

SAFETY MANAGEMENT SYSTEM ROADSIDE SAFETY SYMPOSIUM

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INTRODUCTION

I appreciate the opportunity to discuss with you one of the major initiatives associated with the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). Six management systems were included in the legislation, but I will focus on the Highway Safety Management System.

Before proceeding, it is necessary to understand that the management systems are currently in the rulemaking process. Later in this paper I will address exactly where we are and our future plans. I note this since the administrative process act places certain limitations on public (ex parte) contacts once rulemaking is underway. What this amounts to is, that as a representative of the Federal Highway Administration, I cannot discuss what should be in the management system regulations nor state a position. This is not a problem, since until we review and consider all the responses to the docket, we really do not know what the system requirements will entail. I think it also important to understand that this requirement is not to stymie information exchange, but is to ensure that any one group is not privileged to information not universally available to everyone.

What I would like to discuss on the Safety Management System are the:

- Definition;
- History or background;
- Issues in the ANPRM;
- Comments from public workshops; and
- Future action.

WHAT IS A SAFETY MANAGEMENT SYSTEM (SMS)?

The primary purpose of all the management systems is to improve the efficiency of, and protect the investment in, the Nation's existing and future transportation infrastructure. The management systems, or their elements, are not the end product; they will provide additional information needed to make informed decisions for optimum utilization of limited resources.

A Safety Management System may be further defined as management processes to ensure that all opportunities to improve safety are identified, considered,

implemented where appropriate, and evaluated. In short, the SMS is having everyone "think safety", and putting their thoughts and ideas into actions. Agencies must therefore totally integrate safety decision-making into their day-to-day activities and development of projects and program priorities.

Safety should be routinely considered and incorporated into the planning, design, construction, and operations of streets and highways. Without a safety management system, safety may be an add-on, an afterthought, or simply omitted. When this happens, the results can be costly both to the public and the governmental agency through increased injuries and death, additional construction and maintenance costs, delays, and tort liabilities claims. Awareness of the safety consequences and conscientious safety decisions can result in saving lives, funds, and other valuable resources.

Background

The initial idea of the Safety Management System was to provide decision-makers with improved management tools and practices to better manage our highways. This concept was developed with specific attention to the highway component of the transportation system as the basic foundation from which an effective SMS could be developed. This original idea or purpose for the SMS, which was initiated over 10 years ago, is still very much in sync with today's stated purpose for all the management systems.

I mentioned that the SMS originated some ten years ago, however in reality, the framework was established with passage of the 1966 Highway Safety Act. In 1981, however, the Transportation Research Board (TRB) sponsored a conference titled "Enhancing Highway Safety through Engineering Management in an Age of Limited Resources". In 1983, expanding on the work of this conference, the American Association of State Highway and Transportation Officials' Standing Committee on Highway Traffic Safety published "A Guide for Enhancement of Highway Safety Directed to Agencies, Programs and Standards".

Several years ago the Federal Highway Administration initiated an effort to bring these prior activities into a focused program. An internal task group was established

to identify existing practices in state DOT's that provided effective safety management and enhancement activities. These were compiled into the "Management Approach to Highway Safety" document, which was later pilot tested. This document was also the impetus for a Workshop last year to look at the practicality and feasibility of using its information as a foundation for states to develop and implement a Safety Management System.

ISSUES AND COMMENTS FROM THE ANPRM AND PUBLIC WORKSHOPS

Congress passed and President Bush signed legislation which includes requirements that specific management systems be developed and implemented by the states. An Advanced Notice of Proposed Rulemaking (ANPRM) was issued by the FHWA and the Federal Transit Administration (FTA) on June 3, 1992. On June 10, the FHWA and NHTSA completed three public workshops on the SMS. The workshops provided a forum for public input from states, organizations, associations, and individuals interested in the Safety Management System. A panel of representatives from the American Association of State Highway and Transportation Officials (AASHTO), National Association of Governors Highway Safety Representatives (NAGHSR), National Association of Regional Councils (NARC), Highway Users Federation (HUF), and academia provided their organization's perspective of an SMS. The major issues discussed at the workshops were:

Scope

- Should the SMS include all safety elements--driver, vehicle, and roadway?
- What should be the extent of roadway system coverage for the system? Should it apply only to the National Highway System (NHS), Surface Transportation Program roads (STP), all public roads, or some combination of the above?

