



U.S. Department of  
Transportation

# BUDGET ESTIMATES

FISCAL YEAR 2015

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FEDERAL MOTOR  
CARRIER SAFETY  
ADMINISTRATION

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SUBMITTED FOR THE USE OF  
THE COMMITTEES ON APPROPRIATIONS



**FISCAL YEAR 2015 PERFORMANCE BUDGET  
SUBMISSION FOR THE USE OF THE COMMITTEES FOR APPROPRIATIONS**

**TABLE OF CONTENTS**

	<u>PAGE</u>
<b>SECTION 1: Overview</b>	
Statement of the Administrator.....	1
Federal Motor Carrier Safety Administration FY 2015 Budget Request Overview .....	7
Federal Motor Carrier Safety Administration Summary Statement .....	15
Exhibit 1-A: FMCSA FTE Organization Chart.....	19
Exhibit 1-B: FMCSA FTP Organization Chart .....	20
<b>SECTION 2: Budget Summary Tables</b>	
Exhibit II-1: FY 2015 Comparative Statement of New Budget Authority.....	21
Exhibit II-2: FY 2015 Total Budgetary Resources by Appropriation Account.....	22
Exhibit II-3: FY 2015 Budget Request by DOT Strategic and Organization Goals.....	23
Exhibit II-3-A: FY 2015 Budget Request by DOT Outcomes .....	24
Exhibit II-4: FY 2015 Budget Authority .....	25
Exhibit II-5: FY 2015 Outlays .....	26
Exhibit II-6-A: Summary of Requested Funding Changes from Base Motor Carrier Safety Operations and Programs .....	27
Exhibit II-6-B: Summary of Requested Funding Changes from Base Motor Carrier Safety Grants .....	28
Exhibit II-7: Working Capital Fund.....	29
Exhibit II-8: Personnel Resource Summary – Total Full Time Equivalents .....	30
Exhibit II-9: Personnel Resource Summary – Full-Time Permanent Positions .....	31

**FISCAL YEAR 2015 PERFORMANCE BUDGET  
SUBMISSION FOR THE USE OF THE COMMITTEES FOR APPROPRIATIONS**

**TABLE OF CONTENTS**

PAGE

**SECTION 3: Budget Request by Appropriation Account**

**SECTION 3A: Motor Carrier Safety Operations and Programs**

Legislative Proposal, Liquidation of Contract Authorization, Limitation on Obligations, Highway Trust Fund.....	35
Motor Carrier Safety Operations and Programs - Program and Financing .....	37
Motor Carrier Safety Operations and Programs - Program and Performance Statement .....	39
Motor Carrier Safety Operations and Programs Object Classification.....	41
Personnel Resource Summary – Full Time Equivalent (FTE) .....	43
Personnel Resource Summary – Full Time Position (FTP).....	44
Motor Carrier Safety Operations and Programs Liquidation of Contract Authority .....	45
Motor Carrier Safety Operations and Programs Limitation on Obligations.....	46
Exhibit III-1-A Appropriations Summary by Program Activities .....	47
Exhibit III-1-A-1 Summary of Changes from FY 2014 Enacted to FY 2015 Request Appropriations, Obligations, Limitations, and Exempt Obligations .....	48
Motor Carrier Safety Operations and Programs Overview.....	49
Office of Enforcement Program.....	59
Policy and Regulatory Development Program .....	104
Office of Research and Information Technology .....	127
Research and Development.....	147

**FISCAL YEAR 2015 PERFORMANCE BUDGET  
SUBMISSION FOR THE USE OF THE COMMITTEES FOR APPROPRIATIONS**

**TABLE OF CONTENTS**

	<u>PAGE</u>
<b>SECTION 3B: Motor Carrier Safety Grants</b>	
Motor Carrier Safety Grants Overview.....	155
Legislative Proposal, Liquidation of Contract Authorization, Limitation on Obligations, Highway Trust Fund.....	159
Motor Carrier Safety Grants Program and Financing.....	161
Motor Carrier Safety Grants Program and Performance Statement .....	163
Motor Carrier Safety Grants Object Classification.....	165
Motor Carrier Safety Grants Liquidation of Contract Authority .....	167
Motor Carrier Safety Grants Limitation on Obligations.....	168
Exhibit III-1-B Appropriation Summary by Program Activities .....	169
Exhibit III-1-B-1 Summary of Changes from FY 2014 Enacted to FY 2015 Request Appropriations, Obligations, Limitations, and Exempt Obligations .....	170
FY 2015 Motor Carrier Safety Grants .....	171
<b>SECTION 3C: Motor Carrier Safety</b>	
Motor Carrier Safety Program and Financing .....	179
Motor Carrier Safety Program and Performance Statement .....	181
Motor Carrier Safety Liquidation of Contract Authority.....	183
Motor Carrier Safety Limitation on Obligations .....	184
<b>SECTION 3D: National Motor Carrier Safety Program</b>	
National Motor Carrier Safety Program - Program and Financing.....	185
National Motor Carrier Safety Program - Program and Performance Statement .....	187
National Motor Carrier Safety Program Liquidation of Contract Authority .....	189
National Motor Carrier Safety Program Limitation on Obligations .....	190

**FISCAL YEAR 2015 PERFORMANCE BUDGET  
SUBMISSION FOR THE USE OF THE COMMITTEES FOR APPROPRIATIONS**

**TABLE OF CONTENTS**

	<u>PAGE</u>
<b>SECTION 4: Annual Performance Results and Targets</b>	
Exhibit III-2: Federal Motor Carrier Safety Administration Annual Performance	
Results and Targets .....	191
<b>SECTION 5: Research, Development and Technology Exhibits</b>	
Research, Development and Technology: Budget Authority .....	195

## **FMCSA IMPACT**

### ***“Motorcoach Safety Initiative”***

*The spate of motorcoach crashes at the end of last year underscores the importance of FMCSA’s safety mission—preventing crashes, injuries, and fatalities. It also serves as a call to action to reinforce the Agency’s commitment to raising the safety bar to enter and operate in the industry, and to removing high-risk carriers from the road. In response, on February 14, Transportation Secretary Ray LaHood and FMCSA Administrator Anne Ferro launched the Motorcoach Safety Initiative to set a new course in protecting the millions of Americans who rely on intercity and chartered buses to get to their destinations. The project is organized in three phases: Targeted Safety Operations, Stakeholder Engagement and Consumer Outreach, and Regulatory and Program Evaluation.*

*The Targeted Safety Operations Quick Strike Investigations and Safety Assessments have resulted in 18 bus companies being placed out-of-service for safety violations. The Agency has also revoked the operating authority of 10 additional bus companies following compliance review investigations that resulted in an “unsatisfactory” safety rating. The effort is part of the Agency’s Motorcoach Safety Initiative to remove high-risk buses and drivers that pose a danger to the traveling public from our roads.*

*The Stakeholder Engagement and Consumer Outreach focuses on spreading the message of motorcoach safety and educating consumer groups on how to select safe carriers. FMCSA is utilizing partnerships with organizations like ABA Foundation, NCAA, AARP, and the National Tour Association to target educational, athletic, and leisure travelers for more directed communication.*

*The third area of progress is in the evaluation of FMCSA’s regulatory authority and program effectiveness. Data and results of the targeted enforcement effort, as well as experience gained from our stakeholder engagement and consumer outreach, contribute to the overall goal of the Motorcoach Safety Initiative—to prevent commercial passenger carrier fatal, injury, and property damage crashes.*



## Statement of the Administrator

I am proud to present the Federal Motor Carrier Safety Administration's (FMCSA) FY 2015 Budget Request of \$668.523 million. This budget request supports the replacement for the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) authorization and aligns with the Agency's 2012-2016 Strategic Plan and the United States Department of Transportation's (DOT) Strategic Framework and Roadway Safety Plan (RSP). Within that framework, FMCSA's safety programs comprise 94% or \$633.0 million of the overall budget request, with more than half of the funds requested to support grants to our State partners. Our mission is clear. We are committed to saving lives by reducing crashes, injuries, and fatalities involving commercial motor vehicle (CMV) transportation. I, along with all of FMCSA's employees, seek to achieve that mission and the purposes set forth in our authorizing legislation.

Since the inception of FMCSA in 2000, we have witnessed a 33.7% drop in the fatality rate from 0.205 fatalities in large truck and bus crashes per 100 million vehicle miles traveled by all motor vehicles to 0.136 in 2011. Fatalities in large truck and bus crashes dropped 28.5%, from 5,620 in 2000 to 4,018 in 2011, a reduction of 1,602. The successes we have realized in reducing crashes, injuries, and fatalities are great, but there is more to be done. Every life is precious, and even one fatality is one too many.

Safety has always been and will continue to be our highest priority; therefore, we are increasing our focus and determination through a new strategic framework. That framework shapes our efforts into four Strategic Focus Areas: CMV "Safety 1st" Culture, Exponential Safety Power



(Safety<sup>X</sup> Power), Comprehensive Data Utilization and Leveraging Technology, and One FMCSA. It employs three core principles: raise the bar to enter the motor carrier industry; maintain high safety standards to remain in the industry; and remove high-risk carriers, drivers, and service providers from operation. This budget requests additional resources needed to support our strategic framework, maximize the effectiveness and efficiency of our safety programs, and fully implement the statutory requirements in MAP-21.

We will continue to strengthen our partnerships with Federal, State, local, tribal, and foreign governments; reach out to all stakeholders—our citizens, the industry and related associations, drivers, victims and advocacy groups; and collaborate effectively with other DOT safety agencies. Further, FMCSA is partnering with the Federal Highway Administration (FHWA) and the National Highway Traffic Safety Administration (NHTSA) to leverage and pool our resources to enhance roadway safety based on the premise that the loss of even one life on our roadways is unacceptable. Working together, we hope to eliminate crashes, injuries, and fatalities involving CMVs. Together we will “Raise the safety bar!”

### **Reauthorization**

The President’s Budget for FY 2015 is the first year of a new authorization for surface transportation programs. Our priority for the new authorization is refining and properly resourcing programs and authorities received in MAP-21. The most significant change the Agency has proposed is a simplification of its grant programs, consolidating the New Entrant, Border Enforcement (BEG), Performance and Registration Information Systems Management (PRISM) and Safety Data Improvement (SaDIP) grant programs into the Motor Carrier Safety Assistance Program (MCSAP) Basic and Incentive programs. These changes will reduce the administrative burden on our partner agencies while allowing us to continue accomplishing the objectives of the formerly individual programs. We also propose to alter the existing Commercial Vehicle Information Systems and Networks (CVISN) program into the Innovative Technology Deployment (ITD) program. Our partner training program, funded through an administrative takedown, will double the amount of funding available for the training of non-Federal staff that have responsibilities associated with the MCSAP program. The additional funds requested for our operations will help us meet program timelines established under MAP-21.

Given the recent number of motorcoach crashes, the FMCSA is proposing to expand locations where motorcoach inspections may occur, to include en route inspections at routine stops, provided that the site has adequate facilities to accommodate passengers. FMCSA also seeks new jurisdiction over brokers of passenger transportation, to help address the problem of transportation entities skirting safety regulation by claiming to be mere ticket agents. Both the en route inspection and passenger broker authorities will create new demands for enforcement resources.

### **Safe Transportation of Energy Products Fund**

The Department of Transportation is requesting the creation of a new fund to support the multimodal prevention and response activities associated with the increased safety issues currently surrounding the transport of crude oil. The funds would be available for initiatives within the Federal Railroad Administration, the Pipeline and Hazardous Materials Safety

Administration, and the Federal Motor Carrier Safety Administration. The Administrators of those Operating Administrations along with representatives of designated offices within the Office of the Secretary would jointly serve as a decision-making board for the use of the funds and would be responsible for their effective administration.

### **CMV “Safety 1<sup>st</sup>” Culture**

Although our roadways are getting safer, FMCSA’s focus on operator safety has never been sharper. FMCSA is dedicated to working with our state partners to aggressively pursue safety initiatives in areas like fatigue management and seat belt use to decrease the number of crashes and fatalities involving large trucks and buses on our nation’s roadways. Taken together, our safety programs and oversight activities will refine and strengthen this mission.

#### *Raising the Bar to Entry*

We are working to improve our registration process to focus on the application screening process that will include a rejection of incomplete applications and system enhancements to catch data inconsistencies and to expand the use of an automated vetting process for all new applicants. Further carriers will have to file an annual application to update their information.

Based on two program evaluations being completed in FY 2014, we will enhance the New Entrant Safety Assurance Program (NESAP) through development of new streamlined procedures and piloting a new approach for performing Safety Audits (SAs) that more closely ties our NESAP activities to our CSA enforcement model. In FY 2015, FMCSA and its State partners will complete more than 35,000 SAs and dramatically reducing our backlog of overdue carriers.

