

- "5303. Metropolitan transportation planning.
- "5304. Statewide and nonmetropolitan transportation planning.
- "5305. Planning programs.
- "5306. Private enterprise participation in metropolitan planning and transportation improvement programs and relationship to other limitations.
- "5307. Urbanized area formula grants.
- "[5308. Repealed.]
- "5309. Fixed guideway capital investment grants.
- "5310. Formula grants for the enhanced mobility of seniors and individuals with disabilities.
- "5311. Formula grants for rural areas.
- "5312. Research, development, demonstration, and deployment projects.
- "5313. Transit cooperative research program.
- "5314. Technical assistance and standards development.
- "5315. Private sector participation.
- "[5316. Repealed.]
- "[5317. Repealed.]
- "5318. Bus testing facility.
- "5319. Bicycle facilities.
- "[5320. Repealed.]
- "5321. Crime prevention and security.
- "5322. Human resources and training.
- "5323. General provisions.
- "5324. Public transportation emergency relief program.
- "5325. Contract requirements.
- "5326. Transit asset management.
- "5327. Project management oversight.
- "[5328. Repealed.]
- "5329. Public transportation safety program.
- "5330. State safety oversight.
- "5331. Alcohol and controlled substances testing.
- "5332. Nondiscrimination.
- "5333. Labor standards.
- "5334. Administrative provisions.
- "5335. National transit database.
- "5336. Apportionment of appropriations for formula grants.
- "5337. State of good repair grants.
- "5338. Authorizations.
- "5339. Bus and bus facilities formula grants.
- "5340. Apportionments based on growing States and high density States formula factors."

## DIVISION C—TRANSPORTATION SAFETY AND SURFACE TRANSPORTATION POLICY

### TITLE I—MOTOR VEHICLE AND HIGH- WAY SAFETY IMPROVEMENT ACT OF 2012

Motor Vehicle  
and Highway  
Safety  
Improvement Act  
of 2012.

23 USC 101 note.

#### SEC. 31001. SHORT TITLE.

This title may be cited as the "Motor Vehicle and Highway Safety Improvement Act of 2012" or "Mariah's Act".

23 USC 101 note.

#### SEC. 31002. DEFINITION.

In this title, the term "Secretary" means the Secretary of Transportation.

### Subtitle A—Highway Safety

#### SEC. 31101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

- (1) HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code—  
 (A) \$235,000,000 for fiscal year 2013; and  
 (B) \$235,000,000 for fiscal year 2014.
- (2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 of title 23, United States Code—  
 (A) \$110,500,000 for fiscal year 2013; and  
 (B) \$113,500,000 for fiscal year 2014.
- (3) NATIONAL PRIORITY SAFETY PROGRAMS.—For carrying out section 405 of title 23, United States Code—  
 (A) \$265,000,000 for fiscal year 2013; and  
 (B) \$272,000,000 for fiscal year 2014.
- (4) NATIONAL DRIVER REGISTER.—For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code—  
 (A) \$5,000,000 for fiscal year 2013; and  
 (B) \$5,000,000 for fiscal year 2014.
- (5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—For carrying out section 2009 of SAFETEA-LU (23 U.S.C. 402 note)—  
 (A) \$29,000,000 for fiscal year 2013; and  
 (B) \$29,000,000 for fiscal year 2014.
- (6) ADMINISTRATIVE EXPENSES.—For administrative and related operating expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code, and this subtitle—  
 (A) \$25,500,000 for fiscal year 2013; and  
 (B) \$25,500,000 for fiscal year 2014.
- (b) PROHIBITION ON OTHER USES.—Except as otherwise provided in chapter 4 of title 23, United States Code, in this subtitle, and in the amendments made by this subtitle, the amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for a program under such chapter—  
 (1) shall only be used to carry out such program; and  
 (2) may not be used by States or local governments for construction purposes.
- (c) APPLICABILITY OF TITLE 23.—Except as otherwise provided in chapter 4 of title 23, United States Code, and in this subtitle, amounts made available under subsection (a) for fiscal years 2013 and 2014 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.
- (d) REGULATORY AUTHORITY.—Grants awarded under this subtitle shall be in accordance with regulations issued by the Secretary. 23 USC 401 note.
- (e) STATE MATCHING REQUIREMENTS.—If a grant awarded under this subtitle requires a State to share in the cost, the aggregate of all expenditures for highway safety activities made during any fiscal year by the State and its political subdivisions (exclusive of Federal funds) for carrying out the grant (other than planning and administration) shall be available for the purpose of crediting the State during such fiscal year for the non-Federal share of the cost of any project under this subtitle (other than planning or administration) without regard to whether such expenditures were actually made in connection with such project. Grants.  
23 USC 402 note.
- (f) GRANT APPLICATION AND DEADLINE.—To receive a grant under this subtitle, a State shall submit an application, and the Secretary shall establish a single deadline for such applications to enable the award of grants early in the next fiscal year.

**SEC. 31102. HIGHWAY SAFETY PROGRAMS.**

(a) **PROGRAMS INCLUDED.**—Section 402(a) of title 23, United States Code, is amended to read as follows:

“(a) **PROGRAM REQUIRED.**—

“(1) **IN GENERAL.**—Each State shall have a highway safety program, approved by the Secretary, that is designed to reduce traffic accidents and the resulting deaths, injuries, and property damage.

Compliance.

“(2) **UNIFORM GUIDELINES.**—Programs required under paragraph (1) shall comply with uniform guidelines, promulgated by the Secretary and expressed in terms of performance criteria, that—

“(A) include programs—

“(i) to reduce injuries and deaths resulting from motor vehicles being driven in excess of posted speed limits;

“(ii) to encourage the proper use of occupant protection devices (including the use of safety belts and child restraint systems) by occupants of motor vehicles;

“(iii) to reduce injuries and deaths resulting from persons driving motor vehicles while impaired by alcohol or a controlled substance;

“(iv) to prevent accidents and reduce injuries and deaths resulting from accidents involving motor vehicles and motorcycles;

“(v) to reduce injuries and deaths resulting from accidents involving school buses;

“(vi) to reduce accidents resulting from unsafe driving behavior (including aggressive or fatigued driving and distracted driving arising from the use of electronic devices in vehicles); and

“(vii) to improve law enforcement services in motor vehicle accident prevention, traffic supervision, and post-accident procedures;

“(B) improve driver performance, including—

“(i) driver education;

“(ii) driver testing to determine proficiency to operate motor vehicles; and

“(iii) driver examinations (physical, mental, and driver licensing);

“(C) improve pedestrian performance and bicycle safety;

“(D) include provisions for—

“(i) an effective record system of accidents (including resulting injuries and deaths);

“(ii) accident investigations to determine the probable causes of accidents, injuries, and deaths;

“(iii) vehicle registration, operation, and inspection; and

“(iv) emergency services; and

“(E) to the extent determined appropriate by the Secretary, are applicable to federally administered areas where a Federal department or agency controls the highways or supervises traffic operations.”

