS Communications and Outreach: Other Driver Awareness of Motorcyclists

Use of fees collected from motorcyclists for motorcycle programs

Process under which all fees collected by the State from motorcyclists for the purposes of funding motorcycle training and safety programs are used for motorcycle training and safety programs.

Use of fees criterion: **Law State**

Legal citations for each law state criteria.

Requirement Description	State citation(s) captured
The State law or regulation requiring that all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are to be used for motorcycle training and safety programs.	Yes
The State law appropriating funds demonstrates that for the current fiscal year, for requiring all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are spent on motorcycle training and safety programs.	Yes

Citations

Legal Citation Requirement: **The State law or regulation requiring that all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are to be used for motorcycle training and safety programs.**

Legal Citation: **ORS 802.320**

Amended Date: **5/21/2015**

Citations

Legal Citation Requirement: **The State law or regulation requiring that all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are to be used for motorcycle training and safety programs.**

Legal Citation: **ORS 802.340**

Amended Date: **1/1/1994**

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Citations

Legal Citation Requirement: **The State law appropriating funds demonstrates that for the current fiscal year, for requiring all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are spent on motorcycle training and safety programs.**

Legal Citation: **ORS 802.320**

Amended Date: **5/21/2015**

Citations

Legal Citation Requirement: **The State law appropriating funds demonstrates that for the current fiscal year, for requiring all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are spent on motorcycle training and safety programs.**

Legal Citation: **ORS 802.340**

Amended Date: **1/1/1994**

Impaired driving (riding) program:

• In the Motorcycle Program section, planned activity M9MT-23-50-02, beginning with "Implement data-driven program activities including media, education, enforcement partnerships, and outreach designed to reach motorcyclists" and under the performance measures section beginning with "Maintain the average number of riders killed in motorcyclist crashes when they were impaired by alcohol and/or under the influence of drugs", performance measures and corresponding performance targets developed to reduce impaired motorcycle operation.

• In the Motorcycle Program section, planned activity M9MT-23-50-02 "2015-2019* ODOT-CARS Unit data – Impaired (Alcohol and or Drug) Fatality or Injury", and under the performance measure beginning with " Maintain the average number of riders killed in motorcyclist crashes when they were impaired by alcohol and/or under the influence of drugs", and under the countermeasure strategies beginning with "Implement data-driven program activities including media, education, enforcement partnerships, and outreach designed to reach motorcyclists and motorists in those jurisdictions where the incidence of motorcycle crashes involving an impaired operator is highest (i.e., the majority of counties or political subdivisions in the State with the highest numbers of motorcycle crashes involving an impaired operator) based upon State data," countermeasure strategies and planned activities demonstrating that the State will implement data-driven programs designed to reach motorcyclists and motorists in those jurisdictions where the incidence of motorcycle crashes involving an impaired operator is highest (i.e., the majority of counties or political subdivisions in the State with the highest numbers of motorcycle crashes involving an impaired operator) based upon State data.

Fiscal Year	Performance measure name	Target Period	Target Start Year	Target End Year	Target Value	Sort Order
2023	Impaired Driving (Riding)	Annual	2022	2023	28	

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Countermeasure Strategy
Training and Education for Motorcycle Safety

Unique Identifier M9MT-23-50-02	Planned Activity Name
405(f)	Statewide Services Program - Impaired Driving (Riding) Program, Motorcycle Rider Training,

Majority Of Counties Or Political Subdivisions In The State With The Highest Numbers Of Motorcycle Crashes Involving An Impaired Operator, Based Upon State Data, Sorted by 2020 (state) numbers.

County	2020 Total Fatal & Injury Crashes involving a Motorcycle Operator having BAC = 0.08 or higher or Using Drugs, with Casualties Limited to the Motorcycle Operator
Multnomah County, Oregon	11
Lane County, Oregon	5
Douglas County, Oregon	4
Washington County, Oregon	4
Clackamas County, Oregon	3
Clatsop County, Oregon	3
Deschutes County, Oregon	2
Hood River County, Oregon	2
Josephine County, Oregon	2
Linn County, Oregon	2
Marion County, Oregon	2
Columbia County, Oregon	1
Coos County, Oregon	1
Crook County, Oregon	1
Grant County, Oregon	1
Lincoln County, Oregon	1
Polk County, Oregon	1
Tillamook County, Oregon	1
Umatilla County, Oregon	1

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National Highway Traffic Safety Administration
Regional Operations and Program Delivery
Office of Grants Management and Operations

FY 2023 Motorcyclist Safety Grants Eligibility (23 CFR 1300.25)

FATALITIES IN MOTOR VEHICLE TRAFFIC CRASHES INVOLVING A MOTORCYCLE RIDER WITH BAC = .08+*
AND REGISTERED MOTORCYCLES, BY STATE AND YEAR
FATALITY ANALYSIS REPORTING SYSTEM (FARS) 2018-2019 FINAL
REGISTERED MOTORCYCLES - FEDERAL HIGHWAY ADMINISTRATION (FHWA)

State	Calendar Year					
	2018			2019		
	Total Fatalities in Crashes *Involving* a Motorcycle	Fatalities *Involving* a Motorcycle Rider With BAC = .08+	Registered Motorcycles	Total Fatalities in Crashes *Involving* a Motorcycle	Fatalities *Involving* a Motorcycle Rider With BAC=.08+	Registered Motorcycles
Oregon	85	24	133,760	57	19	134,899

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National Highway Traffic Safety Administration
Regional Operations and Program Delivery
Office of Grants Management and Operations

FY 2023 Motorcyclist Safety Grants Eligibility (23 CFR 1300.25)

MOTORCYCLIST FATALITIES IN MOTOR VEHICLE TRAFFIC CRASHES
AND REGISTERED MOTORCYCLES, BY STATE AND YEAR
FATALITY ANALYSIS REPORTING SYSTEM (FARS) 2019 FINAL
REGISTERED MOTORCYCLES - FEDERAL HIGHWAY ADMINISTRATION (FHWA)

State	Calendar Year		
	2019		
	Motorcyclist Fatalities	Registered Motorcycles	Motorcyclist Fatalities per 10,000 Registered Motorcycles
Oregon	57	134,899	4.23

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405(h) Nonmotorized safety grant

ASSURANCE: The State shall use the funds awarded under 23 U.S.C. 405(h) only for the authorized uses identified in § 1300.27(d).

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National Highway Traffic Safety Administration
Regional Operations and Program Delivery
Office of Grants Management and Operations

FY 2023 Nonmotorized Safety Grants Eligibility (23 CFR 1300.27)

MOTOR VEHICLE TRAFFIC FATALITIES, PEDESTRIAN & BICYCLIST FATALITIES AND FATALITY ANALYSIS REPORTING SYSTEM (FARS) 2019 FINAL

State	Total Traffic Fatalities	Pedestrian & Bicyclist Fatalities		
		Number	Percentage of Total Traffic Fatalities	Eligibility
Oregon	493	93	18.86%	Eligible

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1906 Racial profiling data collection grant

Racial profiling data collection grant

Application Type: **Official documents**

Official documents

Official documents that demonstrate that the State maintains and allows public inspection of statistical information on the race and ethnicity of the driver for each motor vehicle stop made by a law enforcement officer on all public roads except those classified as local or minor rural roads.

Law: **Yes**

Regulation: **No**

Binding policy directive: **No**

Letter from the Governor: **No**

Court order: **No**

Other: **No**

Enter other document type:

Each requirement below provides legal citations to demonstrate that the State statute meets the requirement:

Requirement Description	State citation(s) captured
Law(s) that demonstrate that the State maintains and allows public inspection of statistical information on the race and ethnicity of the driver for each motor vehicle stop made by a law enforcement officer on all public roads except those classified as local or minor rural roads.	*HB 2355 79th Oregon Legislative Assembly—2017*

Citations

Legal Citation Requirement: **Law(s) that demonstrate that the State maintains and allows public inspection of statistical information on the race and ethnicity of the driver for each motor vehicle stop made by a law enforcement officer on all public roads except those classified as local or minor rural roads.**

Legal Citation: **HB2355**

Amended Date: **8/15/2017**

Official documents that demonstrate that the State maintains and allows public inspection of statistical information on the race and ethnicity of the driver for each motor vehicle stop made by a law enforcement officer on all public roads except those classified as local or minor rural roads.

Supporting Documents
HB 2355 Enrolled.pdf
Attachment B.pdf

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HB 2002 Work Group on the Prevention of Profiling by Law Enforcement

Report to the Legislature

December 1, 2015

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INTRODUCTION

When any part of the American family does not feel like it is being treated fairly, that's a problem for all of us. It's not just a problem for some. It's not just a problem for a particular community or a particular demographic. It means that we are not as strong as a country as we can be. And when applied to the criminal justice system, it means we're not as effective in fighting crime as we could be.

-President Barack Obama
December 2014

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WORK GROUP ON THE PREVENTION OF PROFILING BY LAW ENFORCEMENT

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INTRODUCTION

Overview

Profiling by law enforcement is a long-standing and deeply troubling national problem that occurs when law enforcement targets people of color and other specific populations for criminal investigation solely because of their race, ethnicity, national origin, religion, or other characteristics bearing no relation to their criminality. When it occurs, profiling is profoundly damaging to both law enforcement and the communities they serve. Profiling alienates the community from law enforcement, causes law enforcement to lose credibility and trust, and discourages community members from relying on law enforcement for help and protection. This, in turn, deters the investigation and prosecution of criminal activity by making witnesses more reluctant to come forward, and generally makes policing harder, less rewarding, and less credible in the eyes of the public.

In their 2004 Report, *Threat and Humiliation*, Amnesty International USA offered national polling numbers on racial profiling based on very broad parameters including searches at airports and negative interactions with private security personnel at shopping stores. This report concluded that approximately thirty-two million Americans, a number equivalent to the population of Canada, report that they have at some point been profiled.[1]

At the national level, the U.S. Department of Labor's Bureau of Justice Statistics reports that for the year 2005, the most recent data available, "[p]olice actions taken during a traffic stop were not uniform across racial and ethnic categories."

- Black drivers (4.5%) were twice as likely as White drivers (2.1%) to be arrested during a traffic stop, while Hispanic drivers (65%) were more likely than White (56.2%) or Black (55.8%) drivers to receive a ticket.
- Whites (9.7%) were more likely than Hispanics (5.9%) to receive a written warning, while Whites (18.6%) were more likely than Blacks (13.7%) to be verbally warned by police.
- Black (9.5%) and Hispanic (8.8%) motorists stopped by police were searched at higher rates than Whites (3.6%).
- The "likelihood of experiencing a search did not change for Whites, Blacks, or Hispanics from 2002 to 2005.[2]

The Legislature's Charge to the Work Group

On July 13, 2015, Governor Kate Brown signed into law House Bill 2002, which created a prohibition against profiling by law enforcement in Oregon. In doing so, Oregon became the 31st state to explicitly prohibit this conduct by statute. House Bill 2002 introduces a new definition

[1] Benjamin Jealous and Niaz Kasravi, *Threat and Humiliation: Racial Profiling, Domestic Security, and Human Rights in the United States* (Amnesty Int'l USA, 2004); http://www.amnestyusa.org/sites/default/files/rp_report.pdf
[2] "Contacts Between Police and the Public, 2005," U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics Special Report, at http://bjs.ojp.usdoj.gov/content/pub/ascii/cpp05.txt.

of profiling unique to the state of Oregon. This definition, by any measure one of the nation's broadest and most inclusive, defines "profiling" as occurring when:

> "[A] law enforcement agency or a law enforcement officer targets an individual for suspicion of a violating a law solely on the real or perceived factor of the individual's age, race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, homelessness or disability, unless the agency or officer is acting on a suspect description or information related to an identified or suspected violation of a provision of law."[3]

House Bill 2002 also created a Law Enforcement Profiling Work Group consisting of 10 members and to be chaired by the Attorney General. The Work Group, appointed in equal measure by the Governor, President of the Senate, and Speaker of the House of Representatives, is asked to:

> "(a) Propose a process to identify any patterns or practices of profiling as defined [above].
> (b) Identify methods to address and correct patterns or practices of profiling.
> (c) Prepare a report identifying any statutory changes needed, including recommendations for legislation, to the interim committees of the Legislative Assembly related to the Judiciary no later than December 1, 2015."[4]

This report will describe the work of each topical subgroup as endorsed by the full Work Group, and includes broad consensus recommendations for specific policy provisions appropriate for legislative consideration. It is the unanimous recommendation of all members that the Work Group be extended through 2017 to provide the concepts outlined within this report an opportunity for additional development and consideration prior to introduction as Legislative Concepts in the 2017 session.

History and Scope of the Work Group

The Work Group was appointed on August 21, 2015, and met for the first time on September 14th. In assessing the scope of the work necessary to provide meaningful legislative recommendations, the Work Group elected to form three policy subgroups as follows:

(1) The Subgroup on Law Enforcement Response (LER), chaired by Michael Slauson, Special Counsel on Public Safety for the Department of Justice.
(2) The Subgroup on Accountability and Monitoring (AMS), chaired by Erious Johnson, Civil Rights Director for the Department of Justice.
(3) The Subgroup on Data (DAT), chaired by Aaron Knott, Legislative Director for Department of Justice.

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3 HB 2002 § 1(3).

4 Oregon House Bill 2002 § 1(3); (2015).

The members of the Work Group met in various combinations eleven times between August 21 and December 1. The full Work Group met on September 21, October 14 and November 17. Each of the three subgroups met twice. In addition, the Work Group hosted two opportunities for public comment, in Portland on October 27 and Medford on November 5.

Procedural Justice

The Work Group considered the formation of a fourth subgroup, which would have related broadly to issues of procedural justice, a category meant to include the specific mechanisms by which acts of profiling occur, including but not limited to the excessive use of searches of vehicles, consent searches, and other procedural mechanisms. The Work Group ultimately determined that while these mechanisms bear direct relation to the most negative effects of profiling in the form of disparate rates of incarceration and arrest among certain populations, the rigid time constraints imposed by House Bill 2002 did not allow for a full exploration of this complex subject matter. It is worth noting, however, that any full examination of the consequences of profiling should eventually include an analysis of the procedural mechanisms by which certain people are arrested, prosecuted and convicted at a higher frequency than others.

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RECOMMENDATIONS

The Work Group on the Prevention of Profiling by Law Enforcement should be extended to 2017. The Work Group will use that time to develop and finalize legislative concept language which shall endeavor to do the following:

- **IMPROVE TRAINING.** The adequacy of training on the recruit, management, and in-service levels should be examined in light of HB 2002. Opportunities to coordinate with the community in the development of curriculum should be explored. One common curricula provided by the Department of Public Safety Standards and Training (DPSST) should be implemented via regional trainings.

- **IMPROVE LAW ENFORCEMENT RESPONSIVENESS.** Law enforcement should be obligated to respond to a complaint of profiling with a statement explaining the ultimate disposition of the complaint. The response should be made within a reasonable time following the conclusion of the investigation and contain basic information about the resolution of the complaint.

- **PROVIDE COMPLAINT INVESTIGATION INFORMATION TO THE LECC.** Under HB 2002, all profiling complaints are required to be shared with the Law Enforcement Contacts Policy & Data Review Committee (LECC). However, there is no requirement that the final disposition of the complaint be shared with the LECC. This should be changed; law enforcement should provide standardized information to the LECC as to the ultimate disposition of a complaint, and the steps taken to investigate it.

- **PROMULGATE MODEL POLICIES.** The Chiefs of Police, Sheriffs, District Attorneys, LECC, and Attorney General should work together to craft a policy framework for prohibiting profiling under HB 2002's expanded definition, for filing complaints, for submitting all received complaints to the LECC, for establishing model timelines for the investigation of profiling complaints, and for facilitating the complaint process. This would accelerate and make more uniform the implementation of HB 2002 across all levels of law enforcement.

- **DEVELOP AN ACCOUNTABILITY STRUCTURE BETWEEN THE CIVIL RIGHTS DIVISION OF THE DEPT. OF JUSTICE, THE LECC AND LAW ENFORCEMENT.** All aggregated complaint data, along with any stop data collected, should be forwarded to the Civil Rights Division of the Oregon Department of Justice (ODOJ) by the LECC. If ODOJ sees evidence of a pattern or practice of profiling, they will enter into a collaborative discussion with the law enforcement body and provide technical guidance similar in nature to the recommendations offered by the US Dept. of Justice in the Federal system. If attempts at collaboration fail, ODOJ will publish the existence of a suspected pattern or practice of profiling, as well as any guidance provided and any steps taken at remediation. This report would be distributed to the Legislature,

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Governor, county or city where the law enforcement body resides, and the US Dept. of Justice.

