MEMORANDUM

Subject: Development of Fiscal Year 2025 Commercial Vehicle Safety Plans to Support National Safety Goals

From: Darrell L. Ruban, Associate Administrator for Safety

Date: April 26, 2024

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

Reply to Attn. of: MC-S

Introduction

This Memorandum provides important information for use by Motor Carrier Safety Assistance Program (MCSAP) lead agencies to prepare their Fiscal Year (FY) 2025 MCSAP Grant applications. Applicants submit standard Federal grant forms through the Grants.gov website and their Commercial Vehicle Safety Plans (CVSPs) through the online eCVSP Tool. Applicants should read this entire document carefully, as it contains information critical to completing the application process and the safety activities that should be reflected in the CVSPs.

Background

The goal of the Federal Motor Carrier Safety Administration's (FMCSA's) 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 49 CFR 350.105) motor carrier, CMV, and driver safety laws, regulations, standards, and orders; and,
4. Assessing and improving Statewide performance of motor carrier, CMV, and driver safety by setting program goals and meeting performance standards, measures, and benchmarks (as defined in 49 CFR 350.201(b).

MCSAP is governed by 49 USC 31102 and 31104, as amended by the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58 (2021) (IIJA) § 23001(b), and 49 CFR part 350. The term "State" for the purposes of MCSAP, as defined in 49 USC 31101(4) and 49 CFR 350.105, includes a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana

Islands, American Samoa, Guam, and the U.S. Virgin Islands.

MCSAP Funding Levels

The MCSAP funding for FY 2025 will be allocated per the funding formula as prescribed within the Fixing America's Surface Transportation (FAST) Act, Pub. L. 114-94 (2015), section 5106(d)(1), and outlined within 49 CFR 350.217. For FY 2025 planning purposes, FMCSA assumes the full authorized amount under contract authority and supplemental funds in the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL) (after accounting for 1.5% administrative takedown), which equals an estimated $487,082,500 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 can also be found in Appendix A.

Please note that States are required to meet all eligibility and program requirements outlined in 49 USC 31102 and 49 CFR part 350 to receive MCSAP funds.

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Planning for FY 2025: Unprecedented Funding Continues to Drive Transformative Change

The BIL is a once-in-a-generation investment in our infrastructure and safety programs. It promotes investments and partnerships that enable technologies, data systems, research, and workforce development and expansion to directly impact the safety of people using our transportation systems. It contains more than $3.2 billion in FMCSA grant funding over five years, providing opportunities for FMCSA and our State partners to develop and implement transformative changes to achieve the U.S. Department of Transportation's (DOT) safety goal of zero fatalities on the Nation's roadways.

With these additional resources come both an opportunity and an obligation to ensure that FMCSA and the States are doing everything we can to improve roadway safety, and to implement the national transportation safety strategies that galvanize these critical efforts. MCSAP lead agencies will be able to grow existing programs and develop new ones aimed at preventing and reducing CMV-related crashes and fatalities.

Additionally, the Office of Management and Budget (OMB) issued guidance on April 29, 2022, in support of Executive Order 14052, *Implementation of the Infrastructure Investment Jobs Act*, directing all executive branch agencies to focus on effective stewardship of Federal dollars and ensuring that grant recipients are using measurable outcomes to track how their efforts are benefiting the American people.

While the additional funding provided by the BIL creates unprecedented opportunities for the States, FMCSA is aware that it also presents challenges, as States may struggle to grow their safety programs at a rate commensurate with their increased funding. To better understand these challenges, and to work collectively in finding solutions, FMCSA requests the States include both the opportunities and the challenges they identify in their MCSAP BIL implementation via the MCSAP Structure section of the eCVSP, as well as any other section where it is applicable.

FY 2025 MCSAP Program Information and National Emphasis Areas

All CVSP submissions will continue to be considered based on the MCSAP National Program Elements established in 49 CFR 350.203 and listed below.

MCSAP National Program Elements

- Driver inspections;
- Vehicle inspections;
- Traffic enforcement;
- Investigations;
- New entrant safety audits;
- CMV safety programs focusing on international commerce in border States;
- Full participation in Performance and Registration Information Systems Management (PRISM) or an acceptable alternative as determined by the FMCSA Administrator;
- Accurate, complete, timely, and corrected data;
- Public education and awareness; and
- Other elements as prescribed by the FMCSA Administrator.

Each year, within these National Program Elements, FMCSA identifies national priorities, known as emphasis areas, based on emerging or continuing issues. FMCSA evaluates CVSPs in consideration of these emphasis areas. Below is a summary of the emphasis areas for FY 2025 CVSPs. Areas that merit special attention for this fiscal year are identified with a checkmark icon (☑).

NATIONAL SAFETY EMPHASIS – Implement the National Roadway Safety Strategy ☑

The DOT's National Roadway Safety Strategy (NRSS) outlines the Department's comprehensive plan for collaborating with stakeholders across the country to significantly reduce injuries and deaths on America's roadways using a safe systems approach. This approach lowers risks by building in multiple layers of protection: safer roads, safer people, safer vehicles, safer speeds, and better post-crash care.

The NRSS is the first step in working toward an ambitious long-term goal of reaching zero roadway fatalities. Through the effective implementation of the MCSAP National Program Elements, MCSAP lead agencies play a critical role in the success of the NRSS and should use the NRSS and the 2022-2026 DOT Strategic Plan as a resource to align grant funded activities with the safety focuses of the Department and FMCSA.

The NRSS may be found at: https://www.transportation.gov/sites/dot.gov/files/2022-02/USDOT-National-Roadway-Safety-Strategy.pdf

The DOT Strategic Plan may be found at: https://www.transportation.gov/mission/us-dot-strategic-plan-fy-2022-2026

TAKE ACTION: Implement the NRSS

The safe systems approach identified in the NRSS directly supports the overall objective of MCSAP to reduce CMV-involved crashes, fatalities, and injuries through consistent, uniform, and effective CMV safety programs.

TAKE ACTION: The NRSS should be used as a resource for developing CVSPs. The priorities identified for FMCSA in the NRSS should be reflected in proposed MCSAP activities.

NATIONAL SAFETY EMPHASIS – Reduce Fatal CMV Crashes ☑

Crashes involving CMVs continue to be one of the most serious safety challenges. While the number of fatal crashes involving trucks in excess of 26,000 lbs. dropped slightly (down 2%) from 2021 to 2022, fatal crashes involving trucks weighing between 10,001 and 14,000 lbs. increased by 44% in that same time frame.

In support of the Agency's mission and the intent of MCSAP, reducing the number of CMV fatal crashes (particularly those involving vehicles in excess of 10,000 lbs. engaged in interstate commerce) is one of FMCSA's highest priorities and a national emphasis area for FY 2025.

For FY 2025, States included in the top 10 fatal crash list below must clearly indicate in their 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.

Top 10 States having Fatal Crashes Involving a Large Truck and/or Bus						
State	**2018**	**2019**	**2020**	**2021**	**2022**	**% Change from 2021-2022**
Texas	656	653	608	781	711	-9.0%
California	391	428	438	471	474	0.6%
Florida	305	334	336	356	280	-21.3%
Georgia	177	185	219	214	222	3.7%
Tennessee	126	147	169	188	160	-14.9%
Illinois	142	141	157	150	202	34.7%
North Carolina	157	151	146	148	150	1.4%
Ohio	161	145	124	172	135	-21.5%
Pennsylvania	144	135	133	158	165	4.4%
Indiana	121	129	144	160	153	-4.4%
Top 10 States	**2,380**	**2,448**	**2,474**	**2,798**	**2,652**	**-5.2%**
Total for all States + DC	**4,668**	**4,789**	**4,647**	**5,373**	**4,994**	**-7.05%**

Source: FMCSA Motor Carrier Management Information System (MCMIS) data snapshot as of 12/29/2023.

