U.S. Department
of Transportation

Federal Motor Carrier
Safety Administration

Memorandum

Subject: **INFORMATION:** Development of Fiscal Year 2023 Commercial Vehicle Safety Plans

Date: June 15, 2022

From: Darrell L. Ruban
DARRELL L RUBAN Digitally signed by DARRELL L RUBAN Date: 2022.06.15 14:57:53 -04'00'
Associate Administrator, Office of Safety

Reply to Attn. of: MC-S

To: Regional Field Administrators, Field Administrators, Division Administrators, State Program Managers, and State Program Specialists

PURPOSE:

This memo provides important information for use by Motor Carrier Safety Assistance Program (MCSAP) Lead Agencies in the preparation of their Fiscal Year (FY) 2023 Commercial Vehicle Safety Plans (CVSPs) through the online eCVSP tool. Division Administrators should this information with their MCSAP lead agencies upon receipt of this memorandum. Applicants are encouraged to read the entire memo carefully as it contains information critical to completing the application process.

BACKGROUND:

The goal of the Federal Motor Carrier Safety Administration's (FMCSA) MCSAP as provided in statute is to ensure that the Secretary of Transportation, States, and U.S. Territories work in partnership to establish and maintain programs that improve motor carrier, commercial motor vehicle (CMV), and driver safety and support an efficient surface transportation system by:

(1) Making targeted investments to promote safe CMV transportation, including the transportation of passengers and hazardous materials;
(2) Investing in activities likely to generate maximum reductions in the number and severity of CMV crashes and in fatalities resulting from such crashes;
(3) Adopting and enforcing effective and compatible (as defined in § 350.105) motor carrier, CMV, and driver safety laws, regulations, standards, and order; and
(4) Assessing and improving State-wide performance of motor carrier, CMV, and driver safety by setting program goals and meeting performance standards, measures, and benchmarks.[1]

MCSAP is governed by 49 U.S.C. §§ 31102 and 31104, as amended by the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58 (2021) (IIJA) section § 23001(b), and 49 CFR part 350. The term "State" for the purposes of MCSAP, as defined in 49 C.F.R. § 350.105, includes the District of

[1] 49 U.S.C. § 350.201(b).

Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the U.S. Virgin Islands.

FY 2023 CVSP PLANNING INFORMATION:

MCSAP FUNDING LEVELS

The MCSAP funding for FY 2023 will be allocated per the funding formula as prescribed within the FAST Act, Section 5106(d)(1), and outlined within 49 § CFR 350.217. For FY 2023 planning purposes, FMCSA assumes the full authorized amount under contract authority and supplemental funds in the IIJA (after accounting for 1.5 percent administrative takedown), which equals an estimated $471,322,500, in the formula calculation.

Accordingly, estimated MCSAP funding levels for each State have been provided in the eCVSP tool, for use when completing estimated budgets. Estimated funding totals for each State are also attached to this memorandum for reference.

PROGRAM INFORMATION AND EMPHASIS AREAS

MCSAP is comprised of ten national program elements established in 49 CFR § 350.203. The MCSAP national program elements are:

1. Driver inspections;
2. Vehicle inspections;
3. Traffic enforcement;
4. Investigations;
5. New entrant safety audits;
6. CMV safety programs focusing on international commerce in border States;
7. Beginning October 1, 2020, full participation in PRISM or an acceptable alternative as determined by the Administrator;
8. Accurate, complete, timely, and corrected data;
9. Public education and awareness; and
10. Other elements that may be prescribed by the Administrator.

Additional information on the MCSAP emphasis areas relevant to completion of the FY 2023 CVSPs may be found below. Please note that States are required to meet all eligibility and program requirements outlined in 49 U.S.C. § 31102 and 49 CFR part 350 to receive MCSAP funds. For the FY 2023 MCSAP grant, FMCSA is strongly encouraging grant recipients to place renewed emphasis on increasing new entrant safety audits, risk-based investigations, traffic enforcement, and public education and outreach. Other national emphasis areas include a focus on combatting human trafficking, prohibited driver detection using the Drug and Alcohol Clearinghouse (DACH), supporting equitable enforcement practices, safety activities conducted in and around road construction zones, implementing strategies that address the high incidence of CMV crashes, safety issues that impact rural communities, and expansion of CMV safety partnerships through subgrants by MCSAP lead agencies.

FMCSA supports equitable enforcement practices that improve the safe and responsible operation of commercial motor vehicles as they traverse the nation’s roadways. In support of the President's January 20, 2021 Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (EO 13985), FMCSA is requesting that MCSAP

recipients discuss measures the State is taking to ensure equitable enforcement, as it relates to CMV safety, within their CVSP. In addition, MCSAP recipients are encouraged to carefully read the updated Title VI compliance requirements relating to inspection selection and unbiased policing policies later in this document.

Where appropriate, States should also demonstrate how proposed projects address the objectives of climate change/sustainability outlined in Executive Order 14008 as well as the objectives of the Executive Order 14052 on the implementation of IIJA.

Consistent with the Department's R.O.U.T.E.S. Initiative, the Department encourages applicants to describe how activities proposed in their CVSP would address the unique challenges facing rural transportation networks, regardless of the geographic location of those activities. MCSAP participants that will be engaging in CMV safety efforts in rural areas should clearly indicate this activity within their CVSP and include specific objectives and outcomes. Additional information on this initiative can be found at https://www.fmcsa.dot.gov/rural and https://www.transportation.gov/rural.

The United States Department of Transportation's National Roadway Safety Strategy (NRSS) outlines the Department's comprehensive approach to significantly reducing serious injuries and deaths on our Nation's highways, roads, and streets. This is the first step in working toward an ambitious long-term goal of reaching zero roadway fatalities. Safety is U.S. DOT's top priority, and the NRSS represents a Department-wide approach to working with stakeholders across the country to achieve this goal. The National Roadway Safety Strategy document should be used as a resource for developing Commercial Vehicle Safety Plans and can be found at https://www.transportation.gov/sites/dot.gov/files/2022-02/USDOT-National-Roadway-Safety-Strategy.pdf.

National Emphasis Area - Fatal CMV Crash Reduction

Crashes involving CMV's continue to be one of the most serious safety challenges. While the number of fatal crashes involving trucks in excess of 26,000 pounds dropped slightly (down 2 percent), fatal crashes involving trucks weighing between 10,001 and 14,000 lbs. increased by 44 percent.[2]

In support of the Agency's mission and the intent of the MCSAP, FMCSA is prioritizing the emphasis on reducing the number of CMV fatal crashes, particularly those involving vehicles in excess of 10,000 pounds engaged in interstate commerce. The Top 10 States for fatal large truck crashes are listed below.

For FY 2023, States included in the top 10 fatal crash list must clearly indicate in the CVSP what they are doing to reduce fatal crashes, including identifying high crash corridors, establishing actionable goals, and outlining plans to monitor and update those goals as necessary.

[2] Source: National Highway Traffic Safety Administration, Fatality Analysis Reporting System (FARS). Crashes measured between 2016 and 2020.

Top 10 States having Fatal Crashes Involving Large Trucks, 2016-2020						
State	2016	2017	2018	2019	2020	Percent Change 2019-2020
Texas	525	564	591	579	568	-1.9%
California	324	340	335	365	364	-0.3%
Florida	286	281	296	311	322	3.5%
Georgia	192	207	179	180	210	16.7%
Illinois	140	126	145	126	155	23.0%
Tennessee	105	120	118	136	152	11.8%
North Carolina	152	139	160	154	150	-2.6%
Indiana	110	132	137	125	131	4.8%
Ohio	128	150	159	152	129	-15.1%
Alabama	131	85	108	127	128	0.8%
Top 10 States	**2,093**	**2,144**	**2,228**	**2,255**	**2,309**	**2.4%**
Total for all States + DC	**4,177**	**4,367**	**4,461**	**4,502**	**4,444**	**-1.3%**

Source: National Highway Traffic Safety Administration's Fatality Analysis Reporting System (FARS)

FMCSA is encouraging ALL MCSAP participants to review their jurisdiction's crash statistics and engage in high visibility efforts to combat the large number of CMV crashes and fatalities. FMCSA encourages MCSAP lead agencies to partner with other State and local safety departments, where appropriate, to address CMV crashes. If the MCSAP lead agency is engaging in partnership efforts with other State and local agencies, please ensure this is accurately reflected within your CVSP. To assist with this effort, FMCSA has attached additional information relating to high-crash roadways and corridors in Attachment C of this memo.

