

**New Jersey Office of the Attorney General  
Division of Highway Traffic Safety (DHTS)**

**HIGHWAY SAFETY PROJECT GRANT**

**Guide and Instructions  
FY2025  
(10/1/2024 – 9/30/2025)**



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## **Welcome and Overview**

The New Jersey Office of the Attorney General (OAG) and Division of Highway Traffic Safety (DHTS) thank you for your interest in our grant programs and in traffic safety in general. You, our partners, are a critical part of our efforts to improve safety on the roads of New Jersey. This guide provides basic information on how to apply for a DHTS-administered highway safety grant project for the upcoming program year.

## **Mission Statement**

DHTS is responsible for developing and implementing, on behalf of the Governor, the New Jersey Highway Safety Program. The mission of DHTS is the safe passage of all roadway users in New Jersey as we move towards zero fatalities. To achieve our mission, DHTS promotes statewide traffic safety programs through education, engineering and enforcement activities. DHTS administers and coordinates funding for State and local projects.

## **Funding Source and Purpose**

Our DHTS traffic safety grant program provides federal grant dollars from the National Highway Traffic Safety Administration (NHTSA) for projects to reduce the number of crashes, injuries, fatalities, and related economic losses resulting from traffic crashes on New Jersey's roadways

DHTS is responsible for coordinating and managing Section 402 State and Community grants, Section 405 National Priority Safety Program grants, related NHTSA awards and initiatives, and contracts for traffic safety activities received on an annual basis from NHTSA. Funds are to be used for short-term highway safety initiatives, with the intent that other sources of funding will sustain programs over the long term. These federal grant programs operate on a reimbursement basis.

DHTS's competitive grant process solicits grant proposals for highway safety activities from state, county, and local agencies, statewide non-profit organizations, colleges and universities, hospitals, and other political subdivisions based on a data driven fatal and serious injury crash problem identification. A targeted approach

ensures a statewide effort that will satisfy state-level highway safety goals, with a minimum of 40 percent of federal funds allocated to local jurisdictions. Proposals submitted for funding of traffic safety activities must demonstrate cost effectiveness and the potential to positively impact traffic safety-related goals at both the state and local levels.

By submitting a grant application, your agency, if awarded funding, is committing to join a statewide partnership determined to reduce motor vehicle crashes in New Jersey. Grant applications are expected to be problem identification driven. It is the responsibility of the applicant agency to show how its proposed programming can impact local and state crash statistics which, in turn, will help achieve statewide goals.

DHTS will use the following criteria to determine funding eligibility for each applicant: (1) meet the submission deadline; (2) meet the minimum requirements set forth in this guide; and (3) explain how the proposal will specifically help reduce traffic crashes, fatalities, and injuries.

DHTS will award grants based on: (1) the amount of funding available from NHTSA; (2) the total number of proposals submitted to DHTS; and (3) past performance of the applicant agency (if applicable).

## **Timeline and Deadlines**

The “Federal Highway Safety Grant 2025” application will be available to create, complete, and submit on the SAGE e-grant system beginning January 22, 2024, with a final due date of 11:59 pm on April 30, 2024.

The project period for this grant program will be 10/1/2024 – 9/30/2025.

## **Priority Areas for Funding**

Potential DHTS grantees are strongly encouraged to review the most recent New Jersey Highway Safety plan. The FY2024-2026 HSP was developed by DHTS and approved by NHTSA. The HSP contains an extensive overview of the traffic safety issues facing the state and establishes priority program areas for the years ahead:

[https://www.nj.gov/oag/hts/downloads/New\\_Jersey\\_FY2024-2026-Highway-Safety-Plan.pdf](https://www.nj.gov/oag/hts/downloads/New_Jersey_FY2024-2026-Highway-Safety-Plan.pdf)

Potential grantees should also review and become familiar with the elements of the New Jersey Strategic Highway Safety Plan, which is a statewide, coordinated safety plan that provides a comprehensive framework for reducing fatalities and serious injuries on all public roads. The SHSP establishes statewide goals, objectives, performance measures and emphasis areas to guide safety programs and investments. The SHSP is developed in consultation with federal, state, local and private safety stakeholders:

<https://www.saferoadsforallnj.com/>

**Program areas for the FY2025 project year that will be given priority consideration for funding include:**

- **Impaired Driving**  
Projects designed to reduce crashes by drivers impaired by alcohol or drugs utilizing proven enforcement and or educational countermeasures.
- **Seat Belts**  
Projects that utilize proven enforcement and/or educational countermeasures to increase seat belt usage by motorists, thereby reducing unbelted crash injuries and fatalities.
- **Pedestrian and Bicycle**  
Projects that will use a combination of education, community awareness, and enforcement to protect our most vulnerable roadway users.
- **Sustained Enforcement**  
Ongoing, data-driven, targeted traffic safety enforcement operations by police agencies focusing on seat belt usage, driver distraction, impaired driving, and/or speed.
- **Community Traffic Safety Programs (CTSP's)**  
Local or county-wide traffic safety programs that utilize a steering committee/coalition and data analysis to carry out safety programming targeting specific problem areas. CTSP's should engage wherever possible with local non-profit agencies in their service areas to further traffic safety program goals.
- **Child Passenger Safety**  
Projects in this area can be used for car and booster seat fitting and inspection stations and educational efforts. These are typically done through

partnerships with local health departments, law enforcement, schools, hospitals and non-profits.

- Young Drivers  
Projects focused on increasing safe driving by newer drivers including GDL education and awareness, distracted driving prevention, seat belt compliance, and risky driving behaviors.
- Mature Drivers  
Projects in this area should focus on helping the state's older driving population maintain safe driving skills as well as developing alternatives for when safe driving is no longer possible.
- Data/Traffic Records  
Traffic records data serves as the primary source of knowledge about New Jersey's transportation environment. Projects should endeavor to enhance the timeliness, accuracy, completeness, integration, and accessibility of the state's traffic crash data systems.
- Motorcycle  
This area funds projects that seek to reduce the rate of serious motorcycle injury crashes and fatalities. Projects can support educational and awareness efforts related to motorcycle safety, proper safety gear and training, and "share the road" messaging.

**FY2025 Priority: Community engagement and underserved communities.**

All applicants are expected to include within their project proposals outreach to and partnerships with community members and groups not previously involved in our traffic safety programs. This community engagement should be consistent and ongoing within your project and include input from these groups in the project planning process as well as ultimate program delivery.

The goal here is meaningful engagement with new and diverse partners, with a special emphasis on underserved communities, especially those over-represented by crash data.