- **REQUIRE THE COLLECTION OF STOP DATA WITHIN DESIGNATED PARAMETERS.** Stop data should be collected as broadly as possible without unduly burdening local law enforcement agencies. This data should be collected in a way that does not imperil the safety of individual officers or violate collective bargaining obligations already in place. This data should be forwarded by the LECC to the Civil Rights Division of the Oregon Department of Justice to assist with investigations of patterns or practices of profiling as detailed above.

- **REQUIRE THE LECC TO GENERATE AN ANNUAL REPORT.** The stop and complaint data collected should be synthesized into a publicly accessible report meant to analyze trend data, isolate and explore best practices, and provide policy makers, law enforcement and the public with tools to inform their decision making around law enforcement policy development. The LECC already has this expertise, but it may need to be enhanced.

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LAW ENFORCEMENT RESPONSE

Overview

The Law Enforcement Response (LER) subgroup members are District Attorney John Haroldson, Anil Karia, Sheriff Jason Myers, Brook Rinehard, and Irma Valdez, and the subgroup is chaired by Michael Slauson, Special Counsel on Public Safety for the Oregon Department of Justice. LER's purpose was to identify proactive approaches that law enforcement agencies could employ to prevent and respond to instances of police profiling. The group met at the Oregon Attorney General's office in Salem on October 12, 2015, and again on November 3, 2015.

Training

As defined in HB 2002 (2015), "profiling" occurs when:

> "[A] law enforcement agency or a law enforcement officer targets an individual for suspicion of a violating a law solely on the real or perceived factor of the individual's age, race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, homelessness or disability, unless the agency or officer is acting on a suspect description or information related to an identified or suspected violation of a provision of law."[5]

LER recognized that HB 2002 broadly defined profiling to include identifying traits such as political affiliation and homelessness.[6] The members quickly identified training as an integral component of any law enforcement response to profiling. The expanded definition of profiling in HB 2002 will require law enforcement to consider the impact police practices may have on classes of individuals not traditionally identified as targets of profiling while simultaneously

[5] Oregon House Bill 2002 § 5(2); (2015).

[6] By contrast, the anti-profiling laws in many other states are limited to protected classes, such as race, religion, ethnicity, national origin, and gender. *See, e.g.*, Alaska House Joint Resolution 22 (2003) (race, religion, ethnicity, or national origin); Ark. Code Ann. §§ 12-12-1403 (race, ethnicity, national origin, or religion); Colo. Rev. Stat. 24-31-309 (race, ethnicity, age, or gender); Conn. Gen. Stat. §§ 54-1m (race, color, ethnicity, age, gender or sexual orientation); Ky. Rev. Stat. Ann. § 15A.915 (race, color, or ethnicity); Md. Code Ann., Transp. §25-113 (race or ethnicity); Minn. Stat. § 626.8471 (race, ethnicity, or national origin); Montana 44-2-117 (racial or ethnic status); Nebraska Revised Statute §§ 20-502 and 503 (race, color, or national origin); NV Rev Stat § 289.820 (2013) (race, ethnicity or national origin); Oklahoma 22 O.S. § 34.3 (racial and ethnic status); R.I. Gen. Laws § 31-21.2-2 (race, ethnicity, or national origin); Tenn. Code Ann. § 38-1-502 (actual or perceived race, color, ethnicity, or national origin); W. Va. Code §30-29-10 (race, ethnicity, or national origin). On the other hand, other states, like HB 2002, include identifying characteristics other than protected classes. *See, e.g.*, NM Stat § 29-21-2 (2013) (race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, physical or mental disability or serious medical condition). And some states, such as California, do not limit the scope of profiling to specific classifications at all. *See, eg.*, Cal. Penal § 13519.4 (defining profiling as, "the practice of detaining a suspect based on a broad set of criteria which casts suspicion on an entire class of people without any individualized suspicion of the particular person being stopped").

calling into question the adequacy of older training methods based on a narrower definition. Moreover, continued training on profiling-based topics increases cultural awareness and helps to illuminate implicit biases.

Implicit bias is "the relatively unconscious and relatively automatic features of prejudiced judgment and social behavior."[7] Implicit biases related to race have been found to impact decision making by police officers in the field, whether in shooter situations or conducting traffic stops.[8] Such biases, although often unintentional, clearly contribute to present racial disparities in the criminal justice system.[9] While implicit bias in law enforcement has received the majority of the attention by the public in recent years, ample evidence has demonstrated implicit biases in nearly all professions, ranging from strike-zone judgments made by Major League Baseball umpires,[10] employer hiring decisions,[11] how teachers pay attention to students in the classroom[12], and recommendations for cancer screenings made by physicians.

The implicit bias of community members can have a profound impact on law enforcement. Community members who initiate a call of suspicious activity can do so more quickly when observing a person from a demographic against which they harbor a bias. This leads a law enforcement interaction which has a basis in community bias, but not the bias of the law enforcement officer.

Implicit biases are malleable, and can be unlearned.[13] The effectiveness of implicit bias training further demonstrates its impact. More than 20% of all large U.S. employers utilize implicit bias training. These trainings show consistent benefit in the awareness and reduction of implicit biases.[14]

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[7] Brownstein, Michael, "Implicit Bias", *The Stanford Encyclopedia of Philosophy* (Spring 2015 Edition), Edward N. Zalta (ed.), http://plato.stanford.edu/archives/spr2015/entries/implicit-bias/.

[8] Stewart, S. G., & Covelli, E. (2014). STOPS DATA COLLECTION:The Portland Police Bureau's response to the Criminal Justice Policy and Research Institute's recommendations. http://www.portlandoregon.gov/police/article/481668.

[9] James, L., Klinger, D., & Vila, B. (2014). Racial and ethnic bias in decisions to shoot seen through a stronger lens: experimental results from high-fidelity laboratory simulations. Journal of Experimental Criminology, 10(3), 323–340.

[10] King, B., & Kim, J. "What Umpires Get Wrong," The New York Times (2014) http://www.nytimes.com/2014/03/30/opinion/sunday/what-umpires-get-wrong.html.

[11] Bertrand, M., Chugh, D., & Mullainathan, S. (2005). Implicit Discrimination. The American Economic Review, 95(2), 94–98; Carlsson, M., & Rooth, D.-O. (2007). Evidence of Ethnic Discrimination in the Swedish Labor Market Using Experimental Data. Labour Economics, 14(4), 716–729.

[12] Kumar, R., Karabenick, S. A., & Burgoon, J. N. (2014). Teachers' Implicit Attitudes, Explicit Beliefs, and the Mediating Role of Respect and Cultural Responsibility on Mastery and Performance-Focused Instructional Practices. Journal of Educational Psychology.

[13] Blair, I. V. (2002). The Malleability of Automatic Stereotypes and Prejudice. Personality and Social Psychology Review, 6(3), 242–261; Roos, L. E., Lebrecht, S., Tanaka, J. W., & Tarr, M. J. (2013). Can Singular Examples Change Implicit Attitudes in the Real-World? Frontiers in Psychology, 4(594), 1–14.

[14] Lebrecht, S., Pierce, L. J., Tarr, M. J., & Tanaka, J. W. (2009). Perceptual Other-Race Training Reduces Implicit Racial Bias. PLoS One, 4(1), e4215; Hilliard, A. L., Ryan, C. S., & Gervais, S. J. (2013). Reactions to the Implicit Association Test as an Educational Tool: A Mixed Methods Study. Social Psychology of Education, 16(3), 495–516.

The group agreed that an evidence-based, consistently implemented statewide training program housed within the Department of Public Safety Standards and Training (DPSST) would be the most effective method of assuring consistency across the state, as many smaller law enforcement agencies simply lack the resources to independently develop an appropriate training curriculum.

Currently, DPSST requires each police officer to undergo 84 hours of maintenance training every three years, including specific required topical trainings, such as training on firearms or the use of force.[15] The group proposes that DPSST mandate at least 4-hours of maintenance training for each officer on the topic of police profiling. Because this training would be mandatory, the group strongly suggests that such training be provided regionally by DPSST so as not to impose unnecessary hardships on smaller agencies with limited resources, and to ensure consistency across trainings. The goal of this proposal is to ensure that *all* officers receive consistent training.

LER's second meeting began with a presentation by DPSST Deputy Director Todd Anderson, who gave an overview of the relevant training available at DPSST to new recruits at the basic policy academy and to those in leadership positions. The following is a list of the relevant training options currently provided:

Basic Police Academy Training (Mandatory):

- History of Policing (4 hrs)
  Topics: Historical mistrust of authority, establishing legitimacy

- Ethics and Professionalism (10 hrs)
  Topics: Non-conscious behavior patterns, social influences, ethical decision making

- Cultural Awareness and Diversity (8 hrs)
  Topics: Cultural and interpersonal dynamics that influence values, attitudes, and beliefs

- Tactical Communication (8 hrs)
  Topics: Practicing empathy and procedural justice, creating positive interactions

- Community Policing and Problem Solving (6 hrs)
  Topics: Building community partnerships and engagement, service-oriented policing

Basic Police Academy Training (Optional):

- Tactical Ethics I: Perspectives on Profiling (4 hrs—Provided by the LECC)
  Topics: Legal and ethical boundaries of police profiling; bias-free decision making

Leadership Academy Training:

[15] OAR 259-008-0065(2)(c) provides, in part: "All active police officers must complete a total of at least eighty-four (84) hours of agency approved training every three (3) years."

- Ethical Leadership (8 hrs)
  Description: Students are required to complete two Implicit Association Tests (IATs). The tests are designed to measure a person's attitudes and beliefs about issues such as race or gender, even when that person is unwilling or unable to disclose those attitudes or beliefs. The course helps students recognize their intuitive biases, how those biases may influence their behavior, and how to engage in unbiased behaviors.

- Legitimacy and Procedural Justice (2 hrs)
  Description: This course includes a discussion across multiple public-safety disciplines regarding (1) impartial treatment and service, (2) preserving neutrality, dignity, and respect, and (3) fair, efficient and effective use of authority.

On its own initiative, DPSST plans to develop additional basic academy training in the areas of implicit bias, cultural competency, and community-police relations to complement trainings already being provided. Mr. Anderson also discussed DPSST's plans to make the Tactical Ethics class *required* for all basic academy students. He also noted that DPSST is developing a 16-hour instructor-level training course in collaboration with the Oakland, California Police Department. The course would make use of the growing body of research on how to improve community-police relations, and will include the involvement of community members in the training. This new training provides an opportunity to improve statewide law enforcement fluency with the language required by HB 2002. If extended, it is the intent of the Work Group to attend these trainings and incorporate any observations into the legislative recommendations to be returned in 2017.

LER noted that much of the current training is focused on those just beginning their law enforcement careers and, to a somewhat lesser extent, those in leadership roles. There appeared to be little or no mandatory training regarding profiling or police bias for senior officers who were not in management. The Work Group recommends that the Legislature fund training in the areas of implicit bias and cultural competency across three levels - recruit training, continuing in-service training, and management training.

During the Public Comment Hearings held in Portland and Medford, Work Group members heard consistently that any statewide training needs to be developed with opportunities for meaningful community input as to the curriculum used and training methods provided. This opportunity merits further exploration. A curriculum developed in isolation risks illegitimacy in the eyes of the community members it works to protect, and hazards missing or misunderstanding cultural dynamics essential to reducing incidents of profiling. If the Work Group is permitted to extend our work, additional Public Comment Hearings will be scheduled in other areas of the state not previously reached.

Complaint Responsiveness

The Work Group heard complaints during both Public Comment periods regarding a failure by law enforcement agencies to respond to complaints of profiling. An individual would experience what they perceived to be a profiling incident, respond by initiating a complaint with that law enforcement agency, and receive no information about the final disposition of their complaint: It

would simply disappear. All Work Group members agreed that this practice is unacceptable. HB 2002 requires all complaints to be shared with the LECC as it is received, but requires no ultimate statement of disposition to be shared with the LECC or the complainant. The Work Group recommends that law enforcement agencies be obligated to submit a basic statement of the final disposition of any complaint to both the LECC and the complainant.

The Work Group considered recommending a specific time period to be required by statute but ultimately rejected this approach as inflexible. While many complaints of profiling can be resolved quickly, a small subset can lead to further actions including disciplinary actions subject to administrative appeal and, in the extreme case, criminal prosecution. As such, the Work Group recommends that a response be required within "a reasonable period following the conclusion of any investigation."

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ACCOUNTABILITY & MONITORING

Overview

The Accountability and Monitoring subgroup (AMS) consists of Kayse Jama, Sheriff Jason Myers, Kimberly McCullough, Anil Karia, and Chief John Teague, and is chaired by Erious Johnson, the Civil Rights Director for the Department of Justice. The group met on October 13, 2015 and November 3, 2015, at the Oregon Department of Justice offices located in Portland.

AMS members who represented community stakeholders expressed concerns around law enforcement's current practice of conducting its own investigations into alleged police profiling practices. Although these members saw the Attorney General's involvement as a means of addressing these concerns, they stressed the need for transparency and public awareness of any actions taken or results reached.

The Role of the Attorney General and the "Home Rule" Doctrine

The work of the AMS opened with a discussion of the state statutes governing profiling which contemplate some role for the Attorney General. Early drafts of HB 2002 contemplated that the Attorney General would "take action as the Attorney General deems appropriate" to prevent patterns or practices of profiling.[16] This language derived from a New Mexico statute which asks its Attorney General to investigate and punish allegations of profiling as "deemed appropriate."[17] AMS then considered the range of powers available to the Attorney General in this context.

AMS identified two significant factors that must be respected when crafting a system of Accountability and Monitoring: First, that the Attorney General is a statutory, rather than constitutional, office. This means that her power and duties are derived from statute, which may be expanded only through legislative action. Second, that the doctrine of "Home Rule" prevents the Attorney General from determining the law enforcement practices of Oregon's counties and municipalities. Each individual locality, municipality and city within Oregon has the constitutional authority to tend to its own affairs free of state legislative interference outside of narrow parameters. The Oregon Attorney General has no *de facto* jurisdiction over local law enforcement.

a. Statutory vs. Constitutional Grant of Authority

Oregon is one of five states whose Attorney General's office is not established by constitution.[18] This office is a purely statutory construct, created by legislative action in 1891. As such, the

[16] HB 2002 (Introduced). § 1(2)(c).
[17] *See* N.M. Stat. Ann. § 29-21-4 (2013).
[18] Oregon Department of Justice Administrative Overview 1 (2007), available at http://arcweb.sos.state.or.us/doc/recmgmt/sched/special/state/overview/20060011dojadov.pdf

Oregon Attorney General has "powers, duties and discretion grounded on the best reading of the law rather than self-serving readings" of a constitution.[19] In order for the Attorney General to invoke the power to monitor law enforcement agencies' anti-profiling efforts, or otherwise hold them accountable for failing to properly execute this function, she must be able to "invoke powers arising from state law."[20] The Oregon Attorney General's specific powers and duties are set out in ORS Chapter 180 and do not allow for supervision over non-state actors. In the absence of a specific delegation of authority, the doctrine of Home Rule sets the presumption of authority in favor of counties and municipalities to govern their own affairs.

b. Home Rule

Home rule is a term that is frequently used but which has a multiplicity of definitions. The U.S. Bureau of the Census defines home-rule local governments as "those governments in which the form and the organization of the government is specified by a locally-approved charter rather than by a general or specific state law." There are other definitions of home rule which allow for a broader use of local power. For instance, the now-defunct U.S. Advisory Commission on Intergovernmental Relations reaches beyond the powers of organization, adding to the definition of local discretionary authority the issues of self-function, employment conditions, taxing and finances.[21]

Oregon's home rules are located in its constitution at Article IV § 1(5), which states that "[t]he initiative and referendum powers reserved to the people … are further reserved to the qualified voters of each municipality and district as to all local, special and municipal legislation of every character in or for their municipality or district." And at Article XI, § 2, which states that "[t]he Legislative Assembly shall not enact, amend or repeal any charter or act of incorporation for any municipality, city or town. The legal voters of every city and town are hereby granted power to enact and amend their municipal charter, subject to the Constitution and criminal laws of the State of Oregon …" Although these are two separate provisions, creating two separate powers, courts have held that they must be read in unison to create Oregon's home rule authority.[22]

The initial intent of these provisions "was to create 'free cities' that could tend to the local needs of citizens and serve as units of governmental experimentation."[23] Based on this premise,

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[19] Neal Devins & Saikrishna Bangalore Prakash, *Fifty-State, Fifty-Attorneys General, and Fifty Approaches to the Duty to Defend,* 124 Yale L.J. 2100, 2121 (2015).

[20] *Id*. at 2119.

