Notice of Funding Opportunity (NOFO)

Federal Agency
United States Department of Transportation (U.S. DOT)
National Highway Traffic Safety Administration (NHTSA)

Funding Opportunity Title
State Process for Informing Consumers of Recalls

NHTSA NOFO Number
693JJ923R000206

Assistance Listing Program Number (formerly CFDA)
20.614 - National Highway Traffic Safety Administration (NHTSA) Discretionary Safety Grants

Key Dates
NOFO Posted Date:	**07/18/2023**
NOFO Questions Due Date:	**07/31/2023**
Application Due Date:	**08/16/2023**

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PROGRAM SUMMARY INFORMATION

A. FEDERAL AGENCY NAME

U.S. Department of Transportation (DOT)
National Highway Traffic Safety Administration (NHTSA)

B. FUNDING OPPORTUNITY TITLE

State Process for Informing Consumers of Recalls

C. ANNOUNCEMENT TYPE

Initial Announcement

D. FUNDING OPPORTUNITY NUMBER

693JJ923R000206

E. ASSISTANCE LISTING PROGRAM NUMBER (formerly CFDA)

20.614 - National Highway Traffic Safety Administration (NHTSA) Discretionary Safety Grants

F. KEY DATES

NOFO Posted Date:	**07/18/2023**
NOFO Questions Due Date:	**07/31/2023**
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MISSION

The mission of the United States (U.S.) Department of Transportation (DOT) is to ensure the United States has the safest, most efficient, and modern transportation system in the world. The Mission of the National Highway Traffic Safety Administration (NHTSA), an operating mode of DOT, is to save lives, prevent injuries and reduce economic costs due to road traffic crashes, through education, research, safety standards and enforcement activity. To accomplish this, among other things NHTSA awards assistance agreements to state and local governments, not-for-profit organizations, and other entities in support of motor vehicles and road traffic safety initiatives.

SECTION A - PROGRAM DESCRIPTION

A.1 PURPOSE AND OBJECTIVE

The purpose of the Grant is for U.S. Department of Transportation (DOT), National Highway Traffic Safety Administration (NHTSA), requesting applications from eligible departments or offices from the 50 States, the District of Columbia and Puerto Rico to obtain funding to assist States with the development and implementation of a state process for informing motor vehicle owners and lessees of open motor vehicle recalls when presented for registration. Grants will support States in developing a methodology for determining open recalls on motor vehicles, informing owners and lessees of the open recalls when presented for registration, and evaluating through the analysis of completed recalls the performance of the notification program. Award Recipients must implement the notification program for a two-year period and then evaluate the results.

A.2 PROGRAM AUTHORITY

This program is authorized pursuant to the Infrastructure Investment and Jobs Act (IIJA), Pub. L. No. 117-58, § 24103(4) (2021).

A.3 BACKGROUND

NHTSA is responsible for reducing deaths, injuries and economic losses resulting from motor vehicle crashes. This is accomplished by setting and enforcing safety performance standards for motor vehicles and motor vehicle equipment, and through grants to state and local governments to enable them to conduct effective local highway safety programs. NHTSA investigates safety defects in motor vehicles, sets and enforces fuel economy standards, helps states and local communities reduce the threat of impaired drivers, promotes the use of safety belts, child safety seats and air bags, investigates odometer fraud, establishes and enforces vehicle anti-theft regulations and provides consumer information on motor vehicle safety issues.

The National Traffic and Motor Vehicle Safety Act, 49 U.S.C. §§ 30101 et. seq., as amended (the Safety Act), requires a motor vehicle manufacturer to notify the owners and purchasers of its vehicles of a safety-related defect, or that the vehicle does not comply with an applicable Federal motor vehicle safety standard. 49 U.S.C. § 30118. A vehicle manufacturer must provide notice

of a recall, in a manner prescribed through regulation by NHTSA, to each person registered under State law as the owner and whose name and address are reasonably ascertainable by the manufacturer through State records or other available sources or (if a registered owner is not notified through State registration information) to the most recent purchaser known to the manufacturer. 49 U.S.C. § 30119(d).

In order to identify owners of vehicles subject to a safety-related recall and provide notification to them, a motor vehicle manufacturer typically contracts with a third party that obtains vehicle registration data for the affected vehicles from State motor vehicle administrations (MVA). The motor vehicle manufacturer then notifies owners and purchasers by U.S. Mail, about the safety recall and, among other things, about how to obtain a remedy to fix the defect or noncompliance. *See* 49 U.S.C. § 30119(d); 49 CFR part 577. To obtain a remedy, the consumer must then present the recalled motor vehicle to an authorized dealer for the dealer to remedy the defect or noncompliance. 49 U.S.C. § 30120.

Recall completion rates can and do vary widely depending on a variety of factors such as the age and type of vehicle, as well as owners' perception of relative risk. *See NHTSA, Report to Congress: "Vehicle Safety Recall Completion Rates Report*" (2021).[1] Considering this wide range, regardless of completion averages, the fact remains that there are at any time tens of millions of vehicles on the road with unremedied safety defects or noncompliance's, each one creating a safety risk. NHTSA and the motor vehicle industry have sought to improve notice of safety-related defects to owners and to develop ways to increase the rate at which owners complete the remedy identified in the notice.

In 2016, in accordance with Section 24105 of the Fixing America's Surface Transportation (FAST) Act, Pub. L. No. 114-94, § 24105 (2015), NHTSA announced a pilot program to evaluate the feasibility and effectiveness of a State process to inform consumers of open motor vehicle recalls at the time of motor vehicle registration. The grant was conditioned upon a State having the capability to use a vehicle identification number (VIN) to identify whether the specific vehicle was subject to an open safety recall. In 2017, NHTSA awarded the Maryland Motor Vehicle Administration a grant to provide vehicle owners and lessees notice of open safety related recalls on their vehicles. Maryland began notifying vehicle owners and lessees in the Spring of 2018. By April of 2020, over 376,000 vehicles within Maryland had had their open recall repaired, and over 48% of recall remedies were conducted on active recalls 2-years old and older.

Building on the success of the FAST Act's pilot program, Congress, through IIJA, has authorized the State Process for Informing Consumers of Recalls grant program to assist States to develop and implement State processes for informing each applicable owner and lessee of a motor vehicle of any open recall on the motor vehicle at the time of registration of the motor vehicle in the State. *See* IIJA, Pub. L. No. 117-58, § 24103 (2021). This grant is condition upon

[1] A copy of the Vehicle Safety Recall Completion Rates Report is located on NHTSA's website at: https://www.nhtsa.gov/sites/nhtsa.gov/files/2022-06/Report-to-Congress-Vehicle-Safety-Recall-Completion-Rates_tag.pdf

a State agreeing to notify owners or lessees of a motor vehicle presented for registration in the State of any open recall on that motor vehicle; and to provide to owners or lessees of a motor vehicle presented for registration, at no cost—the open recall information for the motor vehicle; and such other information as the Secretary may require. *Id.* A State must perform the notification program for a period of two years. *Id*. A State must also submit a report no later than 90 days after the completion of the performance period of the grant that provides information to evaluate the extent to which open recalls have been remedied in the State. *Id.*

In selecting grant recipients, NHTSA will consider the methodology of a State for: (i) identifying open recalls on a motor vehicle, (ii) informing each owner and lessee of a motor vehicle of an open recall; and (iii) measuring performance in informing owners and lessees of open recalls and remedying open recalls. *See* IIJA, Pub. L. No. 117-58, § 24103 (2021).