(b) **ADMINISTRATION OF STATE PROGRAMS.**—Section 402(b) of title 23, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking “and” at the end;  
 (B) by redesignating subparagraph (E) as subparagraph (F);

(C) by inserting after subparagraph (D) the following:

“(E) beginning on the first day of the first fiscal year after the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012 in which a State submits its highway safety plan under subsection (f), provide for a data-driven traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents, to the satisfaction of the Secretary;” and

(D) in subparagraph (F), as redesignated—

(i) in clause (i), by inserting “and high-visibility law enforcement mobilizations coordinated by the Secretary” after “mobilizations”;

(ii) in clause (iii), by striking “and” at the end;

(iii) in clause (iv), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(v) ensuring that the State will coordinate its highway safety plan, data collection, and information systems with the State strategic highway safety plan (as defined in section 148(a)).”; and

(2) by striking paragraph (3).

(c) APPROVED HIGHWAY SAFETY PROGRAMS.—Section 402(c) of title 23, United States Code, is amended—

(1) by striking “(c) Funds authorized” and inserting the following:

“(c) USE OF FUNDS.—

“(1) IN GENERAL.—Funds authorized”;

(2) by striking “Such funds” and inserting the following:

“(2) APPORTIONMENT.—Except for amounts identified in section 403(f), funds described in paragraph (1)”;

(3) by striking “The Secretary shall not” and all that follows through “subsection, a highway safety program” and inserting “A highway safety program”;

(4) by inserting “A State may use the funds apportioned under this section, in cooperation with neighboring States, for highway safety programs or related projects that may confer benefits on such neighboring States.” after “in every State.”;

(5) by striking “50 per centum” and inserting “20 percent”;

and

(6) by striking “The Secretary shall promptly” and all that follows and inserting the following:

“(3) REAPPORTIONMENT.—The Secretary shall promptly apportion the funds withheld from a State’s apportionment to the State if the Secretary approves the State’s highway safety program or determines that the State has begun implementing an approved program, as appropriate, not later than July 31st of the fiscal year for which the funds were withheld. If the Secretary determines that the State did not correct its failure within such period, the Secretary shall reapportion the withheld funds to the other States in accordance with the formula specified in paragraph (2) not later than the last day of the fiscal year.

Determinations.  
 Deadlines.

“(4) AUTOMATED TRAFFIC ENFORCEMENT SYSTEMS.—

“(A) PROHIBITION.—A State may not expend funds apportioned to that State under this section to carry out a program to purchase, operate, or maintain an automated traffic enforcement system.

“(B) AUTOMATED TRAFFIC ENFORCEMENT SYSTEM DEFINED.—In this paragraph, the term ‘automated traffic enforcement system’ means any camera which captures an image of a vehicle for the purposes only of red light and speed enforcement, and does not include hand held radar and other devices operated by law enforcement officers to make an on-the-scene traffic stop, issue a traffic citation, or other enforcement action at the time of the violation.”

(d) USE OF HIGHWAY SAFETY PROGRAM FUNDS.—Section 402(g) of title 23, United States Code, is amended to read as follows:

“(g) SAVINGS PROVISION.—

“(1) IN GENERAL.—Except as provided under paragraph (2), nothing in this section may be construed to authorize the appropriation or expenditure of funds for—

“(A) highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into guidelines); or

“(B) any purpose for which funds are authorized under section 403.

“(2) DEMONSTRATION PROJECTS.—A State may use funds made available to carry out this section to assist in demonstration projects carried out by the Secretary under section 403.”

(e) IN GENERAL.—Section 402 of title 23, United States Code, is amended—

(1) by striking subsections (k) and (m);

(2) by redesignating subsections (i) and (j) as subsections (h) and (i), respectively; and

(3) by redesignating subsection (l) as subsection (j).

(f) HIGHWAY SAFETY PLAN AND REPORTING REQUIREMENTS.—Section 402 of title 23, United States Code, as amended by this section, is further amended by adding at the end the following:

“(k) HIGHWAY SAFETY PLAN AND REPORTING REQUIREMENTS.—

“(1) IN GENERAL.—With respect to fiscal year 2014, and each fiscal year thereafter, the Secretary shall require each State, as a condition of the approval of the State’s highway safety program for that fiscal year, to develop and submit to the Secretary for approval a highway safety plan that complies with the requirements under this subsection.

“(2) TIMING.—Each State shall submit to the Secretary the highway safety plan not later than July 1st of the fiscal year preceding the fiscal year to which the plan applies.

“(3) 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;

“(B) a strategy for programming funds apportioned to the State under this section on projects and activities that will allow the State to meet the performance targets described in subparagraph (A);

“(C) data and data analysis supporting the effectiveness of proposed countermeasures;

“(D) a description of any Federal, State, local, or private funds that the State plans to use, in addition to funds apportioned to the State under this section, to carry out the strategy described in subparagraph (B);

“(E) for the fiscal year preceding the fiscal year to which the plan applies, a report on the State’s success in meeting State safety goals and performance targets set forth in the previous year’s highway safety plan; and

“(F) an application for any additional grants available to the State under this chapter.

“(4) PERFORMANCE MEASURES.—For the first highway safety plan submitted under this subsection, the performance measures required by the Secretary under paragraph (2)(A) shall be limited to those developed by the National Highway Traffic Safety Administration and the Governor’s Highway Safety Association and described in the report, ‘Traffic Safety Performance Measures for States and Federal Agencies’ (DOT HS 811 025). For subsequent highway safety plans, the Secretary shall coordinate with the Governor’s Highway Safety Association in making revisions to the set of required performance measures. Limitations.

“(5) REVIEW OF HIGHWAY SAFETY PLANS.—

“(A) IN GENERAL.—Not later than 60 days after the date on which a State’s highway safety plan is received by the Secretary, the Secretary shall review and approve or disapprove the plan. Deadline.

“(B) APPROVALS AND DISAPPROVALS.—

“(i) APPROVALS.—The Secretary shall approve a State’s highway safety plan if the Secretary determines that— Determinations.

“(I) the plan and the performance targets contained in the plan are evidence-based and supported by data; and

“(II) the plan, once implemented, will allow the State to meet the State’s performance targets.

“(ii) DISAPPROVALS.—The Secretary shall disapprove a State’s highway safety plan if the Secretary determines that—

“(I) the plan and the performance targets contained in the plan are not evidence-based or supported by data; or

“(II) the plan does not provide for programming of funding in a manner sufficient to allow the State to meet the State’s performance targets.

“(C) ACTIONS UPON DISAPPROVAL.—If the Secretary disapproves a State’s highway safety plan, the Secretary shall—

“(i) inform the State of the reasons for such disapproval; and Notification.

Deadline.

“(ii) require the State to resubmit the plan with any modifications that the Secretary determines to be necessary.

“(D) REVIEW OF RESUBMITTED PLANS.—If the Secretary requires a State to resubmit a highway safety plan, with modifications, the Secretary shall review and approve or disapprove the modified plan not later than 30 days after the date on which the Secretary receives such plan.

“(E) PUBLIC NOTICE.—A State shall make the State’s highway safety plan, and decisions of the Secretary concerning approval or disapproval of a revised plan, available to the public.”.

(g) TEEN TRAFFIC SAFETY PROGRAM.—Section 402 of title 23, United States Code, as amended by this section, is further amended by adding at the end the following:

“(m) TEEN TRAFFIC SAFETY.—

“(1) IN GENERAL.—Subject to the requirements of a State’s highway safety plan, as approved by the Secretary under subsection (k), a State may use a portion of the amounts received under this section to implement statewide efforts to improve traffic safety for teen drivers.