FMCSA expects 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. MCSAP lead agencies should partner, where appropriate, with other State agencies, local safety departments, and educational research institutions to address CMV crashes. If the MCSAP lead agency is engaging in partnership efforts with other State or local agencies or educational research institutions, ensure this is accurately reflected within your CVSP.

Reducing fatal CMV crashes can, and should, be addressed in multiple ways. Below are several emphasis areas States may consider incorporating into their CSVPs to achieve this goal.

1. **Driver and Vehicle Inspections and Safety Impact**

   Inspections of CMVs remain a core component of MCSAP and provide invaluable data on motor carrier and driver safety performance. While the number of inspections has generally remained consistent, the number of crashes and fatalities has remained high. Lead agencies need to maintain an effective and balanced inspection program as part of their MCSAP activities.

   Specific areas of enforcement within driver and vehicle inspections include:

   a. **Work Zone Safety** ☑ **SPECIAL EMPHASIS**

      Roadway work zones continue to play a part in the rate of CMV crashes. MCSAP lead agencies are strongly encouraged to include and identify in their CVSPs activities that address areas of high crash occurrence. In regions where inspections are performed in or near areas of highway/roadway construction, States should identify and measure the crash reduction objective/goal for those efforts.

b. Human Trafficking ☑ SPECIAL EMPHASIS

Inspections provide an opportunity to directly engage in critical areas of public safety including human trafficking and human smuggling. For several years, the DOT has actively campaigned to increase awareness of human trafficking and encourage its grant recipients to use funding to address this issue.

MCSAP lead agencies should actively coordinate with other enforcement agencies and stakeholders on their efforts to combat human trafficking and human smuggling, as allowed under MCSAP participation requirements. These efforts are MCSAP-eligible as long as they are paired with an appropriate North American Standard (NAS) inspection, or as otherwise permitted in the MCSAP Comprehensive Policy. MCSAP lead agencies should specifically identify any planned activities that are associated with these efforts in their CVSP.

For more information on DOT's efforts relating to preventing human trafficking, please visit: https://www.transportation.gov/stophumantrafficking

c. Drug Interdiction

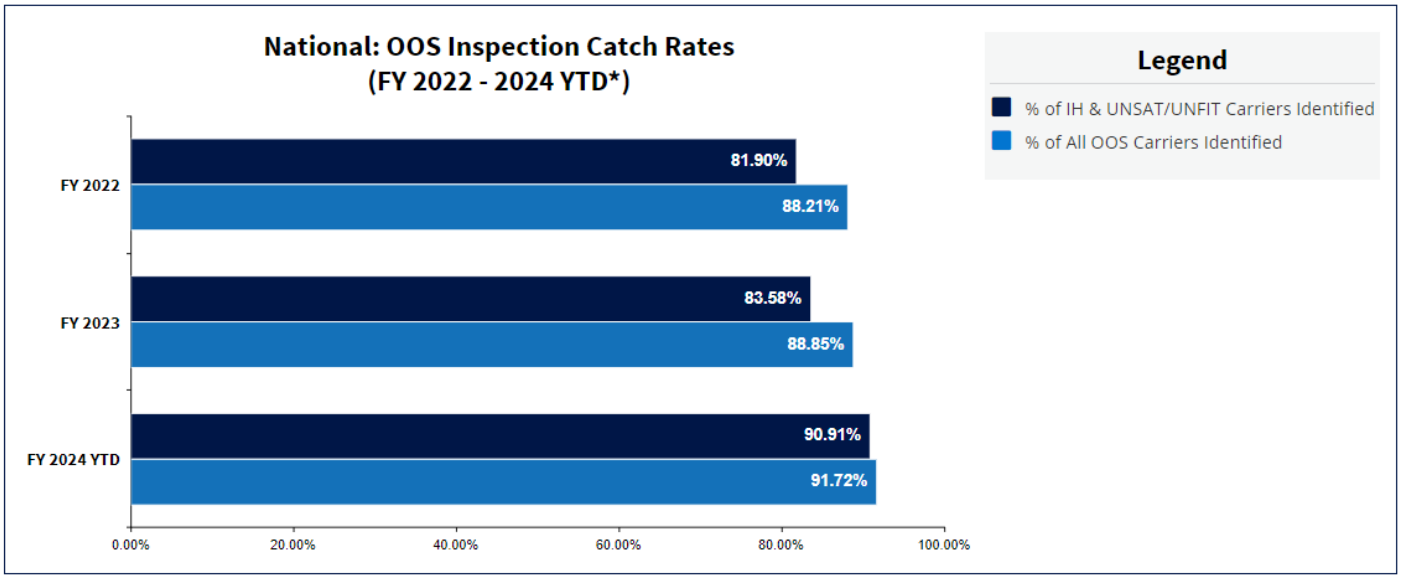
FMCSA's Drug Interdiction Assistance Program (DIAP) assists law enforcement officials in detecting and apprehending transportation and/or use of illicit drugs conducted in conjunction with a CMV. The program focuses on the development and distribution of criminal interdiction techniques to rapidly identify in-transit CMVs and drivers engaged in criminal activity.

MCSAP lead agencies should actively coordinate with FMCSA's National Training Center (NTC), as well as other enforcement agencies and stakeholders in their efforts for drug interdiction, as allowed under MCSAP participation requirements.

d. 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 FYs 2022 through 2024 (YTD). FY 2024 YTD includes data from October 01, 2023, through November 30, 2023.



Data Source: FMCSA Motor Carrier Management Information System (MCMIS) and the Safety and Fitness Electronic Records (SAFER) as of 12/29/2023. The data presented above are accurate as of this date but are subject to update as new or additional information may be reported to MCMIS following this date. *FY 2024 YTD includes data from October 01, 2023 through November 30, 2023.

For FY 2025, 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 is 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 goal is that at least **85%** 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% Imminent Hazard and/or Unsatisfactory/Unfit identification rate for OOS carriers inspected in FY 2022 must explain in the CVSP how they have: (1) implemented or will implement policies, (2) utilize appropriate technology to better identify OOS carriers, and (3) conduct quality assurance oversight to ensure that inspectors are using proper procedures to identify these high-risk carriers and preventing them from continued operations.

Each State can obtain a report indicating its Imminent Hazard and Unsatisfactory/Unfit OOS Order identification rate. To find this report, visit A&I online - Motor Carrier Analysis and Information Resources Online (dot.gov) and navigate to the Activity Dashboard, located in the Grants drop-down (login as an Enforcement User is required), and select "OOS Report" from the dropdown menu. This report will be the basis for a State's planning in this national priority area.

e. 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. More information regarding the requirements for inspections of passenger carrying CMVs can

be found in the MCSAP Comprehensive Policy (MCP) section 5.3.7 "State Conducted Inspections of Passenger Carrying CMVs."

i. Migrant Worker Transportation in Rural Areas ☑ SPECIAL EMPHASIS

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

f. 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, both of which must electronically transfer data to an authorized safety official on demand:

1. Telematics, which transfers data via wireless web services and email; or
2. Local transfer, which transfers data via USB 2.0 and Bluetooth.

