



U.S. Department
of Transportation

**Federal Highway
Administration**

Memorandum

SP-92-005-CE

Subject Motor Carrier Safety Assistance Program (MCSAP)
Revised Policy on the Cost Eligibility
of Speed Detection Equipment

Date March 4, 1992

From Director, Office of Motor Carrier
Field Operations

Reply to
Attn of HFO-30

To Regional Directors, Office of Motor Carriers
Regions 1-10

In May 1984, shortly after the MCSAP began, the Associate Administrator for Safety, Traffic Engineering, and Motor Carriers issued a memorandum establishing guidelines concerning the cost eligibility of radar speed detection devices under the MCSAP. The memorandum, which is included in the "Cost Eligibility" section of the State Programs Reference Guide under #ISP-84-007-CE, explained that such equipment could not be considered eligible for reimbursement because it did not directly support the driver/vehicle inspection activities of the States.

In August 1988, the Director of the Office of Motor Carrier Safety Field Operations issued a memorandum establishing policy concerning the cost eligibility of VASCAR speed detection devices (see #SP-88-051-CE in the Reference Guide). Similar to the memorandum mentioned above, the cost of VASCAR units were found to be ineligible for MCSAP reimbursement since they did not directly relate to the enforcement of commercial motor vehicle safety regulations.

The purpose of this memorandum is to revise these long standing guidelines on speed detection devices based on language contained in Title IV, Motor Carrier Act of 1991. Section 4002 (c) of the Intermodal Surface Transportation Efficiency Act of 1991. Section 4002(c) of Title IV allows for the use of MCSAP grant funds in the "enforcement of State traffic laws and regulations designed to promote safe operation of commercial motor vehicles." In addition, Section 4002(g)(4)(A) of Title IV earmarks funds through FY 1997 for "traffic enforcement activities with respect to commercial motor vehicle drivers... carried out in conjunction with an appropriate inspection...." Because expenditures for traffic enforcement coupled with appropriate inspection activities are now reimbursable under the program, it follows that the costs of certain equipment directly related to the performance of these functions by MCSAP officers should be eligible and allocable to States.

Thus, costs associated with the purchase of radar and VASCAR speed detection devices for MCSAP-funded traffic enforcement activities are eligible for reimbursement. However, if such a device is not 100 percent dedicated to the MCSAP, the program will only bear the corresponding percentage of the costs for the device, i.e., if it is used 40 percent of the time in eligible traffic enforcement activities involving commercial motor vehicles, the program will bear 40 percent of its cost.

Please make the appropriate changes in your Reference Guide to reflect that the previous speed detection equipment policies have been superseded by this memorandum. Please direct any comments, questions, or concerns regarding this policy to Dave Osiecki at FTS 366-4340.

A handwritten signature in cursive script, appearing to read "Michael F. Trentacoste".

Michael F. Trentacoste