	Subpart B - National Performance Management Measures for the Highway Safety Improv for a full version of the final rule, see https://www.federalregister.gov/documents/2016/03/15/2016-05202/national-performance-management	_	
SECTION	REGULATION	KEY COMPONENT SYNOPSIS	KEY DATES
490.201 - Purpose	The purpose of this subpart is to implement the requirements of 23 U.S.C. 150(c)(4), which requires the Secretary of Transportation to establish performance measures for the purpose of carrying out the Highway Safety Improvement Program (HSIP) and for State departments of transportation (State DOTs) to use in assessing: (a) Serious injuries and fatalities per vehicle miles traveled (VMT); and (b) Number of serious injuries and fatalities.	Reference: 23 U.S.C. 150(c) (4) Highway safety improvement program.—For the purpose of carrying out section 148, the Secretary shall establish measures for States to use to assess—  (A) serious injuries and fatalities per vehicle mile traveled; and  (B) the number of serious injuries and fatalities.	
490.207	National performance management measures for the Highway Safety Improvement Program.		
490.207 (a)	There are five performance measures for the purpose of carrying out the HSIP. They are:		
	(1) Number of fatalities; (2) Rate of fatalities;	List of five (5) safety performance measures	
	(3) Number of serious injuries; (4) Rate of serious injuries; and,	List of five (3) safety performance measures	
	(5) Number of non-motorized fatalities and non-motorized serious injuries.		
490.207 (b)		5-year rolling average definition and criteria - average of the 5 most recent year's data for each performance measure	
	(1) The performance measure for the number of fatalities is the 5-year rolling average of the total number of fatalities for each State and shall be calculated by adding the number of fatalities for each of the most recent 5 consecutive years ending in the year for which the targets are established, dividing by 5, and rounding to the tenth decimal place. FARS ARF may be used if Final FARS is not available.		
	(2) The performance measure for the rate of fatalities is the 5-year rolling average of the State's fatality rate per VMT and shall be calculated by first calculating the number of fatalities per 100 million VMT for each of the most recent 5 consecutive years ending in the year for which the targets are established, adding the results, dividing by 5, and rounding to the thousandth decimal place. The EARS ARE may be used if Final EARS is not available. State VMT data are derived from the HPMS. The Metropolitan Planning Organizations (MPO) VMT is	Fatality rate is calculated using Vehicle Miles Travelled (VMT) which for State DOT's comes from HPMS. MPO VMT's are estimated with methodology.	
	(3) The performance measure for the number of serious injuries is the 5-year rolling average of the total number of serious injuries for each State and shall be calculated by adding the number of serious injuries for each of the most recent 5 consecutive years ending in the year for which the targets are established, dividing by five, and rounding to the tenth decimal place.		
	(4) The performance measure for the rate of serious injuries is the 5-year rolling average of the State's serious injuries rate per VMT and shall be calculated by first calculating the number of serious injuries per 100 million VMT for each of the most recent 5 consecutive years ending in the year for which the targets are established, adding the results, dividing by five, and rounding to the thousandth decimal place. State VMT data are derived from the HPMS. The MPO VMT is estimated by the MPO.		
	(5) The performance measure for the number of Non-motorized Fatalities and Non-motorized Serious Injuries is the 5-year rolling average of the total number of non-motorized fatalities and non-motorized serious injuries for each State and shall be calculated by adding the number of non-motorized fatalities to the number non-motorized serious injuries for each of the most recent 5 consecutive years ending in the year for which the targets are established, dividing by five, and rounding to the tenth decimal place. FARS ARF may be used if Final FARS is not available.		
490.207 (c)	For purposes of calculating serious injuries in paragraphs (b)(3), (4), and (5) of this section:		
	(1) Before April 15, 2019, serious injuries may be determined by either of the following:  (i) Serious injuries coded (A) in the KABCO injury classification scale through use of the NHTSA serious injuries conversion tables; or	Serious Injury Calculations Criteria - Model Minimum Uniform Crash Criteria (MMUCC) or The KABCO scale for crash severity defines levels of injury severity.	