The successful transfer of data is critical to safety and the efficient enforcement of HOS regulations. To effectively implement the ELD regulations, States should, at a minimum, have the capability to support the telematics methods (NOTE: web services is FMCSA's preferred method) *and* one local transfer method (such as USB 2.0).

FMCSA also encourages officers and civilian safety personnel to use the Electronic Record of Duty Status (eRODS) software to review HOS during inspections on subject drivers when an ELD is present. A desktop version for Enforcement Users is available via the Download Center in the FMCSA Portal (NOTE: State users should **not** download the version of eRODS on the public website), visit the ELD Field Resource Center (login required) for instructions. A web-based version is also available at ELD - Web eRODS (dot.gov). For assistance with eRODS, State users can contact ELDTech@dot.gov.

For more details on ELD compliance, please visit the FMCSA ELD web page at: ELD - Electronic Logging Devices (dot.gov).

TAKE ACTION: Driver and Vehicle Inspections and Safety Impact (NRSS Objectives: Safer People, Safer Vehicles, Safer Roads)

Inspections play a critical role in addressing driver, vehicle, and public safety. Lead agencies need to maintain an effective and balanced inspection program as part of their MCSAP activities.

TAKE ACTION:

During the period of their multi-year CVSP, FMCSA calls on MCSAP lead agencies to:

- Produce a plan to reduce the number of serious CMV crashes, especially those in and around work zones, by 15%.
- Establish routine strike forces or other appropriate enforcement tactics to identify and address human trafficking, human smuggling, and drug interdiction in conjunction with CMV inspections.
- Provide necessary refresher training to MCSAP personnel on human trafficking.
- Provide necessary refresher training to MCSAP personnel on drug interdiction/ detection.
- Create targeted outreach and education campaigns promoting work zone safety, vulnerable road users, and high crash areas.
- Produce a plan on how to advise the general public on ways to report suspected incidents of human trafficking/smuggling involving commercial vehicles.
- Identify and place out of operation at least 85% of OOS carriers with an Imminent Hazard and/or Unsatisfactory/Unfit order.

2. Crash Causal Factors Program (CCFP)

In response to IIJA/BIL requirements, the Crash Causal Factors Program (CCFP) was established to carry out a comprehensive study to identify factors contributing to crashes involving a CMV. Current data collections tend to focus on the survivability of crashes, but the CCFP will provide critical insights into causal factors contributing to these crashes, thereby enabling stakeholders to identify and develop appropriate countermeasures to reduce the occurrence of crashes involving CMVs. While FMCSA currently merges and analyzes available datasets to gain a more complete picture of crashes, no existing dataset adequately captures all important causal factors. The CCFP will fill this gap, and is a detailed crash data collection and analysis effort intended to:

1. Identify the key factors that contribute to crashes involving CMVs;
2. Inform countermeasures to prevent these crashes; and
3. Establish a foundation for continued data collection, sharing, and analysis.

The CCFP will leverage State and local jurisdiction data collection efforts and strengthen partnerships with external stakeholders such as the Commercial Vehicle Safety Alliance (CVSA). These partnerships will help FMCSA and the States further technology transfer; modernize existing systems, investigations, and enforcement processes; standardize data collection forms; and build upon best practices to improve and advance State and local jurisdiction data collection efforts on crashes involving CMVs.

Through the CCFP, FMCSA will execute a multiphase study of CMV crash causal factors. Phase 1, the Heavy-Duty Truck Study, focuses on fatal crashes involving Class 7/8 trucks from a statistically representative sample of crashes in selected States. Future phases may target different vehicle types (such as medium-duty trucks) or crash severities (such as serious injury crashes).

As its findings will assist States in addressing their CMV crash risk, MCSAP recipients are encouraged to participate in the CCFP data collection and data sharing efforts. Planned activities could include crash data collection, post-crash inspections, post-crash investigations, and/or reconstruction analysis. FMCSA encourages States utilize analytical/technical support and authorizes it as a MCSAP eligible expense. This would include costs associated with gathering, analyzing, reporting, or sharing data and information (e.g., adding analytical staff or contract support to develop/execute the CVSP; sharing data/information with FMCSA and other MCSAP lead agencies). This could be done through direct hiring or through other means, such as a third-party contractor or an educational institution transportation research center. Whoever provides this support would be responsible of gathering, interpreting, and transmitting the State data to FMCSA in a standard format.

Additional equipment needed for this activity can be purchased subject to cost principles as defined in 2 CFR part 200, subpart E.

For more information about the CCFP, visit https://www.fmcsa.dot.gov/CCFP.

TAKE ACTION: Reduce Fatal CMV Crashes
(NRSS Objectives: Safer People, Safer Vehicles, Safer Speeds, Safer Roads, Post-Crash Care)

TAKE ACTION:
During the period of their multi-year CVSP, FMCSA calls on MCSAP lead agencies to:

- Enhance the ability to determine crash causation factors.
- Review crash data/statistics and utilize it to engage in high-visibility efforts to combat the large number of CMV crashes and fatalities.
- States, particularly those included in the top 10 fatal crash list, must clearly indicate in the CVSP what they are doing to reduce fatal crashes.

3. Traffic Enforcement

Many preventable crashes result from illegal or unsafe driver behavior, such as speeding, distracted driving, driving under the influence of drugs or 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 have a positive impact on the safe operation of CMVs, as well as compliance with core safety programs for both motor carriers and 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. Activities may include:

- 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 to promote the safe operation in and around CMVs.

To be eligible for reimbursement of non-CMV traffic enforcement activities, 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 (not to be confused with a State's Maintenance of Effort requirement). 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 USC 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% 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, with or without an inspection. And FMCSA encourages States to focus efforts on CMV traffic enforcement to reduce crashes associated with speeding, distracted driving, and use of drugs and/or alcohol.**

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 7.10, for details on reporting requirements.

Consistent with the NRSS objectives of safer people, safer vehicles, and safer speeds, MCSAP lead agencies are strongly encouraged to outline in the traffic enforcement section of their CVSP how they will use data to tailor strategies to address driver behavior. The most recent national data indicates that the overall roadside "catch rate" for drivers prohibited from operating under FMCSA's Drug and Alcohol Clearinghouse (DACH) regulations is slightly over 60%. The average catch rate for motor carriers operating in violation of an OOS order is around 80%. Traffic enforcement efforts are an effective means to increase these rates and identify and remove more of these drivers from operation.