Below this memo discusses the ten categories of eligible MCSAP activities in more detail, along with specific areas of emphasis.

1) Driver and Vehicle Inspections

Driver and vehicle inspections are one of the most successful strategies to improve safety. Approximately 3.5 million CMV inspections are conducted each year to ensure that drivers, trucks, and buses driving on the highways are operating safely. There are several levels of inspections ranging from the most comprehensive Level I inspection, which evaluates both the driver and the vehicle, to inspections with a more specific area of focus (such as hazardous or radioactive materials).

Driver and vehicle inspections help ensure that motor carriers, CMVs, and drivers operating CMVs comply with safety regulations and requirements. This activity category also includes inspections of CMVs engaged in international commerce, primarily those entering the United States from a foreign country. Specific areas of enforcement within driver and vehicle inspections include:

a. Passenger Carrier Safety

Passenger carrier CMV safety and enforcement remains a major FMCSA safety focus. The transportation of passengers inherently carries with it an increased risk of multiple injuries

or fatalities when a crash occurs. More information regarding the requirements for inspections of passenger carrying CMV's can be found in the MCSAP Comprehensive Policy (MCP) Section 5.3.7 "State Conducted Inspections of Passenger Carrying CMV's".

i. **Special Emphasis Area – Migrant Worker Transportation in Rural Areas**

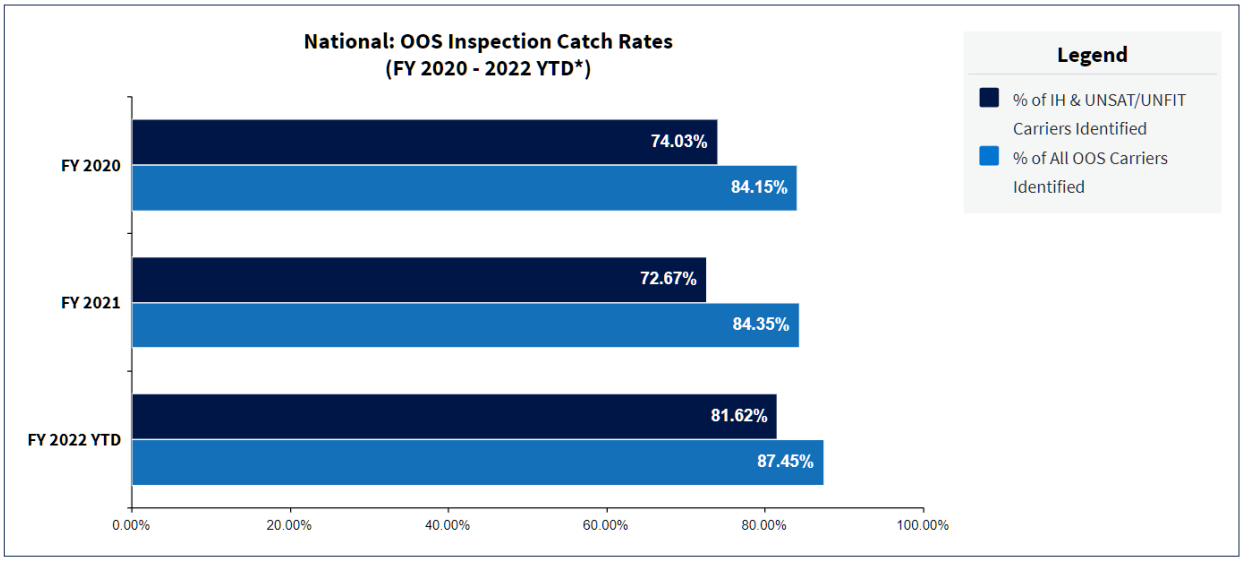
FMCSA requests that, where safety performance data indicates a need, special emphasis be placed on the development and implementation of a targeted enforcement plan which incorporates recurring roadside enforcement in high-density agricultural regions (during peak harvest seasons) for the specific purposes of improving the safe transportation of seasonal and migrant agricultural workers.

Please refer to 49 CFR part 398 for definitions relating to migrant worker classifications and requirements regarding the transportation of these individuals. States that have identified safety concerns regarding the transportation of seasonal and migrant farm workers are encouraged to work closely with their FMCSA Division Office and local offices of the U.S. Department of Labor to institute an effective safety intervention effort.

b. Enforcement of Out of Service Orders

Carriers that knowingly operate in violation of an out-of-service (OOS) order are ignoring safety regulations and consciously disregarding the law. Specifically, the importance of immobilizing carriers that are OOS due to a declaration of Imminent Hazard or determined to be Unsatisfactory/Unfit to operate cannot be overstated. These carriers pose an immediate danger to the safety of the traveling public.

The table below summarizes national performance metrics for the detection of OOS carriers during roadside inspections for the period of FY's 2020 through 2022 (YTD).



FMCSA Motor Carrier Management Information System (MCMIS) and the Safety and Fitness Electronic Records (SAFER) as of 04/29/2022

For FY 2023, FMCSA requires all States to strengthen their ability to identify and immobilize OOS carriers during enforcement activities. Checking a carrier's USDOT number or other identifiable information to verify operational status is a critical component of all enforcement activities and required by 49 CFR § 350.207(a)(27) relating to the identification and immobilization of carriers operating under an OOS order.

FMCSA requires that States properly identify carriers operating in violation of a Federal OOS order and place the vehicle out-of-service. The target goal is that at least **85 percent of OOS carriers with an Imminent Hazard and/or Unsatisfactory/Unfit order are identified and placed out of operation**. States that do not meet the 85% identification rate for OOS carriers inspected in FY 2021 must explain in the CVSP how they have implemented or will implement policies, utilize appropriate technology to better identify OOS carriers, and conduct quality assurance oversight to ensure that inspectors are using proper procedures to identify these high-risk carriers and preventing them from continued operations.

FMCSA provides each State with a report indicating its identification rate which can be found on the A&I Online website in the MCSAP Activity Dashboard area. This report will be the basis for a State's planning in this national priority area.

c. Electronic Logging Devices

The Electronic Logging Device (ELD) Final Rule, published on December 16, 2015, is intended to help create a safer work environment for drivers and make it more efficient for motor carriers to accurately track, manage, and review a driver's hours of service (HOS) data. To meet roadside electronic data reporting requirements, an ELD must support one of two options for data transfer:

1. Telematics which must electronically transfer data to an authorized safety official on demand via wireless Web services and email; or
2. Local transfer method-type ELD that electronically transfers data to an authorized safety official on demand via USB 2.0 and Bluetooth.

To effectively implement the ELD Rule, States have the option of choosing a minimum of one "telematics" electronic data transfer method and one "local" electronic data transfer method. For those devices that support telematics, FMCSA's preferred method is to use the webservices option.

FMCSA encourages officers and civilian safety personnel to utilize the electronic record of duty status (eRODS) software during inspections on subject drivers when an ELD is present. The utilization of web services and successful data transfers is critical to safety and the efficient enforcement of HOS regulations.

For more details on ELD compliance, the FMCSA ELD web page may be found at: https://eld.fmcsa.dot.gov/.

2) Traffic Enforcement

Many preventable crashes result from illegal or unsafe driver behavior, such as speeding, distracted driving, driving under the influence of alcohol, or following too closely. State inspection programs and highly visible traffic enforcement activities, especially in areas identified as high-risk crash corridors, have proven to deter such drivers.