	(ii) Using MMUCC (incorporated by reference, see § 490.111).	"K" Fatal injuries "A" Severe injuries	
	(2) By April 15, 2019, serious injuries shall be determined using MMUCC.	"B" Moderate injuries "C" Minor injuries "O" Property Damage Only	
190.209	Establishment of performance targets.		
490.209 (a)	State DOTs shall establish targets annually for each performance measure identified in § 490.207(a) in a manner that is consistent with the following:	State DOT establishes annual targets for each of the five performance	
	(1) State DOT targets shall be identical to the targets established by the State Highway Safety Office for common performance measures reported in the State's Highway Safety Plan,	measures.	
		Highway Safety Plan (HSP). FHWA verifies target consistency with HSP through coordination with NHTSA Regional Office.  Reference: 23 USC 402 (K)(4) Contents.—State highway safety plans submitted under paragraph (1) shall include—  (A) performance measures required by the Secretary or otherwise necessary to support additional State safety goals, including—  (i) documentation of current safety levels for each performance measure; (ii) quantifiable annual performance targets for each performance measure; and  (iii) a justification for each performance target, that explains why each target is appropriate and evidence-based;	
		HSIP report is due to the FHWA Division Administrator by August 31 of each year. State DOT establishes data driven targets in HSIP Annual Report based on anticipated outcomes.  Reference: 23 CFR 924.15(a) For the period of the previous reporting year, each State shall submit, via FHWA's HSIP online reporting tool, to the FHWA Division Administrator no later than August 31 of each year, the following reports related to the HSIP in accordance with 23 U.S.C. 148(h) and 130(g):	
	(3) State DOT performance targets shall represent the anticipated performance outcome for all public roadways within the State regardless of ownership or functional class.	State DOT provides target for all public roads	
	(4) State DOT targets shall be reported in the HSIP annual report that is due after April 14, 2017, and in each subsequent HSIP annual report thereafter.	FHWA verifies State DOT provides targets in HSIP Annual Report by August	
	(5) The State DOT shall include, in the HSIP Report (see 23 CFR part 924), at a minimum, the most recent 5 years of serious injury data and non-motorized serious injury data. The serious injury data shall be either MMUCC compliant or converted to the KABCO system (A) for injury classification through use of the NHTSA conversion tables as required by § 490.207(c).  (6) Unless approved by FHWA and subject to § 490.209(a)(1), a State DOT shall not change one or more of its targets for a given year once it is submitted in the HSIP annual report.	Reference: 23 CFR Part 924 - HIGHWAY SAFETY IMPROVEMENT PROGRAM	
§ 490.209 (b)	In addition to targets described in paragraph (a) of this section, State DOTs may, as appropriate, for each target in paragraph (a) establish additional targets for portions of the State.  (1) A State DOT shall declare and describe in the State HSIP annual report required by § 490.213 the boundaries used to establish each additional target.		
	(2) State DOTs may select any number and combination of urbanized area boundaries and may also select a single non-urbanized area boundary for the establishment of additional targets.  (3) The boundaries used by the State DOT for additional targets shall be contained within the geographic boundary of the State.		
