

# Motor Carrier Safety Assistance Program (MCSAP) Review Program

FMCSA  
National SPS Meeting  
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# Session Agenda

- Session Objective.
- Background.
- Process Flow.
- Review Objectives.
- Participants.
- Deliverables.
- Review Results.
- Contact Information.



# Session Objectives

- To provide an overview of the MCSAP Review Program.
- To discuss primary Findings identified in Reviews conducted to-date.

# Background – Why Have a MCSAP Review

- Government Accountability Office (GAO) Report.
  - Oversight of State Grants needs improvement.
  - MCSAP Plans with quantifiable goals need to be implemented.
  - Evaluation of MCSAP effectiveness needed.

# Background – Participants

- Partnership with:
  - FMCSA:
    - Headquarters.
    - Service Center.
    - Division.
    - Contractor.
  - State MCSAP personnel.

# Background – MCSAP Review States

2006 Pilot States		2007 Review States	
Mississippi	Ohio	Arizona	Missouri
Montana	West Virginia (4)	Delaware	New Mexico
		Florida	Pennsylvania (6)
2008 Review States		2009 Review States	
Arkansas	Oklahoma	California*	New Hampshire
Iowa	Tennessee	Georgia*	North Carolina*
Illinois	Utah	Idaho*	South Dakota*
Maryland	Vermont	Indiana*	Texas*
Minnesota	Wyoming (10)	Massachusetts*	Virginia*
		Nebraska*	Wisconsin (12)

\* On-Site Review Completed

# FY 2010 Review States

Alabama

Michigan

DC

Nevada

Maine

US Virgin Islands

Kentucky

Alaska

Kansas

North Dakota

Puerto Rico

South Carolina

# Process Flow – MCSAP Review

Responsibility	Activity
Headquarters	Selects States to be reviewed annually.
Headquarters / Contractors	Provide online training to FMCSA and State personnel.
Review Team	Conducts MCSAP Review with State personnel. <ul style="list-style-type: none"><li>● Regulatory.</li><li>● Financial.</li><li>● Safety and Program Performance.</li></ul>
Contractors	Produce MCSAP Review and Findings Reports.
FMCSA / State Personnel	Review and comment on MCSAP Review and Findings Reports.
State Personnel	Develop State Action Plan to address Findings.
FMCSA Division	Monitors State Action Plan until resolution.

# Process Flow – MCSAP Review Team Members

- FMCSA Headquarters.
- FMCSA Service Centers.
- FMCSA Division Offices.
- FMCSA Contractors.

# Objectives – MCSAP Review

<b>Review Component</b>	<b>MCSAP Review Objective</b>
Regulatory	Determine if State Laws, Regulations, Administrative Procedures, and Operational Practices are in compliance with: 1) STAA of 1982 as amended, 2) implementing regulations in 49 CFR 350, and 3) compatibility regulations in 49 CFR 355.
Financial	Determine State compliance with FMCSA Grant Agreements, Federal regulations, and applicable OMB circulars, as amended.
Safety and Program Performance	Determine if the State program safety planning and operational activities are in compliance with: 49 CFR 350.



# Deliverables

- MCSAP Review Report – Regulatory Review, Financial Review, and Safety and Program Performance Review:
  - *Overview* of State’s overall MCSAP implementation.
  - *Overviews* of:
    - Regulatory.
    - Financial.
    - Safety and Program Performance Overview.
  - *Findings* that indicate incompatibility with FMCSA regulations.
  - *Recommendations* to improve or strengthen the State’s MCSAP.
  - *Noteworthy State Practices*.
- MCSAP Findings Report – Findings Template for the State to develop the State Action Plan.

# Response - State Action Plan

- Template found in Findings Report.
- State Action Plan Criteria.
  - A plan for corrective action to every Finding in the report.
  - A reasonable estimated completion date.
  - The actual completion date.

# MCSAP Reviews – The Results Findings





# Review Results – Primary Findings Regulatory

- Right of Entry Requirements.
- Adoption of compatible FMCSRs and HMRs within tolerance guidelines.
  - Adoption of FMCSRs / HMRs.
  - Definitions.
  - Applicability.
    - Exclusions.
    - Exemptions.



# Review Results – Primary Findings Regulatory

- Adoption of compatible FMCSRs and HMRs within tolerance guidelines (continued).
  - Transportation.
  - Hours of Service.
  - Relief from Regulations.
  - Driver Qualifications.
  - Records Retention.
  - Other requirements.
    - Marking of CMVs.
    - Breakaway braking requirements.



# Review Results – Primary Findings Regulatory

- Enforcement of Financial Responsibility Requirements.
- Declaration of Knowledge.
- Reasonable Sanctions.
- State Certification Format.

# Review Results – Primary Findings

## Financial

- Grant management.
  - Closing out Grants timely.
  - Charging the correct Grant.
  - Unexpended Grant money.
  - Fund expenditure.
- Maintenance of Effort (MOE)
  - Not including all eligible costs.
  - How to calculate it.
    - Use of the MOE template.
  - MOE Substantiation.