#### *Maintaining Safety Standards*

We are working to identify gaps in resources and/or authorities that prevent us from reaching certain elements of the CMV transportation life-cycle (e.g. shippers, receivers, brokers, and freight forwarders) that may have a detrimental impact on safety through their actions.

Additionally, we have extended the SaferBus App to the Android operating environment to better reach consumers to provide them with access to as much timely information as we can to help them make sound decisions on the relative safety performance of passenger carriers.

We will continue the Motorcoach Safety Initiative focusing on three main areas: targeted safety interventions (Quick Strike and Safety Assessments), stakeholder engagement and outreach, and regulatory and program evaluation. It has now been five years since the Department, (FMCSA, FHWA, NHTSA, Federal Transit Administration (FTA), and the Office of the Secretary) produced its first Motorcoach Safety Action Plan which we recently updated. Drivers, company owners, safety managers, tour group organizers, safety advocates, and educators helped shape the 2012 Update by identifying actions necessary to increase motorcoach safety awareness, enforcement, and education. FMCSA continues to expand its efforts for motorcoach safety and find ways to ensure that passenger carrier travel is safe. FMCSA is also committed to ensuring

accessible services, as required under the Americans with Disabilities Act (ADA), are adhered to and implemented. Resources requested in this budget are crucial to the routinization of these inspections.

The goal of the targeted safety interventions is to complete Enhanced Investigative Techniques training for all FMCSA's Special Agents. The training is focused on the unique nature of motorcoach operations but includes methods for applying the techniques to all types of motor carriers.

The training will be utilized by our Special Agents to address the requirement of MAP-21 to complete safety ratings of all motorcoach carriers within a 3 year time period.

There will be continued effort related to stakeholder engagement and consumer outreach. Meetings and presentations to stakeholders will be scheduled to reinforce our message that consumers demand safety; choosing safety over price to build awareness that safety is everyone's business. Compelling messages and public information materials will be targeted to consumers along with leveraging victim advocates to humanize the importance of our safety-first message. We will also promote "whistleblowing" by encouraging the submission of passenger carrier safety concerns to the National Consumer Complaint Database. We will improve consumer appeal by completing the review and upgrade of FMCSA's webpage.

In FY 2015, the results of earlier data gathering through the Quick Strike investigations and Safety Assessments will be used to further the top-to-bottom analysis of the passenger carrier oversight system to strengthen its authority and practices. We expect to complete a gap analysis to identify the most effective intervention strategies to raise the passenger carrier safety standard. The analysis will examine past levels of interventions and enforcement of motorcoach carriers and compare them to the Quick Strike and Safety Assessment results. We will assess personnel and equipment use, training, travel costs, intervention results to evaluate the level of safety achieved. The goal of the gap analysis is to achieve an optimal level of compliance and enforcement that assures one level of safety for all motorcoach passengers.

The Agency anticipates full implementation of the National Registry of Certified Medical Examiners rule and will continue to add Medical Examiners to the roster of certified medical examiners after the May 2014 compliance date. We will continue to reach out to health care practitioners, encouraging them to enroll, train and take the test to allow them to perform medical examinations for commercial motor vehicle (CMV) drivers. FMCSA wants to ensure that the National Registry lists a sufficient number of medical examiners, geographically dispersed throughout the US, particularly in rural and underserved communities, to meet the need of the driver population. In addition, we will begin the performance monitoring of the Certified Medical Examiners, ensuring that they are conducting the medical examinations in accordance with FMCSA regulations and advisory criteria. We have developed a random sampling methodology and will monitor a representative number of Medical Examinations conducted during the year.

In addition to our activity with the Medical Examiners, FMCSA expects to publish the new rule, Medical Examiners' Certification Integration. This rule enables transfer of the driver medical

certificate information from the medical examiner through the National Registry system to the State Driver Licensing Agencies. We will work with our state partners to develop the business requirements and the best method for data transfer.

The Protect Your Move Website is an interactive tool/resource for consumers who are seeking to move their household goods (HHG). The website contains Consumer Protection Advisories to include the Moving Fraud Prevention Checklist, FMCSA Spotlight, and a Red Flag Warning Campaign. It features Public Service Announcements, and it provides links for consumers to do research and file complaints. These advisories are geared towards educating the consumer by providing steps the consumer should take to avoid being a victim of moving fraud. The advisories are translated into nine languages to ensure the broadest dissemination of information.

The FMCSA has partnered with State counterparts to allow access to specific tools within the website to assist in HHG investigations. The website has a section of important resources where the consumer may check the CSA score, registration status and complaint history of a carrier in advance of their relocation. There are links on the Website to State regulatory agencies to assist with consumers who have questions regarding local or intrastate moves.

The FMCSA plans to continue the enhancements on the FMCSA Protect Your Move Website by accessing real-time data to more accurately reflect the motor carrier's status in regards to its safety and compliance with Federal Motor Carrier Safety and Commercial regulations. This information will give the consumer the added confidence of knowing the current compliance posture of a potential mover.

The FMCSA is encouraging additional partnerships with Federal and State enforcement agencies and anticipate placing links to those agencies upon FMCSA's Protect Your Move Website. The ability to partner with other Federal and State agencies offers the consumer protection community the additional force multipliers to further combat consumer fraud. The FMCSA has formal agreements with Louisiana, Texas, and Ohio. There are four states in negotiations to become partners in the near future.

### *Removing High Risk Carriers and Drivers and Service Providers*

The Agency continues to work to improve its carrier target selection tool, the Safety Measurement System (SMS). The Agency has continued to make changes based on new research and analysis to improve our ability to identify high-risk carriers for investigation. Motor carriers identified as high-risk by the SMS have future crash rates more than double the crash rate of all active motor carriers. Clearly we are targeting the right carriers, but we will continue to work to improve.

Recent improvements to the SMS show that motor carriers with at least one Behavior Analysis and Safety Improvement Category (BASIC) above FMCSA's Safety Intervention Threshold have a crash rate that is 3.9% higher than before we made these improvements. We will continue refining this approach to guide more effective interventions. Utilizing performance and compliance data, we target the highest risk carriers, and when non-compliance is discovered, we maximize the use of our enforcement authorities, including new authorities provided in MAP-21.

FMCSA enforcement efforts have reached unprecedented levels in recent years, and we are continuing to find new and innovative methods to improve safety. The SMS is having an impact on safety and compliance. In its first year of implementation, violations per roadside inspection were down 8% and driver violations per inspection were down 10% from the prior year — the most dramatic drop in safety violations in a decade.

In FY 2011, the Agency used its Imminent Hazard Out-of-Service Authority to remove unsafe carriers 10 times. In FY 2012 that increased to 47. During FY 2013, 36 carriers were ordered off the road. FMCSA's intensive "Quick Strike" passenger carrier safety initiative has led to the issuance of 14 Imminent Hazard Out-of-Service orders over five months. FMCSA will continue to be vigilant to ensure that only safe and compliant carriers are operating on our nation's roadways. These efforts will continue with our increased focus on passenger carriers.

### **Exponential Safety Power ("Safety<sup>x</sup>" Power)**

A key component of FMCSA's plan to achieve its safety goal is its collaborative partnerships with State and local law enforcement agencies, non-profit organizations, and universities. This partnership is created by the Motor Carrier Safety Assistance Program (MCSAP) grant programs. Through its safety assistance program grants, FMCSA supports State enforcement of safety regulations for both domestic and international commerce through roadside inspections, traffic enforcement, carrier interventions, and a robust data collection system that, in turn, provides the information that FMCSA needs to identify problem areas and direct priorities.

These grant programs also support the review of motor carriers that are new to the industry to ensure that they meet the high standards necessary to operate safely. Other grant programs encourage States to use technology that can improve enforcement activities through weigh-in-motion scales, infrared examination of brakes, validation of operating authority and status, and electronic inspection screening and prioritization, State agencies are changing the way that they select trucks for inspection and maximizing efficiency of their limited resources at roadside. Finally, the driver-focused grants enable State driver licensing agencies to ensure that only qualified individuals obtain a commercial driver's license and that those who should no longer hold a license are removed from the roadways. Grant funds support efforts to improve and make uniform testing practices around the country, detect and prevent fraud in the licensing process, and improve data sharing between States. The grant funds also support the training of potential truck drivers, including assisting service members and their spouses' transition from a military career to a safe and productive civilian carrier in commercial motor vehicle operations.

Increasing the funding for these enforcement grant programs will help FMCSA fully implement CSA by providing more State resources to conduct carrier interventions and safety inspections necessary to evaluate carrier performance. It will also allow FMCSA to engage more local law enforcement agencies in important enforcement activities and help States expand traffic enforcement activities on CMVs and cars operating unsafely around CMVs, conduct more strike forces that target unsafe motorcoach companies, and expand inspection capability to remote areas. Additional grant funds will provide States the resources they need to help FMCSA raise

the bar to entry into the motor carrier industry by meeting the new entrant safety audit timelines established in MAP-21.

We believe that establishing new partnerships and developing policies and programs that promote opportunities to collaborate with all safety stakeholders, together, we can advance a common safety agenda and enhance the CMV safety culture.

## **Comprehensive Data Utilization and Leveraging Technology**

### ***Quality Data***

FMCSA's programs are dependent on timely, accurate, consistent, and complete data for monitoring carrier and driver safety, measuring performance, analyzing regulatory initiatives, and identifying safety issues. Therefore, the Agency has developed a robust program to promote continuous improvement in data quality.

In 2004, FMCSA implemented the State Safety Data Quality (SSDQ) program to help States identify data quality problems in their crash and inspection reporting. The Agency encourages a continuous improvement approach to data quality. When problem areas are identified, FMCSA provides assistance in a number of ways. Each year, through Safety Data Improvement Program grants, FMCSA has provided a total of \$3.000 million to support State data quality initiatives. FMCSA monitors State SSDQ performance and provides technical assistance to the States in the form of advice, analytical reports, examples of best practices, and training to assist in improving their data collection and reporting systems, processes, and staffs. The July 2013 SSDQ map shows that 43 States had achieved an overall score of "good" in their monthly data quality results.

In addition, FMCSA developed and maintains the DataQs System, an online system for drivers, motor carriers, Federal and State agencies, and others to file concerns about Federal and State data maintained in MCMIS and released to the public by FMCSA. Through DataQs, errors in the data can be identified and corrected.

### ***Risk and Safety Research***

FMCSA leverages new technologies by conducting transformative research that focuses on risk factors and safety technologies to inform and enhance enforcement and compliance. For example, we are identifying, testing, and deploying smart roadside technologies in partnership with Federal, State, and local safety agencies while accelerating the deployment of onboard safety systems by promoting the benefits to fleets and insurance carriers.

As outlined in our strategic plan, FMCSA is developing a data and technology-focused plan that will use data-driven systems and transformative research that focuses on reducing safety risks. As such, FMCSA is undertaking a number of projects to identify areas where vehicle and driver safety performance can be improved. For example, FMCSA will continue to evaluate aspects of naturalistic driving data to determine the causes of safety critical events, interactions with passengers and other vehicles to determine how crash conflicts could be mitigated. FMCSA's

ongoing driver fatigue research program will provide data to better understand fatigue's impact on driver safety performance and health. For example, the Study of Crash Risks by CMV driver schedules will identify crash risk ratios for various aspects of HOS provisions. The Agency will collect six to ten billion miles of Electronic Logging Devices (ELD) data regarding hours of service and match those data to the crash records of carriers to identify crashes by hour of driving. .

In the area of motorcoach safety, FMCSA has developed a more robust Motorcoach Safety Research Program that includes evaluating naturalistic driving video, testing tire safety, examining minimum maintenance requirements, extending fire research to include school busses, and identifying the amount of restorative sleep needed for drivers.

### Integrated Systems

Our Information Technology (IT) systems are critical to our data-driven enforcement and compliance program and provide real-time access to data for the enforcement community, industry, stakeholders, and the public. The IT sustainment program will focus on the operations and maintenance of our core systems, meet all Federal Information Security Management Act (FISMA) requirements, implement the Motor Carrier Safety Enhanced and Expanded Vetting Initiative, operate FMCSA call centers, operate and maintain the National Registry (Phase I), and replace aging network and server infrastructure to meet IPv6 requirements.

FMCSA's technology program will continue to adopt, develop, test, and deploy advanced integrated information technology solutions and innovative on-board commercial vehicle, driver, and roadside technologies. FMCSA will begin a large-scale field operational test (FOT) of the Wireless Roadside Inspection (WRI) program. Findings from this field test can lead to more efficient roadside inspections to augment carrier data for the Compliance Safety and Accountability (CSA) program. To support DOT's mission of technology transfer, FMCSA plans to take the lessons learned from the FMCSA's Advanced System Testing utilizing a Data Acquisition System Highway (FAST DASH) program to continue conducting real-world field tests to assess the costs and potential life-saving benefits of new technology solutions. To support FMCSA rulemaking and enforcement, the FMCSA will conduct a study to test ELDs to ensure compliance with respect to the technical requirements in the HOS and ELD rulemaking.