Applicants shall include a method for analysis of recall completion data on an ongoing basis to assist in program evaluation. NHTSA is also interested, though not requiring, an assessment of owners' attitudes toward a particular recall notification protocol. In particular, NHTSA is interested in ways for a State to identify the motor vehicles that were remedied following notification of an open recall by the State. NHTSA looks forward to reviewing resourceful approaches that will motivate owners to remedy open recalls.

A.4 ADMINISTRATION PRIORITIES

Safety: The Department is committed to advancing safe, efficient transportation, including in the State Process for Informing Consumers of Recalls. The National Roadway Safety Strategy (NRSS), issued January 27, 2022, commits the Department to respond to the current crisis in roadway fatalities by 'taking substantial, comprehensive action to significantly reduce serious and fatal injuries on the Nation's roadways,' in pursuit of the goal of achieving zero roadway deaths through a Safe System Approach. (See https://www.transportation.gov/NRSS). The outcomes that are anticipated from the project funded from the State Process for Informing Consumers of Recalls project should align with the NRSS.

Equity: The Department seeks to award projects under the State Process for Informing Consumers of Recalls program will create proportional impacts to all populations in a project area, remove transportation related disparities to all populations in a project area, and increase equitable access to project benefits, consistent with Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009).

Workforce Development, Job Quality, and Wealth Creation: The Department intends to use the State Electronic Data Collection program to support the creation of good-paying jobs with the free and fair choice to join a union and the incorporation of strong labor standards consistent with Executive Order 14025, Worker Organizing and Empowerment (86 FR 22829) and Executive Order 14052, Implementation of the Infrastructure Investment and Jobs Act (86 FR 64335). The Department also intends to use the State Process for Informing Consumers of Recalls program project to support wealth creation, consistent with the Department's Equity Action Plan through the inclusion of Local inclusive economic development and

entrepreneurship such as the utilization of Disadvantaged Business Enterprises, Minority-owned Businesses, Women-owned Businesses, or 8(a) firms.

SECTION B - FEDERAL AWARD INFORMATION

B.1 AWARDING AGENCY:

Department of Transportation (DOT)
National Highway Traffic Safety Administration (NHTSA)

B.2 FUNDING AND TYPE OF AWARD

A total of **$1,500,000** is available to fund these Discretionary Grant Agreements each fiscal year between FY23 and FY26 ($7,500,000 in total). NHTSA will only accept one (1) application from each department or office of the State (including territories of the United States) that is responsible for motor vehicle registration.

Submission of an application is **not** a guarantee of award. The total number of awards and amount of funds provided to each recipient will depend on the depth and quality of the programs/proposals submitted for consideration. NHTSA may make awards to multiple states under this program (not to exceed $1,500,000 each fiscal year).

Given the amount of funds available for this effort, applicants are encouraged to seek other funding opportunities to supplement the Federal funds. Preference may be given to applicants with cost sharing or in-kind contributions identified in their applications/proposals. Nothing in this NOFO should be construed as committing NHTSA to make any award and NHTSA reserves the right to issue a new notice of funding opportunity if necessary.

B.3 TYPE OF APPLICATION

This Notice of Funding Opportunity is Competitive.

B.4 PERIOD OF PERFORMANCE

The period of performance is thirty (30) months from the effective date of award for each grant. This accounts for a three (3) month period to put the notification system in place, followed by a twenty-four (24) month period of continuous owner and lessee notification at the time of vehicle registration in the State, followed by a three (3) month period to evaluate the program results and provide a report of performance to the agency.

B.5 ACRONYMS AND DEFINITIONS

B.5.1 Acronyms. The acronyms listed below are used during the performance of the project. If the Recipient is currently using or has used any of the acronyms listed below differently, the Recipient will use the acronym listed below as defined under the Assistance Agreement only.

ACOR (AA)	Alternate Contracting Officer Representative Assistant Agreement
CO	Contracting Officer
CS	Contract Specialist
COR (AA)	Contracting Officer Representative Assistant Agreement
NHTSA	National Highway Traffic Safety Administration

As used in this NOFO:

"**COR (AA)**" means "Contracting Officer's Representative (Assistance Agreements.)" This individual is assigned by the Contracting Officer and designated in writing to serve as the government's liaison with the recipient for technical and administrative matters regarding the Grant.

"Contracting Officer" refers to that federal government employee who possesses a warrant authorizing him/her to obligate the government financially. The Contracting Officer is the only individual who is authorized, on behalf of the federal government, to execute the Grant.

"Manager" refers to the individual identified as the Recipient's liaison with the federal government for technical and administrative matters concerning the Grant.

B.5.2. Definitions.

For the purposes of this Grant, the terms below shall have the following meaning:
Motor Vehicle. The term "motor vehicle" means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads, and highways, but does not include a vehicle operated only on a rail line.

Open Recall. The term "open recall" means a motor vehicle recall (i) for which a notification by a manufacturer has been provided under 49 U.S.C. § 30119; and (ii) that has not been remedied under 49 U.S.C. § 30120.

Registration. The term "registration" means the process for registering a motor vehicle in a State (including registration renewal).

State. The term "State" means any of the 50 States, the District of Columbia, or Puerto Rico.

B.6 STATE GRANT REQUIREMENTS

A. Required Activities for the Discretionary Grant

The Recipient will perform the following activities:

Activity 1: Kick-Off Meeting

Within 30 calendar days of the Grant award, the Recipient shall meet with the CO, COR, and other interested NHTSA personnel virtually to 1) discuss the administration of the Grant, and 2) to discuss the Agreement's objectives, describe its work plan and how it will meet milestones and deliverables.

During the Kick–off Meeting, the Recipient shall first conduct a briefing describing the Recipient's planned approach to the Agreement. The Recipient shall present an initial high–level overview of its project plan and schedule, with estimated dates, for the entire potential period of performance of the Grant, including milestones and deliverables. The Recipient shall discuss its selection of a Technical Manager (TM). The TM must be selected, at the very latest, by the time of the Kick–off Meeting.

The Recipient agrees to plan the Kick–off Meeting, including its schedule and duration, in coordination with the COR and agrees to notify the Government, a minimum of seven (7) calendar days prior to the meeting, of all parties attending.

Activity 2: Program Launch and Evaluation

- Determine open recalls on motor vehicles registered by the State. This requires obtaining open recall data at the time of registration renewal. The method for obtaining open recall data must not include the use of NHTSA's vehicle identification number (VIN) Look-up Tool, which is a web-based system that allows consumers to input the VIN for a motor vehicle and learn whether that vehicle is subject to any open recalls. There are numerous private companies that provide this service for free to governmental entities.