If the lead agency for the grant is currently not community based and representative of those being served, efforts need to be made to bring these new partners to the table to ensure that the planning, implementation, and evaluation of the project is done in collaboration with the people and communities who will be impacted by the strategies. Decision-making should be shared, and culturally appropriate messaging and materials used throughout the project.

## Important Considerations

### Reimbursement Only Policy

This federal grant program operates on a reimbursement basis. The administering agency must first incur the cost for approved expenditures and then submit a request, in the SAGE e-grant system, for reimbursement. Appropriate and accurate documentation will be required for each expense.

### Eligible Entities

To be eligible to receive funds under this federal grant program, the proposing agency must be one of the following:

- Local unit of government (e.g., county, city, township, village, etc.) Law enforcement agencies apply for funding through their unit of government.
- College or University.
- State agency.
- Non-profit organizations that operate statewide.
- Entities not listed above may be eligible for funding as a sub-recipient through an entity listed above.

### Required Personnel

**Project Director** – The project director will oversee the daily activities of the grant and ensure that the scope of work and evaluation are completed as proposed. This individual will serve as the primary contact person for DHTS for the grant.

**Fiscal Officer** – The fiscal officer is responsible for the fiscal activities of the agency and is generally the Treasurer or CFO. This individual is responsible for overseeing the grant's budget, as well as submitting properly prepared claims for reimbursement to DHTS.

**Authorizing Official** – The authorizing official is usually the head of the organization/agency applying for funding (ex. Mayor, Business Administrator, Executive Director, etc.). This individual will sign the grant application and must have the authority to enter into an agreement with DHTS, should the proposal be approved for funding.

## Grant Period and Project Commencement

This federal grant has a 12-month Project Period (October 1 – September 30). Each approved grant application will begin grant activity based upon the approved project period stated in the grant. It will terminate at the end of the federal fiscal year (**September 30, 2025**), unless otherwise specified in the agreement.

No costs will be reimbursed for any activity performed outside of the approved Project Period. Unspent funds that remain at the end of the Project Period will be retained by DHTS and returned to the overall funding pool for the next program year. **FINAL GRANT REIMBURSEMENT CLAIMS MUST BE RECEIVED NO LATER THAN 10/31 OF THE GRANT YEAR.**

### Non-Allowable items:

The following items are not allowed in this federal grant program:

- Costs for land.
- Costs for construction or reconstruction of permanent facilities, such as paving, driving ranges, towers, and portable and non-portable skid pads are not allowable.
- Costs for construction, rehabilitation, or remodeling for any buildings or structures or for purchase of office furnishings and fixtures. Examples of office furnishings and fixtures:

Desk	Table
Credenza	Filing Cabinet
Storage Cabinet	Picture, Wall Clock
Chair	Shelving
Bookcase	Floor Covering
Portable Partition	Coat Rack
Draperies & Hardware	Fixed Lighting/Lamp
- Costs for highway safety appurtenances including longitudinal barriers (such as guardrails), sign supports (except as allowed under the NHTSA Highway Safety Grant Funding Guidance Allowable Costs with Conditions for selected Items, Part II.A.2), luminaire supports, and utility poles are not allowable. (FHWA safety construction Federal-aid funds are available.)



## Data

All DHTS grantees are expected to be data-driven in their projects. To that end, a thorough analysis of local crash data is required for all grant proposals. To assist potential grantees in accessing and analyzing New Jersey motor vehicle crash data, the Crash Analysis Tool (Numetric) was developed and is available for access by DHTS grantee agencies. The Crash Analysis Tool is a critical program that is used in all aspects the Division's traffic safety work and our grantees are encouraged to make use of it.

The Numetric site can be found here:

<https://cloud.numetric.com/signin>

For information on access to the Crash Analysis Tool, the DHTS contact is:

Joe Weiss

(609) 376-9667

[Joseph.Weiss@njoag.gov](mailto:Joseph.Weiss@njoag.gov)

## Supplanting

Supplanting is the replacing of routine or existing State or local expenditures with the use of Federal grant funds and/or using Federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of State, local or nonprofit agency. Supplanting is prohibited.

## Lobbying

The costs of influencing U.S. Congress, federal agency officials and/or state agency officials/staff for activities associated with obtaining grants, contracts, cooperative agreements or loans is unallowable. The use of federal funds for reimbursing expenses for lobbying activities is also not allowable. However, federal regulations do not restrict reimbursement of a potential sub-recipient for providing factual information or educational services upon request from a legislative body.

## Monitoring

DHTS has the right to conduct on-site monitoring of grant funded projects, during the project period or within 3 years after the end of the project period. The staff of DHTS will schedule on-site visits at the mutual convenience of DHTS and the project director or designee.

It is expected that you document the work of your grant project. DHTS may request proof of the work done under the grant. Financial records, correspondence, meeting minutes, media archives, reports and other materials will help to document your use of grant funding. For enforcement projects, surveys, time keeping records, ticket and crash reports should be maintained by the project director. Equipment purchased should be available for inspection.

## **SAGE User Accounts**

The first step in applying for grant funding from DHTS is to establish the proper user accounts in the SAGE e-grant system.

If your agency has previously applied for an NJDHTS grant in Blue SAGE and you have no recent changes in personnel (Project Director, Finance Officer, Authorized Official) you may proceed to the instructions on the next page.

**ALL CURRENT AND POTENTIAL GRANTEES (GOVERNMENTAL AND NON PROFIT) PLEASE BE ADVISED THAT EFFECTIVE JANUARY 31, 2022 YOU WILL MANAGE YOUR BLUE SAGE USER ACCOUNT IN BLUE SAGE.**

\*\*\*If your department has never submitted a SAGE application to NJDHTS or if you need to make changes to your account your AUTHORIZING OFFICIAL (Mayor or designee) must log in to BLUE SAGE to assign the proper roles and establish/add any new users. Every municipality and county already has an assigned AUTHORIZING OFFICIAL in BLUE SAGE. **Again, please note that this is a new procedure for some users. Municipal and county SAGE users formerly managed their accounts in Green SAGE. That is no longer the case.**

The link for BLUE SAGE is:

[https://njsage.intelligrants.com/login2.aspx?APPTHEME=NJSAGE\\_HTS](https://njsage.intelligrants.com/login2.aspx?APPTHEME=NJSAGE_HTS)

The SAGE roles that need to be established IN BLUE SAGE to submit an NJDHTS grant application are:

1. **AUTHORIZING OFFICIAL** (Mayor)

2. **AGENCY ADMINISTRATOR** (Project Director – the person who actually fills out the application and coordinates the grant for the agency, usually the Traffic Unit rep.)

3. **AGENCY ADMINISTRATOR** (CFO/Treasurer)

\*\*\*There is a third SAGE role (Agency Staff) in which personnel can be assigned. However individuals in this role will be able to assist, but not create or submit any grants or reports in SAGE.