“(2) USE OF FUNDS.—Statewide efforts under paragraph (1)—

“(A) shall include peer-to-peer education and prevention strategies in schools and communities designed to—

“(i) increase safety belt use;

“(ii) reduce speeding;

“(iii) reduce impaired and distracted driving;

“(iv) reduce underage drinking; and

“(v) reduce other behaviors by teen drivers that lead to injuries and fatalities; and

“(B) may include—

“(i) working with student-led groups and school advisors to plan and implement teen traffic safety programs;

“(ii) providing subgrants to schools throughout the State to support the establishment and expansion of student groups focused on teen traffic safety;

“(iii) providing support, training, and technical assistance to establish and expand school and community safety programs for teen drivers;

“(iv) creating statewide or regional websites to publicize and circulate information on teen safety programs;

“(v) conducting outreach and providing educational resources for parents;

“(vi) establishing State or regional advisory councils comprised of teen drivers to provide input and recommendations to the governor and the governor’s safety representative on issues related to the safety of teen drivers;

“(vii) collaborating with law enforcement; and

“(viii) establishing partnerships and promoting coordination among community stakeholders, including public, not-for-profit, and for profit entities.”.

(h) BIENNIAL REPORT TO CONGRESS.—Section 402 of title 23, United States Code, as amended by this section, is further amended by adding at the end the following:

“(n) BIENNIAL REPORT TO CONGRESS.—Not later than October 1, 2015, and biennially thereafter, the Secretary shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that contains—

“(1) an evaluation of each State’s performance with respect to the State’s highway safety plan under subsection (k) and performance targets set by the States in such plans; and

“(2) such recommendations as the Secretary may have for improvements to activities carried out under subsection (k).”.

**SEC. 31103. HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.**

Section 403 of title 23, United States Code, is amended—

(1) by striking subsections (a) through (f) and inserting the following:

“(a) DEFINED TERM.—In this section, the term ‘Federal laboratory’ includes—

“(1) a government-owned, government-operated laboratory;

and

“(2) a government-owned, contractor-operated laboratory.

“(b) GENERAL AUTHORITY.—

“(1) RESEARCH AND DEVELOPMENT ACTIVITIES.—The Secretary may conduct research and development activities, including demonstration projects and the collection and analysis of highway and motor vehicle safety data and related information needed to carry out this section, with respect to—

“(A) all aspects of highway and traffic safety systems and conditions relating to—

“(i) vehicle, highway, driver, passenger, motorcyclist, bicyclist, and pedestrian characteristics;

“(ii) accident causation and investigations;

“(iii) communications; and

“(iv) emergency medical services, including the transportation of the injured;

“(B) human behavioral factors and their effect on highway and traffic safety, including—

“(i) driver education;

“(ii) impaired driving; and

“(iii) distracted driving;

“(C) an evaluation of the effectiveness of countermeasures to increase highway and traffic safety, including occupant protection and alcohol- and drug-impaired driving technologies and initiatives;

“(D) the development of technologies to detect drug impaired drivers;

“(E) research on, evaluations of, and identification of best practices related to driver education programs (including driver education curricula, instructor training and certification, program administration, and delivery mechanisms) and make recommendations for harmonizing driver education and multistage graduated licensing systems; and

“(F) the effect of State laws on any aspects, activities, or programs described in subparagraphs (A) through (E).

“(2) COOPERATION, GRANTS, AND CONTRACTS.—The Secretary may carry out this section—

“(A) independently;

“(B) in cooperation with other Federal departments, agencies, and instrumentalities and Federal laboratories;

“(C) by entering into contracts, cooperative agreements, and other transactions with the National Academy of Sciences, any Federal laboratory, State or local agency, authority, association, institution, or person (as defined in chapter 1 of title 1); or

“(D) by making grants to the National Academy of Sciences, any Federal laboratory, State or local agency, authority, association, institution, or person (as defined in chapter 1 of title 1).

“(c) COLLABORATIVE RESEARCH AND DEVELOPMENT.—

“(1) IN GENERAL.—To encourage innovative solutions to highway safety problems, stimulate voluntary improvements in highway safety, and stimulate the marketing of new highway safety related technology by private industry, the Secretary is authorized to carry out, on a cost-shared basis, collaborative research and development with—

“(A) non-Federal entities, including State and local governments, colleges, universities, corporations, partnerships, sole proprietorships, organizations, and trade associations that are incorporated or established under the laws of any State or the United States; and

“(B) Federal laboratories.

“(2) AGREEMENTS.—In carrying out this subsection, the Secretary may enter into cooperative research and development agreements (as defined in section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a)) in which the Secretary provides not more than 50 percent of the cost of any research or development project under this subsection.

“(3) USE OF TECHNOLOGY.—The research, development, or use of any technology pursuant to an agreement under this subsection, including the terms under which technology may be licensed and the resulting royalties may be distributed, shall be subject to the provisions of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

“(d) TITLE TO EQUIPMENT.—In furtherance of the purposes set forth in section 402, the Secretary may vest title to equipment purchased for demonstration projects with funds authorized under this section to State or local agencies on such terms and conditions as the Secretary determines to be appropriate.

“(e) PROHIBITION ON CERTAIN DISCLOSURES.—Any report of the National Highway Traffic Safety Administration, or of any officer, employee, or contractor of the National Highway Traffic Safety Administration, relating to any highway traffic accident or the investigation of such accident conducted pursuant to this chapter or chapter 301 may only be made available to the public in a manner that does not identify individuals.

“(f) COOPERATIVE RESEARCH AND EVALUATION.—

“(1) ESTABLISHMENT AND FUNDING.—Notwithstanding the apportionment formula set forth in section 402(c)(2), \$2,500,000 of the total amount available for apportionment to the States for highway safety programs under subsection 402(c) in each fiscal year shall be available for expenditure by the Secretary,

acting through the Administrator of the National Highway Traffic Safety Administration, for a cooperative research and evaluation program to research and evaluate priority highway safety countermeasures.

“(2) ADMINISTRATION.—The program established under paragraph (1)—

“(A) shall be administered by the Administrator of the National Highway Traffic Safety Administration; and

“(B) shall be jointly managed by the Governors Highway Safety Association and the National Highway Traffic Safety Administration.”; and

(2) by adding at the end the following:

“(h) IN-VEHICLE ALCOHOL DETECTION DEVICE RESEARCH.—

“(1) IN GENERAL.—The Administrator of the National Highway Traffic Safety Administration may carry out a collaborative research effort under chapter 301 of title 49 on in-vehicle technology to prevent alcohol-impaired driving.

“(2) FUNDING.—Funds provided under section 405 may be made to be used by the Secretary to conduct the research described in paragraph (1).

“(3) PRIVACY PROTECTION.—If the Administrator utilizes the authority under paragraph (1), the Administrator shall not develop requirements for any device or means of technology to be installed in an automobile intended for retail sale that records a driver’s blood alcohol concentration.

“(4) REPORTS.—If the Administrator conducts the research authorized under paragraph (1), the Administrator shall submit an annual report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and Committee on Science, Space, and Technology of the House of Representatives that—

“(A) describes the progress made in carrying out the collaborative research effort; and

“(B) includes an accounting for the use of Federal funds obligated or expended in carrying out that effort.

