

## SECTION 405 DISTRACTED DRIVING GRANTS

Year	2013	2014
Authorization (\$1,000s)	\$22.525	\$23.12

Note: Of the amount available for distracted driving grants in a fiscal year, the Secretary may expend up to \$5M for the development and placement of broadcast media to support the enforcement of State distracted driving laws. (Section 405(e)(7))

**Purpose:** To encourage States to enact and enforce laws prohibiting texting while driving and youth cell phone use while driving.

**Eligibility:** 50 States, the District of Columbia (DC), Puerto Rico, and four territories are eligible for this grant. To receive a distracted driving grant, a State must enact and enforce a distracted driving law meeting specified criteria, including:

- (A) A law that prohibits texting while driving, with the following provisions:
- Prohibits drivers from texting through a personal wireless communications device while driving;
  - Makes violation of the statute a primary offense;
  - Establishes a minimum fine for a first violation of the statute; and
  - Increases the fines for repeat violations. And
- (B) A law that prohibits youth cell phone use while driving, with the following provisions:
- Prohibits a driver who is younger than 18 from using a personal wireless communications device while driving;
  - Makes violation of the statute a primary offense;
  - Requires distracted driving issues to be tested as part of the State's driver's license examination;
  - Establishes a minimum fine for a first violation of the statute; and
  - Increases the fines for repeat violations.

**First Fiscal Year Additional Application Process:** In the first fiscal year, the Secretary may use up to 25 percent of the amount available under this subsection to award grants to States that:

- Enacted before the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012 (July 6, 2012) a law prohibiting texting while driving, with the following provisions:
  - ✓ prohibits drivers from texting through a personal wireless communications device while driving; and
  - ✓ makes violation of the statute a primary offense. And
- Are otherwise ineligible for a grant under this subsection.

**Permitted Exceptions:** The following exceptions are permitted in MAP-21:

- a driver who uses a personal wireless communications device to contact emergency services;

Office of Traffic Injury Control  
National Highway Traffic Safety Administration

- emergency services personnel who use a personal wireless communications device while:
  - ✓ operating an emergency services vehicle; and
  - ✓ engaged in the performance of their duties as emergency services personnel;and
- an individual employed as a commercial motor vehicle driver or a school bus driver who uses a personal wireless communications device within the scope of such individual's employment if such use is permitted under the regulations promulgated pursuant to Section 31152 of Title 49.

**Use of Funds:**

Of the amounts received under this subsection, a State must use at least 50 percent:

- To educate the public through advertising containing information about the dangers of texting or using a cell phone while driving;
- For traffic signs that notify drivers about the distracted driving law of the State; or
- For law enforcement costs related to the enforcement of the distracted driving law.

Of the amounts received under this subsection, a State may use up to 50 percent for any eligible project or activity under section 402.

**Allocation of Funds to the States:**

MAP-21 does not specify an allocation of funds to the States.

**Federal Share:**

The Federal share of these grants shall not exceed 80%.