\*\*\*Any further questions or issues regarding SAGE users and access can be directed to the NJDHTS contacts listed later in this guide. Nonprofit agencies that have not previously applied for a grant should reach out for assistance in getting SAGE access.

## **SAGE Link and Training Webinar**

The login page for Blue SAGE is:

<https://njsage.intelligrants.com/Login2.aspx?APPTHEME=NJSAGE>

New grant applicants are encouraged to watch this online training video:

[https://njsage.intelligrants.com/Documentation/NJSAGE/HTS\\_IG16\\_granteetraining.mp4](https://njsage.intelligrants.com/Documentation/NJSAGE/HTS_IG16_granteetraining.mp4)

## Creating Your Application in SAGE

The Sage “Agency Administrator” for your agency should log in to BLUE SAGE, and from your HOME page:

Go to the “View Available Opportunities” section and click the blue tab “VIEW OPPORTUNITIES”.

Click the drop-down bar next to “Provider” and then click on “NJSAGE HTS”.

Then click the blue tab “FILTER”.

You will then see the grant “**HTS Federal Highway Safety Grant 2025**” with its description and relevant project dates.

To apply for the grant, click on the blue tab “APPLY NOW”.

This will create your application and take you to the Menu page of your application.

To return to this screen at any time, click on the green link “Menu”.

To return to the home page that you see when you first log in, click on the gray “Home” tab to the upper left of the page. (NOTE: From the “Home” page you can now access your application through the “My Tasks” section of the home page.)

From the “Menu” page of the application, you will see the pages of the application that need to be filled out by hovering over (or clicking on) the green link “Forms Menu”.

You must fill out the requested information on each of the pages (marked with an asterisk) and be sure to SAVE each page.

# Grant Application Instructions

## SECTION 1 – GENERAL INFORMATION AND NARRATIVE

### General Information.

Enter the required information on this page including your Project Title and Project Period dates (generally **10/1/2024-9/30/2025**).

If you are a nonprofit agency be sure to check the appropriate box as that will create an additional page in the application that you must complete.

Note: State, county, and local government entities, colleges/universities, are NOT nonprofit organizations for this grant program.

REMINDER: You can navigate and access the different forms/pages of your application at any time by hovering over or clicking on the green “Forms Menu” link. To return to the main menu page of the application click on the green “Menu” link.

### Contact Information.

Fill in all of the requested contact information for the Project Director, Financial Director, and Authorizing Official for your grant application.

If the Financial Director wishes to designate another representative (FROM THE FINANCE OFFICE) to sign grant reimbursement documents, a letter with the designation should be attached on this page.

### Narrative Description of Project

#### **Problem Statement**

When completing the Problem Statement portion of the application, the following questions should be answered:

1. WHAT is the traffic safety problem you are seeking to address? (i.e., impaired driving, occupant protection, speeding and aggressive driving, pedestrian safety, etc.)
2. What are the effects of the problem and WHO is being affected?

3. What EVIDENCE can you provide that there is a problem – do you have data (local, county, state) to back up the description of the problem?
4. What is the history of the problem within your jurisdiction and what steps have been taken previously to address the problem?
5. HOW will your project address the issue(s) identified?
6. HOW will your project change the numbers of those effected by this problem?
7. WHAT are the steps (countermeasures) you plan to take to address the issue?
8. What methods will you use to create a long-term change in this problem?

- Good, timely data is critical here, from multiple sources if possible, covering multiple years (for example, data from 2021-2023 would be acceptable).
- Data should be presented directly relating to the jurisdiction from which it comes (state, county, or local).
- If possible, a comprehensive scope of data should be provided beginning at the state level and progressing from there down to the county or local level. If the applicant is a county or local agency, does the data show that they are over-represented in one of more traffic safety priority areas?
- The application should include specific target areas or populations based on the data.
- Direct linkage should be demonstrated between the data and problem identification.
- Countermeasures chosen to address identified safety issues should be appropriate based on the data and problem identification presented. Consult the most recent edition of the NHTSA document “Countermeasures that Work” for more information:

[https://www.nhtsa.gov/sites/nhtsa.gov/files/2023-12/countermeasures-that-work-11th-2023-tag\\_0.pdf](https://www.nhtsa.gov/sites/nhtsa.gov/files/2023-12/countermeasures-that-work-11th-2023-tag_0.pdf)

## **Objectives**

Specific and measurable objectives for your project must be included here, directly relating to the information provided in the Problem Statement.

Depending on your project, you may need to include several sets of Objectives, Tasks, and Activities.

Objectives should be action oriented (reduce, increase, raise, etc.) and need to be written as “S.M.A.R.T”:

- Specific: Who is the target population? Who is doing the activity? What action or activity?
- Measurable - How much change is expected?
- Achievable – Can it be accomplished?
- Realistic – Can it be completed in the stated period with the available resources?
- Time-phased – When will the objective be met?

You can use the following format to help you write your S.M.A.R.T. objectives:

(Increase/Decrease) the (count/rate/percent) of (measure) in (geographical region) from (baseline count/rate/percent) to (goal count/rate/percent) by (date objective is to be achieved).

Example 1: Increase the percentage of teen drivers wearing seat belts in Smith Township from 79% to 83% by September 30, 2025.

Example 2: Reduce the number of pedestrians injured in crashes in Smith Township from 215 (three year average 2019-2021) to 185 by September 30, 2025.

Example 3: Reduce the number of annual impaired driving crashes in Smith Township from 140 (three year average 2019-2021) to 110 by September 30, 2025.

## **Tasks**

The Tasks are the “action” steps that you will take to achieve your Objective(s). Tasks should also be specific, measurable, action-oriented, realistic, and time bound as much as possible.

Examples are:

10 presentations on GDL will be conducted in our town’s high school by (specific date).

5 fixed DUI enforcement checkpoints will be conducted by (specific date).

25 social media posts will be generated by (specific date).

Conduct 50 CarFit senior driving presentations at our town’s senior center by (specific date).

Etc.

## Activities

Activities comprise the action plan for the project. In a detailed and concise way, the activities describe what you will do to achieve your program Objective(s) and Tasks.

Provide, list, or describe specific planned activities that your agency will perform. Activities should describe:

- What will be done,
- Who will do it, and
- When it will take place.

Example 1: Between October 1, 2024 and September 30, 2025, the Smith Township Traffic Safety Coalition will meet monthly to plan and implement our project to improve graduated driver licensing (GDL) policy, education and enforcement.

