

Written Testimony of Captain Chris Peterson for the
Senate Commerce Subcommittee on Transportation and Safety Hearing
“Safety on Our Roads: Overview of Traffic Safety and NHTSA Grant Programs”

June 30, 2020

Chairman Fischer, Ranking Member Duckworth, and members of the subcommittee:

Good afternoon. My name is Chris Peterson. I am a Lincoln Police Captain and currently the local drug task force commander. Thank you for holding this hearing and for the invitation to testify before you today. The Lincoln Police Department appreciates the Committee’s interest in and support of improving traffic safety in our country and specifically Lincoln, Nebraska.

Lincoln, NE is a medium sized metropolitan city of approximately 285,000. We are a busy government city as the state capital and county seat. We also enjoy a strong young adult and student presence in our community as home to the University of Nebraska and several other local colleges. Lincoln is home to 2,890 lane miles and anticipates much future development including a much needed south beltway to impact traffic flow and semi-truck travel diversion around the city. We are experiencing growing pains much like other Midwest cities especially in terms of repair/preservation, rehabilitation/reconstruction, and new development and construction of streets. The safety of the motoring public during these growing pains in terms of school zone projects, DWI campaigns, red light violation efforts, etc. all impact our overall accident rates which are directly influenced by NHTSA’s 402 and 405 grant funding.

General traffic safety data (notable trends) for the annual periods of 2015 through 2019 include:

ACCIDENTS

The trend in traffic accidents across the city has remained almost flat with slight deviations. Accidents that involve property damage have trended upward in recent years. There has also been an upward trend in accidents that result in injuries, though these declined significantly in 2019. The decline in injury accidents appears to be attributed to improved street/roadway construction such as those at roundabouts and also to companion enforcement projects such as those listed above.

- Traffic Accidents (all types): trend is almost flat with deviations from +6.5% to -5.9%
- Property Damage Accidents: general trend is upward from 0.3% to 7.6%
- Injury Accidents: small trend up with strong decline (-9.5%) in 2019
- Fatality Accidents: range from 6–17 and can deviate greatly depending on factors such as multiple car fatalities and upward trends in motorcycle accidents

DWI ARRESTS

There has been a consistent downward trend in DWI arrests ranging between decreases of 1.9% to 30.3%.” This downward trend can be explained by an increase in ride sharing services such as Uber and Lyft, a more competitive taxi cab business, extension of local bar closing hours (smooths out the rush of intoxicated persons on the street), continued educational efforts, and historical enforcement efforts. Greater ride sharing and taxi cab capacity has generally improved

the options for patrons especially of our downtown areas who no longer need to concern themselves with parking or unavailability of transportation. Tavern owners suggested the amendments to bar closing hours which were initially opposed by law enforcement for a variety of reasons. However, over time the extension of hours along with greater transportation options appears to have reduced the number of persons leaving drinking establishments at the same time by spreading their departure over several hours.

Traffic Violations

Official citations for traffic violations of all types have trended mostly downward. Traffic signal or red light violations in particular have trended down dramatically in all areas. The overall downward trend may be attributed to factors concerning police staffing and calls for service. There have been efforts to build round about style intersections at some high risk locations. We have no other obvious explanation for the downward trend at this time.

Truck Involved Violations/Traffic Volume

Anecdotally and as suggested by South Beltway studies, truck traffic, and related violations, and accidents (of all types) appear to be trending upward as is damage to city streets and local highways based upon heavy truck traffic. The Lincoln Police Department does not possess the statistics that correspond with these suggestions.

Distracted Driving

An emerging threat to the motoring public continues to be the proliferation of personal electronic devices such as the cellular telephone. Texting and or talking while driving is on the increase and has been described locally as much a threat to others as driving under the influence. Nebraska Statutes describe the offense of texting or talking on a wireless communication device while driving as well as the penalties. It is a secondary action or offense. As such the citation numbers are not consistent but we are able to point to distracted driving as a significant contributor to overall accidents. The Lincoln Police Department issued an average of 24 citations for Use of a Handheld Communication/Mobile Device from April 2010 to April of 2020; ranging from a low of 8 this past year to a high of 48 citations in 2013. There does appear to be a downward trend in the number of these types of citations that is consistent with the overall number of official number of citations mentioned above. This is also a fair reflection of the offense being secondary and not a primary offense.