Within the traffic enforcement section of the CVSP, MCSAP lead agencies will continue to identify the forms of traffic enforcement they will be implementing (CMV with inspection, CMV without inspection, etc.), as well as describe the efforts they will take to address driver behaviors relating to:

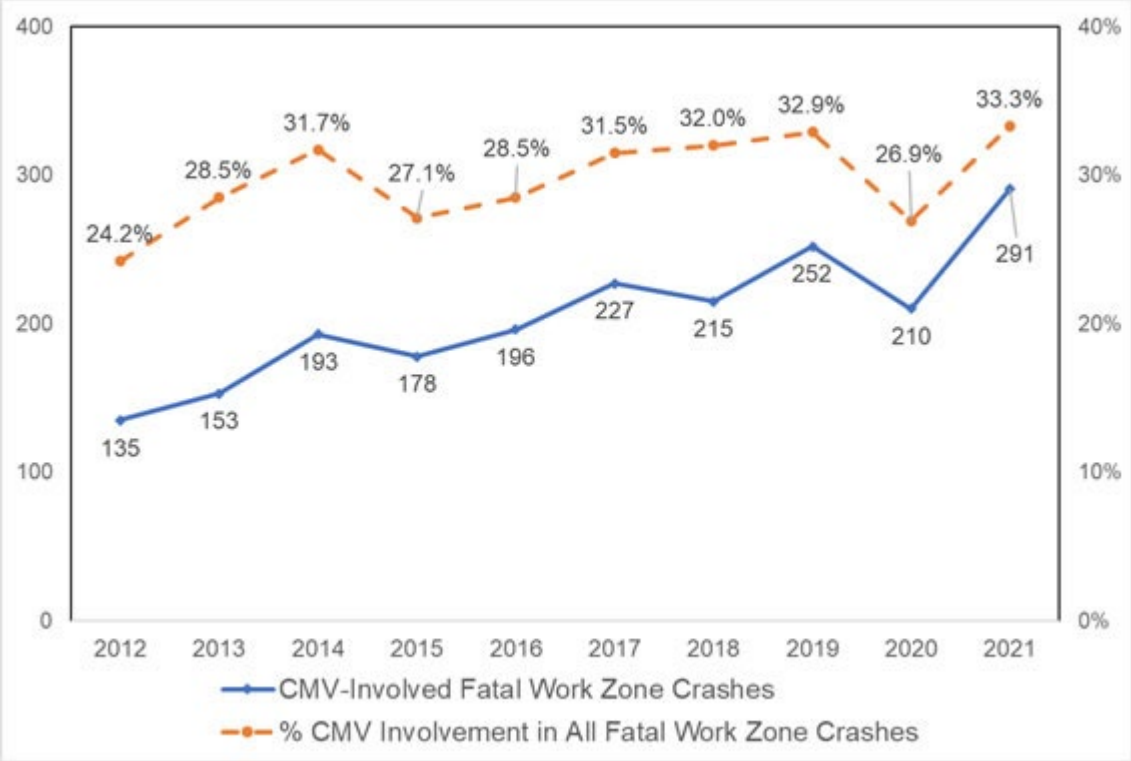
- Excessive speed;
- Work zone safety;

- Impaired driving;
- Distracted driving – cell phone usage and texting;
- Occupant/driver restraint;
- Driver fatigue;
- Prohibited operation – DACH and Federal OOS violations; and
- Other areas, including days and times, as identified by the State.

Lead agencies should also identify in their CVSP how these efforts have changed, compared to previous years, with the increased funding provided via the BIL.

a. Work Zone Safety ☑ SPECIAL EMPHASIS

CMV crashes in construction work zones are a major safety focus for FMCSA. Narrow lanes, shifting traffic patterns, sudden stops, and other factors present in these areas pose special challenges to large trucks and buses, which continue to be overrepresented in fatal and serious injury crashes in roadway construction and work zones. According to the National Highway Traffic Safety Administration (NHTSA) crash statistics, more than 33% of work zone fatal crashes in 2021 involved at least one large truck.



Source: National Highway Traffic Safety Administration (NHTSA) Fatality Analysis Reporting System [FARS]

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 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.

Visit Commercial Motor Vehicle (CMV) Safety in Work Zones – FHWA Work Zone (dot.gov) for more information.

b. Vulnerable Road Users ☑ SPECIAL EMPHASIS

Vulnerable road users (VRUs), such as pedestrians, cyclists, and people who use wheelchairs, accounted for approximately 20% of the 42,915 people who were killed in motor vehicle crashes in 2021, an increase of 13% over 2020, according to NHTSA. In 2021, 668 of the 8,349 reported VRU fatalities involved a CMV, with nearly 70% occurring in urban areas.

In keeping with the NRSS approach of reinforcing multiple layers of protection to both prevent crashes from happening in the first place, and minimize the harm caused to those involved when crashes do occur, FMCSA strongly encourages States to reference their data resource to determine where such crashes occur and include the safety of VRUs in their planning. This would include increased awareness efforts, as well as targeting CMVs, and non-CMV traffic in the immediate vicinity of CMVs, operating in an unsafe manner whenever and wherever VRUs are most likely to be present.

For CMV-related crash data and VRUs, see the following tables in FMCSA's annual Large Truck and Bus Crash Facts 2021 (LT&BCFS) publication:

- Trends Table 14. Non-motorists and Vehicle Occupants Killed in Large Truck Crashes, 1975-2021
- People Table 17. Vehicles Involved, Persons Involved, and Persons Killed in Fatal Large Truck Crashes, 2021
- People Table 18. Vehicles Involved, Persons Involved, and Persons Killed in Fatal Bus Crashes, 2021
- People Table 19. Pedestrians and Bicyclists Killed in Large Truck, Bus, and All Crashes, 2019-2021

TAKE ACTION: Traffic Enforcement
(NRSS Objectives: Safer People, Safer Vehicles)

Traffic enforcement efforts impact the safe operation of CMVs, as well as compliance with core safety programs for both motor carriers and drivers. MCSAP lead agencies should detail in the CVSPs how they will tackle the actions below.

TAKE ACTION:
During the period of their multi-year CVSP, FMCSA calls on MCSAP lead agencies to:

- Increase CMV traffic enforcement efforts combined with an inspection by at least 10%.
- Increase the percentage of DACH prohibited drivers identified at roadside by 15% (to meet or exceed national goal of 85% detection by FY 2025).
- Increase the percentage of OOS carriers identified and detained by 10% (to meet or exceed national goal of 85% detection by FY 2025).
- Increase the use of high visibility traffic enforcement to reduce crashes in high-crash corridors.

4. New Entrant Safety Audits and Motor Carrier Investigations

a. 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. Expanding the number of New Entrant Safety Audits and carrier investigations reduces the number of unsafe carriers and drivers operating on the Nation's roadways. These audits provide educational and technical assistance on safety and the operational requirements of the Federal Motor Carrier Safety Regulations (FMCSRs) and Federal Hazardous Materials Regulations (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:

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

As a requirement for participation in MCSAP, States must have a robust interstate New Entrant Safety Audit program that allows them to meet the 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.

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 for the management and oversight of all New Entrant Program activities.

Despite the MCSAP requirement, the backlog of new entrant carriers awaiting safety audits has increased dramatically over the past two years. At the same time, new entrant carriers continue to be overrepresented in crashes and have higher crash rates overall if one or more of the Behavior Analysis and Safety Improvement Categories (BASICs) have a high percentile.

In addition to safety-based Interventions at the carrier level, New Entrant Safety Audits provide an opportunity for States to identify potential issues with CMV operators, such as incomplete/improper hours of service compliance, proper licensure, and operational status via the DACH.

MCSAP lead agencies should continue to ensure that adequate resources are being allocated for interstate New Entrant Safety Audits. FMCSA will assess the degree of resources allocated for this task, in comparison to the State's new entrant and new entrant overdue inventory, when reviewing the CVSP.

b. Motor Carrier Investigations

Investigations are on- or off-site examinations of a motor carrier's operation to determine whether it is compliant with the FMCSRs (or State laws and regulations compatible with the FMCSRs) and the Federal HMRs. An investigation may be initiated based on compliance issues with the company's safety management controls, complaints against the carrier, 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.