Example 2: Between October 1, 2024 and May 30, 2025, students at Smith Township High School will provide monthly traffic safety messaging outreach to peers through classroom presentations, social media competitions, social norming campaigns, policy discussions with school administrators, surveys, and other activities.

Example 3: Between October 1, 2024 and May 30, 2025, the Smith Township Police Department will conduct monthly, unannounced GDL enforcement checkpoints at Smith Township High School at the start or end of the school day.

## Methodology (Methods)

The information entered on this page should provide the “HOW” of your project implementation, i.e. how you plan to carry out your activities and tasks and who you will be partnering with in your efforts.

The idea here is to summarize your project in a way that shows ongoing, well thought out programmatic efforts in education, awareness, and enforcement, more than simply one-off events.

Be sure here to describe your planned efforts to meet the **community engagement requirement** in terms of fostering community collaboration and support.



Your community engagement efforts should offer diverse and traditionally underserved communities the opportunity to share knowledge and decision-making. It should consider the diversity, values and cultural beliefs within a community and work with community members to assess needs, address issues, and seek innovative solutions. Describe the partners, coalitions, and other groups who will be involved in the planning, implementation, and evaluation of this project. Discuss how the lead agency will share knowledge and decision making with these community members and project partners.

## Milestones

For each major project “Task” listed on the “Narrative Description of Project” page, provide a specific timeline for when the various activities will be carried out. The Milestones provided should demonstrate a realistic timeline for the project, including dates for various activities.

The timeline should reflect the flow of the grant activities to achieve the outcomes within the timeframe of the grant. Evaluate the number of weeks/months needed to complete each activity, allowing enough time to evaluate the success of the activities.

The timeline should reflect your step-by-step plan to complete activities by the end of the grant period. Be as specific as possible rather than just indicating that everything will be completed by the grant end date.

## Evaluation

When completing the evaluation portion of the application, you should address two types of evaluation:

1. How will you assess the success of your objectives and tasks (for example, comparing crash data from before to after your project implementation) and,
2. How will you assess the impact your activities had in any positive outcomes?

## **Administrative (Performance) Evaluation**

Questions you should answer here include: What metrics and data will be used to evaluate your project? How will this data be collected and analyzed to aid in the evaluation? What other tools will be utilized?

Give some thought also here to process evaluation metrics including, for example, numbers of people attending presentations, lists of partners (new and old) represented and participating in meetings, and descriptions of activities completed or modifications made to planned activities due to unforeseen circumstances.

Identify the measures you will use to track progress toward the achievement of your objectives. (Examples: number of pedestrians injured in crashes, seat belt use rate, child seat misuse rate). When possible indicate the source from which you will collect the data. (Examples: FARS, Numetric, observational surveys, local police agency crash reports.)

Also, describe how project results and data will be shared with partners, stakeholders, and communities involved in and impacted by the project.

## **Impact (Efficiency) Evaluation**

How will you assess what impact your project activities had? Some possible measures here include state or local surveys, before/after skills or knowledge assessments, and descriptions in changes to policies, systems, or practices. Positive changes in crash and injury data is always the most important evaluation metric to highlight.

Because of the time lag in the availability of up-to-date crash data, it will not always be possible to evaluate your project in real time. Rather, you should review the current status of your objective measures to determine whether there has been a change (compared to the established baseline) and if the change is in the right direction.

## **Subsequent Years**

Describe your projected funding needs to continue this project for the next 1-3 years, if applicable, and describe your plans for reducing reliance on DHTS grant funding in the future, including a long-term plan for the programmatic

development and ongoing financial support of the project. If this project uses outside funds in addition to those provided from this grant, list the type and approximate amount of other funding. A plan to eventually become self-sufficient needs to be included here.

### Acceptance of Conditions

Please read the attached document and check the box that you agree to the grant Terms and Conditions. A copy of the Terms and Conditions can be found at the end of this guide (Appendix A).

### Project Location

Select your county and your municipality (if applicable) and save the page.

### Certification Regarding Debarment and Suspension.

Please read the attached document and check the box that you agree to the terms and conditions. Federal funds cannot be awarded to entities that are excluded or disqualified from participating in federal contracts or grants. The grantee must certify here that neither it nor its principals (including sub grantees) are presently suspended from receiving federal funds.

### Federal Financial Accountability and Transparency Act Information Form

If your grant application to DHTS is for \$25,000 or more, you must download, complete and attach the form on this page.

### Federal Single Audit.

Check yes or no to indicate if your agency receives more than \$750,000 in federal funding per year. If yes, you must download the attached forms, complete the forms, and scan and attach the completed forms to this page.

Any DHTS grantee that expends \$750,000 per year in federal funds (from all sources) is subject to Federal Single Audit requirements. These grantees must submit proof that they have filed their required federal single audit and that there are no outstanding findings.

## SECTION 2 – BUDGET AND SIGNATURES

For each budget section of your application, grant funding being sought from DHTS should be listed in the “FEDERAL SHARE” column.

### Salaries and Wages

Grant funded payment of personnel costs is allowable when necessary to achieve the goals of the grant agreement. Only reimbursement for actual hours worked are allowable. Labor costs based on a percentage of hours worked will not be accepted for reimbursement. Leave hours (i.e., sick, vacation, personal, holiday, etc.) are not reimbursable as direct labor hours.

The name of the individual, number of hours to be worked, and hourly salary rate must be included on this page.

Activity Reports are required for all Personal Services hours on this federal grant program. These reports, at a minimum, must document the date worked, the number of hours worked that day, and a detailed explanation of activity performed. This document must be signed and dated by the individual and their immediate supervisor and must be submitted as part of the reimbursement process.

### Fringe Benefits

If fringe payments are to be included, the rate listed must be reasonable and you must explain what is included in the calculation.

### Travel

In-state travel costs necessary for the implementation of the project (such as mileage, tolls, parking, etc.) are allowable as is out of state travel to traffic safety related conferences or training.

Note: there are specific regulations governing out of state travel and what parts DHTS will reimburse for. See Appendix B for the most recent guidelines.

### Enforcement/Education Details

Grant funded overtime enforcement or educational activities must be summarized and listed on this page. The current maximum allowable hourly rate for enforcement activities is **\$70 per hour**.

### Miscellaneous Personal Services

Items that should be listed here, if applicable to your project, including the cost of training personnel for traffic safety purposes, postage, memberships, subscriptions, and costs related to events. Check with your DHTS program advisor if you have any questions about the allowability of a potential expense.

### Contractual Services

If the grantee proposes entering into contractual services with an entity to help further the objectives of the project, the contractual arrangement should be listed on this page.

A copy of the proposed contract with itemized costs should be attached for review by DHTS.