- Notify owners and lessees of the open recalls at registration at no charge, including notification via all means that permit them to register vehicles within the State (e.g., in-

person, safety inspection sites, Internet, and U.S. mail). Notification must reasonably identify the defect and the nature of the recall, describe the safety risk presented, and convey a message that the remedy should be obtained immediately at the manufacturer's authorized dealer.

Collect and maintain data that will assist in evaluating the extent to which open recalls have been identified and remedied under the program.

- Evaluate the performance of the notification program. The State must be able to identify each registered motor vehicle with an open recall at the time of registration and develop a means to track whether open recalls are remedied. The State must prepare and submit a short report of its evaluation. Some potential metrics that the State might consider include, but are not limited to:

  - Quartile reporting on age of final owner notification and date of DMV mailer AND completion rate.
  - Quartile reporting on age of vehicle and Date of DMV mailer AND completion rate.
  - Quartile reporting on age of final owner notification and age of vehicle AND completion rate.
  - Zip code AND completion rate, not just county/jurisdiction.

  Example of raw data columns:

  - VIN
  - Year
  - Make
  - Model
  - Vehicle Type (Light vehicle, trucks, motorcycle, motorhome, trailer, other)
  - Date of first notification
  - Date of final notification (if notified more than once)
  - Number of notifications
  - First Recall ID
  - Date (or Quarter) of First Recall Completion
  - Second Recall ID (if applicable)
  - Date (or Quarter) of Second Recall Completion (if applicable)
  - Third Recall ID (if applicable)
  - Date (or Quarter) of Third Recall Completion (if applicable)
  - Forth Recall ID (if applicable)
  - Date (or Quarter) of Forth Recall Completion (if applicable)
  - ifth Recall ID (if applicable)
  - Date (or Quarter) of Fifth Recall Completion (if applicable)
  - Number of total Recalls
  - County
  - Zip code

B.7 DELIVERABLES (D) AND MILESTONES (M)

The deliverables and milestones shall be established and defined within the Grant issued under the authority listed within Section A.2 of this NOFO.

Upon award, all deliverable items shall be submitted electronically to the COR (AA) and Contract Specialist in accordance with the following schedule. Paper copies shall be submitted only upon request of the COR (AA), Contracting Officer, or Contract Specialist.

Item #	Milestones (M)/Deliverables (D):	Due Date After Award
1.	Kick-off Meeting **(M)**	No later than 30 Days after the Effective Date of Award
2.	Commence notification program **(M)**	Within 90 days after the Effective Date of Award
3.	Quarterly Report **(D)**	Quarterly (within 30 days following the end of the reporting quarter being reported)
4.	Draft Final Evaluation Report **(D)**	No later than 45 days before the end of the performance period
5.	COR (AA) review of Draft Final Report **(M)**	Within 15 days after receipt of Draft Final Evaluation Report
6.	Final Evaluation Report **(D)**	No later than 20 days before the end of the performance period
7.	Financial Status Reports **(D)**	Provided by the 15th day of the month, following the quarter being reported.

B.8 PLACE OF DELIVERY

All deliverable items shall be furnished by the due date to the following addresses in the number of "electronic" copies specified. Unless otherwise noted, correspondence should be made through email.

Item no.	Address
2, 4, 5, 8, & 9	**Department of Transportation** National Highway Traffic Safety Administration 1200 New Jersey Avenue, SE, NPD-110 Washington, DC 20590 Room: Attn: **TBD** Email Address: **TBD** Telephone Number: **TBD**
8 & 9	**Department of Transportation** National Highway Traffic Safety Administration Office of Acquisition Management NFO-300, W53-411 1200 New Jersey Avenue, SE Washington, DC 20590 Attn: **TBD** Email: TBD Telephone: TBD

SECTION C - ELIGIBILITY INFORMATION

C.1 ELIGIBLE APPLICANTS

Section 24103 of the Infrastructure Investment and Jobs Act (IIJA), also referred to as BIL, P.L. 117-58 limits eligibility for an award to a State (see Program Summary Information, Definitions, for definition of State). Accordingly, applications may be submitted by the department or office of the State that is responsible for motor vehicle registration.

NHTSA will review all applications to make sure ONLY applications in compliance with this requirement are considered for funding**. Interested applicants are advised that no fee or profit will be allowed under this grant program.**

Applicants must agree to notify owners or lessees of a motor vehicle presented for registration in the State of any open recall on that motor vehicle; and to provide to each owner or lessee of a motor vehicle presented for registration, at no cost, the open recall information for the motor vehicle.

C.2 COST SHARING OR MATCHING

Cost-sharing or matching requirements are not required under this NOFO. While not mandatory, applicants are encouraged to seek funds from other Federal, State, local, and private sources to augment those Federal funds available under this NOFO. Preference may be given to applicants with cost sharing or in-kind contributions identified in their applications/proposals.

SECTION D - APPLICATION AND SUBMISSION INFORMATION

D.1 ADDRESS TO REQUEST APPLICATION PACKAGE

A copy of this NOFO, including all application forms, can be retrieved from www.grants.gov using the following basic search criteria:

- Keyword(s): State DMV Recall Notification Program
- Opportunity Number: 693JJ923R000206
- CFDA Number: 20.614

If obtaining an electronic copy of the NOFO is not accessible, paper copies of materials may be requested by mail to the following address:

National Highway Traffic Safety Administration (NHTSA)
Office of Acquisition Management (NFO-300)
Attn: **TBD**
1200 New Jersey Avenue, S.E., W51-117
Washington, DC 20590

D.2 CONTENT AND FORM OF APPLICATION SUBMISSION

Each application package must include the following required documents:

- The application shall **not exceed three (3) pages** (not including resumes, checklist (see Attachment A), or appendices). The application must be in English.

- If submitting the application in hardcopy or digital storage media format: OMB Standard Form (SF) 424 (including 424 "Application for Federal Assistance," 424A "Budget Information for Non-Construction Programs," and 424B "Assurances for Non-Construction Programs"), with the required information filled in and certified assurances signed. These forms can be accessed by going to https://www.grants.gov/web/grants/forms/forms-repository.html. These forms are available in Appendix B.

- The applicant must provide a brief, high-level breakdown of the proposed costs, as well as any in-kind costs, by year.
- Non-Federal and in-kind funding sources are encouraged. A simple breakdown of funding sources is needed within the application. All other factors being equal, preference may be given to those that have proposed cost-sharing strategies and/or other factors that will allow this proposed notification program to continue in perpetuity following the grant's period of performance.
- Program Narrative Statement: The application/proposal must briefly describe the scope of the project, providing a project plan detailing the activities and costs for which funding is being requested. Also, applications for this program must include the following information in the program narrative statement:

- A brief description of the applicant's methodology for determining open motor vehicle recalls. The description must address the source of the data, how the data will be obtained by the applicant, how the applicant proposes to integrate the data into its registration process and system, and how the applicant will maintain the quality, completeness and timeliness of the data. Identify any third-party vendor that the applicant proposes to engage to obtain the open recall data.