[21] League of Oregon Cities, *Home Rule in Oregon Cities: 100 Years in the Making 1906-2006* 1 (2006), available at http://www.orcities.org/Portals/17/Premium/HomeRule06newcover2012.pdf (citing to National League of Cities, "*How many home rule cities are there in the U.S.?*," p. 1.; Advisory Commission on Intergovernmental Relations (ACIR), *Measuring Local Discretionary Authority* (Washington DC: 1981), p. 1., respectively).

[22] *See*, *e.g*., *Rogue Valley Sewer Services v. City of Phoenix***,** 357 Or. 437, 445 (2015 (stating that "[h]ome rule is the authority granted to Oregon's cities by Article XI, section 2, and Article IV, section 1(5), of the Oregon Constitution—adopted by initiative petition in 1906—to regulate to the extent provided in their charters"); *see also id*. at 443 (stating that "'home rule' has been described as the 'political symbol' for the objectives of local authority").

[23] *Home Rule*, *supra* n. 12, at 3 (citing to Orval Etter, *Municipal Home Rule in Oregon* (Eugene, OR: University of Oregon, 1991), at 53; *see also City of La Grande v. PERS*, 281 Or 137, 171 (1978) (stating that "[w]hile there may be some virtue in a more specific definition of the nature and scope of the matters subject to a constitutional grant of

coupled with the statutory framework our Attorney General must adhere to, it is necessary to create a model of Accountability and Monitoring that satisfies the concerns of the populace without intruding on the sovereignty of local municipalities. It is not sufficient to ask the Attorney General to take action as she "deems necessary." Without a specific grant of authority, this language is meaningless. AMS attempted to craft recommendations within these restrictions.

The Promulgation of Model Policies

AMS members agreed that the Attorney General's office should work in collaboration with the Chiefs of Police, Sheriffs, District Attorneys and LECC to develop model policies and procedures for: prohibiting profiling[24], receiving profiling complaints[25]; submitting complaints to the LECC[26]; and investigating profiling complaints.[27] This collaboration should extend to developing a process to identify any patterns or practices of profiling, and to identify methods to address and correct patterns or practices of profiling.[28] It is the group's strong belief that such an approach would assure swift and uniform implementation of the requirements of HB 2002. Law enforcement accreditation agencies also provide model policy language to prohibit bias-based policing and ensure effective and prompt investigation of profiling complaints.[29] If our work is extended, the Work Group intends to monitor, though not direct, the development of model policies and reevaluate the efficacy of that process prior to advancing finalized legislative recommendations.

The group also discussed requiring all policies and procedures required by HB 2002 to be forwarded to the LECC, or, alternatively, to provide the LECC with the ability to periodically request and archive them. Developing a sole repository for these policies allows for meaningful side-by-side comparisons and provides the public with a meaningful transparency mechanism. Law enforcement policies and procedures are periodically revised to maintain contemporaneity with best practices and other legal developments – while the group stopped short of endorsing that all revisions must be sent to the LECC immediately upon promulgation, the LECC should receive from all law enforcement agencies documentation sufficient to establish that the agency has satisfied their burden to adopt a policy prohibiting profiling as required by HB 2002.[30]

"home rule" to cities, in the absence of specific definitions or other terms as set forth in a constitutional home rule amendment, the courts have usually declined to attempt to specify such matters by "judicial fiat," but have usually held, as in Oregon by Welch, Heinig and Woodburn, that the purpose of amendments in such broad terms was to make a grant to cities of exclusive power to legislate as to all matters of "local concern," except for those courts which have adopted a rule of "legislative supremacy" as to all matters").

[24] HB 2002 § 2(1)(a).

[25] *Id*. at § 2(1)(b).

[26] *Id*. at § 2(1)(c).

[27] *Id*. at § 2(1)(e).

[28] *Id*. at § 5(2)(a), (b).

[29] *See* Oregon Accreditation Alliance Model Policy 1.2.5 – Bias-Based Policing Changes (11/11/15)

[30] House Bill 2002 § 2 (2015)

LECC Review of Internal Investigation Data

AMS members discussed letting the LECC review individual complaint files. The group decided that a case-by-case audit of specific decisions made by internal investigations was not as important as ensuring that the internal investigative process was itself grounded in fairness and adequacy. The group recommended the development of generating a "checklist" of basic procedural steps which should be considered minimally necessary for any LECC investigation of a profiling complaint.[31]

Under this proposal, upon the conclusion of the investigation of a profiling complaint, law enforcement would be required to forward a statement of resolution to the LECC affirming that minimum procedural steps were followed.

This list would be inclusive of but not limited to:

- A form affirming that the checklist was followed.
- The number of biased-based policing complaints received.
- The date each biased-based policing complaint is filed.
- Any action taken in response to each biased-based policing complaint.
- The date of any action taken.
- The disposition of each biased-based policing complaint.
- The date each biased-based policing complaint is closed.
- Whether the complainant was notified as to the ultimate disposition of the investigation.
- Whether or not the law enforcement officer(s) involved received required anti-profiling/bias training.
- Whether the agency involved has a policy prohibiting biased-based policing.
- Whether the agency involved has a policy mandating specific discipline for sustained complaints of biased-based policing.
- Whether the agency involved has a community advisory board.
- Whether the agency involved has an anti-biased-based policing comprehensive plan or if it collects traffic or pedestrian stop data.

DOJ Use of Complaint Data

AMS members proposed a system of responding to patterns or practices of profiling revealed by the data collected and forwarded by the LECC. The process is intended to mirror that used by

[31] Kansas was later discovered to have taken the same approach. *See* K.S.A. § 22-4610(d)(2)(A)-(J).

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the Civil Rights Department of the USDOJ while recognizing that many of the remedies available in Federal law are not available under Oregon statute.[32] At the same time, the proposed process is driven by a desire to encourage collaboration, cooperation, transparency and efficiency amongst all concerned, especially between the LECC, ODOJ, and law enforcement.

1. The LECC collects complaint data pursuant to the "checklist". [33]
2. The LECC forwards the data to ODOJ in a form as yet to be determined. This data will be published to the public.
3. ODOJ surveys the data and identifies any patterns which require further examination, and notifies the law enforcement agency to whom the data pertains as to what examination is occurring, and why. [34]
4. If necessary, ODOJ may request additional information from the LECC to properly evaluate the data or asses any anomalies. This may include, but is not limited to, reviewing LECC Annual Reports, LECC Data Review Minutes, LECC Full Minutes, profiling complaints, and interviewing witnesses or complainants.
5. If the data suggest the possibility of a "pattern or practice" of profiling activity, ODOJ will initiate a dialogue with the relevant agency.[35] This dialogue is meant to allow the agency to provide an explanation or, if necessary, for ODOJ to offer technical guidance on how to remedy the issue. [36] This dialogue may also include discussions of the time frame during which the agency can implement ODOJ's suggestions.[37]
6. The final stage involves ODOJ evaluating the agency's response. If the agency made a good faith effort to implement the suggested guidance—or provides a valid explanation for why such guidance is inapplicable—ODOJ may issue a public statement indicating its findings, as well as the agency's satisfactory response. If the agency fails to take meaningful steps toward remediation, the Civil Rights Division of the Department of

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[32] Police Executive Research Forum, *Critical Issues in Policing Series – Civil Rights Investigations of Local Police: Lesson Learned, Summary; U.S. Justice Department Oversight of Local Police* 5 (July 2013) (describing DOJ's limited role as "investigat[ing] police agency policies that violate the Constitution, or multiple incidents that amount to a "pattern or practice" of conduct that deprives people of their Constitutional rights"), *available at* http://www.policeforum.org/assets/docs/Critical_Issues_Series/civil%20rights%20investigations%20of%20local%20police%20-%20lessons%20learned%202013.pdf.

[33] Police Executive Research Forum, *Critical Issues in Policing Series – Civil Rights Investigations of Local Police: Lesson learned, DOJ's Role in Ensuring Constitutional Policing* 10 (July 2013) (Jonathan Smith, Chief, DOJ Civil Rights Division, Special Litigation Section stating that "[t]he first step in the process is to open a preliminary investigation, which means nothing more than an entry in a computer").

[34] *Id*. at 10 (finding that "In a small subset of these cases, there will be indicators that there is something very serious going on … .").

[35] *Id*. at 11 (stating that "[w]e encourage departments to work with us during the investigative process").

[36] *Id*. at 11 (Prince George's County, MD Deputy Chief Hank Stawinski stating that "[a]s we negotiated with the Justice Department, DOJ didn't say, "You have to do A, B, and C." Rather, they said, "You have to live up to certain Constitutional standards," and we had to find a way to tailor those standards to policing in Prince George's County while remaining effective").

[37] *Id*. at 9 (Elizabeth Township Police Chief Bob McNeilly stating that "I tell officers that we have to fix things ourselves, and if we don't, somebody else like the Justice Department is going to come along and fix them for us").

Justice may recommend to the Attorney General that she certify the existence of a "pattern or practice" of profiling. This statement would be released to the budgetary/supervisory authority responsible for the law enforcement agency – a city council for municipal police, a county commission for sheriffs – in addition to the Senate President, Speaker of the House, Governor and US DOJ. This document would contain the formal declaration of the Attorney General that a "pattern or practice" of profiling had been identified, and would enumerate the recommendations provided to law enforcement and the extent to which those recommendations were not followed, and any additional steps taken by the agency. This document would be disclosed to the public.

House Bill 2002 requires a determination of a "pattern or practice" of profiling by law enforcement.[38] This term is not otherwise defined. The use of the term "pattern or practice" carries a specific meaning under Federal law. Under the Federal system, a finding of a "pattern or practice" of profiling suggests a specific process and the existence of remedies which have no equivalent under state law and which cannot be replicated by the work of this Work Group. The Work Group will continue to consider whether this term is appropriate and fully functional under Oregon law.

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[38] Oregon House Bill 2002 § 5(2)

DATA

Overview

The Subcommittee on Data (DAT) is composed of District Attorney John Haroldson, Kayse Jama, Kimberly McCullough and Constantine Severe, and is chaired by Aaron Knott, Legislative Director for the Oregon Department of Justice. DAT convened on October 2 at the Department of Justice offices in Portland and November 4 at the Department of Justice offices in Salem. At the November 4 meeting, DAT received presentations regarding the existing collection of data from Chief Jonathan Sassaman of the Corvallis Police Department, Chief Pete Kerns of the Eugene Police Department and Dr. Brian Renauer of the LECC.

Analyzing racial disparities in policing data has been a recognized policy tool for at least twenty years, though this methodology is not evenly deployed across either the State of Oregon or nationally. Although there is widespread public support for the equitable treatment of all individuals across all demographics, recent headlines have sharpened the debate about the adequacy of existing data reflecting law enforcement contacts with the public. Without clear data regarding who is being stopped by law enforcement, who is being cited, who is being subjected to a search, and who is being let off with a warning, any description of the nature and scope of law enforcement activity is inevitably partial. At the same time, the vastly varied activities of law enforcement agencies are not easily reducible to easily isolated data points from which broad conclusions may accurately be drawn.

Among those states that have crafted statutory responses to the question of profiling by law enforcement, the majority require law enforcement officers to gather and retain data related to their interactions with the public. Sixteen states mandate some degree of collection of stop data by statute, in addition to dozens of municipalities and counties around the country who have required the collection of this data on their own initiative. While these provisions all share the common quality of requiring some quantum of data relating to the frequency and character of "stops" – generally defined as a temporary restraint of a person's liberty by a police officer lawfully present,[39] they are otherwise diverse as to the scope of the data to be collected and the matter in which it may be used.

Oregon law does not currently require the collection of stop data. In the aftermath of the passage of House Bill 2002, data regarding profiling complaints must be sent to the Law Enforcement Contacts Policy and Data Review Committee (LECC). This will consolidate complaint data within a single public body. Aggregated complaint data is not exceptionally useful in isolation. Complaint data alone provides no benchmark for the normal conduct of law enforcement against which a complaint or pattern of complaints could be measured. Consider the following example:

> *Officer A is the subject of seven complaints, all by Hispanics, during a one year period. Officer B is the subject of four similar complaints during the same period.*

[39] Ore. Rev. Stat § 131.605(7).

Without any additional contextual data, it would appear that Officer A may be engaging in conduct which is attracting complaints at a significantly higher rate of frequency than Officer B. Without additional context, a reviewer of the complaint data might not realize that Officer B is receiving complaints from a far higher relative proportion of the Hispanics with whom he interacts than Officer A, as Officer A works in an area with a significantly larger Hispanic population than Officer B.

By its very nature, complaint data is generated only by those individuals who understand how to file a complaint and are inclined to do so. No matter the effectiveness of any campaign to raise awareness of the complaint process, complaints will only ever be filed by a small percentage of the individuals who may have felt wronged or unfairly targeted by law enforcement.

Thus, requiring the collection of stop data in addition to complaint data yields a far fuller and more useful, albeit incomplete, picture of the objective realities of law enforcement contacts with the public. Most states also require that this information be made public to some degree, often by the issuance of a periodic report by an appointed public body. The voting public requires information about what police departments do, the costs and benefits of policing strategies, and an awareness of areas of difficulty or inequity. This allows the public to develop and express preferences about policing via elections and other democratic processes.

Data Collection in Oregon

Profiling and stop data collection in Oregon is handled by the Law Enforcement Contacts Policy and Data Review Committee (LECC). The LECC was created by Senate Bill 415 in 2001 and charged with obtaining data on law enforcement stops, providing technical assistance in collecting and analyzing that data, and identifying and disseminating information on programs, procedures and policies from communities that have forged positive working relationships between law enforcement and communities of color.[40]

The original charge of the LECC was based on the legislative finding that state and local law enforcement agencies can perform their missions more effectively when all Oregonians have trust and confidence that law enforcement stops and other contacts with individuals are free from inequitable and unlawful discrimination, and that data collection can establish a factual foundation for measuring progress in eliminating discrimination.[41]

Since 2001, the LECC has received and analyzed traffic stop data from five Oregon police agencies: Beaverton PD, Corvallis PD, Eugene PD, Hillsboro PD and the Oregon State Police (OSP). These municipalities have elected to submit traffic data voluntarily, but the exact nature of the data collected, as well as the methodology of its collection, is not consistent. Among the data points not consistently tracked is the presence of *consent data*; information describing whether a stopped individual was asked to be searched, whether they consented to that search and whether anything noteworthy was located as a result. The LECC has issued periodic reports

[40] LECC Annual Report 2010, p. 1
[41] *Id.*

describing the data submitted by participating municipalities and the Oregon State Police.[42] No coordinated statewide collection effort of consistent stop data across all jurisdictions exists, or has existed, in Oregon.

Scope

Data collection statutes vary significantly across the states. Connecticut, North Carolina, Missouri, California, and Maryland mandate the collection of dozens of data points from every stop. Alabama, Louisiana, and South Carolina simply record the race, age and gender of the driver. California's recent "Racial and Identity Profiling Act of 2015" contains the most expansive list of data points required, including:

> *(1) The time, date, and location of the stop.*
>
> *(2) The reason for the stop.*
>
> *(3) The result of the stop, such as, no action, warning, citation, property seizure, or arrest.*
>
> *(4) If a warning or citation was issued, the warning provided or violation cited.*
>
> *(5) If an arrest was made, the offense charged.*
>
> *(6) The perceived race or ethnicity, gender, and approximate age of the person stopped, provided that the identification of these characteristics shall be based on the observation and perception of the peace officer making the stop, and the information shall not be requested from the person stopped. For motor vehicle stops, this paragraph only applies to the driver, unless any actions specified under paragraph (7) apply in relation to a passenger, in which case the characteristics specified in this paragraph shall also be reported for him or her.*
>
> *(7) Actions taken by the peace officer during the stop, including, but not limited to, the following:*
>
> > *(A) Whether the peace officer asked for consent to search the person, and, if so, whether consent was provided.*
> >
> > *(B) Whether the peace officer searched the person or any property, and, if so, the basis for the search and the type of contraband or evidence discovered, if any.*
> >
> > *(C) Whether the peace officer seized any property and, if so, the type of property that was seized and the basis for seizing the property.*[43]

[42] The LECC generated Annual Reports analyzing stop data from 2005 to 2011. This practice was discontinued in 2012 due to a budgetary shortfall. *See* http://www.pdx.edu/cjpri/annual-reports.