### Commodities

Commodities that should be listed on this page include office supplies and other expendable materials needed during the course of normal operations of the project as well as educational materials to distribute in support of the traffic safety program. As per federal regulations, items purchased for giveaway in support of your program can generally be PRINTED MATERIALS only.

A project's educational materials, such as pamphlets, books, booklets, brochures or palm cards that are used to inform the public about safety topics are allowable. Promotional items, such as pens, key chains, or reflectors are not allowed.

See Appendix C, “NHTSA Guidelines for Grant Related Purchases”, for the most recent guidance on this issue.

Note: If your grant is approved, commodities must be ordered (PO issued) no later than August 1 of the grant year.

Educational materials produced or purchased should include the following acknowledgement: "Funded by the New Jersey Division of Highway Traffic Safety."

### Other Direct Costs

Equipment purchases should be listed on this page. If possible, price quotes for larger equipment purchases should be included.

Note: **Any piece of equipment that is more than \$5,000 per item (including all parts needed to be operational) requires approval from NHTSA prior to purchase.** This includes software.

Note: **Any piece of equipment purchased with a unit price of \$250 or more must be inventoried and tracked as per state regulations.** This includes software. You will be required to provide inventory and tracking information on these purchases as part of the reimbursement process.

### Buy America Act

The Buy America Act, 23 U.S.C. § 313, prohibits States from using highway grant funds under 23 U.S.C. Chapter 4 to purchase products, unless they are produced in the United States. For compliance purposes, American-made covers any product that is manufactured **or** assembled in the United States.

If you have any questions on allowable or unallowable equipment costs, contact DHTS while planning your budget and always check before incurring the costs.

### Indirect Costs

If a grantee wishes to seek Indirect Costs, there are two options:

1. If the entity has a federally approved and negotiated indirect cost rate, the entity must provide a copy of the federally approved and negotiated indirect cost rate letter with the application.
2. If the entity has never had a federally approved indirect cost rate they can request to claim the de minimus rate (10% modified direct costs calculation).

## Budget Summary

This page will automatically fill with your total budget for the project. Confirm the amounts listed and save the page.

## Non-Profit Organization Checklist

For non-profit agency applicants, an additional form is required. Make sure that all required information on the “Non-Profit Organization Checklist” is provided.

## Signatures

Three electronic signatures are needed.

Each of the three:

Project Director (In SAGE role “Agency Administrator”)

Financial Director (In SAGE role “Agency Administrator”)

Authorized Official (In SAGE role “Authorized Official”)

must separately log in, check off their approval, enter their name, and save the page. If the “save” box is grayed and the person cannot sign and save the page then you have an issue with that person being in the wrong SAGE role. This is a common problem. If this occurs you should call DHTS (not the State DCA) to address the situation. In most cases this can be easily fixed.

## Submitting your Application

Once all three electronic signatures are in place, either the “Authorized Official” or “Agency Administrator” must change the status on the application in order to submit it to DHTS for consideration.

To do this, from any page in the application or from the main “Menu” screen of the application, hover your cursor over (or click on) the green “Status Changes” link.

Beneath “APPLICATION SUBMITTED” click on the blue tab “Apply Status” to submit your grant.

If an error message is shown, go to the appropriate form/page and correct the error.

To confirm that your application has been successfully submitted, check the “Grant Snapshot” on the “Menu” page of your application. If the “Status” listed is “Application in Staff Review” your application has been successfully submitted.

**THE DEADLINE TO SUBMIT YOUR APPLICATION IN SAGE TO NJDHTS IS April 30, 2024.**

## **DHTS Contact Information**

For assistance or questions regarding your application, or DHTS grant programs in general, you may contact the following:

Michael J. Rizol, Jr.  
Director  
(609) 376-9861  
[Michael.Rizol@njoag.gov](mailto:Michael.Rizol@njoag.gov)

Robert Gaydosh  
Deputy Director  
(609) 376-9706  
[Robert.Gaydosh@njoag.gov](mailto:Robert.Gaydosh@njoag.gov)

Ray Reeve  
Program Supervisor  
(609) 376-9713  
[Raymond.Reeve@njoag.gov](mailto:Raymond.Reeve@njoag.gov)

Suzanne O’Hearn  
Program Supervisor  
(609) 376-9709  
[Suzanne.OHearn@njoag.gov](mailto:Suzanne.OHearn@njoag.gov)

Loresa Daniel  
Program Staff  
(609) 376-9796  
[Loresa.Daniel@njoag.gov](mailto:Loresa.Daniel@njoag.gov)

Tameka Fogg  
Program Staff  
(609) 376-9797  
[Tameka.Fogg@njoag.gov](mailto:Tameka.Fogg@njoag.gov)



Drew Nagel  
Program Staff  
(609) 376-9798  
[Drew.Nagel@njoag.gov](mailto:Drew.Nagel@njoag.gov)

Emelin Corado  
Program Staff  
(609) 376-9873  
[Emelin.Corado@njoag.gov](mailto:Emelin.Corado@njoag.gov)

Marissa Rodriguez  
Program Staff  
(609) 376-9874  
[Marissa.Rodriguez@njoag.gov](mailto:Marissa.Rodriguez@njoag.gov)

Kristen Hoehn  
Program Staff  
(609) 376-9871  
[Kristen.Hoehn@njoag.gov](mailto:Kristen.Hoehn@njoag.gov)

## Appendix A Grant Terms and Conditions

### *National Highway Traffic Safety Administration Certifications and Assurances for Highway Safety Grants*

#### **General Requirements**

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended;
- Sec. 1906, [Public Law 109–59](#), as amended by Sec. 25024, [Public Law 117–58](#);
- [23 CFR part 1300](#)—Uniform Procedures for State Highway Safety Grant Programs;
- [2 CFR part 200](#)—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- [2 CFR part 1201](#)—Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

#### **Intergovernmental Review of Federal Programs**

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs).

#### **Federal Funding Accountability and Transparency Act (FFATA)**

The State will comply with FFATA guidance, *OMB Guidance on FFATA Subaward and Executive Compensation Reporting*, August 27, 2010, ([https://www.fsrs.gov/documents/OMB\\_Guidance\\_on\\_FFATA\\_Subaward\\_and\\_Executive\\_Compensation\\_Reporting\\_08272010.pdf](https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf)) by reporting to *FSRS.gov* for each sub-grant awarded;

- Name of the entity receiving the award;
- Amount of the award;
- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;

- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
- Unique entity identifier (generated by *SAM.gov*);
- The names and total compensation of the five most highly compensated officers of the entity if:
  - (i) the entity in the preceding fiscal year received—
    - (I) 80 percent or more of its annual gross revenues in Federal awards;
    - (II) \$25,000,000 or more in annual gross revenues from Federal awards; and
  - (ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 ([15 U.S.C. 78m\(a\)](#), [78o\(d\)](#)) or section 6104 of the Internal Revenue Code of 1986;
- Other relevant information specified by OMB guidance.