In addition to New Entrant Safety Audits, MCSAP lead agencies are strongly encouraged to utilize grant funding to increase the number of carrier investigations conducted within their jurisdiction. While several MCSAP participants engage in interstate and/or intrastate investigations, a large number of risk-based carriers in need of intervention continue to be identified each year.

FMCSA has identified approximately 73,000 carriers (including new entrants) classified under its risk-based criteria as potential investigation targets. The most recent Safety Measurement

System (SMS) effectiveness report provided critical information emphasizing the high crash risk posed by these carriers. For example, the group of carriers that SMS identified in just the "Risk 1" category had a crash rate that was 40% higher than the group of carriers not identified for intervention. Please see the table below for additional information on the high crash threat posed by these carriers.

Prioritized Carrier Risk Category and Crash Rates

Prioritized Carrier Risk Category	Highest Risk Category for Prioritized Carriers Over Past 12 Months* (Jul. 2022 – Jun. 2023)	Crash Rate (Crashes per 100 PUs) for 24 Months (Jul. 2021 – Jun. 2023)	Percent Increase in Crash Rate Compared to National Average (4.99)**
High-Risk	3,356	16.17	229%
Moderate Risk (ALL)	15,078	10.73	119%
Moderate-Risk 1	2,770	12.15	147%
Moderate Risk 2	12,308	10.14	107%
Risk (ALL)			
Risk 1	54,861	6.16	25%
Risk 2	43,509	6.88	40%
Risk 3	2,128	3.73	-24%

*Carriers were counted once based on the highest risk category they achieved during this 12-month period.

**The national crash rate over the two-year period of July 2021 – June 2023 is 4.91.

Data Source: For Prioritized Carriers: Motor Carrier Management Information System (MCMIS) snapshots: July 2021 through June 2023; Crashes: MCMIS snapshot

For investigations, lead agencies are strongly encouraged to dedicate resources to address risk-based carrier compliance reviews/investigations within their FY 2025 CVSP. This includes utilizing MCSAP funds to increase the number of trained and certified investigation personnel.

TAKE ACTION: New Entrant Safety Audits and Motor Carrier Investigations (NRSS Objectives: Safer People, Safer Vehicles)

Expanding the number of New Entrant Safety Audits and carrier investigations reduces the number of unsafe carriers and drivers operating on the Nation's roadways.

TAKE ACTION:

During the period of their multi-year CVSP, FMCSA calls on MCSAP lead agencies to:

- Increase the number of new entrant carriers audited by 15% to aid in the removal of high-risk companies from operation.
- Develop and implement a plan to reduce all overdue New Entrant Safety Audits within their jurisdiction to zero.
- Increase the number of interstate carrier investigations by 20%.
- Dedicate, or expand, the number of State personnel conducting investigations.

5. Hazardous Materials Safety

According to the latest statistics from the Pipeline and Hazardous Materials Safety Administration (PHMSA), there are over 1.2 million hazardous materials (HM) shipments introduced into transportation every day, which translates into 1.6 billion tons of HM transported annually across all modes. With the volume of HM moved, and over 146,000 HM motor carriers registered with FMCSA, the possibility of HM incidents occurring is of major concern, especially considering that transportation by highway mode accounts for most incidents reported year-over-year.

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. Driver, vehicle, and motor carrier management initiatives remain central to the underlying causes of crashes; however, crashes coupled with the transportation of HM increase risk exponentially and severely decrease survivability. FMCSA's revised National HM Program Plan uses HM safety data to identify specific HM priorities and risks that should be focused on to reduce crashes, injuries, and fatalities on the Nation's highways.

Implementing the following strategies will mitigate the risks associated with the transportation of hazardous materials.

a. Driver and Vehicle Inspections

In recent years, there has been a downward trend in the number of HM inspections. FMCSA requests that States continue to emphasize HM inspections within their overall State safety program, with focused enforcement of HM driver and vehicle regulations. Moreover, States should increase HM inspections in corridors where data indicates high concentrations of HM transportation, crashes, and/or incidents. Emphasis should be placed on compliance and enforcement plans that incorporate recurring roadside enforcement in specific areas of concentration to improve HM driver and vehicle compliance with the HMRs and FMCSRs.

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

The FMCSA National HM Program Plan seeks to emphasize focused enforcement plans that incorporate recurring roadside and onsite enforcement in areas of concentration for the specific purpose of improving compliance with the HMRs. The Plan calls out a specific area of emphasis, titled "MCSAP HM Engagement." FMCSA's HM Division will work with the State Programs Division, Service Centers, and Division Offices to seek an increase of HM inspections and

investigations where HM data indicates a high concentration of HM movements and high HM crashes and incident corridors.

d. Hazardous Materials Safety Permits (HMSP)

Less than 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 HMSP carriers, especially those that are identified as intrastate, during inspections and investigations.

As 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 who are trained and certified to conduct intrastate HM investigations perform investigations of HM motor carriers identified as either holding or needing to hold an HMSP. Both interstate and intrastate HM motor carriers pose the same risks when transporting the types and quantities of HM requiring an HMSP.

e. Undeclared Hazardous Materials

Transportation of undeclared HM by highway poses a threat to the public, enforcement personnel, emergency responders, and the environment. 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 emailing FMCSA.UndeclaredHM@dot.gov. Once received, FMCSA will coordinate with PHMSA to further investigate and educate the shipper of the undeclared HM.

f. Concentration on Hazardous Materials Motor Carriers in Intrastate Operations Having High HM Out-of-Service Rates and/or Crash BASIC in Alert Status

The FMCSA's HM Program Plan has identified another specific area of emphasis that will help mitigate the increase in crashes and incidents; it is titled "Intrastate HM Motor Carriers." There exists the possibility of intrastate operations transporting HM that contribute to high HM OOS rates and increased risks associated with the transportation of HM within respective States. Where data signifies or supports HM OOS rates higher than 10%, FMCSA requests that States concentrate resources and perform HM investigations and HM roadside inspections of intrastate HM motor carriers. The HM OOS rate information is available in the ACE - Activity Center for Enforcement (dot.gov).

g. Cargo Tank Facility Reviews (CTFR)

Cargo tank facilities (CTF) are entities that manufacture, repair, and inspect specification cargo tanks and cargo tanks built and operated under PHMSA Special Permits. Presently, approximately 3,500 fixed and mobile facilities are registered with FMCSA and less than 100 per year are reviewed. Oversight of these facilities is necessary to ensure that cargo tanks are built to the required specifications, repaired correctly, and maintained according to the requirements in 49 CFR part 180. Therefore, FMCSA requests that States train MCSAP inspectors with the

intent of gaining certification to conduct CTFRs.

h. Working with the States to Improve HM Safety

FMCSA's Hazardous Materials Division and its associated 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 emphasizing and increasing HM compliance activities to improve the State's overall safety program.

TAKE ACTION: Hazardous Materials Safety
(NRSS Objectives: Safer People, Safer Vehicles)

Increase the number of HM safety activities and inspectors certified to conduct HM inspections and CTFRs to lower crash rates and mitigate the risks associated with the transportation of HM.

