

CHANGES TO THE HIGHWAY SAFETY IMPROVEMENT PROGRAM IN THE BIPARTISAN INFRASTRUCTURE LAW

	FAST ACT (2015-2021)	BIPARTISAN INFRASTRUCTURE LAW (2022-2026)	CHANGE	CITATION: TITLE 23 SECTION 148
ELIGIBILITIES	Included facilities to improve bicycle and pedestrian safety	Specifically defines eligibilities important for VRU Safety	Multimodal roundabouts added to eligibility	(a)(4)(B)(i)
			Traffic control devices for pedestrians and bicyclists (pedestrian hybrid beacons, bicycle traffic signals) added to eligibility	(a)(4)(B)(xxvi)
			Roadway improvements that separate motorists from pedestrians and/or bicyclists. Pedestrian separation previously eligible; seperation for bicyclists added to eligibility.	(a)(4)(B)(xxvii)
			A pedestrian security feature designed to slow or stop a motor vehicle added to eligibility	(a)(4)(B)(xxviii)
		Specifically addresses speed management	Features, measures, and road designs to calm traffic and reduce vehicle speeds added to eligibility	(a)(4)(B)(viii)
		Provides a broad interpretation of additional infrastructure that HSIP can support	A physical infrastructure safety project not described in clauses (i) through (xxviii) added to eligibility	(a)(4)(B)(xxix)
	No HSIP can be used for non-infrastructure programing	10% of HSIP can be used for non-infrastructure programs	This allows up to 10% of HSIP funding for Safe Routes to School and Vision Zero non-infrastructure, including Safe Routes to School staffing	(e)(3)
	Does not allow automated enforcement	Allows HSIP funds for automated enforcement allowed	HSIP dollars may be used for safety cameras	(The bill removed language from earlier law)

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STRATEGIC HIGHWAY SAFETY PLANS (SHSP)	States must identify road elements that make a road dangerous	Requires that analysis include elements dangerous to vulnerable road users (vulnerable road users include motorcyclists, bicyclists, and pedestrians)	Requires states to identify hazards to VRUs and allows for states to fix those elements BEFORE there are serious injuries or fatalities	c(2)(B)(i)
	Improve the collection of data on nonmotorized crashes	Requires state to improve the collection of data on nonmotorized crashes and to differentiate the safety data for vulnerable road users, including bicyclists, motorcyclists, and pedestrians, from other road users	Requires states to differentiate fatality data among VRU types, allowing more specific safety solutions.	c(2)(D)(vi)
VULNERABLE ROAD USER SAFETY RULE	No special rule for VRU	Creates a Vulnerable Road User Special Rule	For states where 15% or more of overall traffic fatalities are VRU, this rule requires the state spend 15% or more of their HSIP funding on VRU safety.	(g)(3)
VULNERABLE ROAD USER SAFETY ASSESSMENT	Not required to address vulnerable road users	Requires states to include a VRU Road Safety Assessment in state strategic highway safety plan	By Nov 2023, States must: (1) identify all VRU fatalities and serious injuries, (2) identify high risk areas including data on: road classification, design speed and speed limit, demographics of community, etc. (3) Identify solutions to address each high risk areas.	(l)
SAFE SYSTEM	No mention of Safe System approach	Defines Safe System approach	Encourages DOTs to implement HSIP using a Safe System approach and requires Vulnerable Road User Safety Assessment to consider a Safe System approach.	(l)(4)