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Who Collects the Data

The Work Group discussed extensively whether all law enforcement agencies should be required to collect stop data. To date, all collection of stop data in the State of Oregon has been done on the initiative of the individual law enforcement agency.[44] In contrast, with the exceptions of Washington and Colorado, all statutes governing the collection of data passed in other states have required the collection of data by all law enforcement agencies, regardless of size. Washington's statute requires the gathering of demographic data on traffic stops only within the "fiscal constraints" of the law enforcement agency, though this term is not otherwise defined.[45] Colorado confines the collection of traffic stop information to "[t]he Colorado state patrol and any law enforcement agency performing traffic stops that serves the city and county of Denver…"[46] Many Oregon counties are suffering profound crises in law enforcement funding levels, leading to long response times and chronic staffing shortfalls. Seen through this lens, the Work Group expressed concern that smaller, rural law enforcement agencies might not be able to afford either the infrastructure necessary for data collection or the additional officer time necessary to enter the data.

In other jurisdictions, lawmakers have attempted to minimize the recordkeeping burden on smaller law enforcement entities by requiring data to be collected only on stops *initiated by the officer*. This would exclude from collection any stop initiated upon a 9-1-1 call, dispatch call, or any other circumstance where the decision to initiate a stop was not discretionary. This approach would eliminate much of the burden in counties too financially stressed to engage in law enforcement activities beyond the management of emergency calls for service, which are not initiated by the officer. This approach is largely consistent with other states that have chosen to focus, sometimes exclusively, on traffic stop data.[47]

The Work Group discussed several alternatives to requiring all law enforcement agencies to collect stop data, including the imposition of a participatory cut off based on other factors such as fiscal capacity, population size, or ratio of officers-per-thousand citizens. The Work Group also discussed the creation of a grant based "incentive system" which would compensate law enforcement jurisdictions for choosing to engage in a voluntary data collection system. The Work Group plans to continue detailed study of these competing models.

Data Analysis and Reporting

HB 2002 calls upon the Work Group to "propose a process to identify any *patterns or practices* of profiling…"[48] This suggests that the process developed by the Work Group is meant to

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[43] Cal. Gov. Code § 12525.1(b)(1-7)
[44] The USDOJ agreement with the City of Portland involves data collection but was the result of a collaborative process. *See* U.S. Dept. of Justice Civil Rights Division Compliance Report re: *United States v. City of Portland,* No. 3:12-cv-02265-SI, at p.90 (Sept 2015).
[45] RCW § 43.101.410(1)(f)
[46] Colo. Rev. Stat § 42-4-115(1)
[47] See, e.g., Tex. Crim. Code § 2.131(a)(2), R.I. Gen Laws § 31-21.2-6(a), Colo. Rev. Stat. § 42-4-115(1).
[48] House Bill 2002 § 5(2)(a)(emphasis added).

address profiling in the aggregate rather than an analysis of individual profiling incidents. Most states who have required the collection of traffic stop data contemplate the aggregation and analysis of this data with eventual disclosure to the public. The extent to which this data is put through analysis varies significantly by state. Colorado, for example, simply requires that the data be compiled and made available to the public.[49] Connecticut, by contrast, calls upon a specific public body to analyze the data and issue an annual report.[50] Connecticut issued the first of these reports in 2014.[51] The resulting 174 page document speaks to the wealth of analytical possibilities which can be extracted from this data, allowing for meaningful analysis of the rate of consent searches, citations versus warnings given, and the frequency of stops as compared across region and demographic. These data points provide meaningful insight into the presence of differential treatment in ways not captured by complaint data alone. However, the degree of professionalism and analytical sophistication necessary to draw accurate conclusions from this complex dataset will require the appointment and continued compensation of appropriate staff. DAT notes that while data can be profoundly useful, it also carries to potential to badly mislead if analyzed inappropriately.

In Oregon, the LECC has a history of collecting data substantially similar to what would be required by a larger and more standardized stop data collection regime. The LECC has both the topical experience and most relevant mandate to allow for the generation of annual reports of use to the public by policy makers. However, funding has been an issue across the life of the commission and would need to be a continuing legislative priority to allow for meaningful statistical analysis. Data becomes more valuable and reliable across a longer timeframe – trend lines can be discerned, and different methodologies can be compared across multiple baselines and time periods. This important opportunity is undone when the body charged with the analysis suffers fluctuations in funding.

Cost Management Considerations

While every additional data point gathered provides an additional possible avenue of insight into law enforcement activities, each data point also carries with it a meaningful marginal cost in terms of the officer time needed to enter the data and the additional technological and human infrastructure needed to process the data. Fiscal impacts of data collection accrue at several different junctures, including the infrastructure needed to record the data in the field, the cost of storing the data, and any analytical resources needed to draw meaningful statistical conclusions from the collected dataset. Fiscal estimates of the cost of implementing a data collection requirement vary considerably across other states.[52]

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[49] Colo. Rev. Stat § 42-4-115(3)

[50] Conn. Gen. Stat § 54-1m(i)(" The Office of Policy and Management shall, within available resources, review the prevalence and disposition of traffic stops and complaints reported pursuant to this section. Not later than July 1, 2014, and annually thereafter, the office shall report the results of any such review, including any recommendations, to the Governor, the General Assembly and any other entity deemed appropriate.")

[51] April 2015 Connecticut Racial Profiling Report, available at http://www.ctrp3.org/reports/.

[52] California estimates the complete costs of implementation for AB-953 is in the tens of millions, though this statutory proposal contains many requirements beyond the recordation of stop data. "Bill Analysis," *Senate Rules Committee*, "AB 953," (2015) http://www.leginfo.ca.gov/pub/15-16/bill/asm/ab_0951-1000/ab_953_cfa_20150830_194339_sen_floor.html. Texas, conversely, found that there would be "no significant fiscal implication." *Legislative Budget Board*, Fiscal Note S.B. 1074, "Relating to the prevention of racial profiling by certain peace

The Work Group considered Connecticut as a state somewhat comparable to Oregon. Connecticut is similar in size to Oregon, albeit with a larger police force, and the amount of stop data generated in Oregon is unlikely to exceed Connecticut's, suggesting that Connecticut is a potentially valid comparable state in assessing fiscal cost. Like Oregon, Connecticut also lacks a centralized data management infrastructure across all law enforcement agencies.

Statewide, Oregon has a lower officer-per-capita ratio than Connecticut, which could exacerbate implementation problems for small agencies. California and Connecticut estimate that complying with their stop data program takes approximately 90-120 seconds of officer time per stop, regardless of the size of the agency. The burden of consolidating and sharing the data so collected has the potential to fall more heavily on those law enforcement agencies lacking robust IT infrastructure and already facing shortfalls in administrative personnel.

Connecticut's implementation of a data collection requirement highlights many of the same challenges present in Oregon. Because of the absence of a standardized statewide technological infrastructure, Connecticut was forced to integrate a number of differing report management and dispatch systems with no common interface or coding language. Connecticut responded by entering into a contract with a single contractor who was responsible for generating code language useable across a wide range of systems. Because not all systems were able to use this language, no matter how broadly written, the contractor also generated a web portal which could be accessed securely through any internet browser. This allowed for direct data entry regardless of the underlying technological infrastructure. Connecticut was able to fully implement their data collection system, including the development of the code and the statewide rollout, for roughly $250,000, despite the lack of uniformity between law enforcement agencies.[53]

Aggregation vs Disaggregation

DAT considered how any collected data should appropriately be used. Collected stop data is useful at different levels; municipal or agency level data allows comparison across comparable municipalities or counties, or a critical evaluation of trends in a particular county over time. Comparative data within different units of the same agency allows for yet more granular and specific levels of analysis. Finally, the use of individual officer data can provide highly detailed comparisons about the relative rate in which an officer stops a particular demographic category, how often they are to ask for a search relative to similarly situated officers, the duration of detention, frequency of citation, and so forth. This level of detail also creates additional complexities, including possibly imperiling officer safety by allowing for a particular officer to

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officers,"(2001) http://www.legis.state.tx.us/tlodocs/77R/fiscalnotes/html/SB01074F.htm. Illinois found that it would cost their state police a one-time expenditure of $40,000. "Fiscal Note for SB0030," *Illinois General Assembly*, (2003) http://www.ilga.gov/legislation/BillStatus.asp?DocNum=30&GAID=3&DocTypeID=SB&LegId=299&SessionID=3&GA=93.

[53] *Office of Fiscal Analysis - Connecticut General Assembly*, "SB-364, An Act Concerning Traffic Stop Information," (2013) (while Connecticut appropriated 'up to' $300,000 for full implementation of the data collection system, only roughly $250,000 has been spent). https://www.cga.ct.gov/2012/fna/2012SB-00364-R00LCO03154-FNA.htm.

be identified via publicly accessible data, and violating existing collective bargaining agreements.

Of the states currently collecting stop data, roughly half of the states require reporting of an officer's name, badge number, or other personally identifiable information in conjunction with the information collected. Most of these states shield the information from disclosure. States have taken varying approaches in attempting to balance officer concerns with the public interest in broad disclosure. Connecticut, for example, requires each law enforcement agency to assign a unique identifier to each officer. This allows stop data to be shared on an officer-by-officer basis without exposing sensitive personal information or violating existing collective bargaining agreements.[54] Massachusetts confines the use of any data collected to statistical analysis only.[55]

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[54] Conn. Gen. Stat § 54-1m(b)(1).
[55] 2000 Mass. Acts. Ch. 228 § 9 ("Individual data acquired under this section shall be used only for statistical purposes and may not contain information that may reveal the identity of any individual who is stopped or any law enforcement officer.")

CONCLUSION

The Work Group on the Prevention of Profiling by Law Enforcement met frequently and worked quickly to provide meaningful recommendations to the Legislature within the three months allocated for this effort. The enclosed recommendations provide a blueprint for future legislative policies in the continued struggle against all forms of profiling. The three basic broad topic areas detailed in this report – Law Enforcement Response, Accountability and Responsibility, and Data – are not yet reducible to proposed statutory language. The Work Group is confident that this process can be completed by 2017 and requests the opportunity to continue its work. Additional time will allow the formalization of all proposals, but will also permit:

- An audit of existing training options available at DPSST and elsewhere by Work Group members.
- A detailed comparative and fiscal analysis of the stop data collection systems implemented across 18 other states.
- Additional opportunities for public comment in areas not yet reached by the Work Group, including but not limited to Eugene, Bend, Pendleton and the Oregon Coast.
- A further modeling of the Federal system of investigating profiling complaints, and a side-by-side comparison with Oregon law.
- The development of model policies generated by law enforcement stakeholders allowing feedback from Work Group members.
- A critical analysis of the adequacy of the statutory language of House Bill 2002 as written.
- Continued responsiveness to rapidly developing national trends in this policy area.

The Work Group will continue to be staffed by the Department of Justice and chaired by the Attorney General, thereby avoiding any fiscal impact. Work Group members are eager to continue the work, and proud of what has been accomplished thus far.

The public is concerned about profiling, and Oregonians expect proposals that are smart, cost-effective, and likely to change future behavior. An additional year of work will do much to allow the Work Group to meet that expectation.

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Enrolled
House Bill 2355

Introduced and printed pursuant to House Rule 12.00. Presession filed (at the request of Attorney General Ellen Rosenblum)

CHAPTER .....

AN ACT

Relating to public safety; creating new provisions; amending ORS 51.050, 131.915, 131.920, 131.925, 137.633, 161.570, 161.615, 181A.410, 221.339, 419C.501, 423.478, 423.525, 475.005, 475.752, 475.824, 475.834, 475.854, 475.874, 475.884 and 475.894; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. As used in sections 1 to 4 of this 2017 Act:

(1) "Law enforcement agency" means an agency employing law enforcement officers to enforce criminal laws.

(2) "Law enforcement officer" means a member of the Oregon State Police, a sheriff or a municipal police officer.

(3) "Officer-initiated pedestrian stop" means a detention of a pedestrian by a law enforcement officer, not associated with a call for service, when the detention results in a citation, an arrest or a consensual search of the pedestrian's body or property. The term does not apply to detentions for routine searches performed at the point of entry to or exit from a controlled area.

(4) "Officer-initiated traffic stop" means a detention of a driver of a motor vehicle by a law enforcement officer, not associated with a call for service, for the purpose of investigating a suspected violation of the Oregon Vehicle Code.

(5) "Profiling" means the targeting of an individual by a law enforcement agency or a law enforcement officer, on suspicion of the individual's having violated a provision of law, based solely on the individual's real or perceived age, race, ethnicity, color, national origin, language, sex, gender identity, sexual orientation, political affiliation, religion, homelessness or disability, unless the agency or officer is acting on a suspect description or information related to an identified or suspected violation of a provision of law.

(6) "Sexual orientation" has the meaning given that term in ORS 174.100.

SECTION 2. (1) No later than July 1, 2018, the Oregon Criminal Justice Commission, in consultation with the Department of State Police and the Department of Justice, shall develop and implement a standardized method to be used by law enforcement officers to record officer-initiated pedestrian stop and officer-initiated traffic stop data. The standardized method must require, and any form developed and used pursuant to the standardized method must provide for, the following data to be recorded for each stop:

(a) The date and time of the stop;

(b) The location of the stop;

(c) The race, ethnicity, age and sex of the pedestrian or the operator of the motor vehicle stopped, based on the observations of the law enforcement officer responsible for reporting the stop;

(d) The nature of, and the statutory citation for, the alleged traffic violation, or other alleged violation, that caused the stop to be made; and

(e) The disposition of the stop, including whether a warning, citation or summons was issued, whether a search was conducted, the type of search conducted, whether anything was found as a result of the search and whether an arrest was made.

(2) No later than July 1, 2018, the Department of Public Safety Standards and Training, in consultation with law enforcement agencies, shall develop and implement training and procedures to facilitate the collection of officer-initiated pedestrian and traffic stop data pursuant to subsection (1) of this section.

(3) Beginning on the dates described in subsection (4) of this section, all law enforcement agencies that engage in officer-initiated pedestrian or traffic stops shall record and retain the following data for each stop:

(a) The date and time of the stop;

(b) The location of the stop;

(c) The race, ethnicity, age and sex of the pedestrian or the operator of the motor vehicle stopped, based on the observations of the law enforcement officer responsible for reporting the stop;

(d) The nature of, and the statutory citation for, the alleged traffic violation, or other alleged violation, that caused the stop to be made; and

(e) The disposition of the stop, including whether a warning, citation or summons was issued, whether a search was conducted, the type of search conducted, whether anything was found as a result of the search and whether an arrest was made.

(4) Each law enforcement agency shall begin recording the data described in subsection (3) of this section as follows:

(a) An agency that employs 100 or more law enforcement officers shall begin recording no later than July 1, 2018.

(b) An agency that employs between 25 and 99 law enforcement officers shall begin recording no later than July 1, 2019.

(c) An agency that employs between one and 24 law enforcement officers shall begin recording no later than July 1, 2020.

(5) Each law enforcement agency that engages in officer-initiated traffic or pedestrian stops shall report to the Oregon Criminal Justice Commission the data recorded pursuant to subsection (3) of this section as follows:

(a) An agency that employs 100 or more law enforcement officers shall report no later than July 1, 2019, and at least annually thereafter.

(b) An agency that employs between 25 and 99 law enforcement officers shall report no later than July 1, 2020, and at least annually thereafter.

(c) An agency that employs between one and 24 law enforcement officers shall report no later than July 1, 2021, and at least annually thereafter.

(6) Data acquired under this section shall be used only for statistical purposes and not for any other purpose. The data may not contain information that reveals the identity of any stopped individual or the identity of any law enforcement officer. Data collected by law enforcement agencies or held by the Oregon Criminal Justice Commission under this section that may reveal the identity of any stopped individual or the identity of any law enforcement officer is exempt from public disclosure in any manner.

(7) The Department of Justice, the Department of Public Safety Standards and Training and the Department of State Police may adopt rules to carry out the provisions of sections 1 to 4 of this 2017 Act.

SECTION 3. **(1) The Oregon Criminal Justice Commission shall review all data, including the prevalence and disposition of officer-initiated pedestrian and traffic stops, reported by law enforcement agencies pursuant to section 2 of this 2017 Act in order to identify patterns or practices of profiling.**

(2) The commission shall select one or more statistical analysis methodologies, determined to be consistent with current best practices, with which to review the data as described in subsection (1) of this section.

(3) No later than December 1, 2019, and annually thereafter, the commission shall report the results of the review to the Governor, the Department of Public Safety Standards and Training and, in the manner provided in ORS 192.245, to the committees or interim committees of the Legislative Assembly related to the judiciary.

SECTION 4. **(1) The Department of Public Safety Standards and Training shall receive and review reports provided to the department by the Oregon Criminal Justice Commission pursuant to section 3 of this 2017 Act.**

(2) Upon receipt of a report described in subsection (1) of this section, the department may provide advice or technical assistance to any law enforcement agency mentioned within the report. Any advice or technical assistance provided shall be based on best practices in policing as determined by the Oregon Center for Policing Excellence established in ORS 181A.660.