### **One FMCSA**

The "One FMCSA" focus is part of our continued effort to develop an organization where every employee knows the Agency's goals and how we are working toward them. This includes not only the Agency's field, rulemaking and policy staff, but also mission support staff that support all of the Agency's programs.

Through this vision, the Agency will have the critical leadership, management and services needed by its employees to ensure the success of our core mission. By setting this direction and providing a safe and productive work environment for employees, proper training, and a robust recruitment and retention program, the Agency will maintain the highest level of organizational

excellence and productivity toward the safety mission. Centralized oversight and internal controls and financial and budget reporting are crucial in the delivery of our safety mission.

The mission support functions include legal services and are essential to maintaining and improving the delivery of FMCSA's important programs and operations. Leadership direction has contributed to reduced fatalities; human resources has provided the resources needed to develop competent safety staff; acquisitions, training and management services provide the tools needed to deliver programs and grant support. Robust employee retention and recruitment strategies, leadership development programs and opportunities, safety, health and wellness programs, and proper support and equipment are key factors government wide for maintaining a high performance workforce. These activities are important to our Safety mission and contribute to our success in lowering the total highway fatalities.

FMCSA oversees the safety of trucks and buses entering the U.S. from Mexico and Canada including Federal safety enforcement activities at the U.S./Mexico border to ensure the Mexican carriers entering the U.S. are in compliance with Federal Motor Carrier Safety Regulations (FMCSRs). As important as this effort is, a lack of facilities and poor infrastructure makes the job dangerous. Therefore, we are requesting vitally needed resources to improve our border infrastructure so that inspectors have safe facilities to accomplish their safety critical job.

In accordance with the Department of Transportation Civil Rights Strategic Plan, we will be actively engaged in: achieving the DOT 3% hiring goal for individuals with targeted disabilities; reducing barriers to DOT programs and activities; and increasing minority, women and individuals with disabilities participation in DOT programs. FMCSA will also ensure: that civil rights laws, regulations, and principles are fully integrated in the FMCSA Strategic Plan; there is improved harmony and diversity in the workplace as evidenced by Employee Viewpoint Survey results; and there is an improved work environment and delivery of transportation services. Last, FMCSA will reinforce management's awareness of data for employee groups which show a low participation rate; advocate the provision of reasonable accommodation to attract and retain employees with targeted disabilities; and ensure that rating officials have clear guidance on performance expectations on the EEO for all Performance Plans.

As part of our continuous improvement effort, the FMCSA values its employees as its number one resource. To ensure continuity in our mission related activities, and minimize our costs, the Agency is emphasizing recruitment and retention programs to help maintain an experienced workforce. The Agency's primary recruitment and retention program is the Training Academy for new field investigators, auditors and inspectors. In FY 2013, the Academy Training program was revamped leading to accreditation in FY 2014.

We have a more robust summer intern program, a mentoring and coaching program geared towards our investigators and border inspectors and an enhanced manager and supervisor-training program to include 360 degree assessments and coaching. Additionally, FMCSA has a comprehensive program of Professional and Leadership Development for employees to ensure the staff has the most current skill set to perform the job function and to provide a supply of future leaders for the Agency through succession planning.



FMCSA fully supports the Department's Environmental Sustainability goal through compliance with Executive Order 13514 to include working to increase energy efficiency, reduce greenhouse gas (GHG) emissions, eliminate waste, and prevent pollution. FMCSA is replacing its vehicle fleet with environmentally-friendly vehicles, including hybrids and those using alternative fuels. Further, the Agency continues to encourage the use of telework and alternative work schedules to reduce congestion and pollution.

Finally, we are committed to a results-oriented transparent business model that measures performance through managing for results and reporting outcomes. FMCSA will strive to build a high-performance business process capable of addressing the challenges of the 21<sup>st</sup> century. The American people deserve a government that works, where the public interest is the highest priority, the impact of government spending is transparent and held to high, objective standards, and where measurable results and good management matter.

With the resources in this FY 2015 Budget Request, we can more effectively and efficiently meet our vision for a future with zero CMV crashes, fatalities, and injuries by striving towards a crash-free and fully accountable CMV transportation life cycle.

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## **FMCSA IMPACT**

### ***“Kansas Highway Patrol Trucks on Patrol for Safety program”***

*Over the past 7 years the Trucks on Patrol for Safety program has been integral in Kansas to assist with our reduction of commercial motor vehicle (CMV) accidents, specifically, injury and fatality accidents. We also believe it has significantly assisted in assisting the KHP in increasing our commercial motor vehicle seat belt percentage.*

*The Trucks on Patrol for Safety (TOPS) program has the primary goal of enforcing State Laws and Federal Regulations in and around large trucks using Kansas Highway Patrol (KHP) Troopers operating traditional and non-traditional patrol vehicles. The Kansas TOPS program is designed to support the reduction of the injury and fatality collisions by increasing our non-CMV enforcement in areas across the State with the higher collision rates. The KHP TOPS program has been fully implemented for the past seven years.*

*For calendar year (CY) 2012 the KHP focused TOPS enforcement efforts on a monthly basis in each of the seven geographical regions and the three metropolitan areas that were located in Johnson, Shawnee, Sedgwick, and Wyandotte counties. There were 1,449 collisions involving CMVs during CY 2011 in Johnson, Shawnee, Sedgwick, and Wyandotte counties. CY2012 realized a crash reduction of 243 CMVs involved in collisions when compared to CY2011 actuals.*

*An aggressive media campaign orchestrated through a paid media consultant highlighting the dangers around mobile commercial motor vehicles was developed to identify the most cost effective distribution of the funding to reach the target audience. The plan considered the population and available media markets to most effectively distribute the message in all regions of the State and; was appropriately distributed into the television, radio, internet and cable television markets. During CY2012 Safety programs expounding on the Teens and Trucks program were presented at the Johnson County Driver's Education Department, Kansas Youth Leadership Summit in Junction City, Teens Injury Prevention Expo in Topeka, and the Kansas Department of Transportation Construction Career Fair also in Topeka.*

*Continued on next page*

## FMCSA IMPACT

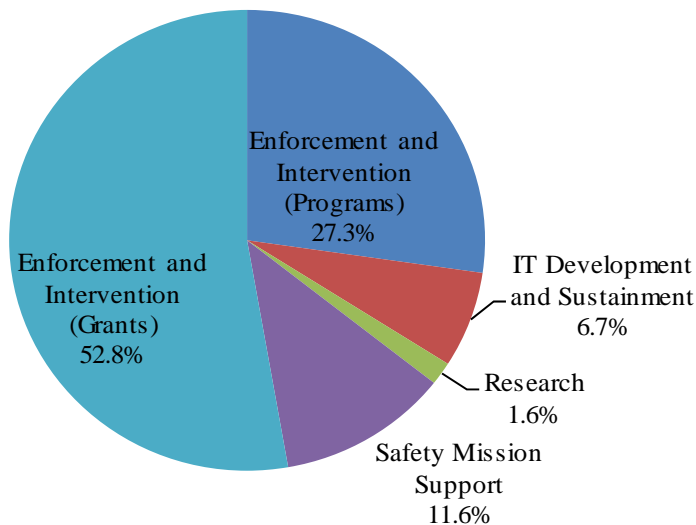
### ***“Kansas Highway Patrol Trucks on Patrol for Safety program”- Continued***

*Through diligent enforcement and education Kansas’ safety restraint usage has increased significantly over the past decade. In CY2002, only 73.8% of drivers of large vehicles involved in collisions were wearing safety belts. In CY2012, this percentage rose to 86.6%, a 15% increase.*

*Kansas began TOPS enforcement and education efforts in CY2007 which have continued through CY2013. During this time, the TOPS program has allowed us to make contact with nearly 23,000 drivers, issuing over 42,000 citations and warnings. Since the inception of the program, Kansas has discovered 842 vehicles, 336 drivers and 79 hazardous materials violations meeting the Commercial Safety Vehicle Alliance out of service criteria. Seatbelt enforcement was another significant violation discovered which resulted in 1,894 passenger vehicle and 497 CMV citations and warnings.*

*The TOPS program has showed significant results in enforcing alcohol and drug violations with 78 arrests. Kansas has had 127 felonies and National Crime Information Center hits on drivers since the program’s beginning, in addition to large drug and currency seizures. In fiscal year 2013 we seized over significant amounts of illicit proceeds and 196 pounds of illegal narcotics in drug associated activities during TOPS deployments. During one of the deployments a vehicle chase was initiated, culminating with the arrest of a suspect for attempted second degree murder of a law enforcement officer, and 2 felony warrants.*

**Federal Motor Carrier Safety  
Administration  
FY 2015 Budget by Program  
Total Request: \$668.5 million**



### Overview

The primary mission of the Federal Motor Carrier Safety Administration (FMCSA) is saving lives by preventing commercial motor vehicle and motor coach related fatalities and injuries. The Agency fulfills this mission through education, innovation, regulation, enforcement, financial assistance and full accountability. The core principles of the agency are:

- “Raising the bar” to enter the commercial motor vehicle industry.
- Requiring operators to maintain high safety standards to stay in the industry.
- Removing high-risk carriers, vehicles, drivers, and service providers from operation.

FMCSA prevents crashes involving large trucks and buses through a comprehensive regulatory and enforcement program that leverages the effectiveness of state law enforcement officers while providing a single set of cohesive national safety standards. Over 50% of FMCSA’s appropriation is channeled to state agencies and FMCSA exercises oversight of these state programs to ensure uniform administration of the law. There are 12,000 state personnel that enforce the rules along with 800 FMCSA’s field enforcement personnel (of 1,100 total staff). Through its rule making authority FMCSA establishes standards for the safe operation of truck and bus companies, vehicles and drivers. Companies are required to register with FMCSA, have insurance and attest that they

are fit, willing and able to follow the safety standards. Vehicles must be properly registered and insured with the state of domicile and are subject to random and scheduled inspections by both state and federal agents. Drivers must have a valid Commercial Driver's License (CDL) issued by their state of residence and pass a physical examination as evidenced by a current valid medical card every two years. Through this program of regulation, registration and enforcement FMCSA achieves its mission.

FMCSA also enforces standards for special programs such as the transportation of Hazardous Materials, including oversight of cargo tank manufacturers; and transportation of Household Goods, enforcing consumer protection standards. FMCSA seeks to influence safe transportation choices by addressing all aspects of the transportation lifecycle including shippers, brokers and freight forwarders and partners with other DOT modes such as FHWA and NHTSA to align programs.

### **Value to the Public**

The FMCSA regulates approximately 500,000 active interstate motor carriers, including 12,000 passenger carriers, and 3.6 million active CDL holders. In 2012, the Department estimates that:

- These companies operated 11 million large trucks and buses, traveling over 280 billion vehicle miles. Total miles traveled by all vehicles grew 4 % over the past 10 years.
- Large truck- and bus-related mileage grew 30 % from 2002-2012.
- Over this period, large trucks and buses registrations increased 27 %.

Despite this growth in commercial vehicle traffic, there was a 24% reduction in fatalities in crashes involving large trucks and buses, from 5,539 in 2005 to 4,183 in 2012. This reflects a 41% reduction from 1979, the year with the most fatalities involving large trucks and buses. The rate of injuries in crashes involving large trucks and buses has also declined over the last two decades. The decline in injuries and fatalities is due in part to the safety efforts of FMCSA and its partners:

- In 2013, FMCSA conducted approximately 3.5 million truck and bus roadside inspections. 21% of trucks inspected were put out of service, 7% of buses inspected were put out of service, and 5% of drivers inspected were put out of service.
- Safety Investigators conducted over 18,000 safety carrier reviews in 2013. As a result of these investigations, 5,984 Notice of Claims (NOC), 770 Unsatisfactory/Unfit Out-of-Service (OOS) Orders and 37 Imminent Hazard OOS Orders were issued.
- Inspectors also conducted 32,878 new entrant safety audits.

FMCSA's roadside inspection and traffic enforcement programs are premised on the notion that correcting serious driver and vehicle violations at the roadside prevents future crashes, and hence, saves lives. Based on models that assess the number and type of violations found each year at the roadside, the agency estimates that it prevents roughly 17,000 crashes per year as a result of these programs, and saves 500 to 600 lives per year. External factors such as demographics, economic conditions, gas prices, and the increased use of public transportation have also had an impact on the reduction of injuries and fatalities.

More than 3 million inspections are done annually. If its grant programs were not in place, it is estimated that less than 600,000 inspections could be conducted each year, which could result in 80% more unsafe vehicles on the roadway; based on state inspection behavior prior to 1985.