- A description of the applicant's methodology for informing a consumer of an open motor vehicle recall when a motor vehicle is presented for registration with the State. The applicant must address the format for notification for each method in which an owner or lessee may register a motor vehicle in the State. The applicant must include the proposed language informing the consumer of an open motor vehicle recall. Any notice must include, at a minimum, a brief description of the safety defect or noncompliance, a statement of the risk to safety, and a statement that the authorized dealer will remedy the vehicle at no charge. Identify any other touchpoints where a State may contemplate providing notification such as driver's license renewal, emissions or safety inspections.

- A description of the data that the applicant will maintain on each motor vehicle registered during the program's period of performance. The applicant must be able to obtain and maintain data and provide it in an easily accessible format (e.g., Microsoft Access or Excel or similar). For each motor vehicle registered, the applicant must be able to identify the make, model, model year, VIN, date of vehicle registration, the existence of an open recall at the time of registration, manufacturer's recall identification number or NHTSA's identification number, if applicable, the format of the notification to the consumer of the existence of an open recall, and the date the remedy was obtained. The applicant may maintain additional information that it believes would be helpful to implement and evaluate the notification program. This information must be identified by the applicant.

- A description of the plan to measure performance of the notification program to inform owners and lessees of motor vehicles of an open recall and remedying open recalls, including how information and data will be obtained, compiled, analyzed, and reported. The applicant must specifically identify the data required to evaluate performance. This should be more than a process evaluation.

- Demonstrated technical and management skills to successfully design, conduct, and evaluate the notification program. The applicant may identify other Federal or State grants, or programs similar to this effort that have been undertaken by the applicant. The applicant should demonstrate that such similar programs have resulted in timely, adequate and complete projects. The applicant should also include a narrative description of documented experience, clearly indicating the relationship of similar programs to this project and provide details such as project description and

sponsoring agency. References to completed final project reports should include the author's name and contact information if available.

- A description of how the proposed project will be managed. The application shall identify the proposed project manager and other personnel considered critical to the successful accomplishment of the project, including a brief description of their qualifications and respective organizational responsibilities. The role and responsibilities of the applicant and any others included in the application package shall be specified. The proposed level of effort in performing the various activities shall also be identified.

- Commitment and Support: When other sources and organizations are required to complete the proposed effort, the applicant shall provide proof of their commitment to the agreement effort. Such proof can be a letter of support or buy-in indicating what the organization will provide to the applicant, and shall be included in the appendices.

- Administration Priorities:
  - Safety—The Applicant must address how its project provides substantial safety benefits. Prior to receiving funds, all projects are expected to, at a minimum, identify and mitigate to the extent practicable any significant safety risks that could result after the project completion. The Applicant should include how its project will not negatively impact the overall safety of the traveling public.
  - Racial Equity and Barriers to Opportunity— The Applicant must address how its project will include an equity assessment which evaluates whether a project will create proportional impacts and remove transportation related disparities to all populations in a project area. The Applicant should demonstrate how meaningful public engagement will occur throughout a project's life cycle.
  - Workforce Development, Job Quality, Wealth Creation—The Applicant must address how its project will create good-paying jobs with free and fair choice to join a union; promote investments in high-quality workforce development programs with supportive services to help train, place, and retain people in good-paying jobs; and change hiring policies and workplace cultures to promote the entry and retention of underrepresented populations.
  - Civil Rights—The Applicant should demonstrate that it has a plan for compliance with civil rights obligations and nondiscrimination laws, including Title VI of the Civil Rights Act of 1964 and implementing regulations (49 CFR § 21), the Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act, and accompanying regulations. This may include, as applicable, providing a Title VI plan, community participation plan, and other information about the communities that will be benefited and impacted by the project.

D.3 UNIQUE ENTITY IDENTIFIER AND SYSTEM FOR AWARD MANAGEMENT (SAM)

Each applicant is required to:

- Be registered in SAM before submitting its application;
- Provide a valid unique entity identifier in its application (e.g., DUNS Number); and
- Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by NHTSA.

NHTSA may not make an award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements. If an applicant has not fully complied with the requirements by the time NHTSA is ready to make an award, NHTSA may determine that the applicant is not qualified to receive an award and use that determination as a basis for making a grant award to another applicant. **NHTSA will review an applicant's registration status to make a responsibility determination and to ensure that the applicant is responsible, current on all federal taxes, and is not on the list of parties excluded from federal awards.**

Sharing of Application Information

NHTSA may share application information within the U.S. Department of Transportation or with other Federal agencies if NHTSA or the Department determines that sharing is relevant to the respective program's objectives.

D.4 SUBMISSION DATES AND TIMES

Application Due Date and Time

NHTSA is accepting applications for this grant opportunity on a rolling basis. Applicants are encouraged to apply as soon as possible, as funding is limited to $1.5M per fiscal year. Only complete packages received on or before August 16, 2023 will be considered. Applications received after the due date will not be evaluated for consideration during that fiscal year, however, may be considered in subsequent fiscal years. Facsimile submission of proposals will not be accepted. **NHTSA will only accept one (1) application from each applicant and applicants will be notified of a decision within 30 days of application submission.** NHTSA will provide acknowledgments of receipt of applications via email.

Questions Due Date and Time

General administrative and programmatic questions must be directed to NHTSA OAM office at NHTSAOAM@dot.gov.

D.5 FUNDING RESTRICTIONS

- Funds awarded under the Agreement cannot be used for any activity intended to or designed to lobby Congress or a State legislative body, or to urge a U.S., State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body.

- All NHTSA awards are subject to the terms and requirements in the Grant and cost principles in 2 CFR Parts 200 and 1201.

- NHTSA will not reimburse the Recipient for pre-award costs.

- The Government's obligation under the grant is contingent upon the availability of appropriated funds from which payment for the grant purposes can be made. No legal liability on the part of the Government for any payment may arise until funds are made available to the Contracting Officer for the grant and until the Contractor receives notice of such availability, to be confirmed in writing by the Contracting Officer.

- Funds awarded under the grant are subject to 23 U.S.C. § 313, Buy America, which prohibits the use of the Government's funds to purchase steel, iron, and manufactured products, unless they are produced in the United States. The Recipient shall include the requirements of 23 U.S.C. § 313 in all sub-awards including all contracts and purchase orders for work or products under the award.

- Consistent with 2 C.F.R. § 200.216, the Recipient is prohibited from using government funds to enter sub-awards or contracts (or extend or renew sub-awards or contracts) with entities that use covered technology. See section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232, 132 Stat. 1636, 1917 (Aug. 13, 2018).

D.6 OTHER SUBMISSION REQUIREMENTS

Each application should include:

- The NHTSA NOFO Number: 693JJ923R000206

- Programs with multiple partners must submit a single application through the department or office of the State (including territories of the United States) that is responsible for motor vehicle registration.

