



U.S. Department
of Transportation

**Federal Highway
Administration**

Memorandum

SP-95-006-IN

Supersedes SP-92-003-IN, SP-88-030-IN

Subject MCSAP Guideline Change for Level I Inspections Date April 12, 1995 (stamped)

From Acting Director, Office of Motor Carriers
Safety and Technology Reply to
Attn of HSA-30

To Regional Directors, Office of Motor Carriers
Regions 1-10
Director, Office of Motor Carrier
Field Operations

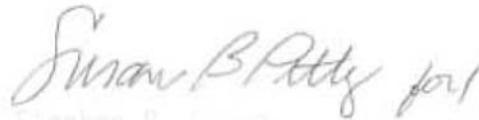
This memorandum clarifies and supersedes policy number SP-92-003-IN, as that policy relates to the percentage of Level I driver/vehicle inspections required by MCSAP. It also supersedes SP-88-030-IN, as applicable, requiring States to perform 25 percent of their inspections during "off-hour" periods.

When the MCSAP was initiated, the FHWA set several activity levels as guidance for the States to ensure uniform and compatible enforcement practices. These performance requirements included, for example, conducting a certain percentage of Level I inspections, and conducting inspections during both daylight and at night. The grant policy guidance required that 25 percent of MCSAP inspections be conducted during "off-hour" periods (i.e., other than 8 am to 5 pm Monday - Friday). Grant policy also required that specific percentages (e.g., 30 percent) of MCSAP-funded driver and vehicle inspections must be full, Level I inspections. The purpose of these policies was to provide guidance to States that were just beginning to conduct commercial vehicle inspections and looked for assistance in setting up their programs.

Now that the States' programs are well established, the FHWA believes that setting these types of program activity criteria may artificially distort the States' administration of their programs. The States may focus on meeting specific activity levels rather than basing their program activities on those initiatives that have the most impact on highway safety in that State. Therefore, the MCSAP is moving away from these specific requirements and toward performance goals. States are encouraged to evaluate their data to develop the best combination of the full range of comprehensive motor carrier safety programs that will have the greatest impact on commercial vehicle safety in their State. This will provide the States the flexibility to implement the most effective combination of programs and levels of program activities to address the States' commercial vehicle safety problems.

Accordingly, rather than resourcing a State to conduct 25 percent of its inspections during off-hour periods, the States are encouraged to target their inspection and enforcement activities based on traffic flow and accident data. This may vary by season and locality and should be supported in the State Enforcement Plan.

Similarly, the percentage of Level I inspections conducted by a State will vary depending on the safety data, type of inspection facilities, and other factors within the State. However, FHWA encourages each State to continue to conduct at least 30 percent of its inspections as Level I. This will help to maintain the effectiveness and reciprocity of the national program and encourage the application of CVSA decals to allow other States to identify previously inspected commercial motor vehicles. This guideline will apply to inspections done under the basic program, traffic enforcement, supplemental, and special grants. It does not apply to MOE and non-MCSAP funded inspections. If a State plans to conduct less than 30 percent of Level I inspections, the State may present data and justification in their enforcement plan for the Regional Director's approval. The 30 percent Level I is to be viewed as a guideline, not a requirement.

A handwritten signature in cursive script that reads "Simon B. Petty for". The signature is written in dark ink and is positioned above the printed name.

Stephan Crane