

APPROVED  
SEP 9 - 1966  
*Secretary's Statement*  
9/9/66

EXECUTIVE OFFICE OF THE PRESIDENT  
BUREAU OF THE BUDGET  
WASHINGTON, D.C. 20503



MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 3052 - Highway Safety Act of 1966  
Sponsors - Sen. Randolph (D) West Virginia, and Sen. Cooper  
(R) Kentucky

Last Day for Action

September 13, 1966 - Tuesday

Purpose

(1) Authorizes the Secretary of Commerce to assist States in carrying out a comprehensive highway safety program, (2) provides that at least 40 percent of the Federal safety grants to States must be expended by local subdivisions in carrying out local highway safety programs which are part of a statewide program, and (3) authorizes the Secretary to conduct or provide grants for highway safety research, development, demonstration projects, and related activities.

Agency Recommendations

Bureau of the Budget	Approval
Department of Commerce	Approval
Department of Health, Education, and Welfare	Approval (informally)
Department of the Treasury	No objection
Department of Justice	No objection (informally)

Discussion

This legislation is based upon proposals in your Transportation Message of March 2, 1966. The Secretary of Commerce transmitted to Congress on that date a draft bill embodying those proposals. That draft legislation dealt with both State highway safety programs and motor vehicle safety standards. When the legislation was introduced in the Senate it was separated into two bills for referral to different committees:



S. 3005, The National Traffic and Motor Vehicle Safety Act of 1966, and

S. 3052, The Highway Safety Act of 1966.

S. 3005, which is concerned primarily with vehicle safety standards is discussed in a separate memorandum. A summary of the major provisions of S. 3052 follows:

#### Highway safety programs

1. The bill requires each State to have a highway safety program approved by the Secretary of Commerce.

2. Each State program must conform to uniform standards issued by the Secretary. The standards must be developed in cooperation with the States and local jurisdictions, appropriate Federal agencies, and other public and private organizations as the Secretary thinks appropriate. The standards must be designed to improve both pedestrian performance and driver performance (including driver education, testing and examination, and licensing). The standards must include provisions for such things as a record system of accidents, accident investigations to determine probable cause, vehicle registration, operation and inspection, highway design and maintenance, traffic control and surveillance, and emergency services.

3. In order to be approved, each State program must:

- provide that the Governor shall be responsible for its administration

- authorize political subdivisions in such State to carry out local highway safety programs as a part of the State program

- provide that at least 40 percent of Federal funds apportioned to the State will be spent by local jurisdictions, unless the Secretary waives this requirement

- provide that State and local expenditures for highway safety must not be reduced below earlier levels

- provide for comprehensive driver education programs.

4. The bill provides that any State not implementing an approved program by December 31, 1968, shall receive no further highway safety



apportionments. In addition, any State not carrying out an approved program shall lose 10 percent of its Federal-aid Highway apportionments after January 1, 1969, until such time as it is implementing such a program. The Secretary may waive the 10 percent reduction when he finds that a waiver would be in the public interest.

5. The Secretary is authorized to conduct highway safety research and development activities either through Federal agencies or by grants.

6. The bill establishes a National Highway Safety Advisory Committee composed of the Secretary of Commerce or his designate as chairman, the Federal Highway Administrator, and 29 members appointed by the President. Four of the 29 may be Federal officials; the remainder must be selected from among representatives of State and local governments and public and private interests and experts in the field.

The Committee is to advise, consult with, and make recommendations to, the Secretary on highway safety matters. It is authorized to recommend research projects and programs to the Secretary and to review, prior to issuance, standards which the Secretary proposes to issue to implement the grants to the States program and to make recommendations thereon. Such recommendations are to be published with the Secretary's order.

7. A National Highway Safety Agency, to be headed by a Level V Administrator appointed by the President, must be created by the Secretary to carry out the functions under the bill. The President is authorized to carry out the traffic safety program under S. 3005 as well as the highway safety program under S. 3052 through this Agency.

8. The bill provides that the Federal Highway Administrator or any other official who may subsequently become the operating head of the Bureau of Public Roads shall be compensated at the rate prescribed for Level IV of the Federal Executive Salary Schedule. This position is now at Level V.

9. The Secretary is required to study the relationship between alcohol consumption and its effect on highway safety and report the results of the study, together with any legislative recommendations, to Congress by July 1, 1967.