In 2011, 4,018 people were killed in large truck and bus crashes and approximately 112,000 individuals were injured. The estimated costs of commercial motor vehicle crashes resulting in fatalities and injuries exceeded \$70 billion in 2011.

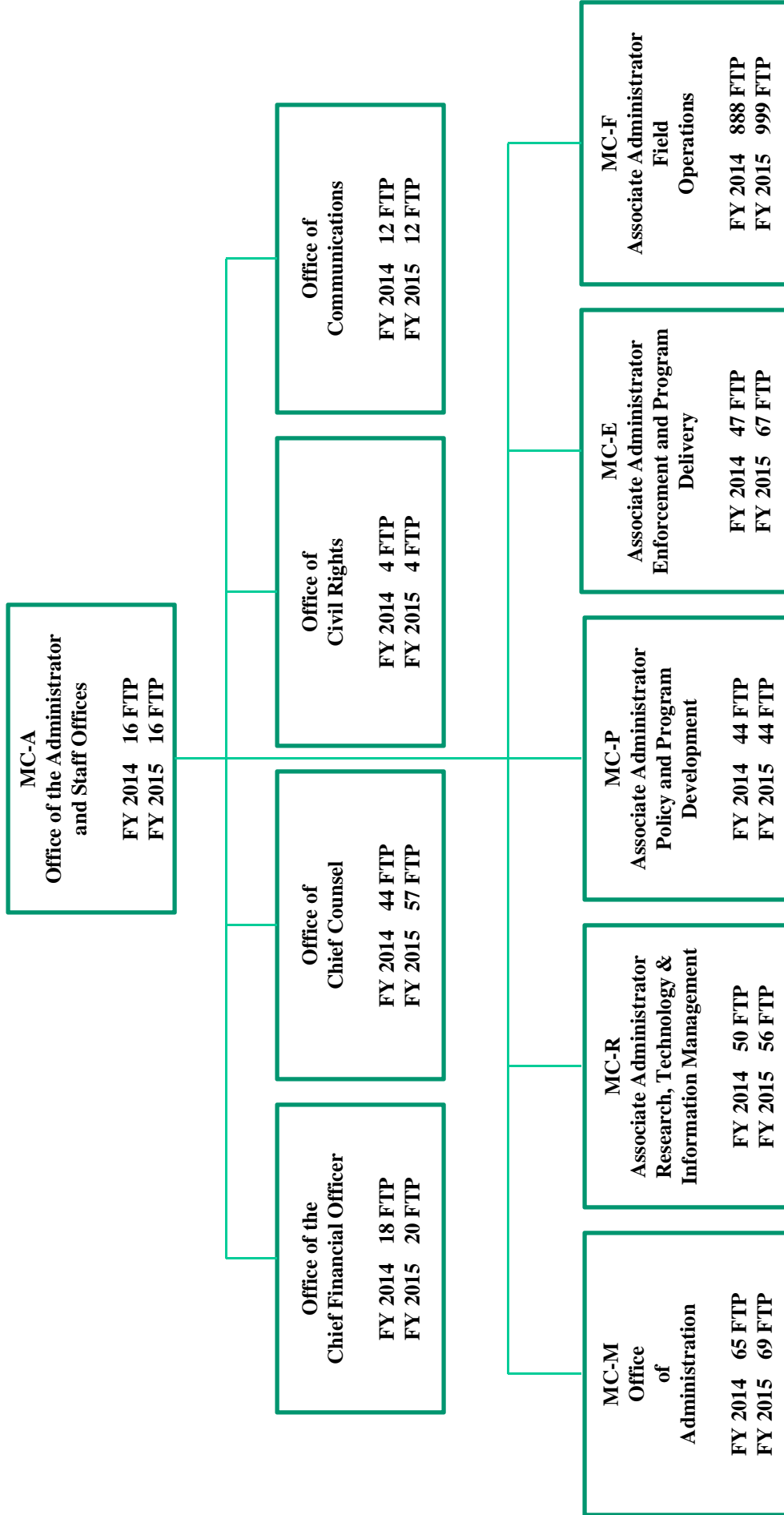




**Exhibit I-B**

**Federal Motor Carrier Safety Administration**

**Organization Chart**

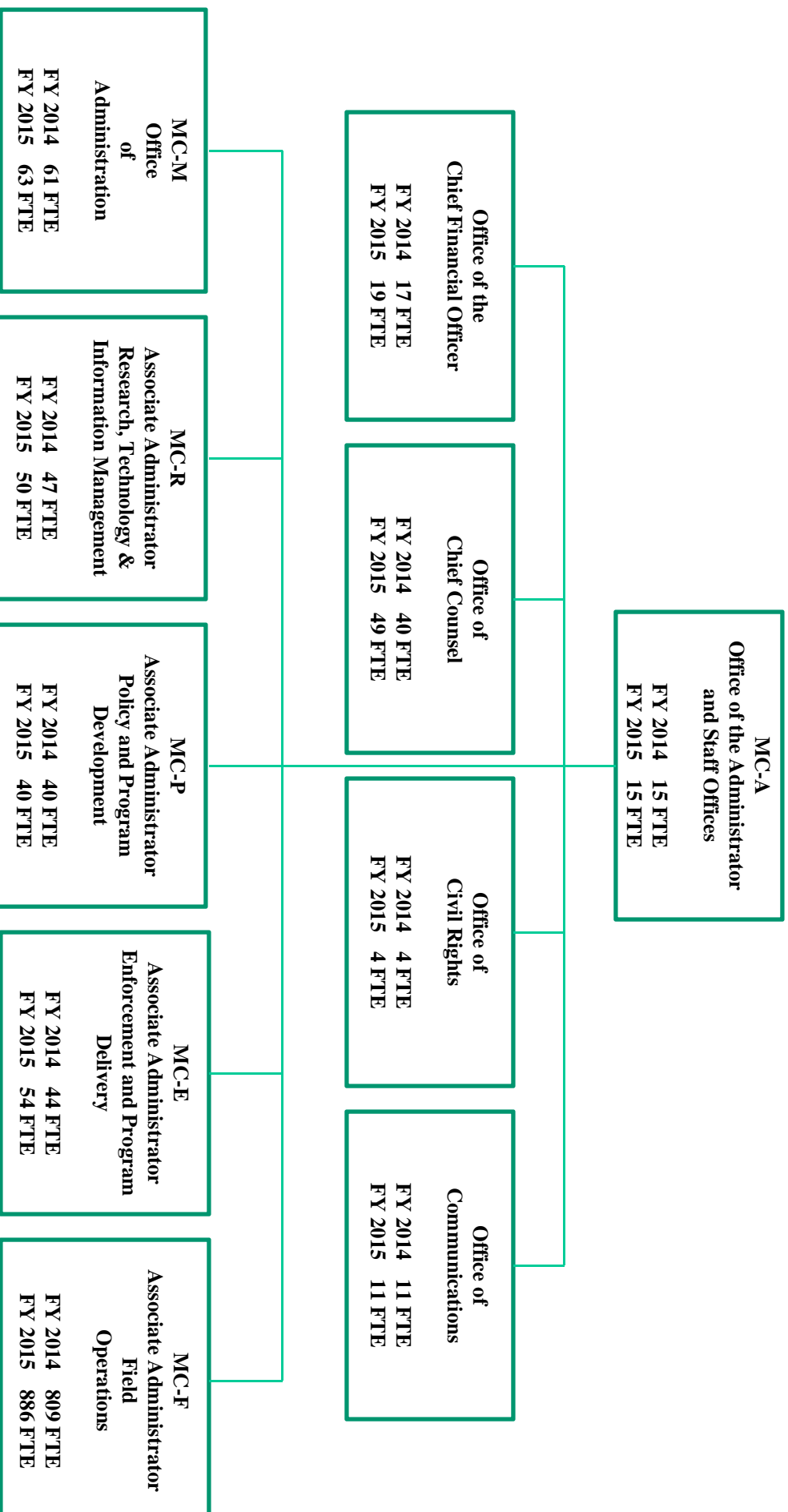


Total FY 2014 Request: 1,188 FTP

Total FY 2015 Request: 1,342 FTP

Exhibit I-A

Federal Motor Carrier Safety Administration  
FTE Organization Chart



Total FY 2014 Request: 1,088 FTE  
Total FY 2015 Request: 1,191 FTE

**EXHIBIT II-I**

**FY 2015 COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

(\$000)

<b>ACCOUNT NAME</b>	<b>FY 2013 ACTUAL</b>	<b>FY 2014 ENACTED</b>	<b>FY 2015 REQUEST</b>
Motor Carrier Safety Operations & Programs (Transportation Trust Fund Highway Account)			
Liquidation of Contract Authorization	(247,788)	(259,000)	(315,770)
Limitation on Obligations	(247,788)	(259,000)	(315,770)
Motor Carrier Safety Grants (Transportation Trust Fund Highway Account)			
Liquidation of Contract Authorization	(298,275)	(313,000)	(352,753)
Limitation on Obligations	(298,275)	(313,000)	(352,753)
<b>TOTAL LIQUIDATION OF CONTRACT AUTHORITY</b>	<b>(546,063)</b>	<b>(572,000)</b>	<b>(668,523)</b>
<b>TOTAL LIMITATION ON OBLIGATIONS</b>	<b>(546,063)</b>	<b>(572,000)</b>	<b>(668,523)</b>

## EXHIBIT II-2

**FY 2015 TOTAL BUDGETARY RESOURCES BY APPROPRIATION ACCOUNTS**  
**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**  
**Appropriations, Obligation Limitations, and Exempt Obligations**  
**(\$000)**

ACCOUNTS	FY 2013 ACTUAL	FY 2014 ENACTED	FY 2015 REQUEST
<b>Motor Carrier Safety Operations &amp; Programs:</b>			
Operating Expenses	196,584	201,455	264,950
Research and Technology	6,665	9,000	9,735
Information Management	30,839	34,545	36,179
Regulatory Development	8,738	9,000	0
Outreach and Education	3,988	4,000	4,906
Commercial Motor Vehicle Operating Grants	974	1,000	0
<b>Total Motor Carrier Safety Operations &amp; Programs</b>	<b>247,788</b>	<b>259,000</b>	<b>315,770</b>
<b>Motor Carrier Safety Grants:</b>			
<b>Motor Carrier Safety Assistance Program (MCSAP)</b>	<b>213,173</b>	<b>218,000</b>	<b>0</b>
MCSAP Basic	164,282	168,275	0
MCSAP New Entrant	31,329	32,000	0
MCSAP High Priority	14,912	15,000	0
MCSAP Administrative Takedown	2,650	2,725	0
<b>MCSAP General (Includes Basic, New Entrant, Border, PRISM, and SaDIP)</b>	<b>0</b>	<b>0</b>	<b>266,995</b>
<b>MCSAP High Priority</b>	<b>0</b>	<b>0</b>	<b>21,178</b>
<b>Border Enforcement Grants (BEG)</b>	<b>31,936</b>	<b>32,000</b>	<b>0</b>
<b>Safety Data Improvement (SaDIP)</b>	<b>2,994</b>	<b>3,000</b>	<b>0</b>
<b>Commercial Vehicle Information Systems and Networks (CVISN)</b>	<b>15,786</b>	<b>25,000</b>	<b>0</b>
<b>Performance and Registration Information Systems Management (PRISM)</b>	<b>4,990</b>	<b>5,000</b>	<b>0</b>
<b>Commercial Drivers License Program Improvement (CDL)</b>	<b>29,397</b>	<b>30,000</b>	<b>38,580</b>
<b>Innovative Technology Deployment Program (ITD)</b>	<b>0</b>	<b>0</b>	<b>25,000</b>
<b>Partner Training and Program Support (PTAPS) (non-add)</b>	<b>0</b>	<b>0</b>	<b>5,277</b>
<b>Commercial Motor Vehicle Operating Grants</b>	<b>0</b>	<b>0</b>	<b>1,000</b>
<b>Total Motor Carrier Safety Grants</b>	<b>298,276</b>	<b>313,000</b>	<b>352,753</b>
<b>Grand Total</b>	<b>546,064</b>	<b>572,000</b>	<b>668,523</b>

