

make a single grant to each State that enacted, has in effect, and is enforcing a conforming primary safety belt use law for all passenger motor vehicles that was in effect before January 1, 2003.

(2) AMOUNT; INSTALLMENTS.—The amount of a grant available to a State under this subsection shall be equal to 200 percent of the amount of funds apportioned to the State under section 402(c) for fiscal year 2003. The Secretary may award the grant in annual installments.

(d) ALLOCATION OF UNALLOCATED FUNDS.—

(1) ADDITIONAL GRANTS.—The Secretary shall make additional grants under this section of any amounts made available for grants under this section that, on July 1, 2009, have not been allocated to States under this section.

(2) ALLOCATION.—The additional grants made under this subsection shall be allocated among all States that, as of that date, have enacted, have in effect, and are enforcing conforming primary safety belt laws for all passenger motor vehicles. The allocations shall be made in accordance with the formula for apportioning funds among the States under section 402(c).

(e) USE OF GRANT FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2), a State may use a grant under this section for any safety purpose under this title or for any project that corrects or improves a hazardous roadway location or feature or proactively addresses highway safety problems, including—

- (A) intersection improvements;
- (B) pavement and shoulder widening;
- (C) installation of rumble strips and other warning devices;
- (D) improving skid resistance;
- (E) improvements for pedestrian or bicyclist safety;
- (F) railway-highway crossing safety;
- (G) traffic calming;
- (H) the elimination of roadside obstacles;
- (I) improving highway signage and pavement marking;
- (J) installing priority control systems for emergency vehicles at signalized intersections;
- (K) installing traffic control or warning devices at locations with high accident potential;
- (L) safety-conscious planning; and
- (M) improving crash data collection and analysis.

(2) SAFETY ACTIVITY REQUIREMENT.—Notwithstanding paragraph (1), the Secretary shall ensure that at least \$1,000,000 of amounts received by States under this section are obligated for safety activities under this chapter.

(3) SUPPORT ACTIVITY.—The Secretary or his designee may engage in activities with States and State legislators to consider proposals related to safety belt use laws.

(f) CARRY-FORWARD OF EXCESS FUNDS.—If the amount available for grants under this section for any fiscal year exceeds the sum of the grants made under this section for that fiscal year, the excess amount and obligational authority shall

be carried forward and made available for grants under this section in the succeeding fiscal year.

(g) FEDERAL SHARE.—The Federal share payable for grants under this section shall be 100 percent.

(h) PASSENGER MOTOR VEHICLE DEFINED.—In this section, the term “passenger motor vehicle” means—

- (1) a passenger car;
- (2) a pickup truck; and
- (3) a van, minivan, or sport utility vehicle with a gross vehicle weight rating of less than 10,000 pounds.

(Added Pub. L. 93-643, §126(a), Jan. 4, 1975, 88 Stat. 2291; amended Pub. L. 94-280, title II, §205, May 5, 1976, 90 Stat. 453; Pub. L. 95-599, title I, §129(g), Nov. 6, 1978, 92 Stat. 2708; Pub. L. 109-59, title II, §2005(a), Aug. 10, 2005, 119 Stat. 1524.)

AMENDMENTS

2005—Pub. L. 109-59 amended section catchline and text generally, substituting provisions relating to safety belt performance grants for provisions relating to school bus driver training.

1978—Subsec. (c). Pub. L. 95-599 substituted “section shall not exceed 75 per centum” for “title shall not exceed 70 per centum”.

1976—Subsecs. (b), (c). Pub. L. 94-280 redesignated as subsec. (c) the authorization provisions previously set out as a second subsec. (b), provided for obligation of at least \$7,000,000 for fiscal years 1977 and 1978 to carry out this section, and provided for availability of funds for obligation in the same manner and to the same extent as if the funds were apportioned under section 402(c) of this title.

EFFECTIVE DATE OF 2005 AMENDMENT

Amendment by Pub. L. 109-59 effective Oct. 1, 2005, see section 2022 of Pub. L. 109-59, set out as a note under section 402 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment Pub. L. 95-599 effective with respect to obligations incurred after Nov. 6, 1978, see section 129(h) of Pub. L. 95-599, set out as a note under section 120 of this title.

§ 407. Innovative project grants

(a) In addition to other grants authorized by this chapter, the Secretary may make grants in any fiscal year to those States, political subdivisions thereof, and nonprofit organizations which develop innovative approaches to highway safety problems in accordance with criteria to be established by the Secretary in cooperation with the States, political subdivisions thereof, and such nonprofit organizations as the Secretary deems appropriate.