(3) Upon providing advice or technical assistance under this section, the department shall, within a reasonable amount of time, present a summary of the advice and assistance given to the local public safety coordinating council in the county in which the assisted law enforcement agency is located. If the assisted law enforcement agency is the Oregon State Police, the presentation shall occur in Marion County. The presentation shall be open to the public, feature live testimony by presenters and be held in accordance with ORS 192.610 to 192.690.

SECTION 5. ORS 131.925 is amended to read:

131.925. (1)(a) A law enforcement agency shall provide to the Law Enforcement Contacts Policy and Data Review Committee [*a copy of*] **information concerning** each complaint the agency receives alleging profiling**,**[.]

[*(b)*] [*The law enforcement agency*] **and** shall notify the committee of the disposition of the complaint**, in the manner described in this subsection**.

(b) The law enforcement agency shall submit to the committee a profiling complaint report form summarizing each profiling complaint and the disposition of the complaint, and a copy of each profiling complaint, once each year no later than January 31.

(c) The law enforcement agency shall submit the form described in paragraph (b) of this subsection even if the agency has not received any profiling complaints.

(d) The profiling complaint report form and copies of profiling complaints submitted to the committee may not include personal information concerning the complainant or a law enforcement officer except as to any personal information recorded on the form as described in subsection (4)(c) of this section.

(2)(a) A person may submit to the committee a complaint alleging profiling and the committee shall receive the complaints.

(b) The committee also shall receive complaints alleging profiling that are forwarded from a law enforcement agency.

(c) The committee shall forward a copy of each profiling complaint the committee receives to the law enforcement agency employing the officer that is the subject of the complaint. The forwarded complaint must include the name of the complainant unless the complainant requests to remain anonymous, in which case the complainant's name must be redacted.

(3)(a) The committee [*shall*] **may** not release any personal information concerning a complainant or a law enforcement officer who is the subject of a profiling complaint.

(b) The personal information of complainants and of law enforcement officers who are the subject of profiling complaints are exempt from public disclosure under ORS 192.502.

[*(c) As used in this subsection, "personal information" has the meaning given that term in ORS 807.750.*]

(4) The Department of State Police shall develop a standardized profiling complaint report form. The form must provide for recording the following information:

(a) A summary of total complaints and a certification that a law enforcement agency's profiling policy conforms to ORS 131.920;

(b) A summary of each complaint received by the law enforcement agency, including the date, time and location of the incident and the disposition of the complaint; and

(c) To the extent known, the complainant's gender, gender identity, age, race, ethnicity, sexual orientation, primary language, national origin, religion, political affiliation, homeless status and disability status, recorded in a manner that does not identify the complainant.

(5) As used in this section, "personal information" has the meaning given that term in ORS 807.750.

SECTION 6. ORS 131.915 is amended to read:

131.915. As used in ORS 131.915 to 131.925:

(1) "Law enforcement agency" means:

(a) The Department of State Police;

(b) The Department of Justice;

(c) A district attorney's office; and

(d) Any of the following that maintains a law enforcement unit as defined in ORS 181A.355:

(A) A political subdivision or an instrumentality of the State of Oregon.

(B) A municipal corporation of the State of Oregon.

(C) A tribal government.

(D) A university.

(2) "Law enforcement officer" means:

(a) A member of the Oregon State Police;

(b) A sheriff, constable, marshal, municipal police officer or reserve officer or a police officer commissioned by a university under ORS 352.121 or 353.125;

(c) An investigator of a district attorney's office if the investigator is or has been certified as a law enforcement officer in this or any other state;

(d) An investigator of the Criminal Justice Division of the Department of Justice;

(e) A humane special agent as defined in ORS 181A.345;

(f) A judicial marshal of the Security and Emergency Preparedness Office of the Judicial Department who is appointed under ORS 1.177 and trained pursuant to ORS 181A.540;

(g) A liquor enforcement inspector exercising authority described in ORS 471.775 (2); or

(h) An authorized tribal police officer as defined in ORS 181A.680.

(3) "Profiling" means [*that*] **the targeting of an individual by** a law enforcement agency or a law enforcement officer [*targets an individual for*]**, on** suspicion of [*violating*] **the individual's having violated** a provision of law**,** based solely on the **individual's** real or perceived [*factor of the individual's*] age, race, ethnicity, color, national origin, language, [*gender*] **sex**, gender identity, sexual orientation, political affiliation, religion, homelessness or disability, unless the agency or officer is acting on a suspect description or information related to an identified or suspected violation of a provision of law.

(4) "Sexual orientation" has the meaning given that term in ORS 174.100.

SECTION 7. ORS 131.920 is amended to read:

131.920. (1) All law enforcement agencies shall have written policies and procedures prohibiting profiling. The policies and procedures shall, at a minimum, include:

(a) A prohibition on profiling;

(b) Procedures allowing a complaint alleging profiling to be made to the agency:

(A) In person;

(B) In a writing signed by the complainant and delivered by hand, postal mail, facsimile or electronic mail; or

(C) By telephone, anonymously or through a third party;

(c) The provision of appropriate forms to use for submitting complaints alleging profiling;

(d) Procedures for submitting a copy of each profiling complaint to the Law Enforcement Contacts Policy and Data Review Committee and for receiving profiling complaints forwarded from the committee; and

(e) Procedures for investigating all complaints alleging profiling.

(2) A law enforcement agency shall:

(a) Investigate all complaints alleging profiling that are received by the agency or forwarded from the committee.

(b) [*Establish a time frame within which a complaint alleging profiling may be made to the agency. The time frame may not be fewer than 90 days or more than 180 days after the alleged commission of profiling.*] **Accept for investigation a complaint alleging profiling that is made to the agency within 180 days of the alleged profiling incident.**

(c) Respond to every complaint alleging profiling within a reasonable time after the conclusion of the investigation. The response must contain a statement of the final disposition of the complaint.

SECTION 8. ORS 181A.410, as amended by section 42, chapter 117, Oregon Laws 2016, is amended to read:

181A.410. (1) In accordance with any applicable provision of ORS chapter 183, to promote enforcement of law and fire services by improving the competence of public safety personnel and their support staffs, and in consultation with the agencies for which the Board on Public Safety Standards and Training and Department of Public Safety Standards and Training provide standards, certification, accreditation and training:

(a) The department shall recommend**,** and the board shall establish by rule**,** reasonable minimum standards of physical, emotional, intellectual and moral fitness for public safety personnel and instructors.

(b) The department shall recommend**,** and the board shall establish by rule**,** reasonable minimum training for all levels of professional development, basic through executive, including but not limited to courses or subjects for instruction and qualifications for public safety personnel and instructors. Training requirements shall be consistent with the funding available in the department's legislatively approved budget.

(c) The department, in consultation with the board, shall establish by rule a procedure or procedures to be used by law enforcement units, public or private safety agencies or the Oregon Youth Authority to determine whether public safety personnel meet minimum standards or have minimum training.

(d) Subject to such terms and conditions as the department may impose, the department shall certify instructors and public safety personnel, except youth correction officers, as being qualified under the rules established by the board.

(e) The department shall deny applications for training and deny, suspend and revoke certification in the manner provided in ORS 181A.630, 181A.640 and 181A.650 (1).

(f) The department shall cause inspection of standards and training for instructors and public safety personnel, except youth correction officers, to be made.

(g) The department may recommend**,** and the board may establish by rule**,** accreditation standards, levels and categories for mandated and nonmandated public safety personnel training or educational programs. The department and board, in consultation, may establish to what extent training or educational programs provided by an accredited university, college, community college or public safety agency may serve as equivalent to mandated training or as a prerequisite to mandated training. Programs offered by accredited universities, colleges or community colleges may be considered equivalent to mandated training only in academic areas.

(h) The department shall recommend, and the board shall establish by rule, an educational program that the board determines will be most effective in reducing profiling, as defined in ORS 131.915, by police officers and reserve officers. The program must be required at all levels of training, including basic training and advanced, leadership and continuing training.

(2) The department may:

(a) Contract or otherwise cooperate with any person or agency of government for the procurement of services or property;

(b) Accept gifts or grants of services or property;

(c) Establish fees for determining whether a training or educational program meets the accreditation standards established under subsection (1)(g) of this section;

(d) Maintain and furnish to law enforcement units and public and private safety agencies information on applicants for appointment as instructors or public safety personnel, except youth correction officers, in any part of the state; and

(e) Establish fees to allow recovery of the full costs incurred in providing services to private entities or in providing services as experts or expert witnesses.

(3) The department, in consultation with the board, may:

(a) Upon the request of a law enforcement unit or public safety agency, conduct surveys or aid cities and counties to conduct surveys through qualified public or private agencies and assist in the implementation of any recommendations resulting from such surveys.

(b) Upon the request of law enforcement units or public safety agencies, conduct studies and make recommendations concerning means by which requesting units can coordinate or combine their resources.

(c) Conduct and stimulate research to improve the police, fire service, corrections, adult parole and probation, emergency medical dispatch and telecommunicator professions.

(d) Provide grants from funds appropriated or available therefor, to law enforcement units, public safety agencies, special districts, cities, counties and private entities to carry out the provisions of this subsection.

(e) Provide optional training programs for persons who operate lockups. The term "lockup" has the meaning given it in ORS 169.005.

(f) Provide optional training programs for public safety personnel and their support staffs.

(g) Enter into agreements with federal, state or other governmental agencies to provide training or other services in exchange for receiving training, fees or services of generally equivalent value.

(h) Upon the request of a law enforcement unit or public safety agency employing public safety personnel, except youth correction officers, grant an officer, fire service professional, telecommunicator or emergency medical dispatcher a multidiscipline certification consistent with the minimum requirements adopted or approved by the board. Multidiscipline certification authorizes an officer, fire service professional, telecommunicator or emergency medical dispatcher to work in any of the disciplines for which the officer, fire service professional, telecommunicator or emergency medical dispatcher is certified. The provisions of ORS 181A.500, 181A.520 and 181A.530 relating to lapse of certification do not apply to an officer or fire service professional certified under this paragraph as long as the officer or fire service professional maintains full-time employment in one of the certified disciplines and meets the training standards established by the board.

(i) Establish fees and guidelines for the use of the facilities of the training academy operated by the department and for nonmandated training provided to federal, state or other governmental agencies, private entities or individuals.

(4) Pursuant to ORS chapter 183, the board, in consultation with the department, shall adopt rules necessary to carry out the board's duties and powers.

(5) Pursuant to ORS chapter 183, the department, in consultation with the board, shall adopt rules necessary to carry out the department's duties and powers.

(6) For efficiency, board and department rules may be adopted jointly as a single set of combined rules with the approval of the board and the department.

(7) The department shall obtain approval of the board before submitting its legislative concepts, Emergency Board request or agency request budget to the Oregon Department of Administrative Services.

(8) The Department of Public Safety Standards and Training shall develop a training program for conducting investigations required under ORS 181A.790.

SECTION 9. ORS 475.752, as amended by section 59, chapter 24, Oregon Laws 2016, and section 26, chapter 21, Oregon Laws 2017 (Enrolled Senate Bill 302), is amended to read:

475.752. (1) Except as authorized by ORS 475.005 to 475.285 and 475.752 to 475.980, it is unlawful for any person to manufacture or deliver a controlled substance. Any person who violates this subsection with respect to:

(a) A controlled substance in Schedule I, is guilty of a Class A felony, except as otherwise provided in ORS 475.886 and 475.890.

(b) A controlled substance in Schedule II, is guilty of a Class B felony, except as otherwise provided in ORS 475.878, 475.880, 475.882, 475.904 and 475.906.

(c) A controlled substance in Schedule III, is guilty of a Class C felony, except as otherwise provided in ORS 475.904 and 475.906.

(d) A controlled substance in Schedule IV, is guilty of a Class B misdemeanor.

(e) A controlled substance in Schedule V, is guilty of a Class C misdemeanor.

(2) Except as authorized in ORS 475.005 to 475.285 and 475.752 to 475.980, it is unlawful for any person to create or deliver a counterfeit substance. Any person who violates this subsection with respect to:

(a) A counterfeit substance in Schedule I, is guilty of a Class A felony.

(b) A counterfeit substance in Schedule II, is guilty of a Class B felony.

(c) A counterfeit substance in Schedule III, is guilty of a Class C felony.

(d) A counterfeit substance in Schedule IV, is guilty of a Class B misdemeanor.

(e) A counterfeit substance in Schedule V, is guilty of a Class C misdemeanor.

(3) It is unlawful for any person knowingly or intentionally to possess a controlled substance unless the substance was obtained directly from, or pursuant to a valid prescription or order of, a practitioner while acting in the course of professional practice, or except as otherwise authorized by ORS 475.005 to 475.285 and 475.752 to 475.980. Any person who violates this subsection with respect to:

(a) A controlled substance in Schedule I, is guilty of a Class [*B felony*] **A misdemeanor**, except as otherwise provided in ORS **475.854, 475.874 and** 475.894 **and subsection (7) of this section**.

(b) A controlled substance in Schedule II, is guilty of a Class [*C felony*] **A misdemeanor, except as otherwise provided in ORS 475.824, 475.834 or 475.884 or subsection (8) of this section**.

(c) A controlled substance in Schedule III, is guilty of a Class A misdemeanor.

(d) A controlled substance in Schedule IV, is guilty of a Class C misdemeanor.

(e) A controlled substance in Schedule V, is guilty of a violation.

(4) In any prosecution under this section for manufacture, possession or delivery of that plant of the genus Lophophora commonly known as peyote, it is an affirmative defense that the peyote is being used or is intended for use:

(a) In connection with the good faith practice of a religious belief;

(b) As directly associated with a religious practice; and

(c) In a manner that is not dangerous to the health of the user or others who are in the proximity of the user.

(5) The affirmative defense created in subsection (4) of this section is not available to any person who has possessed or delivered the peyote while incarcerated in a correctional facility in this state.

(6)(a) Notwithstanding subsection (1) of this section, a person who unlawfully manufactures or delivers a controlled substance in Schedule IV and who thereby causes death to another person is guilty of a Class C felony.

(b) For purposes of this subsection, causation is established when the controlled substance plays a substantial role in the death of the other person.

(7) Notwithstanding subsection (3)(a) of this section, unlawful possession of a controlled substance in Schedule I is a Class B felony if:

(a) The person possesses a usable quantity of the controlled substance and:

(A) At the time of the possession, the person has a prior felony conviction;

(B) At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or

(C) The possession is a commercial drug offense under ORS 475.900 (1)(b); or

(b) The person possesses:

(A) Forty or more user units of a mixture or substance containing a detectable amount of lysergic acid diethylamide; or

(B) Twelve grams or more of a mixture or substance containing a detectable amount of psilocybin or psilocin.

(8) Notwithstanding subsection (3)(b) of this section, unlawful possession of a controlled substance in Schedule II is a Class C felony if the person possesses a usable quantity of the controlled substance and:

(a) At the time of the possession, the person has a prior felony conviction;

(b) At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or

(c) The possession is a commercial drug offense under ORS 475.900 (1)(b).

SECTION 10. ORS 475.824 is amended to read:

475.824. (1) It is unlawful for any person knowingly or intentionally to possess methadone unless the methadone was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of professional practice, or except as otherwise authorized by ORS 475.005 to 475.285 and 475.752 to 475.980.

(2)**(a)** Unlawful possession of methadone is a Class [*C felony*] **A misdemeanor**.

(b) Notwithstanding paragraph (a) of this subsection, unlawful possession of methadone is a Class C felony if:

(A) The person possesses a usable quantity of methadone and:

(i) At the time of the possession, the person has a prior felony conviction;

(ii) At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or

(iii) The possession is a commercial drug offense under ORS 475.900 (1)(b); or

(B) The person possesses 40 or more user units of a mixture or substance containing a detectable amount of methadone.

SECTION 11. ORS 475.834 is amended to read:

475.834. (1) It is unlawful for any person knowingly or intentionally to possess oxycodone unless the oxycodone was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of professional practice, or except as otherwise authorized by ORS 475.005 to 475.285 and 475.752 to 475.980.

(2)**(a)** Unlawful possession of oxycodone is a Class [*C felony*] **A misdemeanor**.

(b) Notwithstanding paragraph (a) of this subsection, unlawful possession of oxycodone is a Class C felony if:

(A) The person possesses a usable quantity of oxycodone and:

(i) At the time of the possession, the person has a prior felony conviction;

(ii) At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or

(iii) The possession is a commercial drug offense under ORS 475.900 (1)(b); or

(B) The person possesses 40 or more pills, tablets or capsules of a mixture or substance containing a detectable amount of oxycodone.