**EXHIBIT II-3-A**

**FY 2015 BUDGET REQUEST BY DOT OUTCOMES5  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
(\$000)**

<b>DOT OUTCOME</b>	<b>PROGRAM</b>	<b>FY 2015 REQUEST</b>
<b>SAFETY</b>		<b>633,041</b>
Reduction in Injuries and Fatalities	Enforcement and Intervention (PRIMARY)	532,921
Reduction in Injuries and Fatalities	IT Development and Sustainment	45,125
Reduction in Injuries and Fatalities	Research	10,759
Other	Safety Mission Support (People)	44,235
<b>ENVIRONMENTAL SUSTAINABILITY</b>		<b>0</b>
<b>STATE OF GOOD REPAIR</b>		<b>0</b>
<b>QUALITY OF LIFE IN COMMUNITIES</b>		<b>0</b>
<b>SECURITY PREPARDNESS, AND OTHER SUPPORTING OBJECTIVES</b>		<b>0</b>
<b>ECONOMIC COMPETITIVENESS</b>		<b>3,076</b>
Maximize economic returns	Enforcement and Intervention (Programs)	3,076
<b>ORGANIZATIONAL EXCELLENCE</b>		<b>32,406</b>
	Safety Mission Support	32,406
<b>TOTAL FY 2015 REQUEST</b>		<b>668,523</b>

EXHIBIT II-3

FY 2015 BUDGET REQUEST BY DOT STRATEGIC AND ORGANIZATION GOALS  
 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
 (\$000)

	Safety	Environmental Sustainability	State of Good Repair	Quality of Life in Communities	Security Preparedness, and Other Supporting Objectives	Economic Competitiveness	Organizational Excellence	
<b>MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS</b>	<b>280,288</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,076</b>	<b>32,406</b>	<b>315,770</b>
<b>SAFETY</b>	<b>280,288</b>							<b>281,288</b>
Enforcement and Intervention (Programs)	180,168							180,168
IT Development and Sustainment	45,125							45,125
Research	10,759							10,759
Safety Mission Support	44,235							45,235
<b>ENVIRONMENTAL SUSTAINABILITY</b>		<b>0</b>						<b>0</b>
<b>STATE OF GOOD REPAIR</b>			<b>0</b>					<b>0</b>
<b>QUALITY OF LIFE IN COMMUNITIES</b>				<b>0</b>				<b>0</b>
<b>SECURITY PREPAREDNESS, AND OTHER SUPPORTING OBJECTIVES</b>					<b>0</b>			<b>0</b>
<b>ECONOMIC COMPETITIVENESS</b>						<b>3,076</b>		<b>3,076</b>
Enforcement and Intervention (Programs)						3,076		3,076
<b>ORGANIZATIONAL EXCELLENCE</b>							<b>32,406</b>	<b>32,406</b>
Safety Mission Support							32,406	32,406
<b>MOTOR CARRIER SAFETY GRANTS</b>	<b>352,753</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>352,753</b>
<b>SAFETY</b>	<b>352,753</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>352,753</b>
Enforcement and Intervention (Grants)	352,753	0	0	0	0	0	0	352,753
<b>TOTAL FY 2015 REQUEST</b>	<b>633,041</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,076</b>	<b>32,406</b>	<b>668,523</b>

FTE (direct funded only)

1,122

18

51

1,191

## EXHIBIT II-4

**FY 2015 TOTAL BUDGETARY AUTHORITY  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
(\$000)**

ACCOUNTS	FY 2013 ACTUAL	FY 2014 ENACTED	FY 2015 REQUEST
<b>Motor Carrier Safety Operations &amp; Programs:</b>			
Operating Expenses	196,584	201,455	264,950
Research and Technology	6,665	9,000	9,735
Information Management	30,839	34,545	36,179
Regulatory Development	8,738	9,000	0
Outreach and Education	3,988	4,000	4,906
Commercial Motor Vehicle Operating Grants	974	1,000	0
<b>Total Motor Carrier Safety Operations &amp; Programs</b>	<b>247,788</b>	<b>259,000</b>	<b>315,770</b>
<b>Motor Carrier Safety Grants:</b>			
<b>Motor Carrier Safety Assistance Program (MCSAP)</b>	<b>213,173</b>	<b>218,000</b>	<b>0</b>
MCSAP Basic	164,282	168,275	0
MCSAP New Entrant	31,329	32,000	0
MCSAP High Priority	14,912	15,000	0
MCSAP Administrative Takedown	2,650	2,725	0
<b>MCSAP General (Includes Basic, New Entrant, Border, PRISM, and SaDIP)</b>	<b>0</b>	<b>0</b>	<b>266,995</b>
<b>MCSAP High Priority</b>	<b>0</b>	<b>0</b>	<b>21,178</b>
<b>Border Enforcement Grants (BEG)</b>	<b>31,936</b>	<b>32,000</b>	<b>0</b>
<b>Safety Data Improvement (SaDIP)</b>	<b>2,994</b>	<b>3,000</b>	<b>0</b>
<b>Commercial Vehicle Information Systems and Networks (CVISN)</b>	<b>15,786</b>	<b>25,000</b>	<b>0</b>
<b>Performance and Registration Information Systems Management (PRISM)</b>	<b>4,990</b>	<b>5,000</b>	<b>0</b>
<b>Commercial Drivers License Program Improvement (CDL)</b>	<b>29,397</b>	<b>30,000</b>	<b>38,580</b>
<b>Inovative Technology Deployment Program (ITD)</b>	<b>0</b>	<b>0</b>	<b>25,000</b>
<b>Partner Training and Program Support (PTAPS) (non-add)</b>	<b>0</b>	<b>0</b>	<b>5,277</b>
<b>Commercial Motor Vehicle Operating Grants</b>	<b>0</b>	<b>0</b>	<b>1,000</b>
<b>Total Motor Carrier Safety Grants</b>	<b>298,276</b>	<b>313,000</b>	<b>352,753</b>
<b>Grand Total</b>	<b>546,064</b>	<b>572,000</b>	<b>668,523</b>

**EXHIBIT II-5**

**FY 2015 OUTLAYS  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
(\$000)**

<b>ACCOUNT NAME</b>	<b>FY 2013 ACTUAL</b>	<b>FY 2014 ENACTED</b>	<b>FY 2015 REQUEST</b>
Motor Carrier Safety	2,381	0	0
National Motor Carrier Safety Program	0	7,500	0
Motor Carrier Safety Operations & Programs	264,700	239,612	250,906
Motor Carrier Safety Grants	298,275	332,982	320,763
<b>TOTAL</b>	<b>565,356</b>	<b>580,094</b>	<b>571,669</b>
[Mandatory]	0	0	0
[Discretionary]	565,356	580,094	571,669



EXHIBIT II-6

SUMMARY OF REQUESTED FUNDING CHANGES FROM BASE  
 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
 Appropriations, Obligation Limitations, and Exempt Obligations  
 (\$000)

BASELINE CHANGES

Motor Carrier Safety Operations and Programs  
69-X-8159

	FY 2014 ENACTED	Annualization of 2014 Pay Raises	Annualization of 2014 FTE	2015 Pay Raises	GSA RENT	WCF INCREASE/ DECREASE	INFLATION/ DEFLATION	FY 2015 BASELINE ESTIMATE	PROGRAM INCREASES/ DECREASES	FY 2015 REQUEST
<b>PERSONNEL RESOURCES (FTE)</b>	1,088		26					1,114	77	1,191
Direct FTE	1,088		26					1,114	77	1,191
<b>FINANCIAL RESOURCES</b>										
<b>ADMINISTRATIVE EXPENSES</b>										
Salaries and Benefits	\$117,559	\$588	\$2,838	\$1,210			\$0	\$122,195	\$9,375	\$131,570
Travel	\$12,519						\$218	\$12,738	\$1,898	\$14,636
GSA Rent	\$15,487						\$270	\$15,757	\$2,300	\$18,057
Administrative Costs (Training, Supplies, Equipment)	\$9,268						\$162	\$9,429	\$1,473	\$10,902
Contracts	\$28,790						\$590	\$29,380	\$22,628	\$52,008
WCF	\$9,500						\$166	\$9,666	\$0	\$9,666
Program Cost (Fleet, Border Facilities, Academy, Uniforms)	\$8,332						\$145	\$8,478	\$19,634	\$28,112
<b>Administrative Subtotal</b>	<b>\$201,455</b>	<b>\$588</b>	<b>\$2,838</b>	<b>\$1,210</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,551</b>	<b>\$207,642</b>	<b>\$57,308</b>	<b>\$264,950</b>
<b>PROGRAMS</b>										
Research and Technology	\$9,000						\$171	\$9,171	\$564	\$9,735
Information Management	\$24,545						\$561	\$25,106	\$1,073	\$26,179
Regulatory Development	\$9,000						\$171	\$9,171	(\$9,171)	\$0
Outreach and Education	\$4,000						\$76	\$4,076	\$830	\$4,906
<b>Programs Subtotal</b>	<b>\$56,545</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$979</b>	<b>\$57,524</b>	<b>(\$6,704)</b>	<b>\$50,820</b>
<b>GRANTS</b>										
Commercial Motor Vehicle Grant	\$1,000						\$0	\$1,000	(\$1,000)	\$0
<b>Total Grants</b>	<b>\$1,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,000</b>	<b>(\$1,000)</b>	<b>\$0</b>
<b>TOTAL</b>	<b>\$259,000</b>	<b>\$588</b>	<b>\$2,838</b>	<b>\$1,210</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,530</b>	<b>\$266,166</b>	<b>\$49,604</b>	<b>\$315,770</b>

EXHIBIT II-6  
SUMMARY OF REQUESTED FUNDING CHANGES FROM BASE  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
Appropriations, Obligation Limitations, and Exempt Obligation:  
(\$000)

Motor Carrier Safety Grants 69-X-8158	FY 2014 ENACTED	BASELINE CHANGES					FY 2015 Baseline Estimate	Program Increases/ Decreases	FY 2015 Request
		Amunization of 2014 Pay Raises	Amunization of FY 2014 FTE	2015 Pay Raises	GSA Rent	WCF Increase/ Decrease			
<b>Motor Carrier Safety Assistance Program (MCSAP)</b>	<b>218,000</b>					<b>0</b>	<b>218,000</b>	<b>(218,000)</b>	<b>0</b>
MCSAP BASIC	168,275					0	168,275	(168,275)	0
MCSAP New Entrant	32,000					0	32,000	(32,000)	0
MCSAP High Priority	15,000					0	15,000	(15,000)	0
MCSAP Administrative Take-down	2,725					0	2,725	(2,725)	0
MCSAP General (Includes Basic, New Entrant, Border, PRISM, and SADI)	0					0	0	266,995	266,995
MCSAP High Priority	0					0	0	21,178	21,178
Border Enforcement Grants (BEG)	32,000					0	32,000	(32,000)	0
Safety Data Improvement (SADI)	3,000					0	3,000	(3,000)	0
Commercial Vehicle Information Systems and Networks (CVISN)	25,000					0	25,000	(25,000)	0
Performance and Registration Information Systems Management (PRISM)	5,000					0	5,000	(5,000)	0
Commercial Drivers License Program Improvement (CDL)	30,000					0	30,000	8,580	38,580
Innovative Technology Deployment (ITD)	0					0	0	25,000	25,000
Partner Training and Program Support (PTAPS) (non-add)	0					0	0	5,276	5,276
Commercial Motor Vehicle Grant	0					0	0	1,000	1,000
<b>GRAND TOTAL MOTOR CARRIER SAFETY GRANTS</b>	<b>313,000</b>					<b>0</b>	<b>313,000</b>	<b>39,753</b>	<b>352,753</b>

**EXHIBIT II-7**

**WORKING CAPITAL FUND  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
(\$000)**

	<b>FY 2013 ACTUAL</b>	<b>FY 2014 ENACTED</b>	<b>FY 2015 REQUEST</b>
<b>DIRECT</b>			
<b>Motor Carrier Safety Operations &amp; Programs</b>	8,884	9,500	9,500
<b>TOTAL</b>	<b>8,884</b>	<b>9,500</b>	<b>9,500</b>

EXHIBIT II-8

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
PERSONNEL RESOURCE SUMMARY  
TOTAL FULL-TIME EQUIVALENTS

	<u>FY 2013 ACTUAL</u>	<u>FY 2014 ENACTED</u>	<u>FY 2015 REQUEST</u>
<b>DIRECT FUNDED BY APPROPRIATION</b>			
Motor Carrier Safety Operations & Programs	1,042	1,088	1,191
<b>SUBTOTAL, DIRECT FUNDED</b>	<u>1,042</u>	<u>1,088</u>	<u>1,191</u>
<b>REIMBURSEMENTS/ALLOCATIONS/OTHER</b>			
Motor Carrier Safety Operations & Programs	57	61	61
<b>SUBTOTAL, REIMBURSE./ALLOC./OTH.</b>	<u>57</u>	<u>61</u>	<u>61</u>
<b>TOTAL FTEs</b>	<u>1,099</u>	<u>1,149</u>	<u>1,252</u>