Application Submission:

Applications must be submitted to the attention of Sheu Mojeed, Contract Specialist, and submitted to NHTSA OAM office at NHTSAOAM@dot.gov.

SECTION E - APPLICATION REVIEW INFORMATION

E.1 CRITERIA

NHTSA will evaluate the applications using the evaluation criteria below to rate and select competing applications. Evaluation Factors 1 through 3 will be weighted in descending order of importance, with Factor 1 weighted the most, while Factor 3 being weighted the least. Evaluation Factor 4 will be evaluated but not rated. Following those evaluations, NHTSA will prioritize similar applicants based upon those that best meet the Administration's policy priorities as identified in E.2.

Submission of an application is not a guarantee of award. NHTSA may, at its discretion, award a grant based on an application in its entirety, award only portions of an application, or not make an award.

For each factor, the agency will determine whether the applicant has provided an acceptable explanation of its qualifications.

a. EVALUATION FACTOR 1: Program Approach/Project Plan/Methodology

- The extent to which the applicant is knowledgeable about the notification program and its demonstrated ability to implement the program within the scope of this announcement.
- The applicant's methodology for identifying open recalls on a motor vehicle.
- The applicant's methodology for informing owners and lessees of a motor vehicle recall.
- The extent to which the applicant's methodologies are clearly articulated and performance is time-phased, specific, action-oriented, measurable, and achievable.
- The extent to which the applicant's approach is feasible and the probability that the applicant's approach would improve notification to consumers of open motor vehicle recalls and improve recall completion rates within the State.
- The extent to which the applicant clearly identifies and explains creative approaches to improve notification of motor vehicle safety recalls.
- The applicant's plan for obtaining, maintaining and reporting data on the notification program.
- The degree to which the applicant has identified potential barriers to the implementation of new approaches and the applicant's plans for mitigating or eradicating those barriers.
- Each application shall specify how many registered vehicles (or state residents) may be notified of open safety recalls under its program.

b. EVALUATION FACTOR 2: Evaluation Plan

- The extent to which the evaluation plan clearly articulates the criteria, data and methodology to measure the performance of the notification program to (1) inform owners and lessees of open motor vehicle recalls and (2) identify whether a remedy was obtained for the open recall.
- The extent to which the evaluation plan indicates how the information/data that are collected in the project will be compiled, analyzed, interpreted and reported.
- The degree to which data and information sources are sufficient to evaluate properly the program's results and potentials.

c. EVALUATION FACTOR 3: Resource Utilization

- The reasonableness of the applicant's staffing plan, to include proposed level of effort and allocation of human resources.
- The extent to which financial resources (both federal and non-federal) are used in an efficient and effective manner.
- The extent to which the applicant demonstrates it has the systems, infrastructure and support to meet the objectives of the notification program.

d. EVALUATION FACTOR 4: Cost/Budget Evaluation

- The Applicant's proposed budget will be evaluated for accuracy and feasibility, based on the provisions of 2 CFR Parts 200 and 1201.

- For equally acceptable applications, preference may be given to those that have proposed cost-sharing strategies and/or other proposed funding sources in addition to those in this NOFO.

E.2 REVIEW AND SELECTION PROCESS

Each application package will be reviewed initially to confirm that the applicant meets the eligibility requirements as set forth in Section C.1, Eligible Applicants, and has included all of the items specified in Section D.2, Content and Form of Application Submission. A Technical Evaluation Committee (TEC) will then review each completed application that meets the eligibility requirements and provide recommendations for award.

For each application, the TEC will rate the application using the following rating definitions:

Rating Definitions
Outstanding – The application demonstrates a professionally superior approach for accomplishing program objectives. The application is fully responsive to every aspect of the NOFO, within most or all areas covered by the announcement. The application demonstrated a large capability for excellent or highly productive results.

Good – The application demonstrates a comprehensive and fully acceptable, excellent approach for accomplishing program objectives. The application is fully responsive to every aspect of the NOFO, with capability for excellent or productive results in one or more major areas covered by the announcement.
Acceptable – The application meets minimum requirements of the NOFO; is responsive to all major aspects of NOFO; and is capable of achieving desired program objectives.
Unacceptable – The application demonstrates an incomprehensible or unacceptable approach, methods, organization, or capabilities; provided little to no detail as to how the program would be accomplished. The application is not capable of being evaluated.

After completing its evaluation, among projects of similar merit, NHTSA will prioritize projects that best meet the following Administration priorities.

- Safety—detail how the applicant's approach will provide positive safety benefits for all roadway users and detail how the applicant's approach will not result in negative safety impacts for all roadway users.
- Equity—a detailed plan to address racial equity and barriers to opportunity. For example, the applicant may include an equity and inclusion program/plan or equity-focused policy to ensure racial equity in the overall project delivery and implementation or submit a plan to hold meaningful public engagement on the project to ensure that underserved communities are provided a full and equitable opportunity to have meaningful engagement on the project.
- Workforce Development—Address the degree to which the project offers job opportunities with high labor standards, including prevailing wages and the free and fair chance to join a union.
- Civil Rights—a detailed plan for compliance with civil rights obligations and nondiscrimination laws, including Title VI of the Civil Rights Act of 1964 and implementing regulations (49 CFR § 21), the Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act, and accompanying regulations.

E.3 SYSTEM FOR ACQUISITION MANAGEMENT REVIEW

NHTSA will review and consider any information about the applicant that is in the designated integrity and performance system accessible through the System for Acquisition Management (SAM), currently the Federal Awardee Performance and Integrity Information System (FAPIIS).

Each applicant may review information in the SAM and provide comment in its application about itself that a Federal awarding agency previously entered and is currently in SAM.

NHTSA will consider any comment submitted by the applicant, in addition to the other information in SAM when determining the applicant's integrity, business ethics, and record of

performance under Federal awards when completing the review under section D.3, Unique Entity Identifier and System for Award Management (SAM).

E.4 ANTICIPATED ANNOUNCEMENT AND FEDERAL AWARD DATES

It is anticipated that awards will be made no later than **thirty (30) days after application submission**. HOWEVER, SUBMISSION OF AN APPLICATION DOES NOT GUARANTEE AN AWARD WILL BE MADE.

SECTION F - FEDERAL AWARD ADMINISTRATION INFORMATION

F.1 FEDERAL AWARD NOTICES

The NHTSA Contracting Officer will award grants to responsible and eligible applicants whose applications are judged most meritorious under the procedures set forth in this NOFO. All funds provided by NHTSA must be expended solely for the purpose for which the funds are awarded in accordance with the approved application and budget, the Uniform Administration Requirements, Cost Principles and Audit Requirements for Federal Awards (2 CFR Parts 200, 1200 and 1201).

