

Introduction

In an effort to continue to improve oversight of the National Highway Transportation Safety Administration (NHTSA) highway safety programs, the office of Regional Operations and Program Delivery (ROPD) presents a summary of the Management Reviews (MR) results conducted in FY06. The Management Review process and publication of this summary comply with Section 2008 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (codified at 23 U.S.C. Section 402). A MR is a regular, recurring assessment of a State Highway Safety Agency's systems, programs and operational processes for the purpose of improving and strengthening highway safety practices, ensuring efficient and effective administration of programs that save lives, reduce injuries and property damage. Management reviews are to be conducted in every state at least once every three years.

Background

The Highway Safety Act of 1966 provides that the Secretary of Transportation does not approve any highway safety program which does not:

“...provide that the Governor of any State shall be responsible for the administration of the program through a State Highway Safety Agency which shall have adequate powers, and be suitably equipped and organized to carry out, to the satisfaction of the Secretary such program.”

The Secretary of Transportation has delegated the authority and responsibility for assuring compliance with this provision to the National Highway Traffic Safety Administration (NHTSA).

As stated in 49 CFR § 18.42 (e) (1), “The awarding agency and the Comptroller General of the United States, or any of their authorized representatives, shall have the right of access to any pertinent books, documents, papers, or other records of grantees and sub-grantees which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts.”

Section 1200.25 of Title 23, CFR provides that “If a review of the Annual Report required under § 1200.33 of this part or if other relevant information indicates little or no progress toward meeting the state goal, the approving Official and State officials will jointly develop an improvement plan. This plan will detail strategies, program activities, and funding targets to meet the defined goals.”

In April 2003, the General Accounting Office (GAO) issued a report to Congress entitled “*Better Guidance Could Improve Oversight of State Highway Safety Programs*,” (GAO-03-474) which raised concerns regarding the performance-based approach and oversight of State highway safety programs.

The NHTSA Associate Administrator of Regional Operations and Program Delivery (ROPD) issued “Guidance and Oversight for State Highway Safety Program” dated April 23, 2004, to NHTSA Regional Administrators requiring that Management Reviews be conducted in each state once every three years.

Purpose

In 2005, new surface transportation legislation was passed [which replaced the Transportation Equity Act for the 21st Century (TEA-21)]. To further ensure agency accountability, Section 2008 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (codified at 23 U.S.C. Section 412) requires that:

“...At least once every 3 years the Secretary shall conduct a review of each State highway safety program. The review shall include a management evaluation of all grant programs funded under this chapter. The Secretary shall provide review-based recommendations on how each State could improve the management and oversight of its grant activities and may provide a management and oversight plan for such grant programs.”

This report summarizes the three programmatic areas which were specifically selected for review by NHTSA Policy on Program Management Reviews, Special Management Reviews and Performance Enhancement Plans. The management reviews performed in FY06 focused on:

1. Organization and Staffing

- a. Enabling legislation
- b. Organizational structure and placement in overall state organization
- c. Staffing and functions
- d. Delegations of authority
- e. Personnel development and training

2. Program Management

- a. Planning and programming
- b. Implementation
- c. Monitoring and review
- d. Program strengths

3. Financial Management

- a. Overall financial operations
- b. GTS reimbursement vouchers sent to NHTSA
- c. Audits
- d. Matching funds
- e. 40 percent local benefit
- f. Planning and administration
- g. Project equipment

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- h. Contracts/Professional Service Agreements
- i. Time and attendance
- j. Indirect costs

While each State is autonomous in shaping their Highway Safety Plan (HSP), States do share common obstacles with implementing and executing their HSP. This summary will identify compliant and non-compliant management systems; the State's common issues in organization and staffing, program management and financial management; and recognize various commendations.

Scope

This report reflects the results of twenty-two (22) Management Reviews (MR) that were performed by the ten (10) NHTSA Regional Offices in FY06 (States are italicized):

1. Northeast Region (NER) – *New Hampshire and Vermont*
2. Eastern Region (ER) - *New York and Puerto Rico*
3. Mid-Atlantic Region (MAR) – *Pennsylvania and Virginia*
4. Southeast Region (SER) – *Georgia, Kentucky and Tennessee*
5. Great Lakes Region (GLR) – *Indiana, Michigan and Ohio*
6. South Central Region (SCR) – *Louisiana and Texas*
7. Central Region (CR) – *Iowa and Nebraska*
8. Rocky Mountain Region (RMR) – *South Dakota and Utah*
9. Western Region (WR) – *California and Hawaii*
10. Pacific Northwest Region (PNWR) – *Oregon and Washington*

A portion of the MR was devoted to documenting the use of grant funds awarded to States under the Transportation Act for the 21st Century (TEA-21). A determination was also made as to the eligibility of the funded activities and projects reviewed, based upon the implementing regulations for each grant program. In some instances, documents reviewed by NHTSA Regional Administrators covered fiscal years 2003, 2004, 2005 and 2006.