EXHIBIT II-9

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
PERSONNEL RESOURCE SUMMARY  
TOTAL FULL-TIME PERMANENT POSITIONS

	<u>FY 2013 ACTUAL</u>	<u>FY 2014 ENACTED</u>	<u>FY 2015 REQUEST</u>
<b><u>DIRECT FUNDED BY APPROPRIATION</u></b>			
Motor Carrier Safety Operations & Programs	<u>1,136</u>	<u>1,188</u>	<u>1,342</u>
<b>SUBTOTAL, DIRECT FUNDED</b>	<b>1,136</b>	<b>1,188</b>	<b>1,342</b>
<b><u>REIMBURSEMENTS/ALLOCATIONS/OTHER</u></b>			
Motor Carrier Safety Operations & Programs	<u>61</u>	<u>61</u>	<u>61</u>
<b>SUBTOTAL, REIMBURSE./ALLOC./OTH.</b>	<b>61</b>	<b>61</b>	<b>61</b>
<b>TOTAL POSITIONS</b>	<b><u>1,197</u></b>	<b><u>1,249</u></b>	<b><u>1,403</u></b>



## **FMCSA IMPACT**

### ***“Household Goods Team Helps Protect the Move and the Memories”***

*The Federal Motor Carrier Safety Administration (FMCSA) Commercial Enforcement and Investigations Division’s Household Goods Team established the Moving Fraud Task Force (MFTF) to target the worst household goods motor carriers and brokers that are defrauding consumers most often. The two main objectives of the MFTF are to: 1) remove rogue carriers from the industry using all the authority given to FMCSA; and 2) send a message to rogue carriers that illegal business practices will not be tolerated.*

*The MFTF-Chicago team’s first assignment was to investigate three rogue carriers in Cook County, Illinois, for their unscrupulous business practice: Able Moving, White Glove Relocation and Best Price Moving and Storage. These carriers were brought to the HHG Team’s attention due to their large number of complaints reported in the FMCSA National Consumer Complaint Database, specifically hostage load complaints. Hostage loads—when a mover demands money before relinquishing possession of a homeowner’s possessions—are the most severe HHG complaints.*

*A team comprised of commercial specialists, FMCSA investigators, and two headquarters HHG Team members from across the country were assigned to investigate these carriers over a period of 30 days. After compiling the information, the team traveled to Illinois to conduct a site visit at each carrier’s place of business. Joining the team were the Illinois State Troopers, who were assigned to conduct terminal inspections, and the Illinois Commerce Commission Police, assigned to respond to state violations discovered during the site visits. The MFTF-Chicago results were a big win for FMCSA and for consumers.*

- *Best Price Moving and Storage and White Glove Relocation were placed out of service for an unsatisfactory safety rating.*
- *White Glove Relocation and Able Moving were suspended for holding shipments hostage.*
- *Penalties were assigned to all three carriers totaling \$101,800.*

## **Motor Carrier Safety Operations and Programs**



## **FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

### **MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS**

(LIQUIDATION OF CONTRACT AUTHORITY)

(LIMITATION ON OBLIGATIONS)

(TRANSPORTATION TRUST FUND)

Contingent upon enactment of multi-year surface transportation authorization legislation, for payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, as amended by Public Law 112–141, \$315,770,000, to be derived from the Transportation Trust Fund, together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: Provided, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of \$315,770,000 for "Motor Carrier Safety Operations and Programs" for fiscal year 2015, of which \$9,735,000, to remain available for obligation until September 30, 2017, is for the research and technology program, and of which \$36,179,000, to remain available for obligation until September 30, 2017, is for information management. (Department of Transportation, Appropriations Act, 2014.)



**Department of Transportation  
Motor Carrier Safety  
PROGRAM AND FINANCING**

(In thousands of dollars)

<b>Identification code 69-17-8055</b>		<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
		<u><b>Actual</b></u>	<u><b>Enacted</b></u>	<u><b>Request</b></u>
<b>Obligations by program activity:</b>				
0900	Total new obligations	0	0	0
<b>Budgetary Resources:</b>				
<b>Unobligated balance:</b>				
1000	Unobligated balance brought forward, Oct 1	448	1,571	858
1020	Adjustment of unobligated bal brought forward, Oct 1	0	0	0
1021	Recoveries of prior year unpaid obligations	2,855	0	0
1050	Unobligated balance (total)	<u>3,303</u>	<u>1,571</u>	<u>858</u>
<b>Budget authority:</b>				
<b>Appropriations, discretionary:</b>				
1160	Appropriation, discretionary (total)	0	0	0
<b>Contract authority, discretionary:</b>				
1521	Unobligated balance of contract authority permanently reduced	0	0	0
1540	Contract authority, discretionary (total)	<u>0</u>	<u>0</u>	<u>0</u>
<b>Contract authority, mandatory:</b>				
1621	Unobligated balance of contract authority permanently reduced	0	0	0
1640	Contract authority, mandatory (total)	<u>0</u>	<u>0</u>	<u>0</u>
Spending authority from offsetting collections, discretionary:				
1700	Collected	0	0	0
1701	Change in uncollected customer payments from federal sources	106	0	0
1750	Spending auth from offsetting collections, disc (total)	<u>106</u>	<u>0</u>	<u>0</u>
1900	Budget authority (total)	106	0	0
1930	Total budgetary resources available	3,409	1,571	858
<b>Memorandum (non-add) entries:</b>				
1941	Unexpired unobligated balance ,end of year	3,409	1,571	858

**Department of Transportation  
Federal Motor Carrier Safety Administration  
Motor Carrier Safety Operations and Programs  
PROGRAM AND FINANCING**

(In thousands of dollars)

Identification code 69-17-8159		FY 2013	FY 2014	FY 2015
		<u>Actual</u>	<u>Enacted</u>	<u>Request</u>
<b>Change in obligated balance:</b>				
<b>Unpaid obligations:</b>				
3000	Unpaid obligations, brought forward, Oct 1 (gross)	87,381	92,202	114,805
3001	Adjustments to unpaid obligations, brought forward, Oct 1	0	0	0
3010	Obligations incurred, unexpired accounts	264,700	274,000	330,770
3020	Outlays (gross)	-256,897	-251,397	-339,344
Change in uncollected customer payments from Federal sources:				
3040	Recoveries of prior year unpaid obligations, unexpired	-2,982	0	0
3050	Unpaid obligations, end of year	92,202	114,805	106,232
Memorandum (non-add) entries:				
3100	<i>Obligated balance, start of year</i>	87,718	114,805	106,232
3200	<i>Obligated balance, end of year</i>	92,202	114,805	106,232
<b>Budget authority and outlays, net:</b>				
<b>Discretionary:</b>				
4000	Budget authority, gross	16,077	15,000	15,000
Outlays, gross:				
4010	Outlays from new discretionary authority	196,620	194,250	237,578
4011	Outlays from discretionary balances	60,277	57,147	101,766
4020	Total outlays, gross (disc)	256,897	251,397	339,344
Offsetting collections from:				
4030	Federal sources (disc)	-649	0	0
4034	Offsetting government collections (from non-Federal sources)	-15,885	-15,000	-15,000
4040	Offsetting against gross budget authority and outlays (disc)(total)	-16,534	-15,000	-15,000
Additional offsets against gross budget authority only (disc):				
4050	Change in uncollected cust pymnts from federal sources (unexpired)(disc)	-337	0	0
4060	Additional offsets against budget authority only (disc)(total)	-337	0	0
4070	Budget authority, net (discretionary)	-794	0	0
4080	Outlays net (discretionary)	240,363	236,397	324,344
<b>Mandatory:</b>				
4090	Budget authority, gross	250,498	259,000	315,770
4160	Budget authority, net (mandatory)	250,498	259,000	315,770
4180	Budget authority, net (total)	249,704	259,000	315,770
4190	Outlays net (total)	240,363	236,397	324,344

## MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

### PROGRAM AND PERFORMANCE STATEMENT

The Operations and Programs account provides the necessary resources to support program and administrative activities for motor carrier safety. As proposed in the multi-year surface transportation authorization legislation, the Federal Motor Carrier Safety Administration (FMCSA) will continue to improve safety and reduce severe and fatal commercial motor vehicles crashes by raising the bar to entry into the commercial motor vehicle industry, by requiring operators to maintain standards to remain in the industry, and by removing high-risk carriers, vehicles, drivers and service providers from operation. Funding supports nationwide motor carrier safety and consumer enforcement efforts, including the continuation of the Compliance, Safety and Accountability Program; regulation and enforcement of movers of household goods, and Federal safety enforcement activities at the borders to ensure that foreign-domiciled carriers entering the U.S. are in compliance with FMSCA Regulations. Resources are also provided to fund regulatory development and implementation, information management, investment in research and technology, safety outreach and education, and the safety and consumer telephone hotline. The FY 2015 funding request reflects significant expansion of agency efforts to enhance motor coach safety.



**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**  
**MOTOR CARRIER SAFETY OPERATIONS & PROGRAMS**  
**OBJECT CLASSIFICATION**  
(\$ 000)

	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
	<b>ACTUAL</b>	<b>ENACTED</b>	<b>REQUEST</b>
<b>Direct Obligations:</b>			
Personnel compensation			
11.1 Full-time permanent	89,936	85,818	96,046
12.1 Civilian personnel benefits	29,188	31,741	35,524
<b>Total Personnel Compensation &amp; Benefits</b>	<b>119,124</b>	<b>117,559</b>	<b>131,570</b>
21.0 Travel and transportation of persons	9,150	12,519	14,636
23.1 Rental payments to GSA	15,679	15,487	18,057
24.0 Printing	498	700	700
25.0 Other Services	100,369	103,167	139,906
26.0 Supplies and materials	898	4,356	5,124
31.0 Equipment	1,006	4,212	5,777
41.0 Grants, subsidies, and contributions	1,063	1,000	0
99.0 Subtotal, Direct Obligations	247,787	259,000	315,770
<b>Reimbursable Obligations:</b>			
Personnel Compensation			
11.1 Full-time permanent	5,832	6,000	6,000
Total personnel compensation	5,832	6,000	6,000
12.1 Civilian personnel benefits	1,572	2,100	2,100
25.0 Other services	9,509	6,900	6,900
99.0 Subtotal, Reimbursable Obligations	16,913	15,000	15,000
99.9 <b>Total Obligations:</b>	<b>264,700</b>	<b>274,000</b>	<b>330,770</b>





**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
PERSONNEL RESOURCE SUMMARY  
TOTAL FULL-TIME EQUIVALENTS**

	<b>FY 2013 ACTUAL</b>	<b>FY 2014 ENACTED</b>	<b>FY 2015 REQUEST</b>
<b>DIRECT FUNDED BY APPROPRIATION</b>			
Motor Carrier Safety Operations & Programs	1,042	1,088	1,191
<b>SUBTOTAL, DIRECT FUNDED</b>	<b>1,042</b>	<b>1,088</b>	<b>1,191</b>
<b>REIMBURSEMENTS/ALLOCATIONS/OTHER</b>			
Motor Carrier Safety Operations & Programs	57	61	61
<b>SUBTOTAL, REIMBURSE./ALLOC./OTH.</b>	<b>57</b>	<b>61</b>	<b>61</b>
<b>TOTAL FTEs</b>	<b>1,099</b>	<b>1,149</b>	<b>1,252</b>

**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
PERSONNEL RESOURCE SUMMARY  
TOTAL FULL-TIME PERMANENT POSITIONS**

	<b>FY 2013 ACTUAL</b>	<b>FY 2014 ENACTED</b>	<b>FY 2015 REQUEST</b>
<b>DIRECT FUNDED BY APPROPRIATION</b>			
Motor Carrier Safety Operations & Programs	1,136	1,136	1,342
<b>SUBTOTAL, DIRECT FUNDED</b>	<b>1,136</b>	<b>1,136</b>	<b>1,342</b>
<b>REIMBURSEMENTS/ALLOCATIONS/OTHER</b>			
Motor Carrier Safety Operations & Programs	61	61	61
<b>SUBTOTAL, REIMBURSE./ALLOC./OTH.</b>	<b>61</b>	<b>61</b>	<b>61</b>
<b>TOTAL POSITIONS</b>	<b>1,197</b>	<b>1,197</b>	<b>1,403</b>

**MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS  
LIQUIDATION OF CONTRACT AUTHORITY (HIGHWAY TRUST FUND)**

CONTRACT AUTHORITY ESTIMATES	CONTRACT AUTHORITY
2006.....213,000,000	2006..... 213,000,000
	2006 Rescission of Contract Authority..... (2,130,000) <sup>1</sup>
2007.....223,000,000	2007..... 74,000,000
2008.....228,000,000	2008..... 228,000,000
	2008 Rescission of Contract Authority..... (1,815,553) <sup>2</sup>
2009.....234,000,000	2009..... 234,000,000
	2009 Rescission of Contract Authority..... (4,839,259) <sup>3</sup>
2010.....239,828,000	2010..... 239,828,000
2011.....244,144,000	2011..... 244,144,000
2012.....276,000,000	2012..... 244,144,000
2013.....250,000,000	2013..... 251,000,000
2014.....259,000,000	2014..... 259,000,000
2015.....315,770,000	

**MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS  
LIMITATION ON OBLIGATIONS (HIGHWAY TRUST FUND)**

APPROPRIATION ESTIMATES	APPROPRIATION
2005.....213,000,000	
2006.....223,000,000	2006..... 213,000,000
	2006 Rescission of Liquidating Cash ..... (2,130,000) <sup>4</sup>
2007.....228,000,000	2007..... 210,870,000
2008.....234,000,000	2008..... 229,654,000 <sup>5</sup>
2009.....239,828,000	2009..... 234,000,000
	2009 Rescission of Liquidating Cash ..... (4,839,259) <sup>6</sup>
2010.....259,878,000	2010..... 239,828,000
2011.....276,000,000	2011..... 239,828,000
2012.....250,000,000	2012..... 247,724,000
2013.....250,000,000	2013..... 249,240,071 <sup>7</sup>
	2013..... 251,000,000
	2013 Across-the-Board Reduction ..... (502,000) <sup>8</sup>
2014.....259,000,000	2014..... 259,000,000
2015.....315,770,000	

<sup>1</sup> Applied 1.0% rescission pursuant to FY 2006 Enacted, P.L. 109-148

<sup>2</sup> Rescission of prior year carryover

<sup>3</sup> Enacted rescission of prior year carryover P.L. 111-8

<sup>4</sup> Enacted rescission pursuant to P.L. 109-148

<sup>5</sup> Enacted increase in Obligation Limitation to use prior year carryover contract authority

<sup>6</sup> Enacted 0.65% and \$200K rescission pursuant to P.L. 108-7

<sup>7</sup> Continuing Resolution Annualized P.L. 112-175

<sup>8</sup> Applied .002% Across-the-Board reduction required by the Consolidated and Further Continuing Act, 2013, P.L. 113-6



**EXHIBIT III-1-A-1**  
**MOTOR CARRIER SAFETY OPERATIONS & PROGRAMS**  
**Summary Analysis of Changes from FY 2014 to FY 2015**  
**Appropriations, Obligations, Limitations, and Exempt Obligations**  
**(\$000)**

	Change from FY 2014 to FY 2015 (\$000)	Change from FY 2014 to FY 2015 (FTE)
<b>FY 2014 BASE</b>	<b>259,000</b>	<b>1,088</b>
<b>ADJUSTMENTS TO BASE</b>		
<b>2015 Pay Raises</b>	<b>4,636</b>	<b>26</b>
<b>Inflation</b>		
PC&B	<b>0</b>	
Travel	<b>218</b>	
GSA Rent	<b>259</b>	
Administrative Costs (Training, Supplies, Equipment)	<b>162</b>	
Working Capital Fund	<b>166</b>	
Contracts	<b>1,569</b>	
Program Cost (Fleet, Border Facilities, Academy, Printing)	<b>156</b>	
<b>SUBTOTAL ADJUSTMENT TO BASE</b>	<b>7,166</b>	<b>26</b>
<b>NEW OR EXPANDED PROGRAMS</b>		
Additional FTE	9,949	<b>77</b>
Travel	1,898	
GSA Rent	2,300	
Administrative Costs (Training, Equipment, Supplies)	1,473	
Working Capital Fund	0	
Contracts	14,350	
Program Cost (Fleet, Border Facilities, Academy, Printing)	19,634	
<b>SUBTOTAL NEW OR EXPANDED PROGRAMS</b>	<b>49,604</b>	<b>77</b>
<b>TOTAL ADJUSTMENT TO BASE</b>	<b>56,770</b>	<b>103</b>
<b>FY 2015 REQUEST</b>	<b>315,770</b>	<b>1,191</b>

**EXHIBIT III-1-A**  
**MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS**  
**69-X-8159**  
**Appropriations Summary by Program Activities**  
**(\$000)**

<b>ACCOUNTS</b>	<b>FY 2013 ACTUAL</b>	<b>FY 2014 ENACTED</b>	<b>FY 2015 REQUEST</b>
<b>Motor Carrier Safety Operations and Programs:</b>			
Operating Expenses	196,584	201,455	254,779
Research and Technology	6,665	9,000	9,735
Information Management	30,839	34,545	36,179
Regulatory Development	8,738	9,000	10,171
Outreach and Education	3,988	4,000	4,906
Commercial Motor Vehicle Grant	974	1,000	0
<b>Total Motor Carrier Safety Operations and Programs</b>	<b>247,788</b>	<b>259,000</b>	<b>315,770</b>
<b>FTE Direct Funded</b>	<b>1,042</b>	<b>1,088</b>	<b>1,191</b>
<b>FTE Reimbursable</b>	<b>57</b>	<b>61</b>	<b>61</b>

## Motor Carrier Safety Operations and Programs

### Component Appropriations

	<u>FY 2013 Enacted</u>	<u>FY 2014 Enacted</u>	<u>FY 2015 PresBud</u>	
General Operation Expenses (GOE)	198,695,632	201,455,000	264,950,012	
Regulation Development	8,737,690	9,000,000	-	1/
Information Management	29,548,764	34,545,000	36,179,000	
Research and Technology	8,525,914	9,000,000	9,735,000	
Office of Outreach and Communications	3,992,000	4,000,000	4,905,988	2/
<u>CMV Grants</u>	<u>998,000</u>	<u>1,000,000</u>	<u>-</u>	3/
<b>Total Operations</b>	<b>250,498,000</b>	<b>259,000,000</b>	<b>315,770,000</b>	

1/ Regulation Development is formulated in FY 2015 as part of GOE.

2/ The proposed reauthorization shifts from function to office for Outreach. Activity level is flat and now includes operating expenses.

3/ The proposed reauthorization shifts funding for GMV Grants from Operations to Grants.

### Top priorities and policy initiatives

FMCSA's budget request of \$668.5 million establishes a solid baseline leading to a multi-year plan to fully fund and fully staff its safety programs to strategically meet Congressional mandates including MAP-21. FMCSA's centerpiece is a new Motorcoach Safety Oversight Program, where \$8.9 million and 51 FTE are requested for investigators and attorneys, travel, contractual support and equipment to evolve the Strikeforce Initiative into a resourced program. The requested FY 2015 funding reflects the findings of the FY 2013 Motorcoach Strikeforce Initiative. The FY 2013 initiative will be scaled back in September 2013 with resources returned to other priority enforcement needs and the resumption of pre-Strike enforcement of Motorcoach safety. These investigations take more than 60 hours each to complete (versus 24 hours on average for a typical investigation), and each investigation presently requires two investigators and an inspector (versus one expert for a typical investigation). FMCSA's FY 2015 request will allow the agency to continue supporting its current high-risk carrier enforcement programs such as CSA, while launching a comprehensive Motorcoach Safety Oversight Program that achieves one level of safety for all passengers.

Additionally, FMCSA will:

- Publish and implement a final rule for Electronic Logging Devices.
- Streamline driver qualification procedures (diabetes and vision rules) to create operate efficiencies for drivers and Agency.
- Complete a Unified Registration System for all motor carriers that improves efficiencies for applicants and uses a sophisticated screening (vetting) algorithm to screen out unfit carriers and adjudicate/enforce their appeals.

FMCSA's FY 2015 request is Field Centric (where ~75% of the Agency's staff work); the Grant to Operation ratio is 53:47 percent. This is important because saving lives is all about changing company and driver behavior. That change happens when a federal investigator or state inspector has contact with the entity.

### **Program Changes**

**Enforcement - \$42.6 million and 73 FTE**, including \$14.0 million in operations and \$38.8 million in grants as well as 66 FTE, largely supporting the motor coach safety initiative.

**Facilities - \$15.9 million** are requested in program changes to support FMCSA's facility needs, including essential construction and renovation of truck and bus facilities along the U.S.-Mexico border. Funds are requested to provide for renovation/move activities at FMCSA posts within the U.S., activity not included in the agency's base budget. Additionally, personnel are requested to expand staffing at a key border post and provide the agency with the ability to manage facilities across the U.S.

**Information Development - \$7.3 million and 3 FTE** are requested in program changes to support increased information development activities, including: continuing development of system functionality in support of MAP-21 requirements and our future rulemaking agenda, continuing migration of legacy applications to the portal environment, operational support and maintenance of aging field infrastructure, and mitigate/eliminate existing security weaknesses identified in our audit of compliance with the Federal Information Security Management Act (FISMA) and other statutory requirements.

**Research and Technology - \$0.9 million** is requested in program changes to support increased research and technology activities addressing topics such as driver fatigue, motorcoach safety, and wireless roadside inspection technology.

**Mission Support - \$8.9 million and 1 FTE** are requested in program changes to support increased safety support activities, including: implementation of carrier screening to all operating authority applicants and providing for intensive vetting of an estimated 20% of all carriers and implement an efficient Customer Relations Management (CRM) support system. Funds are also requested to develop new performance metrics, review motor carrier registration data, conduct analyses of State data reporting processes, develop a series of data dashboards and conduct analyses of emerging safety issues. Additionally funds are requested to expand legal compliance support for FMCSA's Grants Management Office, critical to proper management of the agency's grants program. The revised request reduces the level of effort to \$6.2 million and 2.5 FTE.

### **Reauthorization – Fully Resourcing MAP-21**

The Consolidated Appropriations Act, 2014 provided funds aligned with those authorized in MAP-21. However, these funding levels are not synchronized with the requirements in MAP-21. Examples of unfunded requirements include:

- The new broker registration and financial responsibilities (BR&FF) requirements have increased the number of complaints the Agency has receives and investigates. MAP-21



expanded and redefined BR&FF financial responsibility requirements, and gave the Secretary new authorities that include: monitoring industry practices (including unauthorized brokering of loads by motor carriers, and the continuous availability of necessary surety assets for claim payments), enforcing the payment of legal claims (within stringent time frames), suspending BR & FF registration for noncompliance; and authorities to take civil enforcement actions and administer penalties for violations. Presently, the BR & FF industry does not provide the agency with the necessary data for monitoring or enforcing compliance, and the agency lacks staff and resources for implementing these new requirements. An analysis of the costs for these new responsibilities and staffing / support requirements has not been performed, but would include a substantial increase in program, legal and support services, including commercial accounting expertise.

- The shorter timeframes to complete new entrant safety audits (from 18 months to 4 months in the case of bus operators). These reduced time frames for new entrant audits not only means that there is an increased workload in FY15 due to the compression of timeframes, there will also be more audits because fewer companies will have gone out of business before the audit.
- The requirement to issue a safety fitness determination to every passenger carrier every 3 years. Issuing a safety fitness determination every three years means FMCSA must do approximately 1,200 motorcoach compliance reviews each year in addition to conducting reviews of companies identified as high risk or subject to complaints.
- The requirement for a commercial enforcement review within 18 months of registration of a household goods motor carrier is an additional requirement that was not funded. These investigations will have to be completed in addition to those reviews conducted on high risk HHG motor carriers and the top 100 motor carriers with significant complaints of consumer fraud.

Congress provided no additional funds in MAP-21 for FMCSA to acquire the resources to accomplish these tasks.

FMCSA has substantially increased its output of final rules and regulations. There are approximately 29 separate provisions in MAP-21 that required implementing regulations, of which we addressed 16-17 in the Omnibus final rule on October 1, 2013. Additionally, FMCSA covered the 2 agricultural provisions in a final rule earlier in the year. The \$75,000 bond requirement for freight forwarders and brokers was addressed via a final rule. In all, approximately 19 or 20 MAP-21 sections have been addressed through final rules issues without prior notice and opportunity for public comment. This compares to only 6 proposed and final rules in calendar year 2009, completing mandates set by 2003 SAFETEA-LU authorization bill and now MAP21. FMCSA must properly resource the implementation of those regulations. These rules are expected to save lives providing they are implemented to their full potential.

## **Enforcement Activities**

Of those vehicles and drivers inspected: 20% of trucks inspected are put out of service, 7% of buses inspected are put out of service, and 5% of drivers inspected are put out of service. In 2012, 3,049 companies were investigated and placed out of service: 48 Carriers were shut down as Imminent Hazards, 859 received Final Unsatisfactory ratings and 2,142 were ordered to cease operations. A further 7,517 companies were issued fines with an average fine of \$3,482.

FMCSA's roadside inspection and traffic enforcement programs are premised on the notion that correcting serious driver and vehicle violations at the roadside prevents future crashes, and hence, saves lives. Based on analytical models that assess the number and type of violations found each year at the roadside, the agency estimates that it prevents roughly 17,000 crashes per year as a result of these programs, and saves 500 to 600 lives per year. More than 3 million inspections are done annually. If our grant programs were not in place, we estimate that less than 600,000 inspections would be conducted each year, resulting in 80% more unsafe carriers on the roadway; based on state inspection behavior prior to 1985.