10. The bill authorizes general fund appropriations for the highway safety grant programs in the following amounts: \$67 million in fiscal year 1967, \$100 million for 1968, and \$100 million for 1969. The Administration proposed appropriations from the highway trust fund



for each of six years: \$40 million in 1967, \$60 million in 1968 and 1969, \$80 million in 1970 and 1971, and \$100 million in 1972.

It also authorizes general fund appropriations for research and development activities of \$10 million in 1967, \$20 million in 1968, and \$25 million in 1969. These are the same amounts proposed by the Administration but the funds were to be appropriated out of the highway trust fund. In addition, the Administration recommended authorizations for the three succeeding years of \$30 million, \$35 million, and \$40 million.

11. The bill requires the Secretary to make a detailed estimate of the cost of carrying out the programs authorized by the bill, as a basis for appropriations authorizations for fiscal years 1970 and subsequent years, and to submit a report with recommendations as to appropriate Federal-State-local cost-sharing by January 10, 1968.

S. 3052 differs from the Administration's proposal in the following additional major respects:

- requiring that 40 percent of each State's highway safety apportionment must be spent locally
- withholding highway safety funds after December 31, 1968, if a State is not carrying out an approved program
- reducing by 10 percent a State's Federal-aid Highway apportionment after January 1, 1969, if it is not implementing an approved highway safety program
- providing for a statutory National Highway Safety Advisory Committee
- establishing a statutory National Highway Safety Agency
- making the Federal Highway Administrator a Level IV executive
- requiring a study of the relationship between alcohol consumption and highway safety.

We believe that the first three of these differences will strengthen the highway safety program. While the creation of a statutory Advisory Committee and Safety Agency were objected to by the Administration, they are provisions which can be lived with.



The Bureau will shortly submit to you a proposed 1967 appropriation estimate for funds to carry out the programs under this bill.

The Administration has proposed to Congress that legislation be enacted to set up a separate trust fund to carry out the highway safety programs under S. 3005 and S. 3052 and the highway beauty programs under Public Law 89-285. This trust fund would be financed by earmarking a certain portion of the auto excise tax and possibly by general fund appropriations. Congress is not expected to act on this proposal in the current session, although we would anticipate that the recommendation would be renewed next year. Meanwhile, general fund appropriations will be necessary to carry out the highway safety programs authorized by this bill and S. 3005.

*Welfred H. Rommel*

Assistant Director for  
Legislative Reference

Enclosures



GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE  
WASHINGTON, D.C. 20230

Eno

Center for  
1966 Transportation

SEP 2

Honorable Charles L. Schultze  
Director, Bureau of the Budget  
Washington, D. C. 20503

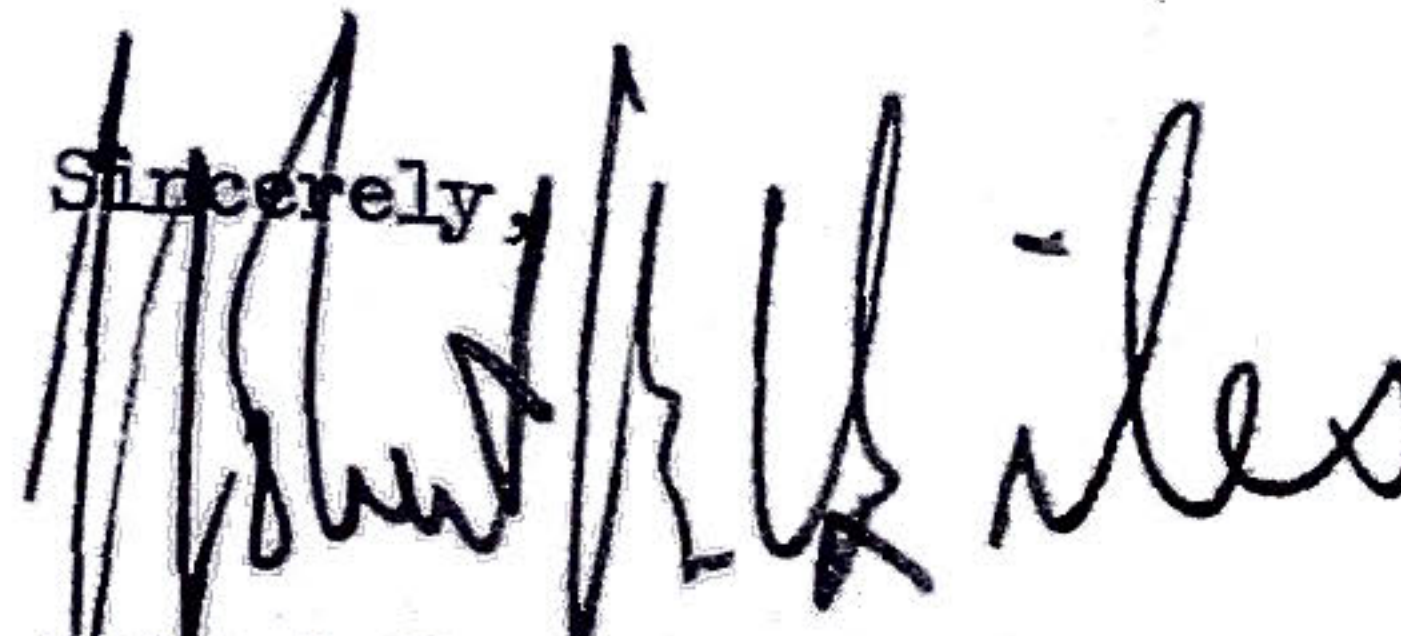
Dear Mr. Schultze:

This is in reply to your request for the views of this  
Department concerning S. 3052, an enrolled enactment

"To provide for a coordinated national highway  
safety program through financial assistance  
to the States to accelerate highway traffic  
safety programs, and for other purposes."

The Department of Commerce urges Presidential approval  
of S. 3052.

Sincerely,



Robert E. Giles  
General Counsel



THE GENERAL COUNSEL OF THE TREASURY  
WASHINGTON, D.C. 20220



Eno

Center for  
Transportation

SEP 2 1986

Sir:

Reference is made to your informal request for the views of this Department on the enrolled enactment of S. 3052, "To provide for a coordinated national highway safety program through financial assistance to the States to accelerate highway traffic safety programs, and for other purposes."

The Department would have no objection to a recommendation that the enrolled enactment be approved by the President. We would hope, however, that the Administration would continue its effort to have the highway safety program financed by a trust fund derived from revenues from the tax on passenger vehicles.

Sincerely yours,

A handwritten signature in cursive script that reads "Fred B. Smith".

Fred B. Smith  
General Counsel

The Director

Bureau of the Budget



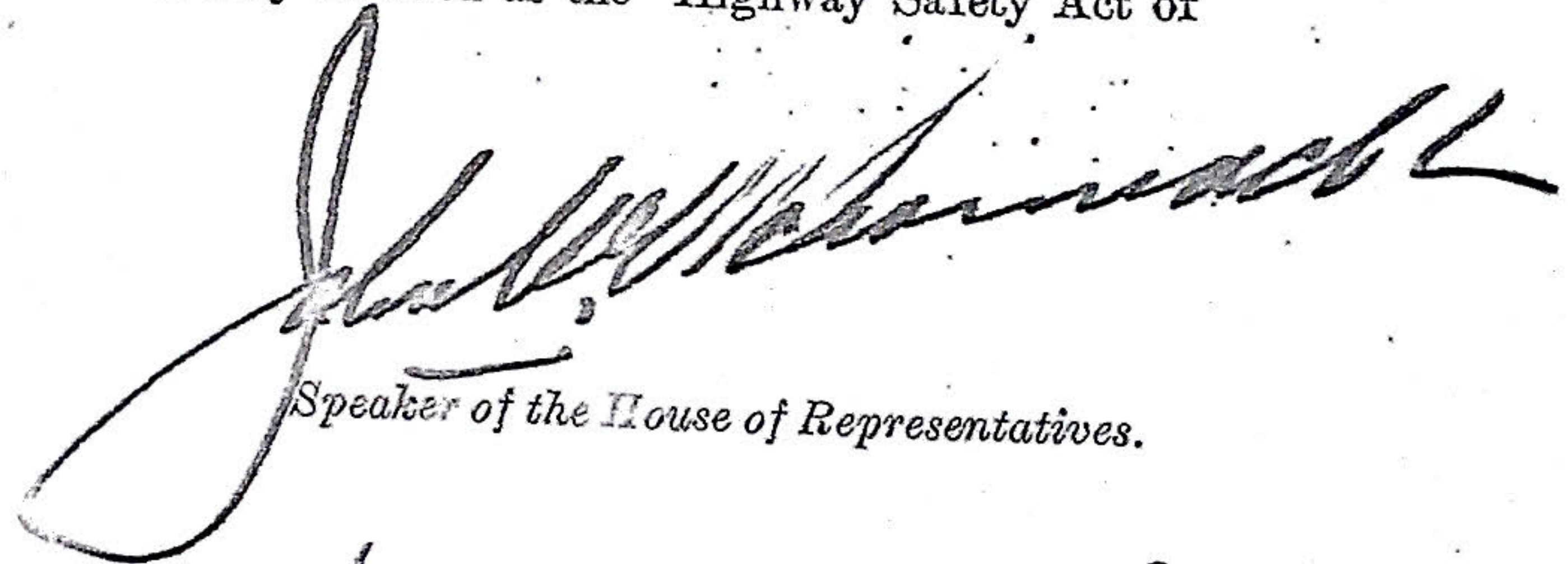
Eno

Center for  
Transportation

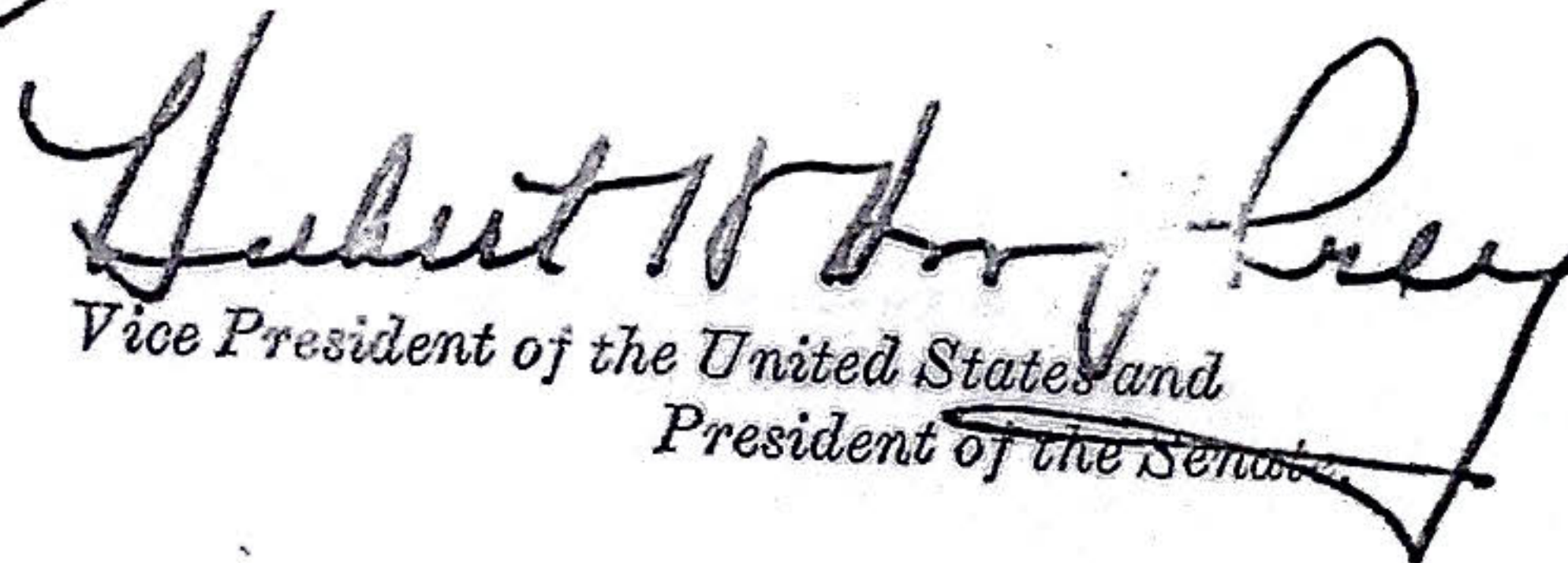
S. 3052-7

SEC. 207. In order to provide the basis for evaluating the continuing programs authorized by this Act, and to furnish the Congress with the information necessary for authorization of appropriations for fiscal years beginning after June 30, 1969, the Secretary, in cooperation with the Governors or the appropriate State highway safety agencies, shall make a detailed estimate of the cost of carrying out the provisions of this Act. The Secretary shall submit such detailed estimate and recommendations for Federal, State, and local matching funds to the Congress not later than January 10, 1968.

SEC. 208. This Act may be cited as the "Highway Safety Act of 1966".



*Speaker of the House of Representatives.*



*Vice President of the United States and  
President of the Senate*



11:11 P.M. September 9, 1966