“(5) DEFINITIONS.—In this subsection:

“(A) ALCOHOL-IMPAIRED DRIVING.—The term ‘alcohol-impaired driving’ means the operation of a motor vehicle (as defined in section 30102(a)(6) of title 49) by an individual whose blood alcohol content is at or above the legal limit.

“(B) LEGAL LIMIT.—The term ‘legal limit’ means a blood alcohol concentration of 0.08 percent or greater (as set forth in section 163(a)) or such other percentage limitation as may be established by applicable Federal, State, or local law.”.

#### SEC. 31104. NATIONAL DRIVER REGISTER.

Section 30302(b) of title 49, United States Code, is amended by adding at the end the following: “The Secretary shall make continual improvements to modernize the Register’s data processing system.”.

#### SEC. 31105. NATIONAL PRIORITY SAFETY PROGRAMS.

(a) IN GENERAL.—Section 405 of title 23, United States Code, is amended to read as follows:

**“§ 405. National priority safety programs**

“(a) GENERAL AUTHORITY.—Subject to the requirements of this section, the Secretary of Transportation shall manage programs to address national priorities for reducing highway deaths and injuries. Funds shall be allocated according to the priorities set forth in paragraphs (1) and (2).

**“(1) GRANTS TO STATES.—**

“(A) OCCUPANT PROTECTION.—16 percent of the funds provided under this section in each fiscal year shall be allocated among States that adopt and implement effective occupant protection programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles (as described in subsection (b)).

“(B) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—14.5 percent of the funds provided under this section in each fiscal year shall be allocated among States that meet the requirements of the State traffic safety information system improvements (as described in subsection (c)).

“(C) IMPAIRED DRIVING COUNTERMEASURES.—52.5 percent of the funds provided under this section in each fiscal year shall be allocated among States that meet the requirements of the impaired driving countermeasures (as described in subsection (d)).

“(D) DISTRACTED DRIVING.—8.5 percent of the funds provided under this section in each fiscal year shall be allocated among States that adopt and implement effective laws to reduce distracted driving (as described in subsection (e)).

“(E) MOTORCYCLIST SAFETY.—1.5 percent of the funds provided under this section in each fiscal year shall be allocated among States that implement motorcyclist safety programs (as described in subsection (f)).

“(F) STATE GRADUATED DRIVER LICENSING LAWS.—5 percent of the funds provided under this section in each fiscal year shall be allocated among States that adopt and implement graduated driver licensing laws (as described in subsection (g)).

“(G) TRANSFERS.—Notwithstanding subparagraphs (A) through (F), the Secretary may reallocate, before the last day of any fiscal year, any amounts remaining available to carry out any of the activities described in subsections (b) through (g) to increase the amount made available to carry out any of the other activities described in such subsections, or the amount made available under section 402, in order to ensure, to the maximum extent possible, that all such amounts are obligated during such fiscal year.

**“(H) MAINTENANCE OF EFFORT.—**

“(i) REQUIREMENTS.—No grant may be made to a State in any fiscal year under subsection (b), (c), or (d) unless the State enters into such agreements with the Secretary as the Secretary may require to ensure that the State will maintain its aggregate

expenditures from all State and local sources for programs described in those sections at or above the average level of such expenditures in its 2 fiscal years preceding the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012.

“(ii) WAIVER.—Upon the request of a State, the Secretary may waive or modify the requirements under clause (i) for not more than 1 fiscal year if the Secretary determines that such a waiver would be equitable due to exceptional or uncontrollable circumstances.

“(2) OTHER PRIORITY PROGRAMS.—Funds provided under this section in each fiscal year may be used for research into technology to prevent alcohol-impaired driving (as described in subsection 403(h)).

“(b) OCCUPANT PROTECTION GRANTS.—

“(1) GENERAL AUTHORITY.—Subject to the requirements under this subsection, the Secretary of Transportation shall award grants to States that adopt and implement effective occupant protection programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles.

“(2) FEDERAL SHARE.—The Federal share of the costs of activities funded using amounts from grants awarded under this subsection may not exceed 80 percent for each fiscal year for which a State receives a grant.

“(3) ELIGIBILITY.—

“(A) HIGH SEAT BELT USE RATE.—A State with an observed seat belt use rate of 90 percent or higher, based on the most recent data from a survey that conforms with national criteria established by the National Highway Traffic Safety Administration, shall be eligible for a grant in a fiscal year if the State—

“(i) submits an occupant protection plan during the first fiscal year;

“(ii) participates in the Click It or Ticket national mobilization;

“(iii) has an active network of child restraint inspection stations; and

“(iv) has a plan to recruit, train, and maintain a sufficient number of child passenger safety technicians.

“(B) LOWER SEAT BELT USE RATE.—A State with an observed seat belt use rate below 90 percent, based on the most recent data from a survey that conforms with national criteria established by the National Highway Traffic Safety Administration, shall be eligible for a grant in a fiscal year if—

“(i) the State meets all of the requirements under clauses (i) through (iv) of subparagraph (A); and

“(ii) the Secretary determines that the State meets at least 3 of the following criteria:

“(I) The State conducts sustained (on-going and periodic) seat belt enforcement at a defined level of participation during the year.

“(II) The State has enacted and enforces a primary enforcement seat belt use law.

Occupant plan.

“(III) The State has implemented counter-measure programs for high-risk populations, such as drivers on rural roadways, unrestrained nighttime drivers, or teenage drivers.

“(IV) The State has enacted and enforces occupant protection laws requiring front and rear occupant protection use by all occupants in an age-appropriate restraint.

“(V) The State has implemented a comprehensive occupant protection program in which the State has—

“(aa) conducted a program assessment;

“(bb) developed a statewide strategic plan;

“(cc) designated an occupant protection coordinator; and

“(dd) established a statewide occupant protection task force.

“(VI) The State—

“(aa) completed an assessment of its occupant protection program during the 3-year period preceding the grant year; or

“(bb) will conduct such an assessment during the first year of the grant.

“(4) USE OF GRANT AMOUNTS.—

“(A) IN GENERAL.—Grant funds received pursuant to this subsection may be used to—

“(i) carry out a program to support high-visibility enforcement mobilizations, including paid media that emphasizes publicity for the program, and law enforcement;

“(ii) carry out a program to train occupant protection safety professionals, police officers, fire and emergency medical personnel, educators, and parents concerning all aspects of the use of child restraints and occupant protection;

“(iii) carry out a program to educate the public concerning the proper use and installation of child restraints, including related equipment and information systems;

“(iv) carry out a program to provide community child passenger safety services, including programs about proper seating positions for children and how to reduce the improper use of child restraints;

“(v) purchase and distribute child restraints to low-income families, provided that not more than 5 percent of the funds received in a fiscal year are used for such purpose; and

“(vi) establish and maintain information systems containing data concerning occupant protection, including the collection and administration of child passenger safety and occupant protection surveys.

“(B) HIGH SEAT BELT USE RATE.—A State that is eligible for funds under paragraph (3)(A) may use up to 75 percent of such funds for any project or activity eligible for funding under section 402.

“(5) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State’s apportionment under section 402 for fiscal year 2009.