The grant award will provide pertinent instructions and information including, at a minimum, the following:

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- General Federal Award Information:
  - Applicant name;
  - Applicant's unique entity identifier;
  - Unique Federal Award Identification Number (FAIN) assigned by NHTSA;
  - Federal Award Date;
  - Period of Performance Start and End Date;
  - Amount of Federal Funds Obligated by this action;
  - Total Amount of Federal Funds Obligated;
  - Total Amount of the grant Award;
  - Budget Approved by NHTSA;
  - Total Approved Cost Sharing or Matching, where applicable;
  - Grant project description;
  - Agency name and contact information for awarding official;
  - Assistance Listing Program Number (formerly CFDA) and Name;
  - Identification of whether the award is R&D; and
  - Indirect cost rate for the grant.

- General Terms and Conditions as applicable including:
  - Grant Administrative Requirements;
  - National Policy Requirements; and

- Applicant integrity and performance matters.

- Grant Performance Goals

F.2 ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

1. The Grant shall be subject, as applicable to the administrative requirements contained in the following regulations which are incorporated by reference, with the same force and effect as if they were given in full text:

a. Uniform Administration Requirements, Cost Principles and Audit Requirements for Federal Awards (2 CFR Parts 200, 1200 and 1201); and

b. 49 C.F.R. Part 20 – Department of Transportation New Restrictions on Lobbying;

c. 49 C.F.R. Part 21 – Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of The Civil Rights Act of 1964;

d. 49 C.F.R. Part 25 - Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance;

e. 49 C.F.R. Part 27 - Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance; and

f. 49 C.F.R. Part 32 - Governmentwide Requirements for Drug-Free Workplace (Financial Assistance).

2. The Recipient shall comply with subpart C of 2 CFR part 180 and shall include similar terms or conditions in lower-tier covered transactions, as defined in subpart B of 2 CFR part 180.

3. The Recipient will acknowledge in writing that no funds provided under the Assistance Agreement will used for lobbying activities as defined in 2 CFR § 200.450.

4. The Recipient will have procedures in place to respond to an unauthorized disclosure or breach of an individual's personally identifying information (PII). The Assistance Agreement Recipient will notify NHTSA within seven (7) days of an incident involving the unauthorized disclosure or breach of PII. In the event of an unauthorized disclosure or breach, the Assistance Agreement Recipient shall cooperate and exchange information with NHTSA, as needed, to properly escalate, refer, and respond to the incident.

5. The Recipient shall ensure access to Limited English Proficiency (LEP) persons in accordance with the U.S. Department of Transportation (DOT) LEP guidance, dated December 7, 2005 (74 Fed Reg, 74087), which will assist the Recipient in fulfilling its responsibilities pursuant to Title

VI of the Civil Rights Act of 1964 and DOT's implementing regulations at 49 C.F.R. Part 21 (incorporated by reference above).

6. As expressed in Executive Order 14005, 'Ensuring the Future Is Made in All of America by All of America's Workers' (86 FR 7475), the executive branch should maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States. Funds made available under this notice are subject to the domestic preference requirement at 23 U.S.C. 313. The Department expects all applicants to comply with that requirement.

7. Pursuant to Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, dated January 20, 2021, the Recipient will comply with all guidance during the performance of this grant.

8. Civil Rights and Title VI: As a condition of an award, Recipients should demonstrate that the recipient has a plan for compliance with civil rights obligations and nondiscrimination laws, including Title VI of the Civil Rights Act of 1964 and implementing regulations (49 C.F.R. § 21), the Americans with Disabilities Act of 1990 (ADA), and Section 504 of the Rehabilitation Act, all other civil rights requirements, and accompanying regulations. This should include a current Title VI plan, completed Community Participation Plan, and a plan to address any legacy infrastructure or facilities that are not compliant with ADA standards. DOT's and NHTSA's Office of Civil Rights may work with the recipients to ensure full compliance with Federal civil rights requirements.

9. Critical Infrastructure Security and Resilience: It is the policy of the United States to strengthen the security and resilience of its critical infrastructure against both physical and cyber threats. Each applicant selected for Federal funding under this notice must demonstrate, prior to the signing of the grant agreement, effort to consider and address physical and cyber security risks relevant to the transportation mode and type and scale of the project. Projects that have not appropriately considered and addressed physical and cyber security and resilience in their planning, design, and project oversight, as determined by the Department and the Department of Homeland Security, will be required to do so before receiving funds for construction, consistent with Presidential Policy Directive 21 - Critical Infrastructure Security and Resilience and the National Security Presidential Improving Cybersecurity for Critical Infrastructure Control Systems.

10. It is U.S. DOT policy that each applicant selected for grant funding must demonstrate, to the full extent possible consistent with the law, an effort to create good-paying jobs with the free and fair choice to join a union and incorporation of high labor standards consistent with Executive Order 14025, Worker Organizing and Empowerment, and Executive Order 14052, Implementation of the Infrastructure Investment and Jobs Act.

11. Performance and Program Evaluation: "As a condition of grant award, grant recipients may be required to participate in an evaluation undertaken by DOT or another agency or partner. The

evaluation may take different forms such as an implementation assessment across grant recipients, an impact and/or outcomes analysis of all or selected sites within or across grant recipients, or a benefit/cost analysis or assessment of return on investment. DOT may require applicants to collect data elements to aid the evaluation and/or use information available through other reporting. As a part of the evaluation, as a condition of award, grant recipients must agree to: (1) make records available to the evaluation contractor or DOT staff; (2) provide access to program records, and any other relevant documents to calculate costs and benefits; (3) in the case of an impact analysis, facilitate the access to relevant information as requested; and (4) follow evaluation procedures as specified by the evaluation contractor or DOT staff.

Recipients and subrecipients are also encouraged to incorporate program evaluation including associated data collection activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting an agency priority goal(s). Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L. No. 115-435 (2019) urges Federal awarding agencies and Federal assistance recipients and subrecipients to use program evaluation as a critical tool to learn, to improve equitable delivery, and to elevate program service and delivery across the program lifecycle. Evaluation means "an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency." 5 U.S.C. § 311. Credible program evaluation activities are implemented with relevance and utility, rigor, independence and objectivity, transparency, and ethics (OMB Circular A-11, Part 6 Section 290).

For grant recipients receiving an award, evaluation costs are allowable costs (either as direct or indirect), unless prohibited by statute or regulation, and such costs may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation. (2 CFR Part 200).

F.3 REPORTING

The following reporting requirements will be required under this program. All reports will be submitted electronically, unless otherwise requested by NHTSA.

F.3.1 Quarterly Reports

The Grant Recipient will be required to provide a summary of the previous quarter's activities and accomplishments as well as the proposed activities for the upcoming quarter. At a minimum, each report will include data on:

- Number of Vehicles Identified during the quarter with an open recall
- Number of Vehicles Remedied during the quarter
- Percentage of Vehicles Remedied
- Number of Recalls
- Number of Recalls Remedied

- Percentage of Recalls Remedied
- Short description of Challenges Encountered and their resolutions

For each motor vehicle registered, the Grant Recipient will be required to provide the date presented for registration, the make, model, model year, whether the vehicle had an open recall, a brief description of the open recall, and the manner in which open recall notification was provided to the consumer.