Outcome

A. Compliant Management Systems

Based upon the MRs, the NHTSA Regional Administrators concluded that all 22 States have compliant management systems. However in some States, the MR reports noted findings and recommendations such as implementing improvements or best practices. In these cases the States and the NHTSA Regional Offices jointly developed Corrective Action Plans. A CAP identifies actions that will be accomplished to implement the MR recommendations, and target dates for completion (currently 13 out of 22 States have completed or are in the process of completing their respective CAP).

B. Commendations

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With the implementation of new policies and procedures, it takes a committed effort from all parties involved to recognize strong efforts, best practices or exemplary performances which are keen to fulfilling the NHTSA mission. All 22 States are commended for their exceptional cooperation as well as timely and efficient efforts with providing proper documentation prior to the site visits and during the Management Reviews (MR). A list of individual State accomplishments is below:

- ❖ The majority of the State Highway Safety Offices staff showed strong working knowledge of grant programs,
- ❖ Improved monitoring practices,
- ❖ Identified Motorcycle Safety as an under funded program area and provided additional resources to this area,
- ❖ Passage of highway safety laws,
- ❖ Increased safety belt use,
- ❖ Decrease in the percentage of alcohol related fatalities,
- ❖ Development of a well-organized and thorough Policy and Procedures Manual,
- ❖ Takes advantage of NHTSA training opportunities,
- ❖ Several States achieving their highest percentage of safety belt usage,
- ❖ Active role in the national high visibility enforcement and media campaigns,
- ❖ Methodology for tracking A-133 single audits,
- ❖ Local benefit thoroughly documented,
- ❖ Reduction of staff turnover rate, and
- ❖ Sound financial management systems.

C. Common Issues

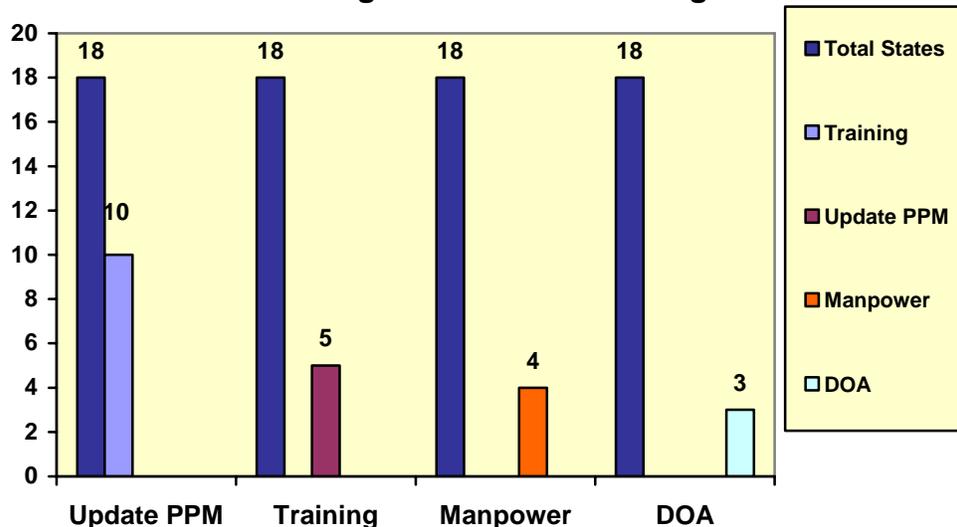
Although a total of 22 States received a MR, not all States received citations in the three programmatic areas.

a. Organization and Staffing

The top four organizational and staffing issues shared by the States include 1. providing training, 2. updating the Policy and Procedure Manual (PPM), 3. shortage of manpower and 4. establishing a Delegation of Authority (DOA) (see figure 1).

- 1. Training:** Includes those States that need to provide training to new employees or employees that should enroll in refresher courses.
- 2. Update PPM:** Due to new regulations and grants, the PPM needs to be updated. Some States need to develop a PPM and provide training to their staff on the PPM.
- 3. Manpower:** The manpower shortage includes those States that either need to perform a manpower analysis, fill current vacancies or increase the size of their current staff.
- 4. DOA:** In instances where head of the Highway Safety Office (HSO) is absent, another individual should be appointed to act on the behalf of the head of the HSO.