Traffic enforcement activities may encompass CMVs (including vehicles operating in foreign commerce) and/or non-CMVs, and are eligible under the MCSAP grant, if approved in the applicable grant agreement. This element includes:

- CMV traffic enforcement associated with an inspection;
- CMV traffic enforcement without an accompanying inspection resulting from an observed unsafe driver behavior; and
- Non-CMV traffic enforcement when necessary to promote the safe operation in and around CMVs.

For non-CMV traffic enforcement activities to be <u>eligible for reimbursement</u>, the State must maintain the number of motor carrier safety activities at a level at least equal to the average level of such activities in FYs 2014 and 2015. FMCSA has calculated these activities by utilizing the volume of CMV safety inspections (including border inspections), new entrant safety audits, and carrier investigations conducted during this period. This information will be included in the eCVSP tool.

As required under 49 U.S.C. § 31102(h), documented and reported traffic enforcement of non-CMVs operating unsafely around CMVs is subject to the 10% statutory limit of MCSAP formula funding, unless otherwise justified and approved. States that wish to spend more than 10 percent of their MCSAP funding on non-CMV traffic enforcement must provide additional justification to support this request within their CVSP for review and approval by FMCSA.

Please note that while there is a 10% funding limit on traffic enforcement of *non-CMVs* operating unsafely around CMVs (absent an approved exception), there is no statutory funding limitation on *CMV* traffic enforcement.

a. <u>Special Emphasis Area – Work Zone Safety</u>

CMV crashes in construction work zones are a major safety focus for FMCSA. The narrow lanes, shifting traffic patterns, sudden stops and other factors present in these areas pose special challenges to large trucks and buses. Large trucks and buses continue to be overrepresented in fatal and serious injury crashes in roadway construction and work zones. According to NHTSA crash statistics, more than 26% of work zone fatal crashes involved at least one large truck, a disproportionate representation considering that large trucks accounted for 12% of all fatal crashes (work and non-work zone).

FMCSA strongly encourages states to place special emphasis on work zone crashes by targeting CMVs, and non-CMV traffic in the immediate vicinity of CMVs, operating in an unsafe manner. These activities should incorporate appropriate enforcement efforts within work zones and the congested areas immediately before and after these areas. States should clearly identify the locations of such activities (if known) in their CVSP and include updates on efforts and progress in quarterly reports.

Note that the above limitations on non-CMV traffic enforcement still apply. Please refer to Attachment C for more information on high crash areas and interstates.

As a reminder, States must provide specific data in their quarterly performance reports detailing traffic enforcement activities not associated with a CMV inspection. This allows FMCSA to strengthen traffic enforcement programs nationwide and enables better tracking of grant fund expenditures, as well as more accurate and efficient reporting to Congress on traffic enforcement activities. Please refer to the MCP, Section 5, for details on reporting requirements.

3) Investigations

Investigations are on- or off-site examinations of a motor carrier's operation to determine whether it is compliant with the Federal Motor Carrier Safety Regulations (FMCSRs) (or State laws and regulations compatible with the FMCSRs) and Federal Hazardous Materials Regulations (HMRs). An investigation may be initiated based on compliance issues with the company's safety management controls, complaints, and/or in instances where a carrier poses an imminent threat to public safety.

Eligible investigation activities include the examination of a motor carrier's transportation and safety records, training requirements, controlled substance and alcohol program, commercial driver's license (CDL) records, financial responsibility (insurance), HOS, and inspection and maintenance programs.

4) New Entrant Safety Audits

New motor carriers seeking to operate in interstate commerce are subject to a new entrant safety audit as defined under 49 CFR part 385, subpart D. FMCSA continues to experience record numbers of new motor carrier registrations. According to Agency data compiled through March 2022, the inventory of new entrant carriers sits at approximately 140,000, with nearly 6,000 carriers overdue for their new entrant audit.

These audits provide educational and technical assistance on safety and the operational requirements of the FMCSRs and HMRs, as applicable. In addition, these safety audits gather critical safety data needed to assess the carrier's safety performance and basic safety management controls. New entrant safety audits may be conducted using various methods which include but are not limited to:

a. The new entrant's principal place of business,
b. An agreed upon location,
c. Group safety audits, and
d. Offsite, provided that program requirements are met.

As a requirement for participation in MCSAP, States must have a New Entrant safety audit program that allows them to meet the current requirements for completion of safety audits and to address and prevent overdue audits. Intrastate New Entrant safety audits are an eligible MCSAP expense at the State's discretion; however, States must prioritize interstate New Entrant inventory to prevent overdue

interstate safety audits. The optional intrastate safety audit program must not have a detrimental impact on the MCSAP-required interstate safety audit program.

Please note that territories, including Puerto Rico, are exempt from the new entrant safety audit requirements.

A State may authorize a third party, by sub-award or contract, to conduct safety audits on its behalf provided the State verifies and oversees the quality of the work conducted. The State will remain solely responsible and accountable for the management and oversight of all New Entrant Program activities.

5) CMV safety programs focusing on international commerce in border States

As outlined in 49 U.S.C. § 31102(c)(2)(AA), if a State shares a land border with another country, the State may conduct a border CMV safety program focusing on international commerce (i.e., transporting cargo or passengers whose origin and/or destination is to/from a foreign country) that includes enforcement or related projects. Note that although Border Enforcement activities are optional for qualifying states, Border Enforcement activities must be cited and included in the State's CVSP, or funding calculated within the MCSAP allocation formula for border-related activities will be forfeited. Any forfeited funds will then be redistributed among Border Enforcement eligible MCSAP participants (excluding the State that forfeited the border enforcement funds). Possible Border Enforcement activity goals include:

- Increase the number of inspections of motorcoaches engaged in international commerce. FMCSA encourages States to examine their data on international motorcoach activity and use such data to establish reasonable goals that will result in an increase of international motorcoach-focused activities. In the application, States must substantiate the goals set and provide supporting data for the goal(s), or data source references;

- Conduct enforcement activities (i.e., inspections and traffic enforcement) on CMVs engaged in international commerce within corridors where the data indicate (the data analysis to support corridor selection must be included in the CVSP) that there is a high number of crashes involving commercial vehicles engaged in international commerce; and/or

- Improve the capability to conduct CMV safety inspections at sites at or near the Canadian and Mexican borders (particularly remotely located sites). If included, the application should provide data-driven support for how non-fixed location inspections will increase the likelihood of reducing crashes, injuries, and fatalities involving CMVs engaged in international commerce. If border enforcement activities are conducted at locations that are a significant distance from the international border, justification must be included in the CVSP providing information such as the volume of CMVs involved in international commerce at that location, crash rates involving CMVs operating in international commerce, etc.

6) Public Education and Awareness

Public education and awareness activities are designed to provide information on a variety of traffic safety issues related to CMVs and non-CMVs which operate around large trucks and buses. Public awareness and education are essential to changing social and cultural norms which perpetuate harmful

practices. FMCSA promotes activities to increase the safety awareness of the motoring public, motor carriers and drivers through activities such as safety talks, safety demonstrations, and creation and dissemination of materials that highlight safe driving and public awareness.

More information on FMCSA safety campaigns may be found via the *"Our Roads, Our Safety"* initiative web page included below. These pages contain useful materials and toolkits that safety partners can use to promote specific CMV safety messages.

https://www.fmcsa.dot.gov/ourroads/about-campaign

a. Special Emphasis Area – Work Zone Crashes

As discussed previously, the crash risk posed by work zone construction areas is particularly high with CMVs. To help address this issue, FMCSA has established a special resource page containing a variety of educational and outreach materials relating to work zone crashes that safety partners can utilize. This information may be found at:

https://www.fmcsa.dot.gov/ourroads/work-zone-safety-shareable-material

FMCSA encourages MCSAP partners to use these materials, and other appropriate outreach methods, to educate the motor carrier population, CMV drivers and the public on the risks associated with work zones and on how to safely operate CMVs (and non-CMVs in the vicinity of large trucks and buses) when transiting road construction and work areas. States should clearly outline in their CVSP what outreach and public education efforts are being conducted to address this priority.