“(6) DEFINITIONS.—In this subsection:

“(A) CHILD RESTRAINT.—The term ‘child restraint’ means any device (including child safety seat, booster seat, harness, and excepting seat belts) that is—

“(i) designed for use in a motor vehicle to restrain, seat, or position children who weigh 65 pounds (30 kilograms) or less; and

“(ii) certified to the Federal motor vehicle safety standard prescribed by the National Highway Traffic Safety Administration for child restraints.

“(B) SEAT BELT.—The term ‘seat belt’ means—

“(i) with respect to open-body motor vehicles, including convertibles, an occupant restraint system consisting of a lap belt or a lap belt and a detachable shoulder belt; and

“(ii) with respect to other motor vehicles, an occupant restraint system consisting of integrated lap and shoulder belts.

“(c) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—

“(1) GENERAL AUTHORITY.—Subject to the requirements under this subsection, the Secretary of Transportation shall award grants to States to support the development and implementation of effective State programs that—

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

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

“(C) 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;

“(D) improve the compatibility and interoperability of the data systems of the State with national data systems and data systems of other States; and

“(E) enhance the ability of the Secretary to observe and analyze national trends in crash occurrences, rates, outcomes, and circumstances.

“(2) FEDERAL SHARE.—The Federal share of the cost of adopting and implementing in a fiscal year a State program described in this subsection may not exceed 80 percent.

“(3) ELIGIBILITY.—A State is not eligible for a grant under this subsection in a fiscal year unless the State demonstrates, to the satisfaction of the Secretary, that the State—

“(A) has a functioning traffic records coordinating committee (referred to in this paragraph as ‘TRCC’) that meets at least 3 times each year;

“(B) has designated a TRCC coordinator;

“(C) has established a State traffic record strategic plan that has been approved by the TRCC and describes

specific quantifiable and measurable improvements anticipated in the State's core safety databases, including crash, citation or adjudication, driver, emergency medical services or injury surveillance system, roadway, and vehicle databases;

“(D) has demonstrated quantitative progress in relation to the significant data program attribute of—

- “(i) accuracy;
- “(ii) completeness;
- “(iii) timeliness;
- “(iv) uniformity;
- “(v) accessibility; or
- “(vi) integration of a core highway safety database;

and

Certification.

“(E) has certified to the Secretary that an assessment of the State's highway safety data and traffic records system was conducted or updated during the preceding 5 years.

“(4) USE OF GRANT AMOUNTS.—Grant funds received by a State under this subsection shall be used for making data program improvements to core highway safety databases related to quantifiable, measurable progress in any of the 6 significant data program attributes set forth in paragraph (3)(D).

“(5) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009.

Grants.

“(d) IMPAIRED DRIVING COUNTERMEASURES.—

“(1) IN GENERAL.—Subject to the requirements under this subsection, the Secretary of Transportation shall award grants to States that adopt and implement—

“(A) effective programs to reduce driving under the influence of alcohol, drugs, or the combination of alcohol and drugs; or

“(B) alcohol-ignition interlock laws.

“(2) FEDERAL SHARE.—The Federal share of the costs of activities funded using amounts from grants under this subsection may not exceed 80 percent in any fiscal year in which the State receives a grant.

Plans.

“(3) ELIGIBILITY.—

“(A) LOW-RANGE STATES.—Low-range States shall be eligible for a grant under this subsection.

“(B) MID-RANGE STATES.—A mid-range State shall be eligible for a grant under this subsection if—

“(i) a statewide impaired driving task force in the State developed a statewide plan during the most recent 3 calendar years to address the problem of impaired driving; or

“(ii) the State will convene a statewide impaired driving task force to develop such a plan during the first year of the grant.

“(C) HIGH-RANGE STATES.—A high-range State shall be eligible for a grant under this subsection if the State—

“(i)(I) conducted an assessment of the State's impaired driving program during the most recent 3 calendar years; or

“(II) will conduct such an assessment during the first year of the grant;

“(ii) convenes, during the first year of the grant, a statewide impaired driving task force to develop a statewide plan that—

“(I) addresses any recommendations from the assessment conducted under clause (i);

“(II) includes a detailed plan for spending any grant funds provided under this subsection; and

“(III) describes how such spending supports the statewide program; and

“(iii)(I) submits the statewide plan to the National Highway Traffic Safety Administration during the first year of the grant for the agency’s review and approval;

“(II) annually updates the statewide plan in each subsequent year of the grant; and

“(III) submits each updated statewide plan for the agency’s review and comment.

“(4) USE OF GRANT AMOUNTS.—

“(A) REQUIRED PROGRAMS.—High-range States shall use grant funds for—

“(i) high visibility enforcement efforts; and

“(ii) any of the activities described in subparagraph

(B) if—

“(I) the activity is described in the statewide plan; and

“(II) the Secretary approves the use of funding for such activity.

“(B) AUTHORIZED PROGRAMS.—Medium-range and low-range States may use grant funds for—

“(i) any of the purposes described in subparagraph (A);

“(ii) hiring a full-time or part-time impaired driving coordinator of the State’s activities to address the enforcement and adjudication of laws regarding driving while impaired by alcohol;

“(iii) court support of high visibility enforcement efforts, training and education of criminal justice professionals (including law enforcement, prosecutors, judges, and probation officers) to assist such professionals in handling impaired driving cases, hiring traffic safety resource prosecutors, hiring judicial outreach liaisons, and establishing driving while intoxicated courts;

“(iv) alcohol ignition interlock programs;

“(v) improving blood-alcohol concentration testing and reporting;

“(vi) paid and earned media in support of high visibility enforcement efforts, and conducting standardized field sobriety training, advanced roadside impaired driving evaluation training, and drug recognition expert training for law enforcement, and equipment and related expenditures used in connection with impaired driving enforcement in accordance with criteria established by the National Highway Traffic Safety Administration;

“(vii) training on the use of alcohol screening and brief intervention;

“(viii) developing impaired driving information systems; and

“(ix) costs associated with a 24-7 sobriety program.

“(C) OTHER PROGRAMS.—Low-range States may use grant funds for any expenditure designed to reduce impaired driving based on problem identification. Medium and high-range States may use funds for such expenditures upon approval by the Secretary.

“(5) GRANT AMOUNT.—Subject to paragraph (6), the allocation of grant funds to a State under this section for a fiscal year shall be in proportion to the State’s apportionment under section 402(c) for fiscal year 2009.

“(6) GRANTS TO STATES THAT ADOPT AND ENFORCE MANDATORY ALCOHOL-IGNITION INTERLOCK LAWS.—

“(A) IN GENERAL.—The Secretary shall make a separate grant under this subsection to each State that adopts and is enforcing a mandatory alcohol-ignition interlock law for all individuals convicted of driving under the influence of alcohol or of driving while intoxicated.

“(B) USE OF FUNDS.—Grants authorized under subparagraph (A) may be used by recipient States for any eligible activities under this subsection or section 402.

“(C) ALLOCATION.—Amounts made available under this paragraph shall be allocated among States described in subparagraph (A) on the basis of the apportionment formula set forth in section 402(c).

“(D) FUNDING.—Not more than 15 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under this paragraph.