TAKE ACTION:
During the period of their multi-year CVSP, FMCSA calls on MCSAP lead agencies to:

- Increase HM inspections:
  - At entry points into the United States from Mexico to ensure compliance with HMRs.
  - Where HM data indicates a high concentration of HM movements.
  - In high HM crashes and incident corridors.
- Increase traffic enforcement activities that focus on speed and distracted driving exhibited by drivers transporting placardable amounts of HM.
- Encourage trained and certified personnel to conduct intrastate HM investigations of HM motor carriers identified as either holding or needing to hold an HMSP.
- Ensure roadside inspectors pay attention to the possible presence of undeclared HM.
- Where data shows HM OOS rates higher than 10%, perform HM investigations and HM roadside inspections of intrastate HM motor carriers.
- Encourage MCSAP inspectors to complete training and certification needed to conduct CTFRs.

6. CMV Safety Programs Focusing on International Commerce in Border States

As outlined in 49 USC 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 States that forfeited the border enforcement funds).

Possible Border Enforcement activity goals include:

a. Motorcoach Inspections

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).

b. Enforcement Activities

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

c. CMV Safety Inspections

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.

7. Performance and Registration Information Systems Management (PRISM) and "Level-Up" Initiative ☑ SPECIAL EMPHASIS

The PRISM program is a key component in CMV safety to advance FMCSA's mission to reduce the number of CMV 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 OOS motor carriers do not continue to operate. PRISM plays a key role in the DOT's Safe System "layers of safety" approach, augmenting FMCSA's enforcement actions with actions taken by State partners, thus holding the industry accountable for safety.

As established in 49 CFR 350.207(a)(27) and the 2015 FAST Act, States must fully participate (Full Participation) in PRISM (or an FMCSA-approved alternative approach) to remain eligible for MCSAP funding.

More information on the PRISM participation requirements may be found in the MCSAP Comprehensive Policy, section 4.3.1 at: https://www.fmcsa.dot.gov/mission/grants/motor-carrier-safety-assistance-program-grant-comprehensive-policy.

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.

More information on PRISM participation and PRISM levels may be found on the PRISM Data and Activity Safety Hub (DASH) website at: https://ai.fmcsa.dot.gov/PRISM/home/index.

FMCSA recognizes the safety benefits that result from leveling up to Enhanced Participation and Expanded PRISM. These advanced levels of PRISM participation enhance safeguards that keep motor carriers from concealing their Federal OOS order and/or registering under a different company name (reincarnated carriers).

To Level Up to **Enhanced PRISM**, States:

- Implement State legislation, administrative, or regulatory authority to deny registration for reincarnated carriers;
- Create investigative procedures for reincarnated carriers; and
- Deny, suspend, and immobilize reincarnated carriers.

To Level Up to **Expanded PRISM**, States:

- Implement State legislation, administrative, or regulatory authority to deny registration for non-IRP interstate lower-weighted vehicles of gross vehicle weight (GVW) 10,001-26,000 lbs.;
- Deny, suspend, and immobilize Federal OOS non-IRP interstate lower weighted vehicles of GVW 10,001–26,000 lbs.;
- Implement Full PRISM requirements (1-6) in the State baseplate registration system (GVW 10,001 lbs. and above); and
- Expand State IT systems to capture non-IRP interstate lower-weighted vehicles of GVW 10,001-26,000 lbs.

Twenty-five percent of large trucks involved in crashes are vehicles with GVW 10,001 – 26,000 lbs. Expanded PRISM works to reach those lower-weighted interstate CMVs. States are allowed and encouraged to use MCSAP Grant funding to Level Up from Full to Enhanced and/or Enhanced to Expanded PRISM. These funds can also be used for the continued maintenance of a State's PRISM process, regardless of level.

TAKE ACTION: PRISM and "Level-Up" Initiative
(NRSS Objectives: Safer People, Safer Vehicles, Safer Roads)

Advanced levels of PRISM participation enhance safeguards that keep motor carriers from concealing their Federal OOS order and/or registering under a different company name (reincarnated carriers). Lead agencies can use MCSAP funds to Level Up and/or maintain their PRISM process.

TAKE ACTION:
During the period of their multi-year CVSP, FMCSA calls on MCSAP lead agencies to:

- Level Up from Full to Enhanced and/or Enhanced to Expanded PRISM.

8. Innovative Technology Deployment (ITD)

State partners may use MCSAP funding for ongoing operations and maintenance (O&M) of deployed ITD projects. 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.

9. Data Collection and Quality

FMCSA uses safety performance data collected by States to monitor motor carrier compliance, measure the condition of vehicle fleets, track the driving records of licensed operators, and 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 USC 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; they must also participate in DataQs, which is FMCSA's prescribed national motor carrier safety data correction system. The MCSAP lead 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/.

10. Public Education and Awareness

The NRSS Safer Speeds Objective states: "Promote safer speeds in all roadway environments through a combination of thoughtful, context-appropriate roadway design, targeted education and outreach campaigns, and enforcement." FMCSA promotes a culture of safety through outreach and public education activities designed to increase awareness and improve the understanding of various CMV-related traffic safety topics. Public education is essential to changing social and cultural norms which perpetuate harmful practices.

Among FMCSA's national safety campaigns, Our Roads, Our Safety® is our largest and focuses on the responsibility of all road users, encouraging everyone to share the road safely with large trucks and buses. MCSAP lead agencies have the advantage of promoting FMCSA's national safety messages using an approach which resonates with local audiences. Additionally, MCSAP lead agencies have an opportunity to promote FMCSA safety campaign topics which align to State and local CMV-related safety priorities.

FMCSA encourages activities to heighten safety awareness among the motoring public, motor carriers, and drivers. Examples of outreach and education activities include presenting safety talks and safety demonstrations; promoting FMCSA national campaigns on social media, radio, billboards, gas station digital signage, and PSAs; and disseminating materials which highlight safe driving practices to various stakeholders. FMCSA encourages MCSAP lead agencies to work with Public Information Offices to explore opportunities which widen CMV-related safety outreach and education.

More information on FMCSA safety campaigns may be found at All Our Roads, Our Safety® Campaigns | FMCSA (dot.gov). This page contains outreach and education resources and toolkits which safety partners can use to promote specific CMV-related safety messages.

11. Additional Federal Initiatives to Highlight in Your CVSP as Applicable

In addition to the emphasis areas identified above, all MCSAP lead agencies are strongly encouraged to identify in their CVSP how the issues below can be addressed, as applicable:

a. Equitable Enforcement Practices

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 within their CVSP measures that the State is taking to ensure equitable enforcement related to CMV safety. In addition, MCSAP recipients are encouraged to carefully read the updated Title VI compliance requirements relating to inspection selection and the unbiased policing policies contained in the Planning Memo. MCSAP recipients may use grant funds for training to ensure nondiscrimination in their enforcement activities.

b. Climate and Sustainability

Where appropriate, States should demonstrate how proposed projects address the objectives of climate change/sustainability outlined in Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, as well as the objectives of Executive Order 14052 on the implementation of IIJA/BIL. Such projects might include steps to minimize inspection wait times and related CMV idling and emissions, purchase of hybrid/electric vehicles (in place of fossil fueled), etc.

c. Rural Transportation Networks

The Department of Transportation established the Rural Opportunities to Use Transportation for Economic Success (ROUTES) initiative to address disparities in rural transportation. In support of

this initiative, FMCSA instructs applicants to describe how activities proposed in their CVSP would address the unique challenges facing rural transportation safety as it relates to CMVs. 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.

d. Truck Parking

Truck parking is a safety issue, both for truck drivers and all other road users. Industry associations cite that 98% of CMV drivers report problems finding safe parking, costing drivers more than 56 minutes of drive-time to find parking. That wasted time is estimated to cause a $5,500 loss in annual compensation – roughly a 12% pay cut. The shortage of truck parking costs time and money – not to mention making our roads less safe and weakening our supply chains. In support of this initiative, FMCSA encourages MCSAP lead agencies to develop a plan to support the Federal Highway Administration in its jurisdiction, State agencies, and other stakeholders with addressing the truck parking shortage. As a reminder, MCSAP funds may not be used to build, create, or reserve space for truck parking.