For all public education and outreach efforts, applicants must describe the type of projects they plan to conduct, including but not limited to initiatives related to passenger transportation, hazardous materials transportation, and other "Our Roads, Our Safety" priorities, and indicating the number of personnel involved and the level of effort required.

Public education and awareness activities as outlined above are eligible under the MCSAP grant; however, these activities do not include training materials or other items/activities for the direct benefit of the recipient organization (i.e., training grantee personnel). Further, costs for promotional items are unallowable (see the MCP for details related to promotional items).

7) Data Collection and Quality

FMCSA uses safety performance data collected by States to monitor motor carrier compliance, to measure the condition of vehicle fleets, to track the driving records of licensed operators, and to record crashes involving CMVs on public roadways. High-quality, accurate, and timely data in each of these areas is crucial to the mission of improving the safety of CMVs. FMCSA is committed to ensuring the integrity of State- and Federally-reported safety data in the Motor Carrier Management Information System (MCMIS).

As outlined in 49 U.S.C. § 31102(c)(2)(P), and pursuant to MCSAP grant conditions, States must establish and dedicate sufficient resources to a program to collect and report accurate, complete, and timely motor carrier safety data and they must participate in DataQs, which is FMCSA's prescribed national motor carrier safety data correction system. The State lead MCSAP agency is responsible for

all CMV crash and inspection data generated by itself and/or its sub-agencies and is responsible for reviewing and resolving all requests for data reviews or disputes pertaining to the collection and reporting of State-reported safety data into MCMIS.

MCSAP recipients are encouraged to regularly review the Data Quality program requirements, rating methodologies, and access performance information via the FMCSA website at https://ai.fmcsa.dot.gov/DataQuality/.

8) Performance and Registration Information Systems Management (PRISM)

The Performance and Registration Information Systems Management (PRISM) program is a key component of the toolkit to advance FMCSA's mission to reduce the number of commercial motor vehicle crashes, injuries and fatalities in a rapidly expanding interstate motor carrier population. PRISM is a Federal-State partnership that links carrier safety fitness to vehicle registrations to ensure that Out-of-Service motor carriers do not continue to operate.

As established in 49 CFR § 350.207(a)(27), MCSAP recipients must fully participate in PRISM (or an FMCSA-approved alternative approach) to remain eligible for full funding. More information on the PRISM participation requirements may be found in the MCP, section 4.3.1 at https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/mission/grants/73001/motor-carrier-grant-comprehensive-policy-v31.pdf.

MCSAP lead agencies are expected to use MCSAP funds to achieve and maintain compliance with the requirements for all levels of PRISM participation for their State. If the PRISM program in your jurisdiction is administered by an entity other than the MCSAP lead agency, the MCSAP Lead agency remains responsible for ensuring the State's compliance with PRISM requirements. MCSAP lead agencies may issue sub-awards for PRISM-related costs to an appropriate State entity in their jurisdiction responsible for the operation of their State's PRISM program.

FMCSA also emphasizes the safety benefits that result from the implementation of Enhanced and Expanded PRISM. These advanced levels of PRISM participation increase safeguards to keep motor carriers from concealing their Federal OOS order and/or registering under a different company name, as well as applying PRISM requirements to lighter weight CMVs (10,001 – 26,000 pounds). More information on PRISM participation may be found at https://ai.fmcsa.dot.gov/PRISM/home/index. States are allowed to use MCSAP funds for implementation and maintenance of Enhanced and Expanded PRISM levels.

9) Innovative Technology Deployment (ITD)

The use of MCSAP funding for ongoing Operations and Maintenance (O&M) for ITD is an eligible MCSAP expense. Any MCSAP lead agency needing O&M funding for deployed projects should request MCSAP funding for this purpose. State Lead agencies may also issue sub-awards for ITD-related costs to the appropriate agency(ies) in their jurisdiction responsible for the O&M of their ITD components.

Please note that if a MCSAP lead agency has not budgeted for O&M costs within their multi-year CVSP and is denied ITD O&M funds under a discretionary High Priority financial assistance application, FMCSA will only consider amendments to the year of obligation's MCSAP budget for ITD O&M funding in exceptional circumstances and when legally permissible.

MCSAP recipients are *strongly* encouraged to read the relevant sections in the MCSAP Comprehensive Policy regarding MCSAP and HP-ITD cost and activity eligibility to ensure compliance with grant requirements.

10) Hazardous Materials Safety

Hazardous Materials (HM) transportation by CMVs remains a critical concern, with over 146,000 HM motor carriers registered with FMCSA. The transportation of HM is inherently risky due to the nature of the commodities transported. This inherent risk increases the chance of fatalities, injuries, and extensive property damage when a hazardous materials crash or incident occurs. The following strategies identified by FMCSA with the assistance of our State partners will lower and mitigate the risks associated with the transportation of HM:

a. Driver and Vehicle Inspections

In recent years, there has been a downward trend in the number of HM inspections, and FMCSA requests that states reemphasize HM inspections within their overall state safety program, with focused enforcement of HM driver and HM vehicle regulations. Moreover, HM inspections should be increased in corridors where data indicates high concentrations of HM movement, HM crashes, and HM incidents. Particular emphasis should be placed on enforcement plans that incorporate recurring roadside enforcement in specific areas of concentration to improve HM driver and vehicle compliance with the Federal Hazardous Materials Regulations (HMR) and Federal Motor Carrier Safety Regulations (FMCSR).

There should be an increased emphasis on HM inspections of Mexico-domiciled motor carriers, mainly when HM is transported in cargo tank motor vehicles. FMCSA recommends that states increase HM inspections at entry points into the United States (US) from Mexico (MX) to ensure Mexico-domiciled motor carriers' compliance with the HMR. The increased HM inspections at US border crossings will help minimize non-compliance with HM driver, vehicle, and packaging (i.e., cargo tank motor vehicles, intermediate bulk containers, and portable tanks) requirements, and will deter non-compliant MX motor carriers from entering the United States. Furthermore, the increased focus on HM inspections and enforcement actions will assist and improve MX packaging compliance, especially in the area of specification cargo tank and cargo tank motor vehicle manufacturing.

b. Traffic Enforcement

Either alone or in combination, speed and distracted driving can have deadly consequences. The presence of HM adds to the severity of crashes and complicates the emergency response. Therefore, FMCSA requests that states increase traffic enforcement activities that focus on these behaviors exhibited by drivers transporting placarded amounts of HM. Through stepped-up traffic enforcement, states can decrease crashes and incidents, especially those involving HM, which will result in fewer deaths and injuries and less property damage associated with HM transportation.

c. Compliance Review/Investigation

Approximately 1,000 interstate and intrastate HM motor carriers in the United States hold Hazardous Materials Safety Permits (HMSP). These motor carriers, identified in 49 CFR § 385.403, must observe a higher safety standard due to the types and quantities of HM

transported. FMCSA requests that states emphasize proper identification and oversight of interstate and intrastate HMSP carriers during inspections and investigations.

Title 49 CFR § 350.207(a)(28) states, "Ensure that the State will cooperate in the enforcement of hazardous materials safety permits issued under subpart E of part 385 of this subchapter by verifying possession of the permit when required while conducting vehicle inspections and investigations, as applicable." FMCSA requests that state personnel trained and certified to conduct intrastate HM investigations perform investigations of HM motor carriers identified as either holding or needing to hold a HMSP. Both interstate and intrastate HM motor carriers pose the same risks when transporting the types and quantities of HM requiring a HMSP.

Transportation of undeclared HM by highway poses a threat to the general public, enforcement personnel, emergency responders and the environment when transported by highway. Therefore, FMCSA requests that during roadside inspections, inspectors pay particular attention to the possible presence of undeclared HM. When found, FMCSA further requests that states report such incidents to FMCSA by utilizing FMCSA.UndeclaredHM@dot.gov. Once received, FMCSA will coordinate with the Pipeline and Hazardous Materials Safety Administration to further investigate and educate the shipper of the undeclared HM.