Our department experience with NHTSA 402 and 405 grant funding dates back many years. We possess financial documents describing our use from the 2013-2014 budget years through the fiscal year ending 8/31/2019. Use of 402 funding has steadily increased from \$6,674 in 2013 to more than \$44,661 in 2019. NHTSA funds have been used by the Lincoln Police Department for a variety of enforcement activities and training including spring school zone enforcement, motorcycle enforcement, speed enforcement, Click It or Ticket projects, You Drink, You Drive, You Lose projects and general traffic/impaired overtime projects. Training related topics include underage drinking enforcement, compliance checks, and general traffic control and enforcement related training.

NHTSA 405 funding for Lincoln Police Department traffic enforcement and training has also trended upward over the past several years from \$7,862 in 2014 to more than \$31,724 in

2019. NHTSA funding supported speed enforcement projects, Click It or Ticket and Child Safety Seat enforcement, compliance checks, MIP/DUI enforcement, underage drinking enforcement, and related training such as drug recognition expert training at the International Association of Chiefs of Police. More recently NHTSA 405 funding (sections D & E) have been used by our agency to support efforts to curb distracted driving enforcement by paying for overtime during these projects.

Since the 2013/2014 fiscal year through fiscal year 2019, the Lincoln Police Department has benefited from more than \$183,735 in NHTSA 402 grant funding and more than \$92,526 in NHTSA 405 funding. The benefit to the motoring public in and around Lincoln and the associated quality of life in our community is significantly and positively influenced by our combined efforts.

Projects and campaigns that are supported, in particular, include seasonal school zone details; national Click It or Ticket campaigns; state highway traffic safety enforcement details (O Street or NE Hwy 34 specifically); St. Patrick's Day details; national You Drink, You Drive, You Lose campaigns; December/Holiday DWI projects; Husker Game Day projects including MIP's/Party details; and national drug recognition expert conferences.

The Husker Game Day project is an alcohol violation project conducted on home football game days. The project consists of teams of officers conducting traffic details in the congested residential areas north of the university; plain clothes officers conducting compliance checks and patrolling for parties; and uniformed officers responding to party complaints and conducting tavern checks. The focus of the detail is enforcement of alcohol law violations especially underage and excessive drinking.

The Click it or Ticket campaign is funded by NHTSA 402 grant money. This project is generally one that is combined with other agencies including the Lancaster County Sheriff's Office and the Nebraska State Patrol. Safety check points are organized and operated under strict guidelines for set periods of time and at pre-announced locations. In addition to inspecting vehicles and drivers licenses, law enforcement is actively enforcing seat belt and child restraint laws and educating the motoring public about safe driving habits.

The You Drink, You Drive, You Lose DWI campaign is an annual project. For many years the Lincoln Police Department has identified the month of December as a time to focus on DWI enforcement. The project is funded with NHTSA 405 grant money. The funding is used to staff additional officers in an overtime capacity to proactively identify and arrest drunk and/or drugged drivers. Organizers partner with MADD to educate the public and raise awareness for the project and the impact on the community. At the end of the month the successes in education and enforcement are celebrated and shared with the media. The impact of the DWI enforcement upon accident is difficult to measure but believed to be beneficial.

The process by which we request funds is through the Nebraska Department of Transportation-Highway Safety Office. Grant funding is awarded through this state agency after successfully completing application for the funding which requires a meaningful and measurable project to be presented and then evaluated. We have experienced no significant challenges to obtaining or

using these funding opportunities at our department. In conversations I've had with the Nebraska Highway Safety Administrator I learned that the State of Nebraska does experience some NHTSA 405 challenges due to not having a primary seat belt law and a graduated driver's license process for juveniles that allows a 14 year old to obtain a permit to drive. For these reasons, the Administrator suggested greater use of NHTSA 402 funding instead.

We believe that general traffic safety in and around Lincoln and Lancaster County can be maintained and/or improved by continued funding of NHTSA 402 and 405 grants; continued educational platforms and partnerships about distracted and impaired driving, and advancing the planning and construction of the Lincoln South Beltway. "The purpose of the Lincoln South Beltway is to improve east-west connectivity for regional and interstate travel through Nebraska and to reduce conflicts between local and through traffic, including heavy truck traffic, in Lincoln. The project is needed to address increased travel demand on Lincoln's transportation network, conflicts between local and regional trips along Nebraska Highway through Lincoln, and challenges associated with heavy truck traffic through Lincoln." While this is a challenging and expensive project the value, effectiveness and safety for the future motoring public is significant.

Thank you again for the opportunity and honor to testify before you today. The Lincoln Police Department will continue to leverage 402/405 funding in our efforts to enhance the safety of the motoring public in our community.

Sincerely,

Captain Chris Peterson
Lincoln (NE) Police Department