For more information contact Nicole Katsikides at nicole.katsikides@dot.gov or go to: Truck Parking - FHWA Freight Management and Operations (dot.gov)

State Training Plans

State MCSAP partners are encouraged to submit a plan of their anticipated FY 2025 training needs directly to the FMCSA National Training Center (NTC). This will allow the NTC to coordinate FY 2025 training needs with the recipient(s) of the High Priority Enforcement Training and Support (HP-ETS) grant award. This will also allow the NTC and the 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 email their annual training plan to the NTC at ntc-state-programs@dot.gov by August 21, 2024.

Title VI Assessments

Title VI prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance. The FMCSA Title VI Program requires grantees to have a Title VI Program Compliance Plan that includes the required sections as identified in the FY 2025 FMCSA Title VI Program Compliance Plan Checklist. The Plan must also include a Chief Executive Officer (CEO) /grantee leader-signed/dated Title VI Program Assurance, which commits the direct grant applicant/sub-grantee applicant to comply with Title VI and related non-discrimination 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.

To satisfy the Pre-Award Title VI Program requirement, prior to the Grant Program application submission deadline, the Applicant is required to take the following steps to update the FMCSA Office of Civil Rights

(OCR) approved FY 2024 Title VI Program Compliance Plan for FMCSA OCR's review and approval for FY 2025:

1. The Applicant will coordinate the re-signing/re-dating by the Applicant's CEO or equivalent of the Policy Statement and page 4 of the FMCSA Title VI Program Assurance.
2. The Applicant will update any outdated information and will address any item or items identified by FMCSA OCR during the FY 2024 Title VI Program Compliance Plan review/approval process (if any).
3. The Applicant is required to submit the draft updated Title VI Program Compliance Plan to FMCSA OCR, which will review the draft updated Title VI Program Compliance Plan and provide feedback.
4. Once the updated Title VI Program Compliance Plan has been finalized (including the re-signing/re-dating of the Policy Statement and FMCSA Title VI Program Assurance, and addressing the FMCSA OCR feedback), the Applicant will submit the final updated Title VI Program Compliance Plan to FMCSA OCR for review and approval for FY 2025.

The Title VI Program Compliance Plan (including the FMCSA Title VI Program Assurance) requirement is applicable to both direct grant applicants and to sub-grantee applicants of FMCSA funding. Direct grant applicants are required to coordinate with sub-grantee applicants of FMCSA funding to communicate the Title VI Program Compliance Plan requirement to each sub-grantee applicant.

Using the FY 2025 FMCSA Title VI Program Compliance Plan Checklist, each sub-grantee applicant is required to develop and submit a Title VI Program Compliance Plan to the direct grant applicant for review, feedback, and ultimate approval. Each direct grant applicant is required to coordinate with the FMCSA OCR during the development of the Title VI Program Compliance Plan by each sub-grantee applicant to enable the FMCSA OCR to provide feedback prior to the Plan's finalization. Once the direct grant applicant has reviewed and approved the sub-grantee applicant's final Title VI Program Compliance Plan, the direct grant applicant will coordinate annually with each sub-grant applicant to review and approve an updated final Title VI Program Compliance Plan.

The following Title VI Program Compliance Plan sections are highlighted:

- **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.

- **CMV Inspection Selection Policy** – Driver/vehicle inspections and traffic enforcement are included in the MCSAP National Program Elements. In accordance with FMCSA's Title VI Program regulation, all FMCSA Program activities are to be conducted in a non-discriminatory manner. MCSAP grantees/sub-grantees are required to develop or update existing policy and implement a non-discriminatory CMV inspection selection policy. These policies are to be submitted to FMCSA OCR for review and concurrence. Minimally, this policy shall address the requirements identified on page

6 of the FY 2025 FMCSA Title VI Program Compliance Plan Checklist.

- **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 2025 FMCSA Title VI Program Compliance Plan Checklist. These policies are to be submitted to the FMCSA OCR for review and concurrence.

To begin this coordination, please contact FMCSATitleVI@dot.gov.

FY 2025 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, 2024.

The MCSAP Grant Required Documents Checklist can be found in Appendix 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 MCSAP lead agency until the 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 uses 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

- 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 submitting an application 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 eCVSP Tool will be updated for the FY 2025 eCVSP application; this is currently scheduled for release on or about June 1, 2024. States may begin working on their FY 2025 CVSP once the system update is deployed.

Applicants who, for good cause, cannot submit their applications by the August 1 deadline may request an extension in writing (i.e., email) of no more than 30 calendar days from the FMCSA Division Administrator with a copy provided to the, State Programs Division at StatePrograms@dot.gov and the FMCSA Grants

Management email box at FMCSA_GrantMgmtHelpDesk@dot.gov. Such a request should also reference the need to extend the deadline for both the eCVSP Tool and for Grants.gov.

eCVSP Access and Training

The eCVSP Tool is located at eCVSP Login (dot.gov), with access restricted to registered users. FMCSA works directly with each State/Territory to develop the list of users that require access to the eCVSP website. Currently the eCVSP Tool uses a username and password but will transition to Multi-Factor Authentication (MFA) via the user's Login.gov account.

Technical support for the eCVSP Tool is available by calling 877-688-2984, option 3.

eCVSP training will be provided during the 2024 MCSAP Planning Meeting and ITD-PRISM Workshop, to be held on April 30 – May 2, 2024.

Please note that FMCSA may not make a Federal award to a State MCSAP lead agency until the lead agency has complied with all application and CVSP 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 (https://home.grantsolutions.gov/home/). 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 begin the transition to post-award amendment request submission via GrantSolutions during FY 2025. 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 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.

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 2025 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, OMB cost principles, and FMCSA policies. Recipients must submit requests for reimbursement electronically through the Delphi eInvoicing System. Additional information is available at https://einvoice.esc.gov.

Public Posting of CVSPs
FMCSA is required to post copies of the approved FY 2025 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 2025.