There exists the possibility of intrastate operations transporting HM that contribute to high HM Out-of-Service (OOS) rates and increased risks associated with the transportation of HM within respective States. FMCSA requests, where data signifies or supports HM OOS rates higher than 10%, that states concentrate resources and perform HM investigations and HM roadside inspections of intrastate HM motor carriers.

FMCSA's Hazardous Materials Division and the Hazardous Materials Technical Expertise and Advisory Members (HM TEAM) are committed to HM's safe and secure transportation. Regardless of whether the HM transportation is in interstate or intrastate commerce, FMCSA reserves the right to work with the states to provide support relative to HM transportation and assist States in reemphasizing and increasing HM compliance activities to improve the state's overall safety program.

STATE TRAINING PLANS

State MCSAP Partners are encouraged to submit a plan of their anticipated FY 2023 training needs directly to the National Training Center (NTC). This will allow the NTC to plan FY 2023 training needs and assist in the preparation of detailed training information in anticipation of the awarding of the new Safety and Enforcement Training grant. This will allow the NTC and the future training grant awardee(s) to better align the scheduling of training courses, assignment of instructors and procurement of instructional materials with the needs of State partners.

States are encouraged to submit their annual training plan to the NTC at ntc-state-programs@dot.gov via email by August 20th.

TITLE VI ASSESSMENTS

The FMCSA Title VI Program Grant requirements consist of a Title VI Program Compliance Plan, which includes a CEO/grantee leader-signed/dated Title VI Program Assurance. The Title VI Program Assurance commits the direct grant applicant/sub-grantee applicant to complying with Title VI and related nondiscrimination authorities to ensure that no person in the United States shall, on the grounds of, race, color, national origin, sex, age, disability, low-income, or Limited English Proficiency be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance from FMCSA.

Prior to the Grant Program application submission deadline, the Applicant should complete these items:

- **Title VI Program Assurance** – The Applicant is required to fill in, where prompted, the name of the Applicant's organization on pages 1-4 of the document and the Applicant's Chief Executive Officer (CEO) or equivalent is required to sign and date page 4 of the document. The Assurance will then be inserted as section two of the Plan or may be referenced in section two of the Plan and attached at the end of the Plan. This requirement is applicable to both direct grant applicants and to sub-grantee applicants of FMCSA funding;
- **Title VI Program Compliance Plan Checklist** – The Applicant is required to use the Checklist as the format for the draft Plan. If the Applicant has a Plan that was developed using the Checklist and previously approved by FMCSA, the Applicant should update the Plan by having the Applicant's CEO re-sign/re-date the Policy Statement and Assurance and shall update the remainder of the Plan by providing the status on any sections under development and/or any procedural changes/outdated information. The Applicant is required to submit the revised draft Plan to the FMCSA Office of Civil Rights (OCR) for review and comments as appropriate, and then submit a final Plan for approval. This requirement is applicable to both direct grant applicants and to sub-grantee applicants of FMCSA funding. In the case of sub-grantee applicants, the direct grant applicants will submit draft Plans from sub-grantee applicants to FMCSA OCR for review and concurrence;
- **Training** – Ensure employees receive training consistent with the Training section of the grantee/sub-grantee's FMCSA Title VI Program Compliance Plan so that employees conduct safety audits, investigations, and driver/vehicle inspections in a non-discriminatory manner

regardless of the owner's/driver's race, color, national origin, sex, age, disability, income level, or Limited English Proficiency. This shall include adherence to the FMCSA Enforcement Memorandum identified as MC-ECE-2016-006 ("English Language Proficiency Testing and Enforcement Policy" dated June 15, 2016). Training presentations are to be submitted to FMCSA OCR for review and concurrence;

- **Commercial Motor Vehicle (CMV) Inspection Selection Policy** – Driver/Vehicle inspections and traffic enforcement are included in the National MCSAP Program elements. In accordance with FMCSA's Title VI Program regulation, all FMCSA Program activities are to be conducted in a nondiscriminatory manner. MCSAP Grantees/Sub-Grantees are required to develop or update existing policy and implement a nondiscriminatory CMV inspection selection policy. These policies are to be submitted to FMCSA OCR for review and concurrence. CVSA has issued Policy 13 as a guide for use when MCSAP Grantees/Sub-Grantees review their CMV inspection selection policies. Minimally, this policy shall address the requirements identified on page #6 of the FY 2023 FMCSA Title VI Program Compliance Plan Checklist; and

- **Unbiased Enforcement/Policing Policy** – MCSAP Grantees/Sub-Grantees are required to develop or update existing policy to include the references identified on page #6 of the FY 2023 FMCSA Title VI Program Compliance Plan Checklist. These policies are to be submitted to FMCSA OCR for review and concurrence.

To begin this coordination, please contact Mr. Lester Finkle, FMCSA National Title VI Program Manager, at lester.finkle@dot.gov.

FY 2023 APPLICATION AND eCVSP INFORMATION

Submitting a MCSAP grant application is a two-step process using both Grants.gov and the eCVSP tool. All MCSAP grant application materials are due to the Agency on **August 1, 2022**. The MCSAP Grant Required Documents Checklist can be found in Attachment B. This checklist will assist States in determining what forms must be submitted in Grants.gov and what must be included in the eCVSP Tool. **Please note that FMCSA may not make a Federal award to a State lead agency until the State lead agency has submitted grant application materials to both Grants.gov and the eCVSP tool.**

Grants.gov

Grants.gov is the Federal system for searching and applying for all Federal funding. FMCSA utilizes Grants.gov for accepting specific federal forms required for application under the MCSAP grant. FMCSA does not own or maintain Grants.gov, thus, any technical issues must be directed to Grants.gov.

- Grants.gov technical support information is located at: http://www.grants.gov/web/grants/support.html.

- Grants.gov training on how to apply in the Grants.gov system is available at: http://www.grants.gov/applicants/apply-for-grants.html.

Applicants must complete registration in the System for Award Management (SAM) and obtain a valid Unique Entity Identifier (UEI) number before application submission in Grants.gov. Both a valid SAM registration and UEI number are required to complete the MCSAP application components in Grants.gov.

eCVSP Tool

The CVSP is submitted separately via the Electronic Commercial Vehicle Safety Plan (eCVSP) tool. A complete and accepted CVSP is required for MCSAP funding eligibility. The FY 2023 eCVSP application is currently scheduled for release on or about June 1, 2022. States may begin working on their FY 2023 CVSP once the system is deployed.

Applicants who, for good cause, cannot submit their applications by the deadline may request an extension in writing (i.e., e-mail) of no more than 30 calendar days from the FMCSA Division Administrator with a copy provided to the Chief, State Programs Division at (thomas.liberatore@dot.gov), and the FMCSA Grants Management e-mail box at: FMCSA_GrantMgmtHelpDesk@dot.gov.

eCVSP Access and training

Access to the eCVSP website is through FMCSA's MCSAP page of the Analysis and Information website (http://ai.fmcsa.dot.gov/StatePrograms/Home.aspx) and requires a username and password. The FMCSA works directly with each State/Territory to develop a list of users that require access to the eCVSP website.

Technical support with the eCVSP tool, including access issues, can be found at https://ai.fmcsa.dot.gov/ecvsp/Data/ContactUs.aspx.

Please note that FMCSA may not make a Federal award to a State lead agency until the State lead agency has complied with all applicable requirements.

Grant Reporting and Other Requirements

The grant terms and conditions outline the reporting requirements that the recipient must meet after award. Reporting responsibilities include quarterly program performance reports using the Performance Progress Report (SF-PPR) and quarterly financial status reports using the Federal Financial Report (SF-FFR, also known as the SF-425). Recipients shall submit SF-FFR and SF-PPR reports electronically through GrantSolutions. Contact the primary or secondary point of contact listed in the overview of the funding notification for additional information. Quarterly interim reports are due no later than 30 days after the end of each reporting period. Final reports are due no later than 120 days after the project or grant period end date.