## **Nondiscrimination (Applies to Subrecipients as Well as States)**

The State highway safety agency [and its subrecipients] will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- *Title VI of the Civil Rights Act of 1964* ([42 U.S.C. 2000d](#) *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- [49 CFR part 21](#) (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
- [28 CFR 50.3](#) (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- *The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, ([42 U.S.C. 4601](#)), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- *Federal-Aid Highway Act of 1973*, ([23 U.S.C. 324](#) *et seq.*), and *Title IX of the Education Amendments of 1972*, as amended ([20 U.S.C. 1681–1683](#) and [1685–1686](#)) (prohibit discrimination on the basis of sex);
- *Section 504 of the Rehabilitation Act of 1973*, ([29 U.S.C. 794](#) *et seq.*), as amended, (prohibits discrimination on the basis of disability) and [49 CFR part 27](#);

- *The Age Discrimination Act of 1975*, as amended, ([42 U.S.C. 6101 et seq.](#)), (prohibits discrimination on the basis of age);
- *The Civil Rights Restoration Act of 1987*, (Pub. L. 100–209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- *Titles II and III of the Americans with Disabilities Act* ([42 U.S.C. 12131–12189](#)) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and [49 CFR parts 37](#) and [38](#);
- [Executive Order 12898](#), *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (preventing discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations);
- [Executive Order 13166](#), *Improving Access to Services for Persons with Limited English Proficiency* (requiring that recipients of Federal financial assistance provide meaningful access for applicants and beneficiaries who have limited English proficiency (LEP));
- [Executive Order 13985](#), *Advancing Racial Equity and Support for Underserved Communities through the Federal Government* (advancing equity across the Federal Government); and
- [Executive Order 13988](#), *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation* (clarifying that sex discrimination includes discrimination on the grounds of gender identity or sexual orientation).

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

## General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

***“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA.”***

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age

Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

## Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in [§ 21.23\(b\)](#) and [\(e\) of 49 CFR part 21](#) will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

***“The [name of Recipient], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, [42 U.S.C 2000d](#) to 2000d–4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”***

3. The Recipient will insert the clauses of appendix A and E of this Assurance (also referred to as DOT Order 1050.2A)<sup>[1]</sup> in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in appendix C and appendix D of this DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and

b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or

b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the State highway safety agency also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing NHTSA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by NHTSA. You must keep records, reports, and submit the material for review upon request to NHTSA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The State highway safety agency gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Highway Safety Grant Program. This

ASSURANCE is binding on the State highway safety agency, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Highway Safety Grant Program. The person(s) signing below is/are authorized to sign this ASSURANCE on behalf of the Recipient.

## **The Drug-Free Workplace Act of 1988 ([41 U.S.C. 8103](#))**

The State will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace, and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
  1. The dangers of drug abuse in the workplace;
  2. The grantee's policy of maintaining a drug-free workplace;
  3. Any available drug counseling, rehabilitation, and employee assistance programs;
  4. The penalties that may be imposed upon employees for drug violations occurring in the workplace;
  5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
  1. Abide by the terms of the statement;
  2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted—
  1. Taking appropriate personnel action against such an employee, up to and including termination;

2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

## **Political Activity (Hatch Act) (Applies to Subrecipients as Well as States)**

The State will comply with provisions of the Hatch Act ([5 U.S.C. 1501–1508](#)), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

## **Certification Regarding Federal Lobbying (Applies to Subrecipients as Well as States)**

## **Certification for Contracts, Grants, Loans, and Cooperative Agreements**

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions;
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for



making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

## **Restriction on State Lobbying (Applies to Subrecipients as Well as States)**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., “grassroots”) lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

## **Certification Regarding Debarment and Suspension (Applies to Subrecipients as Well as States)**

### **Instructions for Primary Tier Participant Certification (States)**

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of [2 CFR parts 180 and 1200](#).
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in [2 CFR parts 180 and 1200](#). You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled “Instructions for Lower Tier Participant Certification” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction,” provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with [2 CFR parts 180 and 1200](#).
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate the transaction for cause or default.

## **Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Tier Covered Transactions**

- (1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

## **Instructions for Lower Tier Participant Certification**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of [2 CFR parts 180](#) and [1200](#).

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in [2 CFR parts 180](#) and [1200](#). You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier

covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled “Instructions for Lower Tier Participant Certification” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with [2 CFR parts 180](#) and [1200](#).

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

### **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions:**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

## **Buy America (Applies to Subrecipients as Well as States)**

The State and each subrecipient will comply with the Buy America requirement ([23 U.S.C. 313](#)) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

## **Certification on Conflict of Interest (Applies to Subrecipients as Well as States)**

### **General Requirements**

No employee, officer or agent of a State or its subrecipient who is authorized in an official capacity to negotiate, make, accept or approve, or to take part in negotiating, making, accepting or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

1. The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.
  - a. The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
  - b. The code or standards shall establish penalties, sanctions or other disciplinary actions for violations, as permitted by State or local law or regulations.
2. The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

### **Disclosure Requirements**

No State or its subrecipient, including its officers, employees or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or

otherwise, in organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

1. The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
2. NHTSA will review the disclosure and may require additional relevant information from the recipient. If a conflict of interest is found to exist, NHTSA may
  - (a) terminate the award, or
  - (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict.
3. Conflicts of interest that require disclosure include all past, present or currently planned organizational, financial, contractual or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization.

## **Prohibition on Using Grant Funds To Check for Helmet Usage (Applies to Subrecipients as Well as States)**

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

## **Policy on Seat Belt Use**

In accordance with [Executive Order 13043](#), Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at

[www.trafficsafety.org](http://www.trafficsafety.org). The NHTSA website ([www.nhtsa.gov](http://www.nhtsa.gov)) also provides information on statistics, campaigns, and program evaluations and references.

## **Policy on Banning Text Messaging While Driving**

In accordance with [Executive Order 13513](#), Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

## Appendix B Grantee Travel Regulations

The following items are eligible for reimbursement for out-of-state grant funded travel:

1. Airfare / Rail / or Personal Vehicle mileage to and from the event
  - No airfare seat “upgrades”. Fees for ONE checked bag are allowable.
  - Personal Vehicle mileage will be reimbursed at the State of NJ rate: 47 cents per mile (effective 10/1/2022)
  - Toll charges incurred when driving a personal vehicle are allowable (with receipts)
  
2. Registration fee for the event
  
3. Lodging at the event
  - Hotel rooms will be reimbursed at the allowable Federal Per Diem level, plus tax
  - No room upgrades, “extras”, early or late check-in, or parking fees (unless personal vehicle is used for transportation to the event, not the airport)

Only the items listed above are eligible for reimbursement.