“(7) DEFINITIONS.—In this subsection:

“(A) 24-7 SOBRIETY PROGRAM.—The term ‘24-7 sobriety program’ means a State law or program that authorizes a State court or a State agency, as a condition of sentence, probation, parole, or work permit, to—

“(i) require an individual who plead guilty or was convicted of driving under the influence of alcohol or drugs to totally abstain from alcohol or drugs for a period of time; and

“(ii) require the individual to be subject to testing for alcohol or drugs—

“(I) at least twice per day;

“(II) by continuous transdermal alcohol monitoring via an electronic monitoring device; or

“(III) by an alternate method with the concurrence of the Secretary.

“(B) AVERAGE IMPAIRED DRIVING FATALITY RATE.—The term ‘average impaired driving fatality rate’ means the number of fatalities in motor vehicle crashes involving a driver with a blood alcohol concentration of at least 0.08 percent for every 100,000,000 vehicle miles traveled, based on the most recently reported 3 calendar years of final data from the Fatality Analysis Reporting System, as calculated in accordance with regulations prescribed

by the Administrator of the National Highway Traffic Safety Administration.

“(C) HIGH-RANGE STATE.—The term ‘high-range State’ means a State that has an average impaired driving fatality rate of 0.60 or higher.

“(D) LOW-RANGE STATE.—The term ‘low-range State’ means a State that has an average impaired driving fatality rate of 0.30 or lower..

“(E) MID-RANGE STATE.—The term ‘mid-range State’ means a State that has an average impaired driving fatality rate that is higher than 0.30 and lower than 0.60.

“(e) DISTRACTED DRIVING GRANTS.—

“(1) IN GENERAL.—The Secretary shall award a grant under this subsection to any State that enacts and enforces a statute that meets the requirements set forth in paragraphs (2) and (3).

“(2) PROHIBITION ON TEXTING WHILE DRIVING.—A State statute meets the requirements set forth in this paragraph if the statute—

“(A) prohibits drivers from texting through a personal wireless communications device while driving;

“(B) makes violation of the statute a primary offense; and

“(C) establishes—

“(i) a minimum fine for a first violation of the statute; and

“(ii) increased fines for repeat violations.

“(3) PROHIBITION ON YOUTH CELL PHONE USE WHILE DRIVING.—A State statute meets the requirements set forth in this paragraph if the statute—

“(A) prohibits a driver who is younger than 18 years of age from using a personal wireless communications device while driving;

“(B) makes violation of the statute a primary offense;

“(C) requires distracted driving issues to be tested as part of the State driver’s license examination; and

“(D) establishes—

“(i) a minimum fine for a first violation of the statute; and

“(ii) increased fines for repeat violations.

“(4) PERMITTED EXCEPTIONS.—A statute that meets the requirements set forth in paragraphs (2) and (3) may provide exceptions for—

“(A) a driver who uses a personal wireless communications device to contact emergency services;

“(B) emergency services personnel who use a personal wireless communications device while—

“(i) operating an emergency services vehicle; and

“(ii) engaged in the performance of their duties as emergency services personnel; and

“(C) an individual employed as a commercial motor vehicle driver or a school bus driver who uses a personal wireless communications device within the scope of such individual’s employment if such use is permitted under the regulations promulgated pursuant to section 31152 of title 49.

“(5) USE OF GRANT FUNDS.—Of the amounts received by a State under this subsection—

“(A) at least 50 percent shall be used—

“(i) to educate the public through advertising containing information about the dangers of texting or using a cell phone while driving;

“(ii) for traffic signs that notify drivers about the distracted driving law of the State; or

“(iii) for law enforcement costs related to the enforcement of the distracted driving law; and

“(B) up to 50 percent may be used for any eligible project or activity under section 402.

“(6) ADDITIONAL GRANTS.—In the first fiscal year that grants are awarded under this subsection, the Secretary may use up to 25 percent of the amounts available for grants under this subsection to award grants to States that—

“(A) enacted statutes before the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012, which meet the requirements set forth in subparagraphs (A) and (B) of paragraph (2); and

“(B) are otherwise ineligible for a grant under this subsection.

“(7) ALLOCATION TO SUPPORT STATE DISTRACTED DRIVING LAWS.—Of the amounts available under this subsection in a fiscal year for distracted driving grants, the Secretary may expend up to \$5,000,000 for the development and placement of broadcast media to support the enforcement of State distracted driving laws.

“(8) DISTRACTED DRIVING STUDY.—

“(A) IN GENERAL.—The Secretary shall conduct a study of all forms of distracted driving.

“(B) COMPONENTS.—The study conducted under subparagraph (A) shall—

“(i) examine the effect of distractions other than the use of personal wireless communications on motor vehicle safety;

“(ii) identify metrics to determine the nature and scope of the distracted driving problem;

“(iii) identify the most effective methods to enhance education and awareness; and

“(iv) identify the most effective method of reducing deaths and injuries caused by all forms of distracted driving.

“(C) REPORT.—Not later than 1 year after the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012, the Secretary shall submit a report containing the results of the study conducted under this paragraph to—

“(i) the Committee on Commerce, Science, and Transportation of the Senate; and

“(ii) the Committee on Transportation and Infrastructure of the House of Representatives.

“(9) DEFINITIONS.—In this subsection:

“(A) DRIVING.—The term ‘driving’—

“(i) means operating a motor vehicle on a public road, including operation while temporarily stationary

because of traffic, a traffic light or stop sign, or otherwise; and

“(ii) does not include operating a motor vehicle when the vehicle has pulled over to the side of, or off, an active roadway and has stopped in a location where it can safely remain stationary.

“(B) PERSONAL WIRELESS COMMUNICATIONS DEVICE.—

The term ‘personal wireless communications device’—

“(i) means a device through which personal wireless services (as defined in section 332(c)(7)(C)(i) of the Communications Act of 1934 (47 U.S.C. 332(c)(7)(C)(i))) are transmitted; and

“(ii) does not include a global navigation satellite system receiver used for positioning, emergency notification, or navigation purposes.

“(C) PRIMARY OFFENSE.—The term ‘primary offense’ means an offense for which a law enforcement officer may stop a vehicle solely for the purpose of issuing a citation in the absence of evidence of another offense.

“(D) PUBLIC ROAD.—The term ‘public road’ has the meaning given such term in section 402(c).

“(E) TEXTING.—The term ‘texting’ means reading from or manually entering data into a personal wireless communications device, including doing so for the purpose of SMS texting, e-mailing, instant messaging, or engaging in any other form of electronic data retrieval or electronic data communication.

“(f) MOTORCYCLIST SAFETY.—

“(1) GRANTS AUTHORIZED.—Subject to the requirements under this subsection, the Secretary shall award grants to States that adopt and implement effective programs to reduce the number of single- and multi-vehicle crashes involving motorcyclists.

“(2) ALLOCATION.—The amount of a grant awarded to a State for a fiscal year under this subsection may not exceed 25 percent of the amount apportioned to the State for fiscal year 2003 under section 402.

“(3) GRANT ELIGIBILITY.—A State becomes eligible for a grant under this subsection by adopting or demonstrating to the satisfaction of the Secretary, at least 2 of the following criteria:

“(A) MOTORCYCLE RIDER TRAINING COURSES.—An effective motorcycle rider training course that is offered throughout the State, which—

“(i) provides a formal program of instruction in accident avoidance and other safety-oriented operational skills to motorcyclists; and

“(ii) may include innovative training opportunities to meet unique regional needs.