FMCSA will be beginning the transition to post-award amendment request submission via GrantSolutions during FY 2023. More information on the requirements and process for the submission of these documents through this method will be provided prior to implementation. Until this process is initiated, recipients should continue to submit post-award amendment requests via their current process. Additional information can be found at https://ai.fmcsa.dot.gov/Grants/Default.aspx

Reimbursement requests (SF-270s) are also part of the reporting process, providing FMCSA another opportunity to determine the status of the project.

Grantees are also required to establish reporting requirements in accordance with 2 CFR Part 170 for information on sub-awards and executive total compensation, as required by the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282), as amended by section 6202 of Public Law 110-252, hereafter referred to as "the Transparency Act".

FMCSA will notify recipients of grant approval by issuing a Notice of Grant Award via GrantSolutions (www.grantsolutions.gov), FMCSA's grant management system. States will need to ensure that they have access to this application for the FY 2023 MCSAP grant.

All FMCSA grant programs are cost-reimbursable and all recipients must submit vouchers for reimbursement on at least a quarterly basis as required by the FAST Act. Reimbursement means that grant-funded entities must first expend their own money for activities identified in the grant application. Entities will then be reimbursed by FMCSA for actual costs incurred. This request must include a Request for Advance or Reimbursement (SF-270), a detailed expenditures worksheet outlining how the funds were utilized including supporting documentation. All costs must be in line with the approved budget, Office of Management and Budget cost principles and FMCSA policies. Recipients must submit requests for reimbursement electronically through the Delphi eInvoicing System (iSupplier). Additional information is available at: http://www.dot.gov/cfo/delphi-einvoicing-system.

Public Posting of CVSPs

FMCSA is required to post copies of the approved FY 2023 CVSPs for each State on a website accessible to the public. States will have the option to redact safety-sensitive information prior to the Plan being posted. Further guidance on this process will be provided following the issuance of the final grant award for FY 2023.

Contacts and Resources

The MCSAP grant program is managed by the FMCSA Associate Administrator for Enforcement. However, for more information related to this announcement or application submission, the State lead agency may contact:

- The FMCSA Division Office in its State;
- The FMCSA Grants Management Help Desk at (202) 366-0621 or via email at FMCSA_GrantMgmtHelpDesk@dot.gov; or
- Mr. Tom Liberatore, Chief, State Programs Division at:
  1200 New Jersey Avenue, SE
  MC-SSP
  Washington, DC 20590
  Phone: (202) 366-3030
  Thomas.Liberatore@dot.gov

Attachment A: Estimated Fiscal Year (FY) 2023 MCSAP Funding Distribution

	FY 2023 Estimate - Rounded *Estimated using the same input data as the FY22 formula calculation*				
	Federal Grant (95%)			State Match (5%)	Total (100%)
State	Federal Grant (No Supplemental) Rounded	$80 M Supplemental Rounded	Total Federal Grant (BIL + 80M) Rounded	State Match Rounded	BIL + 80M + State Match Rounded
Alabama	$ 7,404,738.00	$ 1,486,522.00	$ 8,891,260.00	$ 467,961.00	$ 9,359,221.00
Alaska	$ 1,591,620.00	$ 319,522.00	$ 1,911,142.00	$ 100,586.00	$ 2,011,728.00
Arizona	$ 13,284,600.00	$ 2,666,921.00	$ 15,951,521.00	$ 839,554.00	$ 16,791,075.00
Arkansas	$ 5,254,455.00	$ 1,054,847.00	$ 6,309,302.00	$ 332,069.00	$ 6,641,371.00
California	$ 24,844,465.00	$ 4,987,596.00	$ 29,832,061.00	$ 1,570,108.00	$ 31,402,169.00
Colorado	$ 6,449,845.00	$ 1,294,825.00	$ 7,744,670.00	$ 407,614.00	$ 8,152,284.00
Connecticut	$ 3,478,243.00	$ 698,267.00	$ 4,176,510.00	$ 219,816.00	$ 4,396,326.00
Delaware	$ 1,506,767.00	$ 302,488.00	$ 1,809,255.00	$ 95,224.00	$ 1,904,479.00
District of Columbia	$ 1,506,767.00	$ 302,488.00	$ 1,809,255.00	$ 95,224.00	$ 1,904,479.00
Florida	$ 16,930,585.00	$ 3,398,863.00	$ 20,329,448.00	$ 1,069,971.00	$ 21,399,419.00
Georgia	$ 14,229,965.00	$ 2,856,706.00	$ 17,086,671.00	$ 899,298.00	$ 17,985,969.00
Hawaii	$ 1,506,767.00	$ 302,488.00	$ 1,809,255.00	$ 95,224.00	$ 1,904,479.00
Idaho	$ 3,021,543.00	$ 606,583.00	$ 3,628,126.00	$ 190,954.00	$ 3,819,080.00
Illinois	$ 14,206,621.00	$ 2,852,019.00	$ 17,058,640.00	$ 897,823.00	$ 17,956,463.00
Indiana	$ 8,797,175.00	$ 1,766,058.00	$ 10,563,233.00	$ 555,960.00	$ 11,119,193.00
Iowa	$ 5,851,071.00	$ 1,174,619.00	$ 7,025,690.00	$ 369,773.00	$ 7,395,463.00
Kansas	$ 5,402,193.00	$ 1,084,505.00	$ 6,486,698.00	$ 341,405.00	$ 6,828,103.00
Kentucky	$ 6,015,814.00	$ 1,207,692.00	$ 7,223,506.00	$ 380,184.00	$ 7,603,690.00
Louisiana	$ 5,372,938.00	$ 1,078,632.00	$ 6,451,570.00	$ 339,556.00	$ 6,791,126.00
Maine	$ 2,057,638.00	$ 413,077.00	$ 2,470,715.00	$ 130,038.00	$ 2,600,753.00
Maryland	$ 6,216,488.00	$ 1,247,977.00	$ 7,464,465.00	$ 392,867.00	$ 7,857,332.00
Massachusetts	$ 6,656,182.00	$ 1,336,247.00	$ 7,992,429.00	$ 420,654.00	$ 8,413,083.00
Michigan	$ 11,404,908.00	$ 2,289,568.00	$ 13,694,476.00	$ 720,762.00	$ 14,415,238.00
Minnesota	$ 8,274,335.00	$ 1,661,096.00	$ 9,935,431.00	$ 522,917.00	$ 10,458,348.00
Mississippi	$ 5,087,029.00	$ 1,021,235.00	$ 6,108,264.00	$ 321,488.00	$ 6,429,752.00
Missouri	$ 8,718,104.00	$ 1,750,184.00	$ 10,468,288.00	$ 550,963.00	$ 11,019,251.00
Montana	$ 3,701,731.00	$ 743,133.00	$ 4,444,864.00	$ 233,940.00	$ 4,678,804.00
Nebraska	$ 4,420,741.00	$ 887,476.00	$ 5,308,217.00	$ 279,380.00	$ 5,587,597.00
Nevada	$ 3,519,201.00	$ 706,490.00	$ 4,225,691.00	$ 222,405.00	$ 4,448,096.00
New Hampshire	$ 1,618,299.00	$ 324,878.00	$ 1,943,177.00	$ 102,272.00	$ 2,045,449.00
New Jersey	$ 9,090,920.00	$ 1,825,028.00	$ 10,915,948.00	$ 574,524.00	$ 11,490,472.00
New Mexico	$ 5,494,123.00	$ 1,102,961.00	$ 6,597,084.00	$ 347,215.00	$ 6,944,299.00
New York	$ 16,174,045.00	$ 3,246,985.00	$ 19,421,030.00	$ 1,022,159.00	$ 20,443,189.00
North Carolina	$ 12,059,599.00	$ 2,420,998.00	$ 14,480,597.00	$ 762,137.00	$ 15,242,734.00
North Dakota	$ 3,169,487.00	$ 636,283.00	$ 3,805,770.00	$ 200,304.00	$ 4,006,074.00
Ohio	$ 12,764,981.00	$ 2,562,606.00	$ 15,327,587.00	$ 806,715.00	$ 16,134,302.00
Oklahoma	$ 7,111,762.00	$ 1,427,706.00	$ 8,539,468.00	$ 449,446.00	$ 8,988,914.00
Oregon	$ 5,149,725.00	$ 1,033,822.00	$ 6,183,547.00	$ 325,450.00	$ 6,508,997.00
Pennsylvania	$ 13,884,010.00	$ 2,787,254.00	$ 16,671,264.00	$ 877,435.00	$ 17,548,699.00
Puerto Rico	$ 1,763,946.00	$ 354,117.00	$ 2,118,063.00	$ 111,477.00	$ 2,229,540.00
Rhode Island	$ 1,558,449.00	$ 312,863.00	$ 1,871,312.00	$ 98,490.00	$ 1,969,802.00
South Carolina	$ 6,441,342.00	$ 1,293,118.00	$ 7,734,460.00	$ 407,077.00	$ 8,141,537.00
South Dakota	$ 2,824,902.00	$ 567,107.00	$ 3,392,009.00	$ 178,527.00	$ 3,570,536.00
Tennessee	$ 8,624,434.00	$ 1,731,379.00	$ 10,355,813.00	$ 545,043.00	$ 10,900,856.00
Texas	$ 40,338,164.00	$ 8,098,001.00	$ 48,436,165.00	$ 2,549,272.00	$ 50,985,437.00
Utah	$ 4,024,626.00	$ 807,955.00	$ 4,832,581.00	$ 254,346.00	$ 5,086,927.00
Vermont	$ 1,700,219.00	$ 341,324.00	$ 2,041,543.00	$ 107,450.00	$ 2,148,993.00
Virginia	$ 9,071,307.00	$ 1,821,091.00	$ 10,892,398.00	$ 573,284.00	$ 11,465,682.00
Washington	$ 8,014,105.00	$ 1,608,854.00	$ 9,622,959.00	$ 506,472.00	$ 10,129,431.00
West Virginia	$ 2,874,741.00	$ 577,112.00	$ 3,451,853.00	$ 181,677.00	$ 3,633,530.00
Wisconsin	$ 7,851,479.00	$ 1,576,207.00	$ 9,427,686.00	$ 496,194.00	$ 9,923,880.00
Wyoming	$ 2,281,946.00	$ 458,107.00	$ 2,740,053.00	$ 144,213.00	$ 2,884,266.00
States SUM	**$ 390,599,140.00**	**$ 78,413,880.00**	**$ 469,013,020.00**	**$ 24,684,897.00**	**$ 493,697,917.00**
American Samoa	$ 381,847.00	$ 76,657.00	$ 458,504.00	$ -	$ 458,504.00
Guam	$ 678,088.00	$ 136,128.00	$ 814,216.00	$ -	$ 814,216.00
Northern Marianas	$ 375,072.00	$ 75,297.00	$ 450,369.00	$ -	$ 450,369.00
Virgin Islands	$ 488,353.00	$ 98,038.00	$ 586,391.00	$ -	$ 586,391.00
Territories Total	**$ 1,923,360.00**	**$ 386,120.00**	**$ 2,309,480.00**	**$ -**	**$ 2,309,480.00**
National Total	**$ 392,522,500.00**	**$ 78,800,000.00**	**$ 471,322,500.00**	**$ 24,684,897.00**	**$ 496,007,397.00**