**Figure 1:
Common Issues of FY06
Management Review:
Organization and Staffing**



b. Program Management

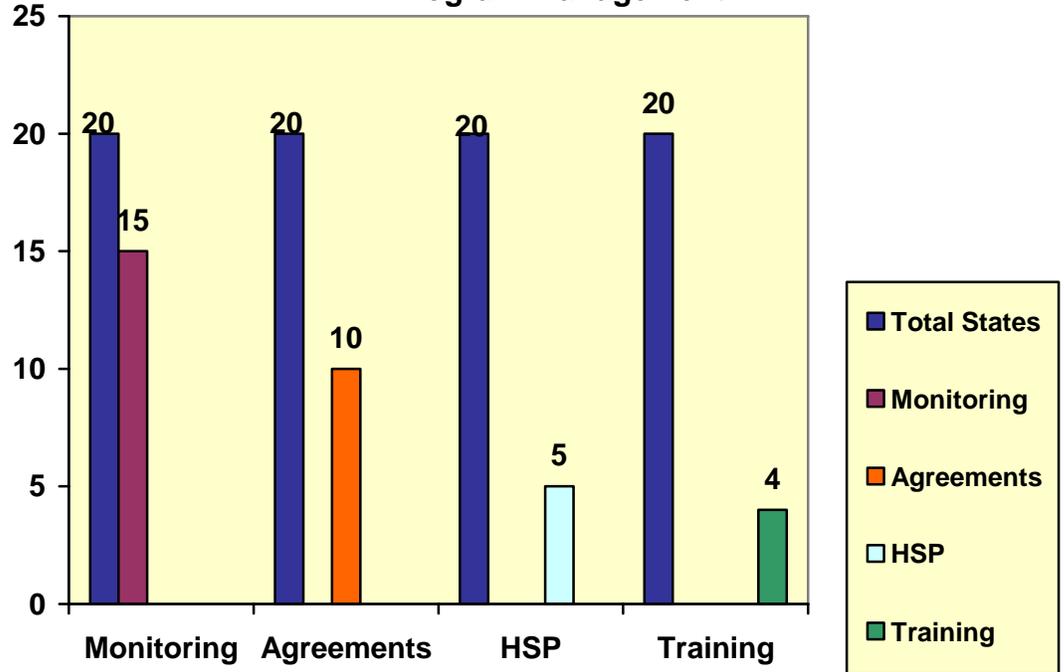
Program management is an area that reflects numerous issues

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where each state faces their own specialized issues and few commonalities exist (see figure 2). The four most common issues shared by the States include 1. project monitoring (categorized as monitoring), 2. strengthening project agreements (categorized as agreements), 3. strengthen their Highway Safety Plan (categorized as HSP) and 4. training.

- 1. Monitoring:** States were encouraged to comply with 49 CFR 18.40, project monitoring, to ensure grantee compliance with laws, regulations and the provisions of contracts or grant agreements, and that performance goals are achieved.
- 2. Agreements:** Includes instances where States were advised to either develop forms or revise their project/grant agreements in order to strengthen their monitoring practices and increase overall performance measures.
- 3. HSP:** This citation proposed best practices to strengthen a State's HSP process.
- 4. Training:** Suggests that States take into account the time exceeded between training sessions of their staff on NHTSA Data Analysis and Evaluations course, grant monitoring procedures as well as holding project management training for new sub-grantees.

Figure 2:
Common Issues of FY06
Management Review:
Program Management



c. Financial Management

Of the potential issues that could affect the States Financial Management system, the most compelling is the amount of grant funds carried-forward by the states (see figure 3). The top five dilemmas shared by the States include: 1. minimizing carry-forward funds of FY funds (categorized as carryover); 2. properly documenting program match (categorized as matching); 3. adherence to OMB-133 concerning follow up to audits (categorized as audits); 4. submission of reimbursement vouchers in a timely manner (categorized as reimburse); and 5. property accountability (categorized as property).

- 1. Carryover:** Includes recommendations/citations that States increase spending of their funds in the fiscal year they are received in order to minimize the amount of carryover dollars.
- 2. Matching:** This issue was cited in States, who at the time of the MR, did not have adequate or accessible documentation showing program match.
- 3. Audits:** The key criterion referenced with this issue was for States to adhere to OMB Circular A-133; specifically expanding the desk audits, track and resolve A-133

audit findings of sub-grantees and modify boiler plate language regarding the Single Audit Act.

4. Reimburse: When reimbursement was cited as a key issue, the recommendation was for the staff to submit reimbursement vouchers on a monthly basis and/or to reimburse grantees in a timely manner.

5. Property: This category includes those States that need to restructure their current system in order to keep track of project equipment and receive RA approval for purchases over \$5,000. Additionally, equipment should be checked to ensure that it is being used for its intended purpose as well as its location and present condition.

**Figure 3:
Common Issues of FY06
Management Review:
Financial Management**