All grant funded travel must be pre-approved, at least 90 days prior to travel, through a properly submitted “Travel Authorization” form attached to your grant in SAGE. Failure to get pre approval may result in no reimbursement for the travel.

Please direct any questions regarding this policy to your DHTS Region Supervisor or program staff contact.

(rev. 1.2024)



# Appendix C

## NHTSA Guidelines for Grant Related Purchases



U.S. Department  
of Transportation  
**National Highway  
Traffic Safety  
Administration**

# Memorandum

Subject: **Use of NHTSA Highway Safety Grant Funds  
for Certain Purchases**

Date: **MAY 18 2016**

From: **Paul A. Hemmersbaugh** *PH*  
**Chief Counsel**

Reply to  
Attn. of:

To: **Mary D. Gunnels**  
**Office of Regional Operations and Program Delivery**

Over the last several months, a number of questions have arisen concerning permissible purchases under the highway safety grant programs. States have asked about the conditions that attach to the purchase of equipment, the distinction between advertising, public relations, educational materials, and promotional items, and whether Federal grant funds may be used to purchase items for distribution to members of the public. I issued guidance on these issues in a January 19, 2016 memorandum, which I subsequently clarified in a February 11 memorandum applicable to certain fiscal year 2016 purchases. In this memorandum, I am issuing final guidance on these matters. For ease of reference, today's memorandum consolidates all of the relevant information from these two past memoranda into this one document. This memorandum supersedes those prior documents, and States should no longer consult them. Please distribute this memorandum to the Governors' Representatives for Highway Safety.

### I. Allowable Costs

NHTSA highway safety grant funds are intended to support traffic safety in the States. Any use of NHTSA grant funds must support data-driven State traffic safety goals. When determining whether to expend grant funds under the categories below, a State or subrecipient should use good judgment as a responsible steward of tax dollars intended to support traffic safety. All costs charged to NHTSA highway safety grants must be reasonable, within the scope of the grant, address a highway safety problem, and help to meet performance measures.

Note that the OMB Super Circular has additional provisions that apply to certain items that fall within the categories below. For example, certain educational materials costs may be subject to the Super Circular provision on Conference Costs (2 C.F.R. §200.432). States should consult Subpart E of the Super Circular (Cost Principles) to determine if there are additional provisions that pertain to a particular item or use of that item.



### A. Equipment

Items purchased for direct use by a State or any of its subgrantees or contractors (rather than for public distribution, as discussed later under Section I.E) are properly categorized as *equipment*. The government-wide rules covering the term of art “equipment” are well-established in law: Equipment is eligible for reimbursement as a direct expense chargeable to a specific project agreement, provided the equipment is needed to perform that project. NHTSA’s grant rules impose the additional requirement that the project for which the equipment is needed must be based on identification of a specific safety problem in the State (often referred to as “problem ID”). In other words, a State must first establish a project (documented by a project agreement), based on problem ID. If that project requires the use of equipment for its performance, the cost of that equipment may be reimbursed under the grant. No project may be created solely to purchase equipment.

For purposes of illustration of these principles, a speed measurement device such as a radar or laser unit purchased by a police agency is a piece of equipment whose expense is permitted under Section 402, provided it is identified in a project agreement whose specific safety activity (i.e., speed enforcement) requires the purchase of the speed measurement device for its performance and provided the need for that project is established by problem ID.

Fundamentally, NHTSA highway safety grants are for safety activities, and equipment serves a supporting role in accomplishing those activities through defined projects. As always, equipment must be used, managed, and disposed of in accordance with applicable Federal requirements. (Although NHTSA’s grant rules impose a requirement for advance approval of equipment only at a threshold of \$5,000 and when the useful life exceeds one year, all equipment must meet the requirements stated here, and all expenditures to purchase equipment are subject to audit.)

There have been questions about the purchase of items erroneously referred to as “safety *equipment*,” when the intent is to distribute the items to members of the public. Items intended for distribution to the public are not “equipment,” as that term is used under Federal grant law, and the Federal rules governing equipment do not apply to such items intended for distribution to the public. Instead, States should consult Section I.E below, “Safety Items for Public Distribution,” for guidance on the treatment of those items. The key to differentiating between (i) equipment and (ii) items for public distribution is the use of the item—equipment must be needed by those carrying out work under the grant, and must be used, managed and disposed of in accordance with applicable Federal requirements.

*Illustrative examples of allowable safety equipment:*

- Reflective safety vest for use by employee conducting a roadside survey, provided the vest is retained by the program.
- Bike helmet for use by participants in a bike rodeo event and returned to the program after the event.
- Safety gear—including helmets, safety vests, reflective material—for use by trainees during motorcycle training events and returned to the program after the training.

## **B. Recognition Awards**

The Agency understands that an appropriate part of any State program involves recognition and reward for noteworthy accomplishments. NHTSA highway safety grant funds may be used to purchase awards, where appropriate, under a formalized recognition program that rewards superior performance or exceptional contributions to the purposes served by the NHTSA grant. An appropriate award may be a certificate, plaque, coin, or medal, if it is given under a limited, formalized recognition program.

*Illustrative examples of allowable recognition awards:*

- A plaque given to a State employee under the State’s official personnel recognition program.
- A plaque given by the SHSO to a police department at the annual highway safety conference for specific outstanding enforcement efforts.
- A certificate given by the SHSO to an employee for exceptional work in a specific enforcement effort.
- A medal given by the SHSO at a State Lifesavers conference to an individual for a career of exceptional service to public safety.
- A medal or coin given by a subrecipient to a police officer as a formal award for specific superior highway safety enforcement performance (but not a challenge coin for general distribution).
- A certificate given by a subrecipient to a community partner for exceptional work on a collaborative highway safety project.

## **C. Educational materials**

There have been questions about the difference between “educational materials,” whose purpose is to convey substantive information about highway safety, and “promotional items,” whose purpose is to generate good will or to incentivize behavior (discussed later, under Section II). The former category is an allowable expense, as discussed in this section, while the latter category is not. Paper, pamphlets, flash drives, CD-ROMs, and similar media that contain educational materials are allowable because their purpose is to contain and convey educational information. In order to be considered educational, distributed material must provide substantial information and educational content to the public (not merely a slogan) and have the sole purpose of conveying that information. If a recipient or subrecipient chooses to provide educational content on a flash drive, CD-ROM, or similar device, that device must be an economical method of conveying the information.

