



June 20, 2014

The Honorable Anthony Foxx
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, DC 20590

ATTN: Federal Highway Administration

Re: Highway Safety Improvement Program: National Performance Management Measures; Docket No. FHWA-2013-0020

Dear Secretary Foxx:

Trust for America's Health (TFAH), a nonprofit, nonpartisan organization dedicated to saving lives by protecting the health of every community and working to make disease and injury prevention a national priority, supports the U.S. Department of Transportation (USDOT) proposed rulemaking under section 1203 of the Moving Ahead for Progress in the 21st Century (MAP-21) Act. As an organization that believes strongly in the need to promote active and safe transportation, we believe new performance measures and standards will be critical to ensuring that our transportation system supports a healthier America.

In August 2013, TFAH and two dozen other like-minded organizations signed a letter¹ to you applauding your commitment to transportation safety and urging you to ensure that states and localities were addressing bicyclist and pedestrian safety in the context of MAP-21 implementation. Specifically, the letter asked for the establishment of national pedestrian and bicyclist safety goals.

We were pleased to see under the proposed March 11, 2014 USDOT proposed rulemaking that USDOT would require state Departments of Transportation to establish performance measures for individual state departments of transportation (State DOTs) as a condition of carrying out the Highway Safety Improvement Program (HSIP). We agree these measures will help assess overall rates of traffic-related serious injuries and fatalities.

However, we were disappointed that the proposed rulemaking acknowledged, yet declined to act on, requests from TFAH and other organizations to include a specific measure for non-motorized users. According to the National Highway Traffic Safety Administration (NHTSA), pedestrian

¹ Public health sign-on letter to USDOT Secretary Foxx, dated August 26, 2013, <http://tfah.org/assets/files/PublicHealthDOTSign-On.pdf>



fatalities have accounted for 14 percent of traffic deaths since 2012 and have increased for three consecutive years.² And the Centers for Disease Control and Prevention (CDC) reports that more and more people are walking for transportation.³ If the proposed rule is implemented as it is currently structured, states will have incentives to lower overall injury and fatality rates but no measures to ensure that Americans being physically active are being protected.

Additionally, while states would be required to make “significant progress” towards achieving two of four proposed safety measures, the methodology that would be used to create a “margin of error” to assess progress would actually permit increases in injury and/or fatality rates and still qualify as successful progress towards improving transportation safety.

In conclusion, while we support the spirit of this rulemaking, we strongly urge you to include a specific safety measure for non-motorized transportation users and to fix the proposed methodology for assessing progress to ensure we are moving transportation policy in the right direction – towards a healthier, safer America.

We hope that our comments will assist USDOT as you work collectively to finalize this proposed rule. If you have any questions, please do not hesitate to contact our Senior Government Relations Manager, Jack Rayburn, at (202) 223-9870 ext. 28, or via email at jrayburn@tfah.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Levi". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Levi" clearly distinguishable.

Jeffrey Levi, Ph.D.
Executive Director

² National Highway Traffic Safety Administration, Traffic Safety Facts: 2012 Data. Published April 2014. Available at: <http://www-nrd.nhtsa.dot.gov/Pubs/811888.pdf>

³ Centers for Disease Control and Prevention, CDC Vital Signs: More People Walk to Better Health, Published August 2012. Available at: <http://www.cdc.gov/vitalsigns/Walking/>