SECTION 12. ORS 475.854 is amended to read:

475.854. (1) It is unlawful for any person knowingly or intentionally to possess heroin.

(2)**(a)** Unlawful possession of heroin is a Class [*B felony*] **A misdemeanor**.

(b) Notwithstanding paragraph (a) of this subsection, unlawful possession of heroin is a Class B felony if:

(A) The person possesses a usable quantity of heroin and:

(i) At the time of the possession, the person has a prior felony conviction;

(ii) At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or

(iii) The possession is a commercial drug offense under ORS 475.900 (1)(b); or

(B) The person possesses one gram or more of a mixture or substance containing a detectable amount of heroin.

SECTION 13. ORS 475.874 is amended to read:

475.874. (1) It is unlawful for any person knowingly or intentionally to possess 3,4-methylenedioxymethamphetamine.

(2)**(a)** Unlawful possession of 3,4-methylenedioxymethamphetamine is a Class [*B felony*] **A misdemeanor**.

(b) Notwithstanding paragraph (a) of this subsection, unlawful possession of 3,4-methylenedioxymethamphetamine is a Class B felony if:

(A) The person possesses a usable quantity of 3,4-methylenedioxymethamphetamine and:

(i) At the time of the possession, the person has a prior felony conviction;

(ii) At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or

(iii) The possession is a commercial drug offense under ORS 475.900 (1)(b); or

(B) The person possesses one gram or more or five or more pills, tablets or capsules of a mixture or substance containing a detectable amount of:

(i) 3,4-methylenedioxyamphetamine;

(ii) 3,4-methylenedioxymethamphetamine; or

(iii) 3,4-methylenedioxy-N-ethylamphetamine.

SECTION 14. ORS 475.884 is amended to read:

475.884. (1) It is unlawful for any person knowingly or intentionally to possess cocaine unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of professional practice, or except as otherwise authorized by ORS 475.005 to 475.285 and 475.752 to 475.980.

(2)**(a)** Unlawful possession of cocaine is a Class [*C felony*] **A misdemeanor**.

(b) Notwithstanding paragraph (a) of this subsection, unlawful possession of cocaine is a Class C felony if:

(A) The person possesses a usable quantity of cocaine and:

(i) At the time of the possession, the person has a prior felony conviction;

(ii) At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or

(iii) The possession is a commercial drug offense under ORS 475.900 (1)(b); or

(B) The person possesses two grams or more of a mixture or substance containing a detectable amount of cocaine.

SECTION 15. ORS 475.894 is amended to read:

475.894. (1) It is unlawful for any person knowingly or intentionally to possess methamphetamine unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of professional practice, or except as otherwise authorized by ORS 475.005 to 475.285 and 475.752 to 475.980.

(2)**(a)** Unlawful possession of methamphetamine is a Class [*C felony*] **A misdemeanor**.

(b) Notwithstanding paragraph (a) of this subsection, unlawful possession of methamphetamine is a Class C felony if:

(A) The person possesses a usable quantity of methamphetamine and:

(i) At the time of the possession, the person has a prior felony conviction;

(ii) At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or

(iii) The possession is a commercial drug offense under ORS 475.900 (1)(b); or

(B) The person possesses two grams or more of a mixture or substance containing a detectable amount of methamphetamine.

SECTION 16. ORS 475.005 is amended to read:

475.005. As used in ORS 475.005 to 475.285 and 475.752 to 475.980, unless the context requires otherwise:

(1) "Abuse" means the repetitive excessive use of a drug short of dependence, without legal or medical supervision, which may have a detrimental effect on the individual or society.

(2) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(a) A practitioner or an authorized agent thereof; or

(b) The patient or research subject at the direction of the practitioner.

(3) "Administration" means the Drug Enforcement Administration of the United States Department of Justice, or its successor agency.

(4) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser. It does not include a common or contract carrier, public warehouseman or employee of the carrier or warehouseman.

(5) "Board" means the State Board of Pharmacy.

(6) "Controlled substance":

(a) Means a drug or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C. 811 to 812, as modified under ORS 475.035. The use of the term "precursor" in this paragraph does not control and is not controlled by the use of the term "precursor" in ORS 475.752 to 475.980.

(b) Does not mean industrial hemp, as defined in ORS 571.300, or industrial hemp commodities or products.

(7) "Counterfeit substance" means a controlled substance or its container or labeling, which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor or dispenser other than the person who in fact manufactured, delivered or dispensed the substance.

(8) "Deliver" or "delivery" means the actual, constructive or attempted transfer, other than by administering or dispensing, from one person to another of a controlled substance, whether or not there is an agency relationship.

(9) "Device" means instruments, apparatus or contrivances, including their components, parts or accessories, intended:

(a) For use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals; or

(b) To affect the structure of any function of the body of humans or animals.

(10) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, and includes the prescribing, administering, packaging, labeling or compounding necessary to prepare the substance for that delivery.

(11) "Dispenser" means a practitioner who dispenses.

(12) "Distributor" means a person who delivers.

(13) "Drug" means:

(a) Substances recognized as drugs in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States or official National Formulary, or any supplement to any of them;

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

(c) Substances (other than food) intended to affect the structure or any function of the body of humans or animals; and

(d) Substances intended for use as a component of any article specified in paragraph (a), (b) or (c) of this subsection; however, the term does not include devices or their components, parts or accessories.

(14) "Electronically transmitted" or "electronic transmission" means a communication sent or received through technological apparatuses, including computer terminals or other equipment or mechanisms linked by telephone or microwave relays, or any similar apparatus having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(15) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance:

(a) By a practitioner as an incident to administering or dispensing of a controlled substance in the course of professional practice; or

(b) By a practitioner, or by an authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale.

(16) "Marijuana":

(a) Except as provided in this subsection, means all parts of the plant Cannabis family Moraceae, whether growing or not; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its resin.

(b) Does not mean the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

(c) Does not mean industrial hemp, as defined in ORS 571.300, or industrial hemp commodities or products.

(17) "Person" includes a government subdivision or agency, business trust, estate, trust or any other legal entity.

(18) "Practitioner" means physician, dentist, veterinarian, scientific investigator, certified nurse practitioner, physician assistant or other person licensed, registered or otherwise permitted by law to dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state but does not include a pharmacist or a pharmacy.

(19) "Prescription" means a written, oral or electronically transmitted direction, given by a practitioner for the preparation and use of a drug. When the context requires, "prescription" also means the drug prepared under such written, oral or electronically transmitted direction. Any label affixed to a drug prepared under written, oral or electronically transmitted direction shall prominently display a warning that the removal thereof is prohibited by law.

(20) "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

(21) "Research" means an activity conducted by the person registered with the federal Drug Enforcement Administration pursuant to a protocol approved by the United States Food and Drug Administration.

(22) "Ultimate user" means a person who lawfully possesses a controlled substance for the use of the person or for the use of a member of the household of the person or for administering to an animal owned by the person or by a member of the household of the person.

(23) "Usable quantity" means:

(a) An amount of a controlled substance that is sufficient to physically weigh independent of its packaging and that does not fall below the uncertainty of the measuring scale; or

(b) An amount of a controlled substance that has not been deemed unweighable, as determined by a Department of State Police forensic laboratory, due to the circumstances of the controlled substance.

[*(23)*] **(24)** "Within 1,000 feet" means a straight line measurement in a radius extending for 1,000 feet or less in every direction from a specified location or from any point on the boundary line of a specified unit of property.

SECTION 17. ORS 423.478 is amended to read:

423.478. (1) The Department of Corrections shall:

(a) Operate prisons for offenders sentenced to terms of incarceration for more than 12 months;

(b) Provide central information and data services sufficient to:

(A) Allow tracking of offenders; and

(B) Permit analysis of correlations between sanctions, supervision, services and programs, and future criminal conduct; and

(c) Provide interstate compact administration and jail inspections.

(2) Subject to ORS 423.483, the county, in partnership with the department, shall assume responsibility for community-based supervision, sanctions and services for offenders convicted of felonies **or designated drug-related misdemeanors** who are:

(a) On parole;

(b) On probation;

(c) On post-prison supervision;

(d) Sentenced, on or after January 1, 1997, to 12 months or less incarceration;

(e) Sanctioned, on or after January 1, 1997, by a court or the State Board of Parole and Post-Prison Supervision to 12 months or less incarceration for violation of a condition of parole, probation or post-prison supervision; [*and*] **or**

(f) On conditional release under ORS 420A.206.

(3) Notwithstanding the fact that the court has sentenced a person to a term of incarceration, when an offender is committed to the custody of the supervisory authority of a county under ORS 137.124 (2) or (4), the supervisory authority may execute the sentence by imposing sanctions other than incarceration if deemed appropriate by the supervisory authority. If the supervisory authority releases a person from custody under this subsection and the person is required to report as a sex offender under ORS 163A.010, the supervisory authority, as a condition of release, shall order the person to report to the Department of State Police, a city police department or a county sheriff's office or to the supervising agency, if any:

(a) When the person is released;

(b) Within 10 days of a change of residence;

(c) Once each year within 10 days of the person's birth date;

(d) Within 10 days of the first day the person works at, carries on a vocation at or attends an institution of higher education; and

(e) Within 10 days of a change in work, vocation or attendance status at an institution of higher education.

(4) As used in this section[*,*]**:**

(a) "Attends," "institution of higher education," "works" and "carries on a vocation" have the meanings given those terms in ORS 163A.005.

(b) "Designated drug-related misdemeanor" means:

(A) Unlawful possession of a Schedule I controlled substance under ORS 475.752 (3)(a);

(B) Unlawful possession of a Schedule II controlled substance under ORS 475.752 (3)(b);

(C) Unlawful possession of methadone under ORS 475.824 (2)(a);

(D) Unlawful possession of oxycodone under ORS 475.834 (2)(a);

(E) Unlawful possession of heroin under ORS 475.854 (2)(a);

(F) Unlawful possession of 3,4-methylenedioxymethamphetamine under ORS 475.874 (2)(a);

(G) Unlawful possession of cocaine under ORS 475.884 (2)(a); or

(H) Unlawful possession of methamphetamine under ORS 475.894 (2)(a).

SECTION 18. ORS 423.525, as amended by section 67, chapter 117, Oregon Laws 2016, is amended to read:

423.525. (1) A county, group of counties or intergovernmental corrections entity shall apply to the Director of the Department of Corrections in a manner and form prescribed by the director for funding made available under ORS 423.500 to 423.560. The application shall include a community corrections plan. The Department of Corrections shall provide consultation and technical assistance to counties to aid in the development and implementation of community corrections plans.

(2)(a) From July 1, 1995, until June 30, 1999, a county, group of counties or intergovernmental corrections entity may make application requesting funding for the construction, acquisition, expansion or remodeling of correctional facilities to serve the county, group of counties or intergovernmental corrections entity. The department shall review the application for funding of correctional facilities in accordance with criteria that consider design, cost, capacity, need, operating efficiency and viability based on the county's, group of counties' or intergovernmental corrections entity's ability to provide for ongoing operations.

(b)(A) If the application is approved, the department shall present the application with a request to finance the facility with financing agreements to the State Treasurer and the Director of the Oregon Department of Administrative Services. Except as otherwise provided in subparagraph (B) of this paragraph, upon approval of the request by the State Treasurer and the Director of the Oregon Department of Administrative Services, the facility may be financed with financing agreements, and certificates of participation issued pursuant thereto, as provided in ORS 283.085 to 283.092. All decisions approving or denying applications and requests for financing under this section are final. No such decision is subject to judicial review of any kind.

(B) If requests to finance county correctional facility projects are submitted after February 22, 1996, and the requests have not been approved by the department on the date a session of the Legislative Assembly convenes, the requests are also subject to the approval of the Legislative Assembly.

(c) After approval but prior to the solicitation of bids or proposals for the construction of a project, the county, group of counties or intergovernmental corrections entity and the department shall enter into a written agreement that determines the procedures, and the parties responsible, for the awarding of contracts and the administration of the construction project for the approved correctional facility. If the parties are unable to agree on the terms of the written agreement, the Governor shall decide the terms of the agreement. The Governor's decision is final.

(d) After approval of a construction project, the administration of the project shall be conducted as provided in the agreement required by paragraph (c) of this subsection. The agreement must require at a minimum that the county, group of counties or intergovernmental corrections entity shall submit to the department any change order or alteration of the design of the project that, singly or in the aggregate, reduces the capacity of the correctional facility or materially changes the services or functions of the project. The change order or alteration is not effective until approved by the department. In reviewing the change order or alteration, the department shall consider whether the implementation of the change order or alteration will have any material adverse impact on the parties to any financing agreements or the holders of any certificates of participation issued to fund county correctional facilities under this section. In making its decision, the department may rely on the opinions of the Department of Justice, bond counsel or professional financial advisers.

(3) Notwithstanding ORS 283.085, for purposes of this section, "financing agreement" means a lease purchase agreement, an installment sale agreement, a loan agreement or any other agreement to finance a correctional facility described in this section, or to refinance a previously executed financing agreement for the financing of a correctional facility. The state is not required to own or operate a correctional facility in order to finance it under ORS 283.085 to 283.092 and this section. The state, an intergovernmental corrections entity, county or group of counties may enter into any agreements, including, but not limited to, leases and subleases, that are reasonably necessary or generally accepted by the financial community for purposes of acquiring or securing financing as authorized by this section. In financing county correctional facilities under this section, "property rights" as used in ORS 283.085 includes leasehold mortgages of the state's rights under leases of correctional facilities from counties.

(4) Notwithstanding any other provision of state law, county charter or ordinance, a county may convey or lease to the State of Oregon, acting by and through the Department of Corrections, title to interests in, or a lease of, any real property, facilities or personal property owned by the county for the purpose of financing the construction, acquisition, expansion or remodeling of a correctional facility. Upon the payment of all principal and interest on, or upon any other satisfaction of, the financing agreement used to finance the construction, acquisition, expansion or remodeling of a correctional facility, the state shall reconvey its interest in, or terminate and surrender its leasehold of, the property or facilities, including the financed construction, acquisition, expansion or remodeling, to the county. In addition to any authority granted by ORS 283.089, for the purposes of obtaining financing, the state may enter into agreements under which the state may grant to trustees or lenders leases, subleases and other security interests in county property conveyed or leased to the state under this subsection and in the property or facilities financed by financing agreements.

(5) In connection with the financing of correctional facilities, the Director of the Oregon Department of Administrative Services may bill the Department of Corrections, and the Department of Corrections shall pay the amounts billed, in the same manner as provided in ORS 283.089. As required by ORS 283.091, the Department of Corrections and the Oregon Department of Administrative Services shall include in the Governor's budget all amounts that will be due in each fiscal period under financing agreements for correctional facilities. Amounts payable by the state under a financing agreement for the construction, acquisition, expansion or remodeling of a correctional facility are limited to available funds as defined in ORS 283.085, and no lender, trustee, certificate holder or county has any claim or recourse against any funds of the state other than available funds.

(6) The director shall adopt rules that may be necessary for the administration, evaluation and implementation of ORS 423.500 to 423.560. The standards shall be sufficiently flexible to foster the development of new and improved supervision or rehabilitative practices and maximize local control.

(7) When a county assumes responsibility under ORS 423.500 to 423.560 for correctional services previously provided by the department, the county and the department shall enter into an intergovernmental agreement that includes a local community corrections plan consisting of program descriptions, budget allocation, performance objectives and methods of evaluating each correctional service to be provided by the county. The performance objectives must include in dominant part reducing future criminal conduct. The methods of evaluating services must include, to the extent of available information systems resources, the collection and analysis of data sufficient to determine the apparent effect of the services on future criminal conduct.

(8) All community corrections plans shall comply with rules adopted pursuant to ORS 423.500 to 423.560, and shall include but need not be limited to an outline of the basic structure and the supervision, services and local sanctions to be applied to offenders convicted of felonies **and designated drug-related misdemeanors** who are:

(a) On parole;

(b) On probation;

(c) On post-prison supervision;

(d) Sentenced, on or after January 1, 1997, to 12 months or less incarceration;

(e) Sanctioned, on or after January 1, 1997, by a court or the State Board of Parole and Post-Prison Supervision to 12 months or less incarceration for a violation of a condition of parole, probation or post-prison supervision; and

(f) On conditional release under ORS 420A.206.

(9) All community corrections plans shall designate a community corrections manager of the county or counties and shall provide that the administration of community corrections under ORS 423.500 to 423.560 shall be under such manager.

(10) No amendment to or modification of a county-approved community corrections plan shall be placed in effect without prior notice to the director for purposes of statewide data collection and reporting.

(11) The obligation of the state to provide funding and the scheduling for providing funding of a project approved under this section is dependent upon the ability of the state to access public security markets to sell financing agreements.