*Illustrative examples of allowable educational materials:*

- Traffic-safety-themed coloring book given to children at a school event, state fair, etc.
- A pamphlet including statistical information such as “X number of people lose their lives every year when not wearing a seat belt” and safety tips distributed at a state fair.
- A flash drive containing information about the dangers of texting and driving (e.g., statistics, ideas to prevent texting while driving).

- A folder containing information about child passenger safety (e.g., statistics about car seat or booster seat laws, proper car seat installation and use, danger of leaving children unattended in hot or cold cars, etc.) and relevant safety tips provided to parents at a car seat inspection station.
- A CD-ROM or flash drive containing training or conference materials given to attendees at a highway safety conference hosted by the recipient or subrecipient.

#### **D. Advertising media**

There have been questions about the difference between “advertising,” “public relations,” “educational materials,” and “promotional items.” These terms are not interchangeable. Educational materials are discussed directly above, under Section I.C. The differences and distinctions between the other categories are addressed later, under Sections II and III. Here, we limit the discussion to advertising media. Advertising media intended to reach a large audience—such as television or radio ads, ads on social media, signs, banners, and posters—are allowable costs under NHTSA’s highway safety grants. The Uniform Guidelines for State Highway Safety Programs provide that “the State should enlist the support of a variety of media, including mass media, to improve public awareness and knowledge and to support enforcement efforts about seat belts, air bags, and child safety seats.” (See Guideline No. 20, Section IV)

*Illustrative examples of allowable advertising media:*

- Banners or posters featuring the Click It or Ticket campaign for use at events.
- A “U Text. U Drive. U Pay.” banner displayed in a school.
- A television ad about the dangers of impaired driving.
- Posters displayed in bars that say “Report every drunk driver immediately at \*55.”
- A yard sign telling drivers to “Watch for Motorcycles.”

#### **E. Safety Items for Public Distribution**

The purchase of *items for public distribution* (in contrast with equipment for direct use by a State or its subgrantees and contractors, as discussed under Section I.A above) using Section 402 funds is governed by different requirements. Such items do not fall within the definition of equipment, and therefore are not governed by the same principles. There are important limitations on the use of taxpayers’ funds to purchase items for distribution to members of the public. NHTSA and its grantees must be mindful of the Agency’s responsibility as a steward of public funds. In addition to the limitations and requirements described below, any purchase of items for public distribution must be justified by compelling safety benefits.

Subject to the foregoing cautions and requirements, the Agency has determined that, going forward, child restraints (i.e., child car seats); bicycle helmets; and other similar items whose *sole purpose* is to improve highway safety are allowable purchases under the Section 402 program for distribution to members of the public, *provided* these items are specifically identified in a project agreement and based on problem ID, just as is required for equipment purchases. The project may not be limited to distribution of the items, but must also contain specific performance criteria justifying the safety benefit, such as targeted population, number of

items for distribution, method of distribution, and educational component. (Separately, States may use up to five percent of occupant protection funds awarded under 23 U.S.C. § 405(b) to provide child restraints to low-income families, because that section of statute specifically authorizes this expenditure.)

For purposes of illustration of the term “sole purpose,” the purchase and public distribution of a reflector or reflectorized tape that may be attached to clothing to improve pedestrian conspicuity would be allowable (provided it is tied to a specific project to address pedestrian safety, as discussed above), but the purchase of a reflectorized backpack or jacket would be unallowable. The Agency will interpret the term “sole purpose” strictly when evaluating the purchase of items for distribution to the public, and expects States to do so as well. No promotional item or memorabilia may be purchased for distribution under this provision (see discussion of Promotional Items under Sections II and III below).

A State that finds ambiguity about whether a proposed purchase is allowed under this guidance should not proceed with that purchase. States should exercise their best judgment in this area, and should consult their Regional Administrator if they have questions about the application of this guidance to a particular project. Regional Administrators should reject projects that do not conform to the guidance.

## **II. Promotional Items are Not Allowable Costs under NHTSA Grants**

The OMB Super Circular makes clear that no promotional items or memorabilia are allowable costs under Federal grants (see discussion under Section III below). Use of NHTSA grant funds to purchase promotional items or memorabilia is prohibited and could result in the requirement to repay the misused funds. An item that is purchased for distribution as an incentive or to increase goodwill (e.g., to police officers to maintain partnerships) is an unallowable promotional item. Any item that is distributed as a giveaway, except in strict accordance with the provisions of Section I.E above, is not allowable. NHTSA grant funds are intended to promote safety and to educate the public about traffic safety, not to provide items to individuals or groups through widespread distribution.

This promotional items guidance applies only to the use of NHTSA grant funds for these types of purchases. States and their subrecipients may use State funds or privately collected funds or donations to purchase promotional items, subject to applicable State laws and policies.

*Illustrative examples of unallowable promotional items or memorabilia include:*

- Bumper stickers, and/or texting thumb bands given to members of the public at a state fair.
- Keychains and/or pens given to groups at a training event.
- Shirts for volunteers at a state fair or car seat installation center (either as an incentive or to designate staffers as a team).
- Shirts for Law Enforcement Liaisons.
- Shirts or hats worn by participants in a press event.

- Challenge coins, when ordered in bulk and kept on hand to give to many people outside of a limited, formalized recognition program (for example, to all attendees at a conference, to police officers in the ordinary course of employment).

### III. Governing OMB Super Circular Provision on Advertising and Public Relations Costs

The Super Circular allows Federal funds to be used only for certain specified **advertising** and **public relations** costs. *See* 2 C.F.R. § 200.421.

- The Super Circular provides that the only allowable **advertising** costs are for:
  - Recruitment of personnel required for performance of a Federal award;
  - Procurement of goods and services for the performance of a Federal award;
  - Disposal of scrap or surplus materials acquired in the performance of a Federal award except when reimbursed for disposal costs at a predetermined amount; or
  - Program outreach and other specific purposes necessary to meet the requirements of the Federal award.
- The Super Circular provides that the only allowable **public relations** costs are for:
  - Costs specifically required for the Federal award;
  - Costs of communicating with the public and press pertaining to specific activities or accomplishments which result from performance of the Federal award; or
  - Costs of conducting general liaison with news media and government public relations officers, to the extent that such activities are limited to communication and liaison necessary to keep the public informed on matters of public concern, such as notices of funding opportunities, financial matters, etc.

The Super Circular *excludes* all other advertising and public relations costs, and *specifically excludes* “costs of **promotional items** and **memorabilia**, including models, gifts, and souvenirs”—these items are always unallowable advertising and public relations costs. 2 C.F.R. § 200.421(e)(3). Therefore, Federal grant funds are *never* available to cover the costs of **promotional items** and **memorabilia**.

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