“(B) MOTORCYCLISTS AWARENESS PROGRAM.—An effective statewide program to enhance motorist awareness of the presence of motorcyclists on or near roadways and safe driving practices that avoid injuries to motorcyclists.

“(C) REDUCTION OF FATALITIES AND CRASHES INVOLVING MOTORCYCLES.—A reduction for the preceding calendar year in the number of motorcycle fatalities and the rate of

motor vehicle crashes involving motorcycles in the State (expressed as a function of 10,000 motorcycle registrations).

“(D) IMPAIRED DRIVING PROGRAM.—Implementation of a statewide program to reduce impaired driving, including specific measures to reduce impaired motorcycle operation.

“(E) REDUCTION OF FATALITIES AND ACCIDENTS INVOLVING IMPAIRED MOTORCYCLISTS.—A reduction for the preceding calendar year in the number of fatalities and the rate of reported crashes involving alcohol- or drug-impaired motorcycle operators (expressed as a function of 10,000 motorcycle registrations).

“(F) FEES COLLECTED FROM MOTORCYCLISTS.—All fees collected by the State from motorcyclists for the purposes of funding motorcycle training and safety programs will be used for motorcycle training and safety purposes.

“(4) ELIGIBLE USES.—

“(A) IN GENERAL.—A State may use funds from a grant under this subsection only for motorcyclist safety training and motorcyclist awareness programs, including—

“(i) improvements to motorcyclist safety training curricula;

“(ii) improvements in program delivery of motorcycle training to both urban and rural areas, including—

“(I) procurement or repair of practice motorcycles;

“(II) instructional materials;

“(III) mobile training units; and

“(IV) leasing or purchasing facilities for closed-course motorcycle skill training;

“(iii) measures designed to increase the recruitment or retention of motorcyclist safety training instructors; and

“(iv) public awareness, public service announcements, and other outreach programs to enhance driver awareness of motorcyclists, such as the ‘share-the-road’ safety messages developed under subsection (g).

“(B) SUBALLOCATIONS OF FUNDS.—An agency of a State that receives a grant under this subsection may suballocate funds from the grant to a nonprofit organization incorporated in that State to carry out this subsection.

“(5) DEFINITIONS.—In this subsection:

“(A) MOTORCYCLIST AWARENESS.—The term ‘motorcyclist awareness’ means individual or collective awareness of—

“(i) the presence of motorcycles on or near roadways; and

“(ii) safe driving practices that avoid injury to motorcyclists.

“(B) MOTORCYCLIST AWARENESS PROGRAM.—The term ‘motorcyclist awareness program’ means an informational or public awareness program designed to enhance motorcyclist awareness that is developed by or in coordination with the designated State authority having jurisdiction over motorcyclist safety issues, which may include the State motorcycle safety administrator or a motorcycle advisory council appointed by the governor of the State.

“(C) MOTORCYCLIST SAFETY TRAINING.—The term ‘motorcyclist safety training’ means a formal program of instruction that is approved for use in a State by the designated State authority having jurisdiction over motorcyclist safety issues, which may include the State motorcycle safety administrator or a motorcycle advisory council appointed by the governor of the State.

“(D) STATE.—The term ‘State’ has the meaning given such term in section 101(a) of title 23, United States Code.

“(g) STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT.—

“(1) GRANTS AUTHORIZED.—Subject to the requirements under this subsection, the Secretary shall award grants to States that adopt and implement graduated driver licensing laws in accordance with the requirements set forth in paragraph (2).

“(2) MINIMUM REQUIREMENTS.—

“(A) IN GENERAL.—A State meets the requirements set forth in this paragraph if the State has a graduated driver licensing law that requires novice drivers younger than 21 years of age to comply with the 2-stage licensing process described in subparagraph (B) before receiving an unrestricted driver’s license.

“(B) LICENSING PROCESS.—A State is in compliance with the 2-stage licensing process described in this subparagraph if the State’s driver’s license laws include—

“(i) a learner’s permit stage that—

“(I) is at least 6 months in duration;

“(II) prohibits the driver from using a cellular telephone or any communications device in a non-emergency situation; and

“(III) remains in effect until the driver—

“(aa) reaches 16 years of age and enters the intermediate stage; or

“(bb) reaches 18 years of age;

“(ii) an intermediate stage that—

“(I) commences immediately after the expiration of the learner’s permit stage;

“(II) is at least 6 months in duration;

“(III) prohibits the driver from using a cellular telephone or any communications device in a non-emergency situation;

“(IV) restricts driving at night;

“(V) prohibits the driver from operating a motor vehicle with more than 1 nonfamilial passenger younger than 21 years of age unless a licensed driver who is at least 21 years of age is in the motor vehicle; and

“(VI) remains in effect until the driver reaches 18 years of age; and

“(iii) any other requirement prescribed by the Secretary of Transportation, including—

“(I) in the learner’s permit stage—

“(aa) at least 40 hours of behind-the-wheel training with a licensed driver who is at least 21 years of age;

“(bb) a driver training course; and

“(cc) a requirement that the driver be accompanied and supervised by a licensed driver, who is at least 21 years of age, at all times while such driver is operating a motor vehicle; and

“(II) in the learner’s permit or intermediate stage, a requirement, in addition to any other penalties imposed by State law, that the grant of an unrestricted driver’s license be automatically delayed for any individual who, during the learner’s permit or intermediate stage, is convicted of a driving-related offense, including—

“(aa) driving while intoxicated;

“(bb) misrepresentation of his or her true age;

“(cc) reckless driving;

“(dd) driving without wearing a seat belt;

“(ee) speeding; or

“(ff) any other driving-related offense, as determined by the Secretary.

“(3) RULEMAKING.—

“(A) IN GENERAL.—The Secretary shall promulgate regulations necessary to implement the requirements set forth in paragraph (2), in accordance with the notice and comment provisions under section 553 of title 5.

Deadline.

“(B) EXCEPTION.—A State that otherwise meets the minimum requirements set forth in paragraph (2) shall be deemed by the Secretary to be in compliance with the requirement set forth in paragraph (2) if the State enacted a law before January 1, 2011, establishing a class of license that permits licensees or applicants younger than 18 years of age to drive a motor vehicle—

“(i) in connection with work performed on, or for the operation of, a farm owned by family members who are directly related to the applicant or licensee; or

“(ii) if demonstrable hardship would result from the denial of a license to the licensees or applicants.

“(4) ALLOCATION.—Grant funds allocated to a State under this subsection for a fiscal year shall be in proportion to a State’s apportionment under section 402 for such fiscal year.

“(5) USE OF FUNDS.—Of the grant funds received by a State under this subsection—

“(A) at least 25 percent shall be used for—

“(i) enforcing a 2-stage licensing process that complies with paragraph (2);

“(ii) training for law enforcement personnel and other relevant State agency personnel relating to the enforcement described in clause (i);

“(iii) publishing relevant educational materials that pertain directly or indirectly to the State graduated driver licensing law;

“(iv) carrying out other administrative activities that the Secretary considers relevant to the State’s 2-stage licensing process; and

“(v) carrying out a teen traffic safety program described in section 402(m); and

“(B) up to 75 percent may be used for any eligible project or activity under section 402.”

(b) CONFORMING AMENDMENT.—The analysis for chapter 4 of title 23, United States Code, is amended by striking the item relating to section 405 and inserting the following:

“405. National priority safety programs.”