	(4) State DOTs shall evaluate separately the progress of each additional target and report that progress in the State HSIP annual report (see 23 CFR part 924).	Reference: 23 CFR Part 924 - HIGHWAY SAFETY IMPROVEMENT PROGRAM	
190.209 (c)	The Metropolitan Planning Organizations (MPO) shall establish performance targets for each of the measures identified in § 490.207(a), where applicable, in a manner that is consistent with the following:  (1) The MPOs shall establish targets not later than 180 days after the respective State DOT establishes and reports targets in the State HSIP annual report.	Establishment of MPO Targets  MPO's must establish targets by February 27 each year.	by February 27th annuall
	(2) The MPO target shall represent performance outcomes anticipated for the same calendar year as the State target.  (3) After the MPOs within each State establish the targets, the State DOT must be able to provide those targets to FHWA, upon request.  (4) For each performance measure, the MPOs shall establish a target by either:	MPO's must establish targets by February 27 each year.  MPOs report their targets directly to the State DOT	
	(4) For each performance measure, the MPOs shall establish a target by either:  (i) Agreeing to plan and program projects so that they contribute toward the accomplishment of the State DOT safety target for that performance measure; or	•MPO Supporting State Target •Agree to support the target number that State DOT establishes for a measure based on knowledge of MPO area baseline data •State target number = MPO target number •Plan and program projects that contribute to this number	
	(ii) Committing to a quantifiable target for that performance measure for their metropolitan planning area.		

	(5) The MPOs that establish quantifiable fatality rate or serious injury rate targets shall report the VMT estimate used for such targets and the methodology used to develop the		
	estimate. The methodology should be consistent with other Federal reporting requirements, if applicable.  (6) The MPO targets established under paragraph (c)(4) of this section specific to the metropolitan planning area shall represent the anticipated performance outcome for all public		
	roadways within the metropolitan planning boundary regardless of ownership or functional class.	MPO, if setting their own, must provide targets for all public roads within	
		their planning boundary.	
§ 490.209 (d)	(1) The State DOT and relevant MPOs shall coordinate on the establishment of targets in accordance with 23 CFR part 450 to ensure consistency, to the maximum extent practicable.		
3 430.203 (u)	(1) The State DOT and relevant ivit of shall coordinate on the establishment of targets in accordance with 25 cm part 450 to ensure consistency, to the maximum extent practicable.	State DOT and MPOs must coordinate their target setting.  Reference: 23 CFR Part 450, Subpart C - Metropolitan Transportation	
	(2) The MPOs with multi-State boundaries that agree to plan and program projects to contribute toward State targets in accordance with paragraph (c)(4)(i) of this section shall plan and	Planning and Programming	
	program safety projects in support of the State DOT targets for each area within each State (e.g., MPOs that extend into two States shall agree to plan and program projects to		
	contribute toward two separate sets of targets (one set for each State)).		
§ 490.211	Determining whether a State department of transportation has met or made significant progress toward meeting performance targets.	FHWA Office of Safety will determine whether a state DOT has met their	
§ 490.211 (a)	The determination for having met or made significant progress toward meeting the performance targets under 23 U.S.C. 148(i) will be determined based on:  (1) The most recent available Final FARS data for the fatality number. The FARS ARF may be used if Final FARS is not available;	targets or made significant progress (baseline).	
	(2) The most recent available Final FARS and HPMS data for the fatality rate. The FARS ARF may be used if Final FARS is not available;	Reference: 23 U.S.C. 148 (i)State Performance Targets.—If the Secretary	
	(3) The most recent available Final FARS data for the non-motorized fatality number. The FARS ARF may be used if Final FARS is not available;  (4) State reported data for the serious injuries number;	determines that a State has not met or made significant progress toward meeting the safety performance targets of the State established under	
	(5) State reported data and HPMS data for the serious injuries rate; and	section 150(d),	
	(6) State reported data for the non-motorized serious injuries number.		
§ 490.211 (b)	The State-reported serious injury data and non-motorized serious injury data will be taken from the HSIP report in accordance with 23 CFR part 924.	Deference: 22 CED Dort 024 LUCUMAN CAFETY IMADDONEMENT DDOCDAM	
		Reference: 23 CFR Part 924 - HIGHWAY SAFETY IMPROVEMENT PROGRAM	
§ 490.211 (c)	The FHWA will evaluate whether a State DOT has met or made significant progress toward meeting performance targets.		