This issue basically applies to all the management systems except the bridge and pavement systems.

At the workshop this issue of scope appears to present the greatest diversity of opinion. There was strong support and reasoning provided to make the SMS totally comprehensive to include all public roads and incorporate the safety elements for the driver, vehicle, and roadway. Conversely there has been equally documented counter positions offered to limit the SMS

to only those roads under the jurisdiction of the State transportation agency and to only the highway element.

There are certainly pros and cons to each of these issues and this I believe will present us with the greatest challenge as we develop the regulation.

INSTITUTIONAL AND ORGANIZATIONAL

Depending upon the structure and scope of the SMS a number of factors come into play within State, local, and organizational entities.

- Will there be institutional coordination or integration impacts if the system covers more than the National Highway System or includes the vehicle and driver as well as the roadway safety elements?
- Would state legislation be required to implement a Safety Management System that includes all safety elements--driver, vehicle, and roadway and/or roadways off the NHS?
- What are the fiscal, personnel, or other resource advantages or constraints associated with developing and implementing an SMS that includes the driver, vehicle, and roadway and more than the NHS?

The workshop response to a number of these issues automatically fall within the response to the position that responders took relative to the scope. Accountability and responsibility issues, when coupled with possible future sanctions were a major concern of those supporting a more limited SMS. The need to involve all disciplines were voiced by the more comprehensive system advocates. The impacts of specific scope alternatives, however, were not easily addressed as these require more detailed analysis and time.

COORDINATION, COMMUNICATION, AND COOPERATION

These issues probably represent the second greatest challenge in developing the regulatory requirements. The legislation requires state development and implementation of each management system in metropolitan areas in cooperation with Metropolitan Planning Organizations (MPO). States must also cooperate with affected agencies receiving assistance under the Federal Transit Act. There are also requirements associated with consideration of results from management systems and project selection

involvement of the MPOs in urbanized areas of the state. These requirements in addition to the need to incorporate the driver, vehicle, and roadway components in safety decisions, regardless of the comprehensiveness of the system, necessitate strong coordination and communication roles.

How should this coordination be addressed in the regulations?

Cooperation and communication were universally identified as an absolute. Whether the scope of the Safety Management System is comprehensive or limited, has impacted the complexity and structure of this involvement.

IMPLEMENTATION

The legislation requires that before January 1, 1995, and annually thereafter, States must certify that they are implementing the management systems. The panel was asked:

- At what level of state government (e.g., Governor, State Secretary of Transportation, etc.) should the certification be made?
- What type of supporting documentation, if any, should be submitted with the certifications or provided to the FHWA?

Responses on these issues again covered the total spectrum, from those that feel very detailed documentation is needed, to just the state submitting a certification that they are in compliance.

There have been comments that no single state agency should be allowed certification authority and certification

should be by the governor. Others felt that a specific state agency should handle the certification.

Responses have also been provided to have certification for each management system, while others recommend that one certification cover all management systems, and still others suggest one certification for all federal requirements, to include such programs as the 55 MPH speed monitoring certification.

These highlight the basic issues and responses that were provided through the workshops, and you can readily recognize the great diversity of thought that prevails on just what the SMS should include and how it should be structured.

FUTURE ACTION

The initial ground work has been completed, so where do we go from here?

First, I mentioned that an ANPRM had been issued. The comment period remained open until August 3, 1992. Following review of all comments received through that time period we developed and issued a Notice of Proposed Rulemaking (NPRM). The NPRM contains the proposed regulation for the SMS. It is planned that separate-but coordinated, notices will be issued for each management system. The comment period for response to the docket on the NPRM will be 60 days.

Following the close of the docket for the NPRM, comment will again be reviewed and a final rule issued.

As you can see a lot must take place before a Final Rule on the Safety Management System is issued. It is our desire to address the many concerns and recommendations of all our partners in enhancing highway safety activities, and your input throughout the regulatory process is vital.