(b) The Secretary shall establish a procedure for the selection of grant applications submitted under this section. In developing such procedure, the Secretary shall consult with the States and political subdivisions thereof, appropriate Federal departments and agencies, and such other public and nonprofit organizations as the Secretary deems appropriate.

(c) Any State, political subdivision thereof, and nonprofit organization may make an application under this section to carry out an innovative project described in subsection (a) of this section. Such application shall be in such form and contain such information as the Secretary, by regulation, prescribes.

(d) Not to exceed 2 per centum of the funds authorized to be appropriated to carry out this section shall be available to the Secretary for the necessary costs of administering the provisions of this section.

(e) The Secretary shall submit an annual report to the Congress which provides a description of each application received for a grant under this section and an evaluation of innovative projects carried out with grants made under this section.

(Added Pub. L. 95-599, title II, §208(a), Nov. 6, 1978, 92 Stat. 2732.)

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in subsec. (e) of this section, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 31 of House Document No. 103-7.

§ 408. State traffic safety information system improvements

(a) GRANT AUTHORITY.—Subject to the requirements of this section, the Secretary shall make grants to eligible States to support the development and implementation of effective programs by such States to—

(1) improve the timeliness, accuracy, completeness, uniformity, integration, and accessibility of the safety data of the State that is needed to identify priorities for national, State, and local highway and traffic safety programs;

(2) evaluate the effectiveness of efforts to make such improvements;

(3) link the State data systems, including traffic records, with other data systems within the State, such as systems that contain medical, roadway, and economic data; and

(4) improve the compatibility and interoperability of the data systems of the State with national data systems and data systems of other States and enhance the ability of the Secretary to observe and analyze national trends in crash occurrences, rates, outcomes, and circumstances.

(b) FIRST-YEAR GRANTS.—To be eligible for a first-year grant under this section in a fiscal year, a State shall demonstrate to the satisfaction of the Secretary that the State has—

(1) established a highway safety data and traffic records coordinating committee with a multidisciplinary membership that includes, among others, managers, collectors, and users of traffic records and public health and injury control data systems; and

(2) developed a multiyear highway safety data and traffic records system strategic plan—

(A) that addresses existing deficiencies in the State's highway safety data and traffic records system;

(B) that is approved by the highway safety data and traffic records coordinating committee;

(C) that specifies how existing deficiencies in the State's highway safety data and traffic records system were identified;

(D) that prioritizes, on the basis of the identified highway safety data and traffic

records system deficiencies of the State, the highway safety data and traffic records system needs and goals of the State, including the activities under subsection (a);

(E) that identifies performance-based measures by which progress toward those goals will be determined; and

(F) that specifies how the grant funds and any other funds of the State are to be used to address needs and goals identified in the multiyear plan.

(c) SUCCESSIVE YEAR GRANTS.—A State shall be eligible for a grant under this subsection in a fiscal year succeeding the first fiscal year in which the State receives a grant under subsection (b) if the State—

(1) certifies to the Secretary that an assessment or audit of the State's highway safety data and traffic records system has been conducted or updated within the preceding 5 years;

(2) certifies to the Secretary that its highway safety data and traffic records coordinating committee continues to operate and supports the multiyear plan;

(3) specifies how the grant funds and any other funds of the State are to be used to address needs and goals identified in the multiyear plan;

(4) demonstrates to the Secretary measurable progress toward achieving the goals and objectives identified in the multiyear plan; and

(5) submits to the Secretary a current report on the progress in implementing the multiyear plan.

(d) GRANT AMOUNT.—Subject to subsection (e)(3), the amount of a year grant made to a State for a fiscal year under this section shall equal the higher of—

(1) the amount determined by multiplying—

(A) the amount appropriated to carry out this section for such fiscal year, by

(B) the ratio that the funds apportioned to the State under section 402 for fiscal year 2003 bears to the funds apportioned to all States under such section for fiscal year 2003; or

(2)(A) \$300,000 in the case of the first fiscal year a grant is made to a State under this section after the date of enactment of this subparagraph; or

(B) \$500,000 in the case of a succeeding fiscal year a grant is made to the State under this section after such date of enactment.

(e) ADDITIONAL REQUIREMENTS AND LIMITATIONS.—

(1) MODEL DATA ELEMENTS.—The Secretary, in consultation with States and other appropriate parties, shall determine the model data elements that are useful for the observation and analysis of State and national trends in occurrences, rates, outcomes, and circumstances of motor vehicle traffic accidents. In order to be eligible for a grant under this section, a State shall submit to the Secretary a certification that the State has adopted and uses such model data elements, or a certification that the State will use grant funds pro-