



Non-infrastructure Safety Funding

What it is »

Under the FAST Act, Congress made changes to funding for non-infrastructure safety funding. Traditionally, funds under the Federal Highway Administration (FHWA) programming as well as funds under the National Highway Traffic Safety Administration (NHTSA) were available for non-infrastructure safety projects such as education and enforcement.

While this has limited the number of sources of funding for traffic safety education and enforcement under the FHWA, there are still funding sources under NHTSA. In many states, these funding sources have rarely, if ever, been used for bicycling and walking. Starting in 2016, both states and advocates will need to pivot to these sources to replace funding once available under Transportation Enhancements and the Highway Safety Improvement Programs.

Section 402: State and Community Highway Safety Grant Program. Section 402 has existed for a while, but has been traditionally focused on providing grants to improve driver behavior. In MAP-21 Congress made bicycling and walking safety an eligible use. By statute, 40 percent of 402 funds must be used by local governments, or for the benefit of local governments.

Section 405: National Safety Priority Program. In MAP-21 Congress adapted section 405 to provide specific funding for priority areas. In FAST, Congress added non-motorized safety to those priorities. This creates specific funding for states that have a high level of bicyclist and pedestrian fatalities. Only states where bicycling and pedestrian fatalities make up 15% or more of all traffic fatalities qualify.

Why it matters »

- » Between 2008 and 2014, the number of bicycling and walking fatalities has increased in real numbers and as a percentage of overall traffic fatalities. Traffic fatalities that were bicyclists and pedestrians increased from 12 percent to 17 percent over that timeframe.
- » This spring, the U.S. Department of Transportation will be releasing its final safety performance measure. The measure should include a non-motorized safety performance measure as directed by Congress in the 2014 Omnibus bill.
- » Until now there were several sources of funding for states wanting to invest in education and enforcement campaigns to make bicycling and walking safer in their states; for most states 402 funding is now the only option.
- » 402 and 405 Grants are dispersed by the Governors Safety Highway Offices. In most states this is a different agency than the state Department of Transportation.
- » NHTSA officials hope to release guidance on the FAST Act in April or May. States will likely have to wait to apply for funds until they have a chance to study that guidance

Applications due July 1 »

States must submit applications for 402 and 405 funding by July 1, 2016. Will you support our state funding for bicycling and walking safety education and enforcement programs through these programs?