(12) No later than January 1 of each odd-numbered year, the Department of Corrections shall:

(a) Evaluate the community corrections policy established in ORS 423.475, 423.478, 423.483 and 423.500 to 423.560; and

(b) Assess the effectiveness of local revocation options.

(13) As used in this section, "designated drug-related misdemeanor" has the meaning given that term in ORS 423.478.

SECTION 19. ORS 137.633 is amended to read:

137.633. (1) A person convicted of a felony **or a designated drug-related misdemeanor** and sentenced to probation or to the legal and physical custody of the supervisory authority under ORS 137.124 (2) is eligible for a reduction in the period of probation or local control post-prison supervision for complying with terms of probation or post-prison supervision, including the payment of restitution and participation in recidivism reduction programs.

(2) The maximum reduction under this section may not exceed 50 percent of the period of probation or local control post-prison supervision imposed.

(3) A reduction under this section may not be used to shorten the period of probation or local control post-prison supervision to less than six months.

(4)(a) The Department of Corrections shall adopt rules to carry out the provisions of this section.

(b) The supervisory authority shall comply with the rules adopted under this section.

(5) As used in this section[,]**:**

(a) "Designated drug-related misdemeanor" has the meaning given that term in ORS 423.478.

(b) "Local control post-prison supervision" means post-prison supervision that is supervised by a local supervisory authority pursuant to ORS 144.101.

SECTION 20. ORS 51.050 is amended to read:

51.050. (1) Except as otherwise provided in this section, in addition to the criminal jurisdiction of justice courts already conferred upon and exercised by them, justice courts have jurisdiction of all offenses committed or triable in their respective counties. The jurisdiction conveyed by this section is concurrent with any jurisdiction that may be exercised by a circuit court or municipal court.

(2) In any justice court that has not become a court of record under ORS 51.025, a defendant charged with a misdemeanor shall be notified immediately after entering a plea of not guilty of the right of the defendant to have the matter transferred to the circuit court for the county where the justice court is located. The election shall be made within 10 days after the plea of not guilty is entered, and the justice shall immediately transfer the case to the appropriate court.

(3) A justice court does not have jurisdiction over the trial of any felony **or a designated drug-related misdemeanor as defined in ORS 423.478**. Except as provided in ORS 51.037, a justice court does not have jurisdiction over offenses created by the charter or ordinance of any city.

SECTION 21. ORS 221.339 is amended to read:

221.339. (1) A municipal court has concurrent jurisdiction with circuit courts and justice courts over all violations committed or triable in the city where the court is located.

(2) Except as provided in subsections (3) and (4) of this section, municipal courts have concurrent jurisdiction with circuit courts and justice courts over misdemeanors committed or triable in the city. Municipal courts may exercise the jurisdiction conveyed by this section without a charter provision or ordinance authorizing that exercise.

(3) Municipal courts have no jurisdiction over felonies **or designated drug-related misdemeanors as defined in ORS 423.478**.

(4) A city may limit the exercise of jurisdiction over misdemeanors by a municipal court under this section by the adoption of a charter provision or ordinance, except that municipal courts must retain concurrent jurisdiction with circuit courts over:

(a) Misdemeanors created by the city's own charter or by ordinances adopted by the city, as provided in ORS 3.132; and

(b) Traffic crimes as defined by ORS 801.545.

(5) Subject to the powers and duties of the Attorney General under ORS 180.060, the city attorney has authority to prosecute a violation of any offense created by statute that is subject to the jurisdiction of a municipal court, including any appeal, if the offense is committed or triable in the city. The prosecution shall be in the name of the state. The city attorney shall have all powers of a district attorney in prosecutions under this subsection.

SECTION 22. ORS 161.615 is amended to read:

161.615. Sentences for misdemeanors shall be for a definite term. The court shall fix the term of imprisonment within the following maximum limitations:

(1) For a Class A misdemeanor, [*1 year*] **364 days**.

(2) For a Class B misdemeanor, 6 months.

(3) For a Class C misdemeanor, 30 days.

(4) For an unclassified misdemeanor, as provided in the statute defining the crime.

SECTION 23. ORS 419C.501 is amended to read:

419C.501. (1) The court shall fix the duration of any disposition made pursuant to this chapter and the duration may be for an indefinite period. Any placement in the legal custody of the Department of Human Services or the Oregon Youth Authority under ORS 419C.478 or placement under the jurisdiction of the Psychiatric Security Review Board under ORS 419C.529 shall be for an indefinite period. However, the period of institutionalization or commitment may not exceed:

(a) The period of time specified in the statute defining the crime for an act that would constitute an unclassified misdemeanor if committed by an adult;

(b) Thirty days for an act that would constitute a Class C misdemeanor if committed by an adult;

(c) Six months for an act that would constitute a Class B misdemeanor if committed by an adult;

(d) [*One year*] **Three hundred sixty-four days** for an act that would constitute a Class A misdemeanor if committed by an adult;

(e) Five years for an act that would constitute a Class C felony if committed by an adult;

(f) Ten years for an act that would constitute a Class B felony if committed by an adult;

(g) Twenty years for an act that would constitute a Class A felony if committed by an adult; and

(h) Life for a young person who was found to have committed an act that, if committed by an adult would constitute murder or any aggravated form of murder under ORS 163.095 or 163.115.

(2) Except as provided in subsection (1)(h) of this section, the period of any disposition may not extend beyond the date on which the young person or youth offender becomes 25 years of age.

SECTION 24. The Oregon Criminal Justice Commission shall study the effect that the reduction of certain unlawful possession of a controlled substance offenses from a felony to a misdemeanor has had on the criminal justice system, rates of recidivism and the composition of the population of persons convicted of felony offenses. The commission shall submit a report detailing the results of the study to the interim committees of the Legislative Assembly related to the judiciary in the manner provided by ORS 192.245 no later than September 15, 2018.

SECTION 25. ORS 161.570 is amended to read:

161.570. (1) As used in this section, "nonperson felony" has the meaning given that term in the rules of the Oregon Criminal Justice Commission.

(2) A district attorney may elect to treat a Class C nonperson felony or a violation of ORS 475.752 [*(3)(a)*] **(7)**, 475.854 **(2)(b)** or 475.874 **(2)(b)** as a Class A misdemeanor. The election must be made by the district attorney orally or in writing at the time of the first appearance of the defendant. If a district attorney elects to treat a Class C felony or a violation of ORS 475.752 [*(3)(a)*] **(7)**,

475.854 **(2)(b)** or 475.874 **(2)(b)** as a Class A misdemeanor under this subsection, the court shall amend the accusatory instrument to reflect the charged offense as a Class A misdemeanor.

(3) If, at some time after the first appearance of a defendant charged with a Class C nonperson felony or a violation of ORS 475.752 [*(3)(a)*] **(7)**, 475.854 **(2)(b)** or 475.874 **(2)(b)**, the district attorney and the defendant agree to treat the charged offense as a Class A misdemeanor, the court may allow the offense to be treated as a Class A misdemeanor by stipulation of the parties.

(4) If a Class C felony or a violation of ORS 475.752 [*(3)(a)*] **(7)**, 475.854 **(2)(b)** or 475.874 **(2)(b)** is treated as a Class A misdemeanor under this section, the court shall clearly denominate the offense as a Class A misdemeanor in any judgment entered in the matter.

(5) If no election or stipulation is made under this section, the case proceeds as a felony.

(6) Before a district attorney may make an election under subsection (2) of this section, the district attorney shall adopt written guidelines for determining when and under what circumstances the election may be made. The district attorney shall apply the guidelines uniformly.

(7) Notwithstanding ORS 161.635, the fine that a court may impose upon conviction of a misdemeanor under this section may not:

(a) Be less than the minimum fine established by ORS 137.286 for a felony; or

(b) Exceed the amount provided in ORS 161.625 for the class of felony receiving Class A misdemeanor treatment.

SECTION 26. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Criminal Justice Commission by section 1, chapter _____, Oregon Laws 2017 (Enrolled House Bill 5005), for the biennium beginning July 1, 2017, is increased by $347,351 for the purpose of implementing the provisions of this 2017 Act.

SECTION 27. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Police by section 1 (4), chapter _____, Oregon Laws 2017 (Enrolled House Bill 5031), for the biennium beginning July 1, 2017, for administrative services, agency support, criminal justice information services and office of the State Fire Marshal, is increased by $780,418 for the purpose of implementing the provisions of this 2017 Act.

SECTION 28. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter _____, Oregon Laws 2017 (Enrolled House Bill 5031), for the biennium beginning July 1, 2017, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of State Police for administrative services, agency support, criminal justice information services and office of the State Fire Marshal, is increased by $750,000 for the purpose of implementing the provisions of this 2017 Act.

SECTION 29. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter _____, Oregon Laws 2017 (Enrolled House Bill 5034), for the biennium beginning July 1, 2017, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Public Safety Standards and Training, for operations, is increased by $431,330 for the purpose of implementing the provisions of this 2017 Act.

SECTION 30. (1) The amendments to ORS 475.005, 475.752, 475.824, 475.834, 475.854, 475.874, 475.884 and 475.894 by sections 9 to 16 of this 2017 Act apply to unlawful possession of a controlled substance offenses committed on or after the effective date of this 2017 Act.

(2) The amendments to ORS 161.615 by section 22 of this 2017 Act apply to sentences imposed on or after the effective date of this 2017 Act.

(3) The amendments to ORS 419C.501 by section 23 of this 2017 Act apply to findings that a youth offender is within the jurisdiction of the court under ORS 419C.005 that are made on or after the effective date of this 2017 Act.

SECTION 31. **This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.**

Passed by House July 5, 2017

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate July 6, 2017

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2017

Approved:

.....M.,....., 2017

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2017

.....
Dennis Richardson, Secretary of State

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Appendix A to Part 1300 – Certifications and Assurances for Fiscal Year 2022 Highway Safety Grants (23 U.S.C. Chapter 4; Sec. 1906, Pub. L. 109-59, As Amended By Sec. 4011, Pub. L. 114-94)

[*Each fiscal year, the Governor's Representative for Highway Safety must sign these Certifications and Assurances affirming that the State complies with all requirements, including applicable Federal statutes and regulations, that are in effect during the grant period. Requirements that also apply to subrecipients are noted under the applicable caption.*]

State: OREGON Fiscal Year: 2023

By submitting an application for Federal grant funds under 23 U.S.C. Chapter 4 or Section 1906, the State Highway Safety Office acknowledges and agrees to the following conditions and requirements. In my capacity as the Governor's Representative for Highway Safety, I hereby provide the following Certifications and Assurances:

GENERAL REQUIREMENTS

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4 – Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 23 CFR part 1300 – Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 – Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs).

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)

The State will comply with FFATA guidance, OMB Guidance on FFATA Subward and Executive Compensation Reporting, August 27, 2010, (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;

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- 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:
  (i) the entity in the preceding fiscal year received—
    (I) 80 percent or more of its annual gross revenues in Federal awards;
    (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.

NONDISCRIMINATION
(applies to subrecipients as well as States)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.,* 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies** Act of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.),* **and Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.),* as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.),* (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities,

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public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;

- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;

- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;

- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;

- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

  "During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

  a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;

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b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 2l and herein;

c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;

d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and

e. To insert this clause, including paragraphs (a) through (e), in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The State 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;
    5. 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);

c. 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;

d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;

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e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(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 a Federal, State, or local health, law enforcement, or other appropriate agency;

f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

POLITICAL ACTIVITY (HATCH ACT)
(applies to subrecipients as well as States)

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING
(applies to subrecipients as well as States)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned 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 undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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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.

RESTRICTION ON STATE LOBBYING
(applies to subrecipients as well as States)

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
(applies to subrecipients as well as States)

Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

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 prospective primary tier participant 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 prospective primary tier participant 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 prospective primary tier participant 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 or may pursue suspension or debarment.

4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

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5. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary tier participant agrees by submitting this proposal 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 entering into this transaction.

7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "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 and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

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 is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (https://www.sam.gov/).

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 the transaction for cause or default.

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Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions

(1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal 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 records, 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 prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

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 or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal 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, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

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5. The prospective lower tier participant agrees by submitting this proposal 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 “Instructions for Lower Tier Participant Certification” including the "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 and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

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 is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (https://www.sam.gov/).

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 with which this transaction originated may pursue available remedies, including suspension 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 proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions 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 proposal.

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BUY AMERICA ACT
(applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items 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. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE
(applies to subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

POLICY ON SEAT BELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

POLICY ON BANNING 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, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

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SECTION 402 REQUIREMENTS

1. To the best of my personal knowledge, the information submitted in the Highway Safety Plan in support of the State's application for a grant under 23 U.S.C. 402 is accurate and complete.

2. The Governor is the responsible official for the administration of the State highway safety program, by appointing a Governor's Representative for Highway Safety who shall be responsible for a State highway safety agency that has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program. (23 U.S.C. 402(b)(1)(A))

3. The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation. (23 U.S.C. 402(b)(1)(B))

4. At least 40 percent of all Federal funds apportioned to this State under 23 U.S.C. 402 for this fiscal year will be expended by or for the benefit of political subdivisions of the State in carrying out local highway safety programs (23 U.S.C. 402(b)(1)(C)) or 95 percent by and for the benefit of Indian tribes (23 U.S.C. 402(h)(2)), unless this requirement is waived in writing. (This provision is not applicable to the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.)

5. The State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks. (23 U.S.C. 402(b)(1)(D))

6. The State will provide for an evidenced-based traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents. (23 U.S.C. 402(b)(1)(E))

7. The State 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:
    - Participation in the National high-visibility law enforcement mobilizations as identified annually in the NHTSA Communications Calendar, including not less than 3 mobilization campaigns in each fiscal year to –
        - Reduce alcohol-impaired or drug-impaired operation of motor vehicles; and
        - Increase use of seat belts by occupants of motor vehicles;
    - Submission of information regarding mobilization participation into the HVE Database;
    - Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits;

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- An annual Statewide seat belt use survey in accordance with 23 CFR part 1340 for the measurement of State seat belt use rates, except for the Secretary of Interior on behalf of Indian tribes;
- Development of Statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources;
- Coordination of Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in 23 U.S.C. 148(a).

(23 U.S.C. 402(b)(1)(F))

8. The State will actively encourage all relevant law enforcement agencies 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 U.S.C. 402(j))

9. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system. (23 U.S.C. 402(c)(4))

The State: **[CHECK ONLY ONE]**

☐ Certifies that automated traffic enforcement systems are not used on any public road in the States;

OR

☑ Is unable to certify that automated traffic enforcement systems are not use on any public road in the State, and therefore will conduct a survey meeting the requirements of 23 U.S.C. 402(c)(4)(C) AND will submit the survey results to the NHTSA Regional Office no later than March 1, 2022.

I understand that my statements in support of the State's application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.

Signature Governor's Representative for Highway Safety Date

Amy Joyce

Printed name of Governor's Representative for Highway Safety

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Appendix B to Part 1300 – Application Requirements for Section 405 and Section 1906 Grants

[*Each fiscal year, to apply for a grant under 23 U.S.C. 405 or Section 1906, Pub. L. 109-59, as amended by Section 4011, Pub. L. 114-94, the State must complete and submit all required information in this appendix, and the Governor's Representative for Highway Safety must sign the Certifications and Assurances.*]

State: Oregon Fiscal Year: 2023

Instructions: Check the box for each part for which the State is applying for a grant, fill in relevant blanks, and identify the attachment number or page numbers where the requested information appears in the HSP. Attachments may be submitted electronically.

■ PART 1: OCCUPANT PROTECTION GRANTS (23 CFR 1300.21)

[*Check the box above **only** if applying for this grant.*]

All States:

[*Fill in **all** blanks below.*]

- The lead State agency responsible for occupant protection programs will maintain its aggregate expenditures for occupant protection programs at or above the average level of such expenditures in fiscal years 2014 and 2015. (23 U.S.C. 405(a)(9))

- The State's occupant protection program area plan for the upcoming fiscal year is provided in the HSP at found in the OP section (location).

- The State will participate in the Click it or Ticket national mobilization in the fiscal year of the grant. The description of the State's planned participation is provided in the HSP at found in the first 4 pages of the 405 (b) section. (location).

- Countermeasure strategies and planned activities demonstrating the State's active network of child restraint inspection stations are provided in the HSP at found in the 405 (b) section, following the Click It or Ticket section. (location). Such description includes estimates for: (1) the total number of planned inspection stations and events during the upcoming fiscal year; and (2) within that total, the number of planned inspection stations and events serving each of the following population categories: urban, rural, and at-risk. The planned inspection stations/events provided in the HSP are staffed with at least one current nationally Certified Child Passenger Safety Technician.

