



U.S. Department  
of Transportation

National Highway Traffic Safety Administration  
Federal Highway Administration  
Federal Motor Carrier Safety Administration  
Research and Innovative Technology Administration

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**DOT TRCC Memorandum of Agreement (MOA)**

**Preface:**

The purpose of the Memorandum of Agreement (MOA) is to create a formal instrument between National Highway Traffic Safety Administration (NHTSA), Federal Highway Administration (FHWA), the Research and Innovative Technology Administration (RITA) and Federal Motor Carrier Safety Administration (FMCSA) by delineating clear lines of responsibility between the Parties for coordination of highway safety data programs and initiatives in headquarters and field operations based on existing legal authorities.

With the enactment of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) on August 10, 2005, Congress made clear the imperative of improving highway safety data needed to support decision-making related to the U.S. transportation system and programs. Highway safety data responsibility rests with all modes of surface transportation over which DOT exercises authority. The modal administrations, through their participation in the U.S. DOT Traffic Records Coordinating Committee (U.S. DOT TRCC), have found that complete and timely coordination of information on highway safety data programs and initiatives; particularly in matters involving field implementation is essential. To further coordination, a more formal approach is desirable. The modal administrations need a strong partnership agreement regarding coordination to minimize the duplication and improve the efficiency of highway safety data program delivery.

In establishing this MOA, it is important to ensure that any coordination necessary by the Parties does not impinge on the authority or obligations of the Parties in accomplishing their missions. This Agreement while requiring coordination of information on and activities related to highway safety data programs and initiatives does not constitute approval authority over such programs. A Departmental highway safety data committee, the U.S. DOT TRCC, is currently working to facilitate coordination of data improvement programs and finds that a formal coordinated approach to implementing activities and grant awards, particularly in the field, would be beneficial.

## **I. Parties**

The Parties to this Memorandum of Agreement (MOA) are the National Highway Traffic Safety Administration (NHTSA), the Federal Highway Administration (FHWA), the Research and Innovative Technology Administration (RITA) and the Federal Motor Carrier Safety Administration (FMCSA).

## **II. Background**

With the enactment of the SAFETEA-LU on August 10, 2005, Congress made clear the imperative of improving highway safety data needed to support decision-making related to the U.S. transportation system and programs. SAFETEA-LU, among other things, establishes a clear direction regarding improvements to highway safety data for all modal administrations. The Act not only provides a record level of funding for data improvements, it creates a framework for advancing the Department's goal of improving management of its highway safety programs and reducing the fatalities, injuries, and damage related to highway crashes.

Specifically, Section 2006 of SAFETEA-LU establishes a new program of incentive grants (under Section 408 of chapter 4 of Title 23) to encourage States to adopt and implement effective programs to improve the timeliness, accuracy, completeness, uniformity, integration, and accessibility of State data that is needed to identify priorities for national, State, and local highway and traffic safety programs; to evaluate the effectiveness of efforts to make such improvements; to link these State data systems, including traffic records, with other data systems within the State; and to improve the compatibility of the State data system with national data systems and data systems of other States to enhance the ability to observe and analyze national trends in crash occurrences, rates, outcomes, and circumstances. The Congress authorized \$138 million over 4 years to support the program. The modal administrations actively participated in the development of the Section 408 program guidance issued by NHTSA on February 2, 2006. Successful implementation of the program will entail continuous active participation by all modal administrations, particularly at the State level. In addition, the U.S. DOT TRCC has identified other Federal transportation funding available for highway safety data improvements.

## **III. Purpose**

This MOA is intended to further cooperation and coordination between NHTSA, FHWA, RITA and FMCSA and to delineate responsibilities between the Parties in implementing the highway safety data programs and initiatives under the Act.

#### **IV. Agreement of the Parties**

As authorized by law and subject to the availability of funds, the Parties agree as follows:

- A.** Within their existing resources, NHTSA, FHWA, RITA and FMCSA will assign staff and provide other resources to further the coordination of data programs and initiatives under this Agreement.
- B.** Nothing in this Agreement shall require approval authority from the other Parties for any highway safety data program or initiative.
- C.** Jointly, NHTSA, FHWA, RITA and FMCSA will consult not less than bi-monthly through the U.S. DOT TRCC, but as frequently as necessary, to review and discuss highway safety data programs and initiatives. Data questions concerning topics not clearly outlined in this MOA will be resolved jointly through the U.S. DOT TRCC.
- D.** NHTSA, FHWA, RITA and FMCSA will, where practicable, provide at headquarters and in the field mutual notification and opportunity for joint attendance when meeting with States, constituency groups, vendors, consultants or others regarding matters related to data and traffic record responsibilities in SAFETEA-LU.
- E.** NHTSA, FHWA, RITA and FMCSA will provide at headquarters and in the field mutual notification and copies of grants, cooperative agreements, contract awards or other significant projects regarding highway safety data and traffic record systems, where practicable.
- F.** To minimize duplication and improve efficiency and effectiveness of traffic record systems, NHTSA, FHWA, RITA and FMCSA will provide, at headquarters and in the field, mutual notification and coordination of all training, strategic planning, assessments, and other forms of assistance to States as it relates to traffic records systems and highway safety data.
- G.** NHTSA, FHWA, RITA and FMCSA will, at headquarters and in the field, seek to improve the efficiency and effectiveness of expenditures, projects and programs related to highway safety data and traffic record systems by developing approaches for gathering and disseminating information concerning best practices, procedures, and technologies from successful traffic record systems in State and local governments.

## **V. Costs**

Nothing in this MOA constitutes an obligation of funds by any of the Parties or an authorization to engage in activities that are inconsistent with applicable law. Each Party shall be solely responsible for payment of any costs it incurs in carrying out the terms of this MOA.

## **VI. Duration of Agreement, Modifications, and Amendments**

This Agreement shall become effective on the date of the last signature appearing below. The Agreement shall remain effective until September 30, 2009 or until the termination of the authorization SAFETEA-LU, whichever is later. This Agreement may be modified upon mutual agreement in writing of all the Parties. The Agreement may be revoked at any time by any Party with thirty (30) days advance written notice to the other Parties.

**VII. Signatories**

**For NHTSA:**

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Joseph S. Carra  
Associate Administrator  
National Center for Statistics and Analysis  
National Highway Traffic Safety Administration

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Date:

**For FHWA:**

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Jeffrey A. Lindley  
Associate Administrator for Safety  
Federal Highway Administration

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Date:

**For FMCSA:**

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Terry Shelton  
Associate Administrator  
Research & Information Technology  
Management  
Federal Motor Carrier Safety  
Administration

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Date:

**For RITA:**

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Terry Shelton  
Acting Associate Administrator  
and Director  
Bureau of Transportation Statistics  
Research and Innovative Technology  
Administration

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Date:

This Memorandum of Agreement was signed by the Associate Administrator for NHTSA, FMCSA, FHWA and RITA on July 28, 2006.