# Review Results – Primary Findings

## Financial

- Indirect cost.
- CVSP.
  - Includes the Budget (Form).
  - Includes all MCSAP-eligible costs.
- Standards for Financial Management Systems.

# Review Results – Primary Findings Safety and Program Performance

- Performance-based CVSP.
  - Program effectiveness summary.
  - Activity oriented vs. performance effectiveness measurement oriented.
  - Analyzing data to ID issues and deploy resources.
  - Definition of problem statements.
- Quarterly reporting.
  - Timely submission.
  - Limited evaluation/assessment of program activities.



# Review Results – Primary Findings Safety and Program Performance

- Data Quality.
  - Complete.
  - Timely.
  - Accurate.
- SAFETYNET crash data elements.  
<http://www.nisrinc.com>

# MCSAP Reviews – The Results Recommendations



# Review Results—General Recommendations Regulatory

- Review State adoptions:
  - to correct references to incorrect Federal regulation references.
  - to revise references to Federal regulations that no longer exist.
  - to correspond to correct State references.
  - to ensure that the adopted regulations are the ones intended.
  - to ensure that they do not contradict other regulations.
  - to ensure they can easily be interpreted.
  - to ensure consistent use of terms.
  - to eliminate overlapping authorities.



# Review Results—General Recommendations Regulatory

- Implement timely adoption of FMCSRs / HMRs within 3-year window.
- Update rule books used by enforcement personnel with amendments to adopted regulations.
- Keep track of FMCSA-approved variances.
- Verify regulatory changes to variances keep the variance intent in tact.



# Review Results—General Recommendations Financial

- Maintain a routine billing process, preferably monthly.
- Routinely reconcile Grant amount expenditures with the Division Office.
- Realistically determine ability to expend Grant monies before application.
- Turn back Grant monies that cannot be used for reallocation to another State.



# Review Results—General Recommendations

## Financial

- Initiate accounting adjustments to appropriately charge the correct Grants.
- Develop standardized budget format to compare prior year line-item costs on the MOE Calculation Template to the CVSP MCSAP budget line items.
- Utilize latest budget forms referenced in the CVSP model.



# Review Results—General Recommendations Safety and Program Performance

- Request an FMCSA Data Quality Review to identify issues preventing the State from being able to completely, timely, and accurately from uploading crash and inspection data.
- Implement the recommendations from the Data Quality Review.
- Implement the recommendations from FMCSA's Police Accident Report analysis.



# Review Results—General Recommendations Safety and Program Performance

- Coordinate the scheduling of CRs with FMCSA partner.
- Consider implementing a Compliance Review program.
- Update safe driving section of CDL and regular driver manuals.

# MCSAP Reviews – The Results Noteworthy Practices



# Review Results – Representative Noteworthy Practices

State	Noteworthy Practice Area
California, Iowa, Maryland, Missouri, Utah	Multi-State relationships for MCSAP-related activities
Iowa, Maryland, Missouri, Montana	Impaired driving program / drug interdiction
Iowa, Missouri, Montana, North Carolina, Texas	Use of technology
Arizona, California, Delaware, Indiana, Pennsylvania	Judicial Outreach
Arizona, Indiana, Wyoming	Carrier notification / follow-up (violations, CRs)

# Review Results – Representative Noteworthy Practices

State	Noteworthy Practice
Arizona, Missouri, Utah	Crash causation, reconstruction and/or notification
California, Virginia	Crash Report Form
California, Delaware, Utah	Public Awareness Campaigns, Public Outreach, Surveying
Illinois, North Carolina, Ohio, Texas, Utah, Virginia, West Virginia, Wyoming	CVSP development, monitoring, and/or communication

# Review Results – Representative Noteworthy Practices

State	Noteworthy Practice
Arizona, Florida, Georgia, Maryland, Minnesota, Missouri, New Mexico, Pennsylvania, Tennessee, Texas, Vermont	Extensive inclusion and/or coordination with Division Office, other State Agencies, and local law enforcement (supplement)

# Review Results – Representative Noteworthy Practices

State	Noteworthy Practice
Arkansas, California, Florida, Iowa, Georgia, Maryland, New Mexico, North Carolina, Oklahoma, Pennsylvania, Tennessee, Utah	Training Programs

# MCSAP Reviews – Get Involved





# Review Results – Training and Outreach Opportunities

- FMCSA Leadership Conference / Other national forums.
- Technical Review Panels.
- Service Center Workshops.
- Online training sessions.
- Find out information on Noteworthy Practices available in other States.
- Any other additional available training opportunities.



# Review Results – Bottom Line

- Additional training / outreach needed but...

## MCSAP Works!!!

- MCSAP is comprised of conscientious FMCSA and State personnel.
- Excellent cooperation amongst all participants.
- Deficiencies are systemic but fixable.
- Continuous process improvement is key.



# Questions



# Contact Information

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