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- Countermeasure strategies and planned activities, as provided in the HSP at 405 (b) section, the very end of the section _____ (location), that include estimates of the total number of classes and total number of technicians to be trained in the upcoming fiscal year to ensure coverage of child passenger safety inspection stations and inspection events by nationally Certified Child Passenger Safety Technicians.

Lower Seat Belt Use States Only:

[*Check **at least 3 boxes** below and fill in **all** blanks under those checked boxes*.]

□ The State's **primary seat belt use law**, requiring all occupants riding in a passenger motor vehicle to be restrained in a seat belt or a child restraint, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.
Legal citation(s):_____.

□ The State's **occupant protection law**, requiring occupants to be secured in a seat belt or age-appropriate child restraint while in a passenger motor vehicle and a minimum fine of $25, was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.
Legal citations:

- _____ Requirement for all occupants to be secured in seat belt or age appropriate child restraint;
- _____ Coverage of all passenger motor vehicles;
- _____ Minimum fine of at least $25;
- _____ Exemptions from restraint requirements.

□ The countermeasure strategies and planned activities demonstrating the State's **seat belt enforcement plan** are provided in the HSP at _____ (location).

□ The countermeasure strategies and planned activities demonstrating the State's **high risk population countermeasure program** are provided in the HSP at _____ (location).

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□ The State's **comprehensive occupant protection program** is provided as follows:

- Date of NHTSA-facilitated program assessment conducted within 5 years prior to the application date_____ (date);
  _____
- Multi-year strategic plan: HSP at _____(location);
- The name and title of the State's designated occupant protection coordinator is _____.
- List that contains the names, titles and organizations of the Statewide occupant protection task force membership: HSP at _____ (location).

□ The State's NHTSA-facilitated **occupant protection program assessment** of all elements of its occupant protection program was conducted on _____ (date) (within 3 years of the application due date);

_____

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■ PART 2: STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS GRANTS (23 CFR 1300.22)

[*Check the box above **only** if applying for this grant.*]

All States:

- The lead State agency responsible for traffic safety information system improvement programs will maintain its aggregate expenditures for traffic safety information system improvements programs at or above the average level of such expenditures in fiscal years 2014 and 2015. (23 U.S.C. 405(a)(9))

[*Fill in **all** blank for each bullet below.*]

- A list of at least 3 TRCC meeting dates during the 12 months preceding the application due date is provided in the HSP at first page of the 405 (c) grant application (location).
- The name and title of the State's Traffic Records Coordinator is Walter McAllister
- A list of the TRCC members by name, title, home organization and the core safety database represented is provided in the HSP at first page of 405 (c) grant application (location).
- The State Strategic Plan is provided as follows:
    - Description of specific, quantifiable and measurable improvements at first page of 405 (c) grant application (location);
    - List of all recommendations from most recent assessment at: second page of 405 (c) grant application (location);
    - Recommendations to be addressed, including countermeasure strategies and planned activities and performance measures at second page of 405 (c) grant application (location);
    - Recommendations not to be addressed, including reasons for not implementing: HSP at thrid page of 405 (c) grant application (location).
- Written description of the performance measures, and all supporting data, that the State is relying on to demonstrate achievement of the quantitative improvement in the preceding 12 months of the application due date in relation to one or more of the significant data program attributes is provided in the HSP at 25th page of the 405 (c) grant application (location).
- The State's most recent assessment or update of its highway safety data and traffic records system was completed on 01/21/21 (date).

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■ PART 3: IMPAIRED DRIVING COUNTERMEASURES (23 CFR 1300.23(D)-(F))

[*Check the box above **only** if applying for this grant.*]

All States:

- The lead State agency responsible for impaired driving programs will maintain its aggregate expenditures for impaired driving programs at or above the average level of such expenditures in fiscal years 2014 and 2015.

- The State will use the funds awarded under 23 U.S.C. 405(d) only for the implementation of programs as provided in 23 CFR 1300.23(j).

Mid-Range State Only:

[*Check **one box** below and fill in **all** blanks under that checked box.*]

■ The State submits its Statewide impaired driving plan approved by a Statewide impaired driving task force on June 4, 2021 (date). Specifically –

- HSP at page one of the 405(d) section (location) describes the authority and basis for operation of the Statewide impaired driving task force;
- HSP at page one of the 405(d) section (location) contains the list of names, titles and organizations of all task force members;
- HSP at In the 405(d) section, the pages following the FY 2023 Impaired Driving Countermeasure Grant Classification page (location) contains the strategic plan based on Highway Safety Guideline No. 8 – Impaired Driving.

□ The State has previously submitted a Statewide impaired driving plan approved by a Statewide impaired driving task force on _____ (date) and continues to use this plan.

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High-Range State Only:

[*Check **one box** below and fill in **all** blanks under that checked box.*]

□ The State submits its Statewide impaired driving plan approved by a Statewide impaired driving task force on _____ (date) that includes a review of a NHTSA-facilitated assessment of the State's impaired driving program conducted on _____ (date). Specifically, –

- HSP at _____(location) describes the authority and basis for operation of the Statewide impaired driving task force;
- HSP at _____(location) contains the list of names, titles and organizations of all task force members;
- HSP at _____(location) contains the strategic plan based on Highway Safety Guideline No. 8 – Impaired Driving;
- HSP at_____ (location) addresses any related recommendations from the assessment of the State's impaired driving program;
- HSP at _____(location) contains the planned activities, in detail, for spending grant funds;
- HSP at _____(location) describes how the spending supports the State's impaired driving program and achievement of its performance targets.

□ The State submits an updated Statewide impaired driving plan approved by a Statewide impaired driving task force on _____ (date) and updates its assessment review and spending plan provided in the HSP at_____ (location).

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□ PART 4: ALCOHOL-IGNITION INTERLOCK LAWS (23 CFR 1300.23(G))

[*Check the box above **only** if applying for this grant.*]

[*Fill in **all** blanks*.]

The State provides citations to a law that requires all individuals convicted of driving under the influence or of driving while intoxicated to drive only motor vehicles with alcohol-ignition interlocks for a period of 6 months that was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

Legal citation(s):

_____

_____.

□ PART 5: 24-7 SOBRIETY PROGRAMS (23 CFR 1300.23(H))

[*Check the box above **only** if applying for this grant.*]

[*Fill in **all** blanks*.]

The State provides citations to a law that requires all individuals convicted of driving under the influence or of driving while intoxicated to receive a restriction on driving privileges that was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

Legal citation(s):

_____

_____.

[*Check **at least one of the boxes** below and fill in **all** blanks under that checked box*.]

□ *Law citation.* The State provides citations to a law that authorizes a Statewide 24-7 sobriety program that was enacted on _____ (date) and last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

Legal citation(s):

_____

_____.

□ *Program information.* The State provides program information that authorizes a Statewide 24-7 sobriety program. The program information is provided in the HSP at _____ (location).

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■ PART 6: DISTRACTED DRIVING GRANTS (23 CFR 1300.24)

[*Check the box above **only** if applying for this grant and fill in **all** blanks.*]

Comprehensive Distracted Driving Grant

- The State provides sample distracted driving questions from the State's driver's license examination in the HSP at page one of the 405 (e) grant application (location).

- **Prohibition on Texting While Driving**

  The State's texting ban statute, prohibiting texting while driving and requiring a minimum fine of at least $25, was enacted on 10/01/2007 (date) and last amended on 03/16/2018 (date), is in effect, and will be enforced during the fiscal year of the grant.

  Legal citations:

  - ORS 811.507 Prohibition on texting while driving;
  - ORS 811.507 Definition of covered wireless communication devices;
  - ORS 811.507 Minimum fine of at least $25 for an offense;
  - ORS 811.507 Exemptions from texting ban.

- **Prohibition on Youth Cell Phone Use While Driving**

  The State's youth cell phone use ban statute, prohibiting youth cell phone use while driving, driver license testing of distracted driving issues and requiring a minimum fine of at least $25, was enacted on 10/01/2007 (date) and last amended on 03/16/2018 (date), is in effect, and will be enforced during the fiscal year of the grant.

  Legal citations:

  - ORS 811.507 Prohibition on youth cell phone use while driving;
  - ORS 811.507 Definition of covered wireless communication devices;
  - ORS 811.507 Minimum fine of at least $25 for an offense;
  - ORS 811.507 Exemptions from youth cell phone use ban.

- The State has conformed its distracted driving data to the most recent Model Minimum Uniform Crash Criteria (MMUCC) and will provide supporting data (i.e., NHTSA-developed MMUCC Mapping spreadsheet) within 30 days after notification of award.

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■ PART 7: MOTORCYCLIST SAFETY GRANTS (23 CFR 1300.25)

[*Check the box above **only** if applying for this grant.*]

[*Check **at least 2 boxes** below and fill in **all** blanks under those checked boxes **only**.*]

■ Motorcycle riding training course:

- The name and organization of the head of the designated State authority over motorcyclist safety issues is Amy Joyce, Oregon Department of Transportation-Transportation Safety Office.

- The head of the designated State authority over motorcyclist safety issues has approved and the State has adopted one of the following introductory rider curricula: [*Check at least one of the following boxes below and fill in any blanks.*]

  □ Motorcycle Safety Foundation Basic Rider Course;
  ■ TEAM OREGON Basic Rider Training;
  □ Idaho STAR Basic I;
  □ California Motorcyclist Safety Program Motorcyclist Training Course;
  □ Other curriculum that meets NHTSA's Model National Standards for Entry-Level Motorcycle Rider Training and that has been approved by NHTSA.

- In the HSP at Motorcycle Safety Section (location), a list of counties or political subdivisions in the State where motorcycle rider training courses will be conducted during the fiscal year of the grant AND number of registered motorcycles in each such county or political subdivision according to official State motor vehicle records.

■ Motorcyclist awareness program:

- The name and organization of the head of the designated State authority over motorcyclist safety issues is Amy Joyce, Oregon Department of Transportation-Transportation Safety Office.

- The State's motorcyclist awareness program was developed by or in coordination with the designated State authority having jurisdiction over motorcyclist safety issues.

- In the HSP at Associated Performance Measures & *Preliminary State Crash Data - 2019 MC/Multivehicle Fatal and Severe Injury Crashes by County (location), performance measures and corresponding performance targets developed for motorcycle awareness that identify, using State crash data, the counties or political subdivisions within the State with the highest number of motorcycle crashes involving a motorcycle and another motor vehicle.

- In the HSP at Motorcycle Safety section (location), the countermeasure strategies and planned activities demonstrating that the State will implement data-driven programs in a majority of counties or political subdivisions

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where the incidence of crashes involving a motorcycle and another motor vehicle is highest, and a list that identifies, using State crash data, the counties or political subdivisions within the State ranked in order of the highest to lowest number of crashes involving a motorcycle and another motor vehicle per county or political subdivision.

■ **Reduction of fatalities and crashes involving motorcycles:**

- Data showing the total number of motor vehicle crashes involving motorcycles is provided in the HSP at Motorcycle Safety section (location).
- Description of the State's methods for collecting and analyzing data is provided in the HSP at Motorcycle Safety section (location).

■ **Impaired driving program:**

- In the HSP at Motorcycle Safety section (location), performance measures and corresponding performance targets developed to reduce impaired motorcycle operation.
- In the HSP at Motorcycle Safety section (location), countermeasure strategies and planned activities demonstrating that the State will implement data-driven programs designed to reach motorcyclists and motorists in those jurisdictions where the incidence of motorcycle crashes involving an impaired operator is highest (i.e., the majority of counties or political subdivisions in the State with the highest numbers of motorcycle crashes involving an impaired operator) based upon State data.

□ **Reduction of fatalities and accidents involving impaired motorcyclists:**

- Data showing the total number of reported crashes involving alcohol-impaired and drug-impaired motorcycle operators is provided in the HSP at _____ (location).
- Description of the State's methods for collecting and analyzing data is provided in the HSP at _____ (location).

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■ **Use of fees collected from motorcyclists for motorcycle programs:**

[*Check **one box only** below and fill in **all** blanks under the checked box **only**.*]

■ Applying as a Law State –

- The State law or regulation requires all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are to be used for motorcycle training and safety programs. **AND**

- The State's law appropriating funds for FY 2021 demonstrates that all fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs are spent on motorcycle training and safety programs.
  Legal citation(s): Oregon Revised Statute 802.320 Motorcycle safety program; contents; fees; contracts _____.

□ Applying as a Data State –

- Data and/or documentation from official State records from the previous fiscal year showing that **all** fees collected by the State from motorcyclists for the purpose of funding motorcycle training and safety programs were used for motorcycle training and safety programs is provided in the HSP at _____ (location).

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□ PART 8: STATE GRADUATED DRIVER LICENSING INCENTIVE GRANTS (23 CFR 1300.26)

[*Check the box above **only** if applying for this grant.*]

[*Fill in **all** applicable blanks below.*]

The State's graduated driver's licensing statute, requiring both a learner's permit stage and intermediate stage prior to receiving an unrestricted driver's license, was last amended on _____ (date), is in effect, and will be enforced during the fiscal year of the grant.

Learner's Permit Stage –

Legal citations:

- _____ Applies prior to receipt of any other permit, license, or endorsement by the State if applicant is younger than 18 years of age and has not been issued an intermediate license or unrestricted driver's license by any State;
- _____ Applicant must pass vision test and knowledge assessment;
- _____ In effect for at least 6 months;
- _____ In effect until driver is at least 16 years of age;
- _____ Must be accompanied and supervised at all times;
- _____ Requires completion of State-certified driver education or training course or at least 50 hours of behind-the-wheel training, with at least 10 of those hours at night;
- _____ Prohibits use of personal wireless communications device;
- _____ Extension of learner's permit stage if convicted of a driving-related offense;
- _____ Exemptions from learner's permit stage.

Intermediate Stage –

Legal citations:

- _____ Commences after applicant younger than 18 years of age successfully completes the learner's permit stage, but prior to receipt of any other permit, license, or endorsement by the State;
- _____ Applicant must pass behind-the-wheel driving skills assessment;

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- _____ In effect for at least 6 months;
- _____ In effect until driver is at least 17 years of age;
- _____ Must be accompanied and supervised between hours of 10:00 p.m. and 5:00 a.m. during first 6 months of stage, except when operating a motor vehicle for the purposes of work, school, religious activities, or emergencies;
- _____ No more than 1 nonfamilial passenger younger than 21 years of age allowed;
- _____ Prohibits use of personal wireless communications device;
- _____ Extension of intermediate stage if convicted of a driving-related offense;
- _____ Exemptions from intermediate stage.

■ PART 9: NONMOTORIZED SAFETY GRANTS (23 CFR 1300.27)

[*Check the box above **only** applying for this grant AND **only** if NHTSA has identified the State as eligible because the State annual combined pedestrian and bicyclist fatalities exceed 15 percent of the State's total annual crash fatalities based on the most recent calendar year final FARS data.*]

The State affirms that it will use the funds awarded under 23 U.S.C. 405(h) only for the implementation of programs as provided in 23 CFR 1300.27(d).

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■ PART 10: RACIAL PROFILING DATA COLLECTION GRANTS (23 CFR 1300.28)

[*Check the box above **only** if applying for this grant.*]

[*Check one box **only** below and fill in **all** blanks under the checked box **only**.*]

■ In the HSP at Attachment A and B (location), the official document(s) (i.e., a law, regulation, binding policy directive, letter from the Governor or court order) demonstrates that the State maintains and allows public inspection of statistical information on the race and ethnicity of the driver for each motor vehicle stop made by a law enforcement officer on all public roads except those classified as local or minor rural roads.

□ In the HSP at _____ (location), the State will undertake countermeasure strategies and planned activities during the fiscal year of the grant to maintain and allow public inspection of statistical information on the race and ethnicity of the driver for each motor vehicle stop made by a law enforcement officer on all public roads except those classified as local or minor rural roads. (A State may not receive a racial profiling data collection grant by checking this box for more than 2 fiscal years.)

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In my capacity as the Governor's Representative for Highway Safety, I hereby provide the following certifications and assurances –

- I have reviewed the above information in support of the State's application for 23 U.S.C. 405 and Section 1906 grants, and based on my review, the information is accurate and complete to the best of my personal knowledge.

- As condition of each grant awarded, the State will use these grant funds in accordance with the specific statutory and regulatory requirements of that grant, and will comply with all applicable laws, regulations, and financial and programmatic requirements for Federal grants.

- I understand and accept that incorrect, incomplete, or untimely information submitted in support of the State's application may result in the denial of a grant award.

I understand that my statements in support of the State's application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.

Signature Governor's Representative for Highway Safety Date

Amy Joyce

Printed name of Governor's Representative for Highway Safety

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