F.3.2 Draft Final Evaluation Report

The Grant Recipient will be required to prepare a Draft Final Report that includes raw data, a description of the project, challenge(s) addressed, program implementation, summary of the quarterly data provided, summary figures (e.g., charts, graphs, and/or pivot tables) of open/closed recall data by vehicle manufacturer, vehicle make, vehicle model, vehicle model year, vehicle age, vehicle type (e.g., passenger car, truck, SUV, etc.), evaluation criteria and strategies, performance findings and recommendations.

F.3.3 Final Evaluation Report

The Grant Recipient will be required to revise the Draft Final Report to reflect the NHTSA's comments.

F.3.4 Financial Status Reports

The Grant Recipient will be required to prepare and submit all federal financial reports (Standard Form 425) documenting the status of funds.

F.3.5 General Instructions

1. Text

All materials and data associated with an awardees grant shall be submitted to NHTSA in digital format. Hardcopies via mail will not be accepted. Text files will be provided in Microsoft Word (or similar) format via electronic submission using the fewest number of formatting tools possible (i.e., avoid columns, multiple fonts, etc.). Avoid using any design/layout elements. If the publication has charts and graphs, the Recipient agrees to insert the chart or graph (produced preferably in Microsoft Excel) at the appropriate locations in the publication.

2. Charts and Graphs

Charts and graphs should be provided in 2 forms.

First, they should be inserted within the text as described above so that the Communication Services Division can see what type of chart of graph is desired (i.e., pie chart, bar chart, etc.)

Second, the Recipient should include an electronic submission (preferably in Microsoft Excel or similar) the data files that were used to create the charts and graphs used in the publication.

3. Illustrations

Illustrations can take two forms as set out below:

i. Graphics

The Communication Services Division will develop any needed graphics in collaboration with the COR and if desired, the Recipient. The Recipient and sub-Recipients shall provide only the text files in Word. In the event that it is necessary for the Recipient to develop the graphics, only GPO-approved software such as Adobe Illustrator shall be used.

ii. Photographs

When photos are used in agency publications, the NHTSA Communication Services Division typically uses existing photos or photos purchased through various sources. In the event the Recipient supplies photos for use in a publication, the photos must be high resolution images preferably at 300 dpi (4" by 5" in size) or higher. They shall be supplied on a CD or equivalent electronic submission in either a TIF file (usually from a photo that was taken, developed, printed, and then scanned) or a JPG file (usually taken using a digital camera and then downloaded onto a computer or disk).

NOTE: For any photograph supplied under the Discretionary Grant, the Recipient must submit a release form with the photograph indicating that NHTSA has unlimited rights to use the photo in its publications and on a government website.

SECTION G – FEDERAL AWARDING AGENCY CONTACTS

Primary NOFO Point of Contact

Name: Sheu Mojeed, Contract Specialist
Phone: 202-366-7639
Email: NHTSAOAM@dot.gov with a copy to sheu.mojeed@dot.gov

Secondary NOFO Point of Contact
Reba Dyer, Contracting Officer
Phone: (202) 366-7387
Email: NHTSAOAM@dot.gov with a copy to Reba.Dyer@dot.gov

Grants.Gov Applicant Support
For technical issues or questions related to Grants.gov, please email support@grants.gov or call (800) 518-4726.

SECTION H – OTHER INFORMATION

H.1 DISCLOSURE OF INFORMATION

Information made available to the Recipient or employee(s) of the Recipient by the Government for the performance or administration of this effort shall be used only for those purposes and shall not be used in any other way without NHTSA's express written approval.

The Recipient will assume responsibility for protecting the confidentiality of Government records, which are not public information. Each contractor or employee of the Recipient to whom information may be made available or disclosed shall be notified in writing by the Recipient that such information may be disclosed only for a purpose and to the extent authorized herein.

H.2 LIMITED USE OF DATA

Performance of this effort may require the Recipient to access and use data and information proprietary to a Government agency or Government contractor that is of such a nature that its dissemination or use, other than in performance of this effort, would be averse to the interests of the Government or others.

The Recipient and employee(s) of the Recipient will not divulge, or release data or information developed or obtained in performance of this effort, until made public by the Government, except to authorize Government personnel or upon the written approval of NHTSA. The Recipient shall not use, disclose, or reproduce proprietary data that bears a restrictive legend, other than as required in the performance of this effort. Nothing herein shall preclude the use of any data independently acquired by the Recipient without such limitations or prohibit an agreement at no cost to the Government between the Recipient and the data owner which provides for greater rights to the Recipient.

H.3 PAYMENT FOR UNAUTHORIZED WORK

No payments will be made for any unauthorized supplies or services or for any unauthorized changes to the work specified herein. This includes any services performed by the Recipient of their own volition or at the request of an individual other than a duly appointed Contracting Officer. Only a duly appointed Contracting Officer is authorized to change the specifications, terms, and conditions under this effort.

H.4 PROTECTION OF HUMAN SUBJECTS

The Recipient will comply fully with 49 C.F.R. Part 11, DOT's regulation governing Protection of Human Subjects, and with NHTSA Order 700-5, which sets forth the Agency's policies and procedures for the protection of human subjects participating in research supported directly or indirectly by NHTSA, including through contracts, grants and Grant agreements.

The Recipient will obtain prior written authorization from NHTSA for all consent and release forms to be presented to human subjects participating in NHTSA conducted or funded research, including but not limited to informed consent and media releases.

H.5. SEAT BELT USE POLICIES AND PROGRAMS

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the contractor is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information on how to implement such a program, or statistics on the potential benefits and cost-savings to your company or organization, please visit the Buckle Up America section on NHTSA's website at www.nhtsa.dot.gov. Additional resources are available from the Network of Employers for Traffic Safety (NETS), a public-private partnership headquartered in the Washington, D.C. metropolitan area, and dedicated to improving the traffic safety practices of employers and employees. NETS are prepared to help with technical assistance, a simple, user-friendly program kit, and an award for achieving the President's goal of 90 percent seat belt use. NETS can be contacted at 1 (888) 221-0045 or visit its website at www.trafficsafety.org Protection of Human Subjects.

H.6 PROTECTION OF HUMAN SUBJECTS

The Recipient will comply fully with 49 C.F.R. Part 11, U.S.DOT's regulation governing Protection of Human Subjects, and with NHTSA Order 700-5, which sets forth the Agency's policies and procedures for the protection of human subjects participating in research supported directly or indirectly by NHTSA, including through contracts, and grants.

The Recipient will obtain prior written authorization from NHTSA for all consent and release forms to be presented to human subjects participating in NHTSA conducted or funded research, including but not limited to informed consent and media releases.

H.7 ENCOURAGING POLICIES TO BAN TEXT MESSAGING WHILE DRIVING

1. As used in this Agreement; "Driving" –

a. Means operating a motor vehicle on an active roadway with the motor running, including while temporarily stationary because of traffic, a traffic light, stop sign or otherwise

b. Does not include operating a motor vehicle with or without the motor running when one has pulled over to the side of, or off, an active roadway and has halted in a location where one can safely remain stationary.