	(1) The FHWA will not evaluate any additional targets a State DOT may establish under § 490.209(b).  (2) A State DOT is determined to have met or made significant progress toward meeting its targets when at least four of the performance targets established under § 490.207(a) are:		
	(i) Met; or		
	(ii) The outcome for a performance measure is less than the 5-year rolling average data for the performance measure for the year prior to the establishment of the State's target. For		
	example, of the State DOT's five performance targets, the State DOT is determined to have met or made significant progress toward meeting its targets if it met two targets and the outcome is less than the measure for the year prior to the establishment of the target for two other targets.		
§ 490.211 (d)	If a State DOT has not met or made significant progress toward meeting performance targets in accordance with paragraph (c) of this section, the State DOT must comply with 23 U.S.C.		
9 490.211 (u)	148(i) for the subsequent fiscal year.		
		Consequences of not making the target or making significant progress	
		(against the baseline). If targets or significant progress not met, FHWA	
		must confirm state DOT compliance with consequential actions.  Reference: 23 U.S.C. 148 (i)State Performance Targets.—If the Secretary	
		determines that a State has not met or made significant progress toward	
		meeting the safety performance targets of the State established under section 150(d),	
		If the FHWA determines that a State has not met or made significant progress toward meeting the safety	
		performance targets of the State, the State shall— (1) use obligation authority equal to the apportionment of the State for the prior year only for highway safety improvement projects (2) submit annually to FHWA, until	
		the State has met or made significant progress toward meeting the safety performance targets of the State, an implementation plan that—(A) identifies roadway features that constitute a hazard to road users;	
		(B) identifies highway safety improvement projects on the basis of crash experience, crash potential, or other data-supported means;	
		(C) describes how highway safety improvement program funds will be allocated, including projects, activities, and strategies to be implemented;	
		(D) describes how the proposed projects, activities, and strategies funded under the State highway safety improvement program will allow the State to make progress toward achieving the safety performance targets of the State; and	
		(E) describes the actions the State will undertake to meet the safety pe	rformance targets of the State.
§ 490.211 (e)	The FHWA will first evaluate whether a State DOT has met or made significant progress toward meeting performance targets after the calendar year following the year for which the		
(-)	first targets are established, and then annually thereafter.		
§ 490.213	Reporting of targets for the Highway Safety Improvement Program		
§ 490.213 (a)	The targets established by the State DOT shall be reported to FHWA in the State's HSIP annual report in accordance with 23 CFR part 924.	Targets included with HSIP Annual Report submission. Reference: 23 CFR	by August 31st annually
§ 490.213 (b)	The MPOs shall annually report their established safety targets to their respective State DOT, in a manner that is documented and mutually agreed upon by both parties.	Part 924 - HIGHWAY SAFETY IMPROVEMENT PROGRAM	by August 31st annually
	, ,	MPO provides state DOT with safety targets.	
§ 490.213 (c)	The MPOs shall report baseline safety performance, VMT estimate and methodology if a quantifiable rate target was established, and progress toward the achievement of their targets in the system performance report in the metropolitan transportation plan in accordance with 23 CFR part 450. Safety performance and progress shall be reported based on the following	MPOs report baseline safety performance, VMT, etc. in progress towards	
	data sources:	targets in MTP. Reference 23 CFR Part 450, Subpart C - Metropolitan Transportation Planning and	
		Programming	
	(1) The most recent available Final FARS data for the fatality number. The FARS ARF may be used if Final FARS is not available;		
	(2) The most recent available Final FARS and MPO VMT estimate for the fatality rate. The FARS ARF may be used if Final FARS is not available;		
	(3) The most recent available Final FARS data for the non-motorized fatality number. The FARS ARF may be used if Final FARS is not available;		
	(4) State reported data for the serious injuries number;		
	(5) State reported data and MPO VMT estimate for the serious injuries rate; and		
1	(6) State reported data for the non-motorized serious injuries number.		