Contacts and Resources

The MCSAP Grant Program is managed by the FMCSA Associate Administrator for Safety.
However, for more information related to this announcement or application submission, the State MCSAP 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
- The State Programs Division at (202) 366-0493 or via email at StatePrograms@dot.gov

Appendix A: Estimated FY 2025 MCSAP Funding Table

State	Federal Grant (95%)			State Match (5%)	Total (100%)
	Federal Grant (Formula) Rounded	$80M Supplemental Rounded	Total Federal Grant (BIL + 80M) Rounded	State Match Rounded	BIL + 80M + State Match Rounded
Alabama	$7,527,030.00	$1,452,744.00	$8,979,774.00	$472,620.00	$9,452,394.00
Alaska	$1,670,351.00	$322,384.00	$1,992,735.00	$104,881.00	$2,097,616.00
Arizona	$13,208,982.00	$2,549,381.00	$15,758,363.00	$829,388.00	$16,587,751.00
Arkansas	$5,142,418.00	$992,505.00	$6,134,923.00	$322,891.00	$6,457,814.00
California	$26,293,654.00	$5,074,770.00	$31,368,424.00	$1,650,970.00	$33,019,394.00
Colorado	$6,824,243.00	$1,317,104.00	$8,141,347.00	$428,492.00	$8,569,839.00
Connecticut	$3,628,565.00	$700,326.00	$4,328,891.00	$227,836.00	$4,556,727.00
Delaware	$1,582,612.00	$305,450.00	$1,888,062.00	$99,372.00	$1,987,434.00
Dist. Of Columbia	$1,582,612.00	$305,450.00	$1,888,062.00	$99,372.00	$1,987,434.00
Florida	$17,782,804.00	$3,432,146.00	$21,214,950.00	$1,116,576.00	$22,331,526.00
Georgia	$14,765,508.00	$2,849,797.00	$17,615,305.00	$927,121.00	$18,542,426.00
Hawaii	$1,582,612.00	$305,450.00	$1,888,062.00	$99,372.00	$1,987,434.00
Idaho	$3,253,595.00	$627,955.00	$3,881,550.00	$204,292.00	$4,085,842.00
Illinois	$14,676,822.00	$2,832,680.00	$17,509,502.00	$921,553.00	$18,431,055.00
Indiana	$9,310,989.00	$1,797,054.00	$11,108,043.00	$584,634.00	$11,692,677.00
Iowa	$6,040,467.00	$1,165,832.00	$7,206,299.00	$379,279.00	$7,585,578.00
Kansas	$5,287,005.00	$1,020,411.00	$6,307,416.00	$331,969.00	$6,639,385.00
Kentucky	$6,109,938.00	$1,179,240.00	$7,289,178.00	$383,641.00	$7,672,819.00
Louisiana	$5,785,433.00	$1,116,609.00	$6,902,042.00	$363,265.00	$7,265,307.00
Maine	$2,112,953.00	$407,808.00	$2,520,761.00	$132,672.00	$2,653,433.00
Maryland	$6,820,824.00	$1,316,444.00	$8,137,268.00	$428,277.00	$8,565,545.00
Massachusetts	$6,753,779.00	$1,303,504.00	$8,057,283.00	$424,068.00	$8,481,351.00
Michigan	$11,797,426.00	$2,276,946.00	$14,074,372.00	$740,756.00	$14,815,128.00
Minnesota	$8,097,907.00	$1,562,925.00	$9,660,832.00	$508,465.00	$10,169,297.00
Mississippi	$5,308,666.00	$1,024,592.00	$6,333,258.00	$333,329.00	$6,666,587.00
Missouri	$9,118,276.00	$1,759,860.00	$10,878,136.00	$572,533.00	$11,450,669.00
Montana	$3,622,801.00	$699,214.00	$4,322,015.00	$227,474.00	$4,549,489.00
Nebraska	$4,326,481.00	$835,026.00	$5,161,507.00	$271,658.00	$5,433,165.00
Nevada	$3,788,679.00	$731,229.00	$4,519,908.00	$237,890.00	$4,757,798.00
New Hampshire	$1,700,847.00	$328,270.00	$2,029,117.00	$106,796.00	$2,135,913.00
New Jersey	$9,513,857.00	$1,836,209.00	$11,350,066.00	$597,372.00	$11,947,438.00
New Mexico	$5,956,791.00	$1,149,682.00	$7,106,473.00	$374,025.00	$7,480,498.00
New York	$16,272,818.00	$3,140,713.00	$19,413,531.00	$1,021,765.00	$20,435,296.00
North Carolina	$12,671,062.00	$2,445,561.00	$15,116,623.00	$795,612.00	$15,912,235.00
North Dakota	$3,116,637.00	$601,522.00	$3,718,159.00	$195,693.00	$3,913,852.00
Ohio	$13,681,748.00	$2,640,627.00	$16,322,375.00	$859,072.00	$17,181,447.00
Oklahoma	$6,960,122.00	$1,343,329.00	$8,303,451.00	$437,024.00	$8,740,475.00
Oregon	$5,454,140.00	$1,052,669.00	$6,506,809.00	$342,464.00	$6,849,273.00
Pennsylvania	$14,652,054.00	$2,827,899.00	$17,479,953.00	$919,998.00	$18,399,951.00

State	Federal Grant (95%)			State Match (5%)	Total (100%)
	Federal Grant (Formula) Rounded	$80M Supplemental Rounded	Total Federal Grant (BIL + 80M) Rounded	State Match Rounded	BIL + 80M + State Match Rounded
Puerto Rico	$1,985,106.00	$383,133.00	$2,368,239.00	$124,644.00	$2,492,883.00
Rhode Island	$1,582,612.00	$305,450.00	$1,888,062.00	$99,372.00	$1,987,434.00
South Carolina	$6,979,445.00	$1,347,058.00	$8,326,503.00	$438,237.00	$8,764,740.00
South Dakota	$2,764,668.00	$533,591.00	$3,298,259.00	$173,593.00	$3,471,852.00
Tennessee	$9,117,894.00	$1,759,786.00	$10,877,680.00	$572,509.00	$11,450,189.00
Texas	$42,368,631.00	$8,177,299.00	$50,545,930.00	$2,660,312.00	$53,206,242.00
Utah	$4,345,908.00	$838,776.00	$5,184,684.00	$272,878.00	$5,457,562.00
Vermont	$1,780,928.00	$343,725.00	$2,124,653.00	$111,824.00	$2,236,477.00
Virginia	$9,560,782.00	$1,845,265.00	$11,406,047.00	$600,318.00	$12,006,365.00
Washington	$8,408,690.00	$1,622,908.00	$10,031,598.00	$527,979.00	$10,559,577.00
West Virginia	$2,835,575.00	$547,276.00	$3,382,851.00	$178,045.00	$3,560,896.00
Wisconsin	$8,278,495.00	$1,597,780.00	$9,876,275.00	$519,804.00	$10,396,079.00
Wyoming	$2,489,673.00	$480,516.00	$2,970,189.00	$156,326.00	$3,126,515.00
States Total	**$406,281,915.00**	**$78,413,880.00**	**$484,695,795.00**	**$25,510,308.00**	**$510,206,103.00**
American Samoa	$397,178.00	$76,657.00	$473,835.00	-	$473,835.00
Guam	$705,314.00	$136,128.00	$841,442.00	-	$841,442.00
Northern Marianas	$390,132.00	$75,297.00	$465,429.00	-	$465,429.00
Virgin Islands	$507,961.00	$98,038.00	$605,999.00	-	$605,999.00
Territories Total	**$2,000,585.00**	**$386,120.00**	**$2,386,705.00**	**$0.00**	**$2,386,705.00**
National Total	**$408,282,500.00**	**$78,800,000.00**	**$487,082,500.00**	**$25,510,308.00**	**$512,592,808.00**

Appendix B: MCSAP Grant Required Documents Checklist

Below are the documents required to be considered as being responsive to the MCSAP Grant 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 MCSAP 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 MCSAP 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 MCSAP 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 MCSAP 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 MCSAP 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 MCSAP lead agency to the Grants.gov application package.***	Grants.gov

	Document Name	Document Description and Location Information	Submit in/to:
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 MCSAP 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 MCSAP 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 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 MCSAP 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; or (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 MCSAP lead agency in the eCVSP Tool.***	eCVSP

	Document Name	Document Description and Location Information	Submit in/to:
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 by FMCSA. 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