Attachment B:

MCSAP Grant Required Documents Checklist

Below are the documents required be considered as being responsive to this announcement. The table below lists the document names, description, location, and submission information.

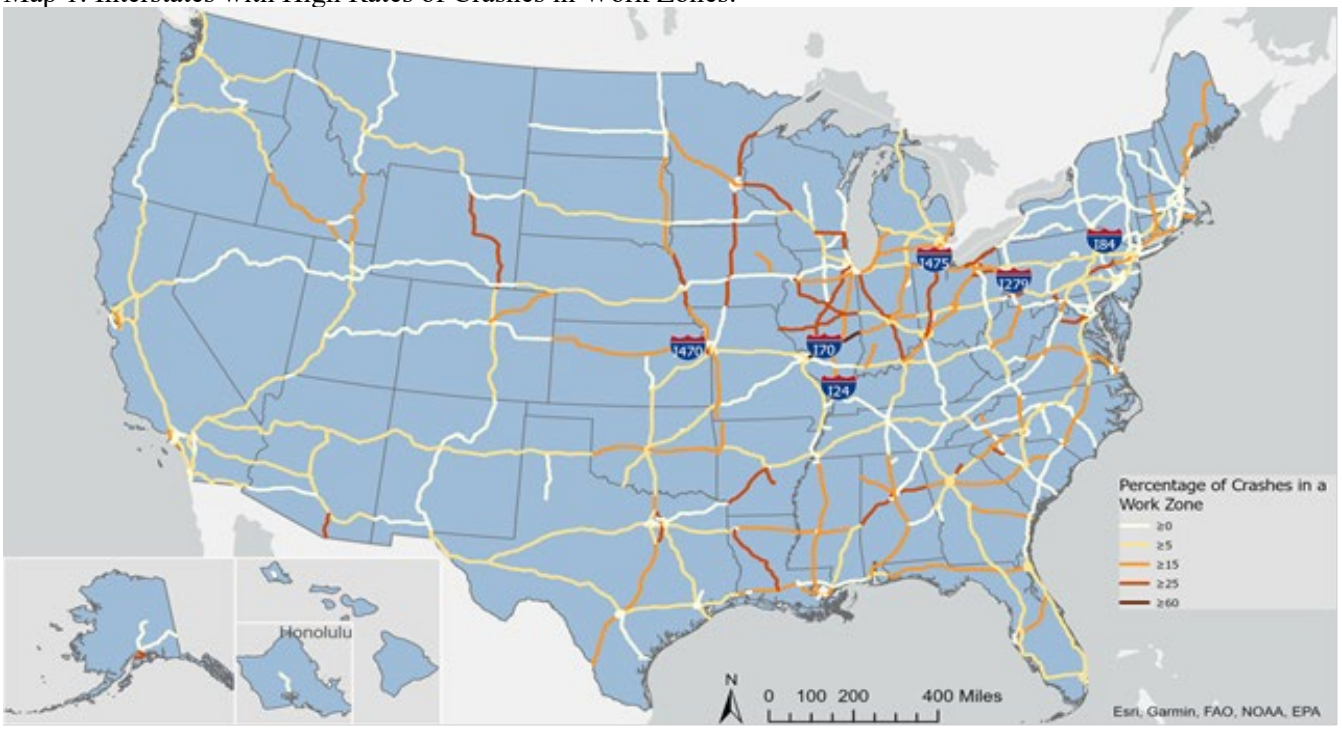
Document Name		Document Description and Location Information	Submit in/to:
1	SF-424 Application for Federal Assistance	A standard application form available in the Grants.gov application package required for all requests for Federal assistance. ***Attached by the State lead agency to the Grants.gov application package.***	Grants.gov
2	SF-424A Budget Information for Non-Construction Programs	A standard budget form available in the Grants.gov application package required for requests for Federal assistance. ***Attached by the State lead agency to the Grants.gov application package.***	Grants.gov
3	SF-424B Assurances for Non-Construction Programs	A standard assurance form available in the Grants.gov application package associated with accepting Federal assistance funds. This document indicates the organization is in substantial compliance with various programs, regulations, and Federal laws for a non-construction program. ***Attached by the State lead agency to the Grants.gov application package.***	Grants.gov
4	Grants.gov Lobbying Form	A form available in the Grants.gov application package that allows organizations to indicate that they do not engage in lobbying activities. ***Attached by the State lead agency to the Grants.gov application package.***	Grants.gov
5	SF-LLL Disclosure of Lobbying Activities (if applicable)	A standard form available in the Grants.gov application package to report lobbying activities if applicable. ***Attached by the State lead agency to the Grants.gov application package.***	Grants.gov