"Text messaging" means reading from or entering data into any handheld or other electronic device, including for the purpose of short message service texting, emailing, instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication. The term does not include glancing at or listening to a navigational device that is secured in a commercially designed holder affixed to the vehicle, provided that the destination and route are programmed into the device either before driving or while stopped in a location off the roadway where it is safe and legal to park.

2. The Recipient is encouraged to

a. Adopt and enforce policies that ban text messaging while driving
   1) Recipient-owned or rented vehicles or government-owned vehicles; or
   2) Privately-owned vehicles when on performing under the grant agreement.

b. Conduct initiatives in a manner commensurate with size of the Recipient, such as
   1) Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
   2) Education, awareness, and other outreach to employees about the safety risks associated while texting while driving.

H.8 NHTSA REVIEW OF ANNOUNCEMENTS OR PUBLICATIONS

The Recipient agrees that neither the Recipient, nor any Sub-Recipient, shall make public releases of information or any matter pertaining to this NOFO and the Grant Agreement, including, but not limited to, advertising in any medium, or presentation before technical, scientific, or industry groups, without the prior written approval of the Contracting Officer. The provisions of this clause shall survive the expiration of the NOFO and Grant Agreement. The provisions of this clause shall be included in all sub-grants at any tier.

H.9 CONFLICT OF INTEREST

It is U.S. DOT policy to award Grant Agreements only to those Applicants whose objectivity is not impaired because of any related past, present, or planned interest, financial or otherwise, in

organizations regulated by U.S. DOT, or in organizations whose interests may be substantially affected by Departmental activities, and which is related to work specified in this Notice of Funding Opportunity (NOFO). Based on this policy, if, after award, the Recipient discovers a conflict of interest with respect to the Grant Agreement that could reasonably have been known prior to the award, an immediate and full disclosure shall be made in writing to the Contracting Officer. The disclosure shall include a full description of the conflict along with a description of the action the recipient has taken, or proposes to take, to avoid or mitigate such conflict.

(A) The Applicant shall provide a statement in its proposal which describes in a concise manner all past, present or planned organizational, financial, contractual or other interest(s) with an organization regulated by U.S. DOT, or with an organization whose interests may be affected substantially by Departmental activities, and which is related to the work under this Notice of Funding Opportunity (NOFO). The interest(s) described shall include those of the Applicant, its affiliates, proposed consultants, proposed subcontractors and key personnel of any of the above. Past interest shall be limited to within one year of the date of the Applicant's technical proposal. Key personnel shall include any person owning more than 20% interest in the Applicant, and the Applicant's corporate officers, its senior managers and any employee who is responsible for making a decision or taking an action under the Grant Agreement where the decision or action can have an economic or other impact on the interests of a regulated or affected organization.

(B) The Applicant shall describe in detail why it believes, in light of the interest(s) identified in (a) above, that performance of the proposed Grant agreement can be accomplished in an impartial and objective manner.

(C) In the absence of any relevant interest identified in (a) above, the Applicant shall submit in its proposal a statement certifying that to its best knowledge and belief no affiliation exists relevant to possible conflicts of interest. The Applicant must obtain the same information from potential subcontractors prior to award of a subcontract under the resultant Grant Agreement.

(D) The NHTSA Contracting Officer will review the statement submitted and may require additional relevant information from the Applicant. All such information, and any other relevant information known to U.S. DOT, will be used to determine whether an award to the Applicant may create a conflict of interest. If any such conflict of interest is found to exist, the NHTSA Contracting Officer may (1) disqualify the Applicant, or (2) determine that it is otherwise in the best interest of the agency to contract with the Applicant and include appropriate provisions to mitigate or avoid such conflict in the Grant Agreement awarded.

(E) The refusal to provide the disclosure or representation, or any additional information required, may result in disqualification of the Applicant for award. If nondisclosure or misrepresentation is discovered after award, the resulting Grant Agreement may be terminated. If after award, the Recipient discovers a conflict of interest with respect to the Grant Agreement awarded as a result of the Grant Agreement Announcement, which could not reasonably have been known prior to award, an immediate and full disclosure shall be made in writing to the NHTSA Contracting Officer. The disclosure shall include a full description of the conflict, a description of the action the Recipient has taken, or proposes to take, to avoid, or mitigate such

conflict. The NHTSA Contracting Officer may, however, terminate the Grant Agreement for convenience if he or she deems that termination is in the best interest of the Government.

H.10. RURAL OPPORTUNITIES

User-friendly information and resources regarding DOT's discretionary grant programs relevant to rural applicants can be found on the Rural Opportunities to Use Transportation for Economic Success (ROUTES) website at https://www.transportation.gov/rural.

Appendix Copies of Standard Forms and Certifications

Need to insert form on Restriction on Lobbying
Question and Answer Grid

Attachment A

Application Checklist for "State Process for Informing Consumers of Recalls"
NHTSA NOFO Number: 693JJ923R000206

Please check every box, have the document signed by the DMV Administrator, and attach to the application.

By signing this document, if the State receives an award under the State Process for Informing Consumers of Recalls program, the state agrees to the following:

- ☐ Application shall not exceed 3 pages (not including appendices, this checklist, or required OMB forms SF 424, 424A, and 424B)
- ☐ Develop technical capabilities to routinely identify registered vehicles within your state that are affected by an open safety recall
- ☐ Commence the notification program within 90 days of the award
- ☐ Obtain current open recall data in a timely manner
- ☐ Provide open recall data without charge or cost to each owner or lessee of a motor vehicle presented for registration in the State for any open recall on that vehicle and to provide such data regardless of the manner in which the consumer registered the vehicle (e.g., counter service, Internet, U.S. Mail)
- ☐ Provide open motor vehicle recall information to the owner or lessee that consists of, at a minimum, a brief description of the safety defect or noncompliance, a statement of the risk to safety, and a statement that the authorized dealer will remedy the vehicle at no charge
- ☐ Collect data identifying the make, model, model year and VIN of all motor vehicles presented for registration in the State during the notification period and all such motor vehicles for which notification of open recall(s) was provided

- ☐ Collect data on and track motor vehicles for which notification of open recall(s) was provided to determine if the remedy for the recall on the vehicle was obtained for program evaluation purposes
- ☐ Agree to supply NHTSA with timely quarterly progress reports, not to exceed 1-page per quarter, and to include, at a minimum, the following elements:
    - Number of Vehicles Identified during the quarter with an open recall
    - Number of Vehicles Remedied during the quarter
    - Percentage of Vehicles Remedied
    - Number of Recalls
    - Number of Recalls Remedied
    - Percentage of Recalls Remedied
    - Short description of Challenges Encountered

Agree to the Lobbying Restrictions set forth in 49 CFR Part 20, and costs are allowable per 2 CFR Parts 200 and 1201

_____ _____
Printed Name of DMV Administrator Signature of DMV Administrator

_____ _____
Printed Name of DMV Grant Manager Signature of DMV Grant Manager

_____
Date

[END OF NOTICE OF FUNDING OPPORTUNITY]