



U.S. Department
of Transportation

**Federal Highway
Administration**

Memorandum

SP-92-014-CE

Subject Motor Carrier Safety Assistance Program (MCSAP)
Funding Eligibility—Inspections of Private
Motor Carriers of Passengers

Date September 11, 1992

Reply to
Attn of HCS-30

From Director, Office of Motor Carrier
Field Operations
AND
Directors, Office of Motor Carrier
Standards

To Regional Directors of Motor Carrier Safety
Regions 1–10

This is to advise that both roadside and Level V “vehicle only” inspections of commercial motor vehicles being operated by **private motor carriers of passengers** (PMCPs) are eligible for cost reimbursement, subject to certain restrictions, under the MCSAP. PMCPs are operations such as Boy Scout troops, religious organizations, private schools, etc., that transport their own members, not for-hire, in the furtherance of their organization or enterprise. In the past, only the inspections of **passenger vehicles** being operated for-hire were eligible for reimbursement.

As you're aware, the Motor Carrier Safety Act of 1984 expanded the definitions of "commercial motor vehicle and interstate commerce." These definitions provided the Secretary of Transportation with the authority to apply the Federal Motor Carrier Safety Regulations (FMCSRs) to PMCPs. Following an Advance Notice of Proposed Rulemaking and a 2-year study, the FHWA issued a Notice of Proposed Rulemaking in 1989 proposing to subject PMCPs to certain requirements of the FMCSRs.

Although a final rule has not been issued by FHWA to date, the purpose of this cost eligibility policy is to encourage State agencies which have regulatory authority over PMCPs to begin exercising it in advance of the anticipated final rule. Hopefully, cost reimbursement of inspections of PMCPs will provide an incentive to these States to expand their activities in this area. In addition, we wish to encourage State agencies that do not have authority over such carriage to begin seeking it.

As stated above, the eligibility of a PMCP inspection for MCSAP reimbursement is subject to certain restrictions. These restrictions are as follows:

1. A "vehicle" in a roadside or a Level V inspection is any self-propelled or towed vehicle, used on the public highways in commerce to transport property or passengers that:
 - a) has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; or
 - b) is designed to transport more than 15 passengers, including the driver.
2. Roadside inspections must be conducted in accordance with the Commercial Vehicle Safety Alliance Levels I, II, or III inspection standards.
3. Level V "vehicle only" inspections must be performed in accordance with the Level V policy memorandum dated January 4, 1990 (SP-90-005-CE).
4. Level V "vehicle only" inspections conducted as a part of a State or locally mandated school bus inspection program are not eligible for NCSAP reimbursement.

All inspections of PMCPs must be reported on quarterly reports, and all inspections involving PMCPs operating in interstate commerce must be uploaded to SAFETYNET in Washington, D.C.

Any comments, questions, or concerns about this policy can be directed to either Bill Mahorney in HFO-30 or Dave Osiecki in HCS-30.


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