6	Key Contacts Form	A form available in the Grants.gov application package to report contact information for any additional Authorized Designated Officials (authorized signers), Principal Investigators or Program Directors (program/project managers); and Financial Officials (Grants Managers) not already identified on the SF-424. ***Attached by the State lead agency to the Grants.gov application package.***	Grants.gov
7	Attachment Form	A form available in the Grants.gov application package used to submit supplemental attachments to support the grant application. ***Attached by the State lead agency to the Grants.gov application package.***	Grants.gov
8	Indirect Cost Rate Agreement (if applicable)	Organization's signed current and approved indirect cost rate agreement with the cognizant Federal agency (or letter of request to cognizant agency for rate establishment or adjustment). ***Attached by the State lead agency to the Grants.gov application package and uploaded into the eCVSP tool.***	Grants.gov and eCVSP
9	CVSP	Commercial Vehicle Safety Plan which includes program structure, past performance data, performance goals, objectives, activities, strategies, performance measures, and comprehensive budget information. ***Applicants are encouraged to complete the Plan and submit in the eCVSP tool.***	eCVSP
10	State Certification	Required by 49 CFR § 350.213, this document certifies that the State will meet all the requirements of participation in the MCSAP and must be executed by the authorized State official for providing program assurances. An electronic State Certification declaration is included in the eCVSP tool. A Word version of the State Certification is located within the Grants.gov "Full Announcement" tab and in the Help Center of the eCVSP tool. ***There are two options for completing the State Certification requirement. (1) The declaration can be completed within the eCVSP tool or (2) If a manual signature is required by State officials, the document can be uploaded by the State lead agency in the eCVSP tool.***	eCVSP

11	Annual Certification of Compatibility	Required by 49 CFR § 350.213**,** the State must conduct an annual review to determine if the State laws, regulations, standards, and orders on CMV safety are compatible. The document must certify either that State CMV laws remain compatible with the FMCSRs and HMRs or identify any incompatibilities and include an explanation regarding the State's progress towards achieving compatibility and the date by which compatibility is expected to be achieved. ***There are two options for meeting the Annual Review and Certification of Compatibility requirement. (1) The declaration can be completed within the eCVSP tool. (2) If a manual signature is required by State officials, the State should use the Word version of the certification which is in the eCVSP Help Center). The document can be uploaded by the State lead agency in the eCVSP tool.***	eCVSP
12	New Laws and Regulations	Required by 49 CFR § 350.213, information regarding any new law, regulation, or policy affecting CMV safety that was adopted by the State since the last CVSP or annual update was submitted. These new laws and regulations should also be referenced in the results of the Regulatory Compatibility Review. ***The information required can be completed within the eCVSP tool.***	eCVSP
13	Title VI Program Requirements	MCSAP awards will be conditional until the required Fiscal Year Title VI Program Compliance Plan (including the signed/dated FMCSA Title VI Program Assurance) is approved. Do not include the Title VI Program Compliance Plan with the Grants.gov application submission or upload in the eCVSP tool. ***Title VI Program Compliance Plans are to be submitted directly to Lester Finkle, FMCSA National Title VI Program Manager, by email at*** lester.finkle@dot.gov ***for review and approval. Please contact Mr. Finkle directly for guidance on content and submission requirements.***	Lester Finkle

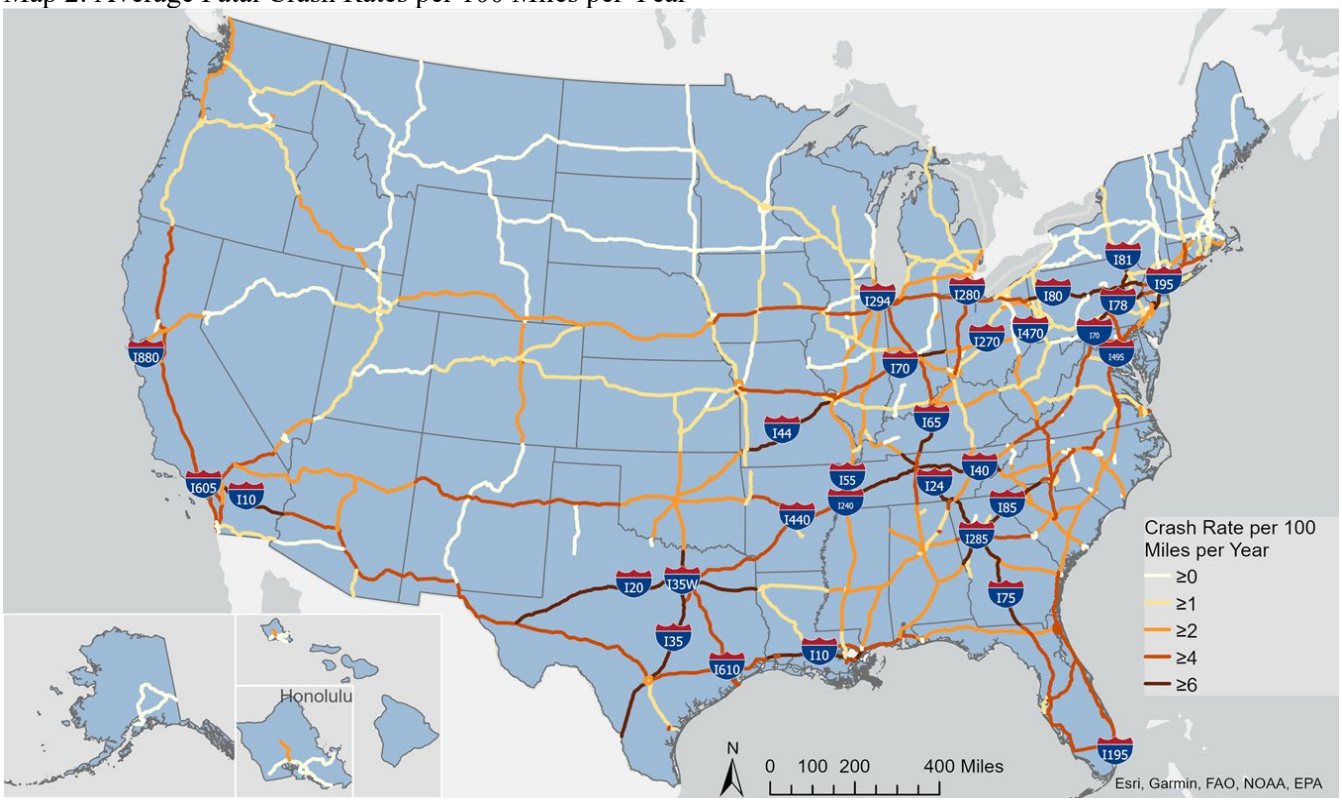
Attachment C: Additional Crash Statistics Information[3]

Map 1: Interstates with High Rates of Crashes in Work Zones:



Note: Interstates with more than 60% crashes in work zones are labeled.

Map 2: Average Fatal Crash Rates per 100 Miles per Year



[3] Source: National Highway Traffic Safety Administration (NHTSA), Fatality Analysis Reporting System (FARS); and Bureau of Transportation Statistics (BTS), Freight Analysis Framework (FAF)

Table 1: High Crash Risk Interstates (Detail from Map 2)

High Crash Interstates		
Sign	**State**	**Crash Rate**
I285	GA	9.95
I95	NY	8.30
I55	TN	8.11
I495	MD	7.82
I95	NJ	7.46
I78	PA	7.43
I440	AR	7.23
I470	OH	7.23
I605	CA	7.12
I294	IL	7.11
I880	CA	7.07