**SEC. 31106. HIGH VISIBILITY ENFORCEMENT PROGRAM.**

Section 2009 of SAFETEA-LU (23 U.S.C. 402 note) is amended—

(1) in subsection (a)—

(A) by striking “at least 2” and inserting “at least 3”; and

(B) by striking “years 2006 through 2012.” and inserting “fiscal years 2013 and 2014. The Administrator may also initiate and support additional campaigns in each of fiscal years 2013 and 2014 for the purposes specified in subsection (b).”;

(2) in subsection (b), by striking “either or both” and inserting “outcomes related to at least 1”;

(3) in subsection (c), by inserting “and Internet-based outreach” after “print media advertising”;

(4) in subsection (e), by striking “subsections (a), (c), and (f)” and inserting “subsection (c)”;

(5) by striking subsection (f); and

(6) by redesignating subsection (g) as subsection (f).

**SEC. 31107. AGENCY ACCOUNTABILITY.**

Section 412 of title 23, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

“(a) TRIENNIAL STATE MANAGEMENT REVIEWS.—

“(1) IN GENERAL.—Except as provided under paragraph (2), the Secretary shall conduct a review of each State highway safety program at least once every 3 years. Time period.

“(2) EXCEPTIONS.—The Secretary may conduct reviews of the highway safety programs of the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands as often as the Secretary determines to be appropriate.

“(3) COMPONENTS.—Reviews under this subsection shall include—

“(A) a management evaluation of all grant programs funded under this chapter;

“(B) an assessment of State data collection and evaluation relating to performance measures established by the Secretary;

“(C) a comparison of State efforts under subparagraphs (A) and (B) to best practices and programs that have been evaluated for effectiveness; and

“(D) the development of recommendations on how each State could—

“(i) improve the management and oversight of its grant activities; and

“(ii) provide a management and oversight plan for such grant programs.”; and

(2) by striking subsection (f).

**SEC. 31108. EMERGENCY MEDICAL SERVICES.**

Section 10202 of Public Law 109-59 (42 U.S.C. 300d-4), is amended by adding at the end the following:

**“(b) NATIONAL EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL.—**

**“(1) ESTABLISHMENT.—**The Secretary of Transportation, in coordination with the Secretary of Health and Human Services and the Secretary of Homeland Security, shall establish a National Emergency Medical Services Advisory Council (referred to in this subsection as the ‘Advisory Council’).

**“(2) MEMBERSHIP.—**The Advisory Council shall be composed of 25 members, who—

**“(A) shall be appointed by the Secretary of Transportation; and**

**“(B) shall collectively be representative of all sectors of the emergency medical services community.**

**“(3) PURPOSES.—**The purposes of the Advisory Council are to advise and consult with—

**“(A) the Federal Interagency Committee on Emergency Medical Services on matters relating to emergency medical services issues; and**

**“(B) the Secretary of Transportation on matters relating to emergency medical services issues affecting the Department of Transportation.**

**“(4) ADMINISTRATION.—**The Administrator of the National Highway Traffic Safety Administration shall provide administrative support to the Advisory Council, including scheduling meetings, setting agendas, keeping minutes and records, and producing reports.

**“(5) LEADERSHIP.—**The members of the Advisory Council shall annually select a chairperson of the Advisory Council.

**“(6) MEETINGS.—**The Advisory Council shall meet as frequently as is determined necessary by the chairperson of the Advisory Council.

**“(7) ANNUAL REPORTS.—**The Advisory Council shall prepare an annual report to the Secretary of Transportation regarding the Advisory Council’s actions and recommendations.”.

**SEC. 31109. REPEAL OF PROGRAMS.**

**(a) GENERAL PROVISION.—**A repeal made by this section shall not affect amounts apportioned or allocated before the effective date of such repeal, provided that such apportioned or allocated funds continue to be subject to the requirements to which such funds were subject under the repealed section as in effect on the day before the date of the repeal.

**(b) SAFETY BELT PERFORMANCE GRANTS.—**Section 406 of title 23, United States Code, and the item relating to section 406 in the analysis for chapter 4 of title 23, United States Code, are repealed.

**(c) INNOVATIVE PROJECT GRANTS.—**Section 407 of title 23, United States Code, and the item relating to section 407 in the analysis for chapter 4, are repealed.

**(d) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—**Section 408 of title 23, United States Code, and the item relating to section 408 in the analysis for chapter 4, are repealed.

Consultation.

Deadline.

23 USC 406 note.

(e) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES.—Section 410 of title 23, United States Code, and the item relating to section 410 in the analysis for chapter 4, are repealed.

(f) STATE HIGHWAY SAFETY DATA IMPROVEMENTS.—Section 411 of title 23, United States Code, and the item relating to section 411 in the analysis for chapter 4, are repealed.

(g) MOTORCYCLIST SAFETY.—Section 2010 of SAFETEA-LU (23 U.S.C. 402 note), and the item relating to section 2010 in the table of contents under section 1(b) of such Act, are repealed.

(h) CHILD SAFETY AND CHILD BOOSTER SEAT INCENTIVE GRANTS.—Section 2011 of SAFETEA-LU (23 U.S.C. 405 note), and the item relating to section 2011 in the table of contents under section 1(b) of that Act, are repealed.

(i) DRUG-IMPAIRED DRIVING ENFORCEMENT.—Section 2013 of SAFETEA-LU (23 U.S.C. 403 note), and the item relating to section 2013 in the table of contents under section 1(b) of that Act, are repealed.

(j) FIRST RESPONDER VEHICLE SAFETY PROGRAM.—Section 2014 of SAFETEA-LU (23 U.S.C. 402 note), and the item relating to section 2014 in the table of contents under section 1(b) of that Act, are repealed.

(k) RURAL STATE EMERGENCY MEDICAL SERVICES OPTIMIZATION PILOT PROGRAM.—Section 2016 of SAFETEA-LU (119 Stat. 1541), and the item relating to section 2016 in the table of contents under section 1(b) of that Act, are repealed.

(l) OLDER DRIVER SAFETY; LAW ENFORCEMENT TRAINING.—Section 2017 of SAFETEA-LU (119 Stat. 1541), and the item relating to section 2017 in the table of contents under section 1(b) of that Act, are repealed.

23 USC 402 note.

## Subtitle B—Enhanced Safety Authorities

### SEC. 31201. DEFINITION OF MOTOR VEHICLE EQUIPMENT.

Section 30102(a)(7)(C) of title 49, United States Code, is amended to read as follows:

“(C) any device or an article or apparel, including a motorcycle helmet and excluding medicine or eyeglasses prescribed by a licensed practitioner, that—

“(i) is not a system, part, or component of a motor vehicle; and

“(ii) is manufactured, sold, delivered, or offered to be sold for use on public streets, roads, and highways with the apparent purpose of safeguarding users of motor vehicles against risk of accident, injury, or death.”.

### SEC. 31202. PERMIT REMINDER SYSTEM FOR NON-USE OF SAFETY BELTS.

(a) IN GENERAL.—Chapter 301 of title 49, United States Code, is amended—

(1) in section 30122, by striking subsection (d); and

(2) by amending section 30124 to read as follows:

#### “§ 30124. Nonuse of safety belts

“A motor vehicle safety standard prescribed under this chapter may not require a manufacturer to comply with the standard by