## General Operating Expenses

<b>General Operating Expenses (GOE) by Office</b>			
<u>Funds</u>	<u>FY 2013 Actual</u>	<u>FY 2014 Enacted</u>	<u>FY 2015 Request</u>
Office of the Administrator (MC-A)	\$1.0	\$1.0	\$1.7
Office of the Chief Financial Officer (MC-B)	\$7.8	\$8.0	\$8.1
Office of Enforcement (MC-E)	\$10.1	\$10.3	\$13.8
Office of Field Operations (MC-F)	\$12.5	\$12.8	\$16.0
Office of Administration (MC-M)	\$34.6	\$35.5	\$58.3
Office of Policy (MC-P)	\$0.3	\$0.3	\$10.5
Office of Research and Information Technology (MC-R)	\$11.8	\$16.0	\$25.0
Personnel	\$118.6	\$117.6	\$131.6
<b>Total Direct Appropriation</b>	<b>\$196.6</b>	<b>\$201.5</b>	<b>\$265.0</b>

<b>General Operating Expenses (GOE) by Office</b>			
<u>FTE</u>	<u>FY 2013 Actual</u>	<u>FY 2014 Enacted</u>	<u>FY 2015 Budget</u>
Office of the Administrator (MC-A)	65.2	70.0	79.0
Office of the Chief Financial Officer (MC-B)	11.6	17.0	19.0
Office of Enforcement (MC-E)	43.6	44.0	54.0
Office of Field Operations (MC-F)	765.5	809.0	886.0
Office of Administration (MC-M)	60.8	61.0	63.0
Office of Policy (MC-P)	40.8	40.0	40.0
Office of Research and Information Technology (MC-R)	54.5	47.0	50.0
<b>Total Direct Appropriation</b>	<b>1042.0</b>	<b>1088.0</b>	<b>1191.0</b>

FMCSA requests \$265.0 million for General Operating Expenses (GOE). These funds to support enforcement and compliance operations as well as mission support activities.

The Enforcement and Compliance Intervention Program is comprised of blended operations from three organizations within FMCSA, Policy and Regulatory Development, Enforcement, and Field Operations. Funding and positions from each of these organizations are combined to comprehensively implement the program. The FMCSA regulations crafted under the Policy and Regulatory Office are incorporated into policies and procedures by the Enforcement Office and executed through Field Operations.

Through the Enforcement and Compliance Intervention programs, FMCSA regulates 500,000 companies and more than 7 million drivers holding commercial drivers' licenses. The Enforcement and Compliance Intervention programs focus on raising the bar to enter the

industry; ensure that high standards are maintained; and remove unsafe carriers, drivers and vehicles from the roads.

Through this work, the Agency will increase the amount of contacts made with the industry; improve identification of chameleon carriers and job hoppers; improve the safety of motorcoaches and the transportation of hazardous materials; improve consumer protections; ensure the safety of Canadian and Mexican carriers and drivers; remove unsafe carriers and drivers from the roadways, and establish other needed safety enforcement and compliance programs. This additional funding and staffing will allow the Agency to make another significant reduction in the numbers of truck and bus crashes, fatalities and injuries, keeping the Nation's roadways safe.

Mission support activities are critical to support FMCSA's safety goal. Supported activities include registration, statistics and analysis and the National Training Center. Executive offices are funded including: Office of the Administrator, Chief Counsel, and Legislative Affairs. Core administrative functions are also included, among them: acquisitions, auditing, budget, civil rights, finance, grants management, human resources, and management services. These funds also support central expenses - rent, telecommunications and FMCSA's share of Working Capital Fund charges.

## Functional Overview Table

<b>ENFORCEMENT AND INTERVENTION</b>	<b>FY 2013 ACTUAL</b>	<b>FY 2014 ENACTED</b>	<b>FY 2015 REQUEST</b>	<b>DIFFERENCE BETWEEN FY 2014 AND FY 2015</b>
<b><u>Operations</u></b>				
Operations	134.7	136.5	184.1	47.6
<b><u>Regulatory Development</u></b>				
Rulemaking	8.7	6.3	0.0	1.2
<b>Total</b>	<b>143</b>	<b>143</b>	<b>184</b>	<b>49</b>
<b>MISSION SUPPORT</b>				
	<b>FY 2013 ACTUAL</b>	<b>FY 2014 ENACTED</b>	<b>FY 2015 REQUEST</b>	<b>DIFFERENCE BETWEEN FY 2014 AND FY 2015</b>
<b><u>Operations</u></b>				
Operations	54	60	81	21
<b><u>Outreach and Communication</u></b>				
Outreach and Communication	4	4	5	1
<b><u>Commercial Motor Vehicle Grants</u></b>				
CMV Operating Grants	1	1	0	-1
<b><u>Regulatory Development</u></b>				
Strategic Planning and Data Analysis	0	3	0	0
<b>Total</b>	<b>59</b>	<b>68</b>	<b>86</b>	<b>21</b>



## Personnel Costs

FY 2015 Personnel Spending	FY 2013 Actual	FY 2014 Enacted	Annual. of 2014 Pay Raises	Annual. of 2014 FTE	FY 2015 Pay Raises	FY 2015 Baseline	Program Change	FY 2015 Request
General Operating Expenses	\$118.6	\$117.6	\$0.6	\$2.8	\$1.2	\$122.2	\$9.4	\$131.6
Office of Outreach and Education	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.8	\$0.8
<b>Total</b>	<b>\$118.6</b>	<b>\$117.6</b>	<b>\$0.6</b>	<b>\$2.8</b>	<b>\$1.2</b>	<b>\$122.2</b>	<b>\$10.2</b>	<b>\$132.4</b>

FMCSA staff costs support the Safety mission and are oriented towards the field, not headquarters. Approximately 75% of FMCSA staff are located in field or regional offices.

As part of the President’s Budget, FMCSA requests a total of 1,191 FTE, an increase of 103 FTE over the FY 2014 Omnibus level. Total costs are estimated to be \$132.4 million; a \$14.8 million increase over the enacted level. This represents just 19.7% of total agency expenses, most of which directly support the safety mission through enforcement and compliance activities.

Increases for FY 2015 include FTE for Motorcoach Safety Oversight, 51 in total. These positions address the lack of staffing to conduct year round passenger bus safety on a more comprehensive model, enhancing passenger safety. For Expanded New Entrant Safety Audits, 8 FTE are requested, necessary to meet accelerated time frames mandated in the agency’s authorization. 3.5 FTE will provide staffing for the Tornillo border post; this is mandatory staffing of a Customs and Border Patrol initiated post opening. For Enhanced grants management capabilities, at both Field and HQ locations, 6.5 FTE are requested. This provides additional staff in field and chief counsel to improve grants oversight. 2 FTE are requested to enhance facility management expanding staffing available to manage approximately 100 FMCSA facilities. 1 FTE is requested to support expanded Registration and Safety efforts, which addresses MAP-21 mandated time tables. To provide additional legal support to regulatory process, 1 FTE is requested to expand policy and regulatory development. For the review of state CDL compliance plans, 1 FTE would be provided to enhanced review of state CDL Compliance plans. For enhanced information management, 3 FTE are requested. This will enable FMCSA to deliver improved information management services. More detail on these positions can be found in the individual program change requests.

Additionally, requested as part of the FY 2015 are 26 FTE requested to “annualize” 52 positions approved by Congress as part of the FY 2014 Omnibus Appropriations Act. Those positions were approved with just 50% of the cost and FTE associated, as is typically requested within the

Department of Transportation. Without the funds requested, many of the approved inspectors would have to be offset by not filling vacated positions, reducing our safety efforts.

The requested implements a proposal which is part of the multiyear reauthorization bill; the function of communications and outreach is proposed to become the Office of Communications and Outreach. A total of 6 positions and commensurate administrative expenses would be transferred from base General Operating Expenses, totaling \$0.8 million.



## Office of Enforcement Program

### What is The Request And What Will We Get For The Funds?

<b>Office of Enforcement (MC-E)</b>				
Program Office (Non-Personnel expenses)				
FY 2013 Actual	FY2014 Enacted	FY 2015 Budget	Inc. over FY 2015	FY 2015 FTE
\$10.1	\$10.3	\$13.8	\$3.5	54
Program Office Increases*			FY 2015 Request	
<ul style="list-style-type: none"> <li>• SMS Algorithm Improvements (\$2.6)</li> <li>• New Entrant Safety Assurance Audits (\$0.2)</li> <li>• Commercial Driver’s License (\$0.5)</li> <li>• Additional MCSAP Grant funds are requested, but not tallied here</li> </ul>			\$3.3	
<p>*Program increases are requested in the office or activity they support. The associated request may all or in part be allocated to another office for execution purposes.</p>				

### What Does The Office of Enforcement Contribute?

For FY 2015, FMCSA requests **\$18.7 million** for the Office of Enforcement. This division is the central body for developing and promulgating enforcement and compliance policies governing CDL holders, truck and bus companies and how our investigators and state partners enforce safety standards.

Program changes requested include:

- \$2.6 million for the SMS Algorithm Improvements
- \$1.1 million for the New Entrant Safety Assurance Audits

#### **Driver Management and Oversight Program**

The Driver Management and Oversight Program focuses on projects and programs which raise the safety bar for obtaining and maintaining a commercial driver’s license (CDL) to operate a CMV, including trucks and buses, in interstate commerce. The FMCSA develops policies, standards, procedures, and guidelines to implement, administer, and evaluate the CDL program and related activities. This includes establishing standards for testing and licensing commercial motor vehicle (CMV) drivers to ensure uniform and consistent implementation of the CDL program in the States.

The driver program also includes support of the President's initiatives to improve work opportunities for returning veterans. In addition, it includes the requirement from MAP-21 to establish a clearinghouse of drug and alcohol testing results and refusals that motor carriers would be required to check before hiring a driver.

Additionally, in FY 2015, the program includes funding for the MAP-21 requirement for the States to submit annual plans to FMCSA to document their compliance with the CDL requirements and their ability to test, issue licenses, and disqualify drivers, as required.

### **Grants Program Management**

The Office of Enforcement is responsible for establishing the funding priorities and evaluation criteria for most of the Agency's grant programs. In addition, it is responsible for evaluating the technical aspects of the applications; and recommending awards for seven of the Agency's grant programs. For grants that are to non-State entities, the Office of Enforcement is also responsible for monitoring deliverables for timely completion; reviewing the grants for compliance with program requirements; meeting performance measures; requiring corrective action plans when deficiencies are identified; and establishing and monitoring internal controls to ensure, identify and promote best practices.

### **Enforcement and Compliance Interventions Program**

The FMCSA's enforcement and compliance programs are the primary tools used to deliver the Agency's Safety Mission. These programs fund FMCSA's nation-wide presence and fund the personnel responsible for conducting investigations, interventions, strike forces, reviews, and other safety-related oversight of carriers, drivers, and vehicles. Funding and personnel will provide safety oversight of the motor carrier industry to ensure compliance with the Federal Motor Carrier Safety Regulations, and the Hazardous Materials Regulations. Focus areas include passenger safety and hazardous materials carriers. Increased enforcement and compliance is proven to increase safety, and reduce commercial truck and bus crashes, injuries, and fatalities.

FMCSA is committed to on-going analysis and improvements of the Safety Measurement System (SMS). FMCSA would use the funding to explore areas to continue to improve the program in including possibly implementing a crash weighting system, researching and implementing dynamic peer grouping to eliminate significant fluctuations in scores when a carrier moves between peer groups, and exploring and implementing improvements to the DataQs system to allow carriers additional levels of review for violations cited during roadside inspections.

At this time, there is no adjudications process for DataQs. The Agency is often criticized for this. As a result, this request includes FTE and MCSAP grant funds in anticipation of this need.

Lastly, in order to comply with the MAP-21 requirements to complete the safety audits in 12 months for property carriers and 120 days for passenger carriers, additional grant funding is needed. The FY 2015 Budget and reauthorization request includes additional funding in the MCSAP formula grants to accommodate this change in the program. Conducting reviews within the first 12 months (as opposed to the old requirement of 18 months) actually means that more

audits will be conducted due to reviews of carriers that would end up going out of business between months 12-18. The volume of applicants remains continuous as there is significant turnover in the trucking industry that results in about 35,000 new entrants every year.

### **Commercial Enforcement Program**

This program satisfies the Agency's consumer protection responsibilities by applying the Federal Commercial Regulations, compiling and analyzing complaint information, conducting enforcement, and supporting the Agency's National Consumer Compliant Database (NCCDB) and insurance and process agent filings. Each year, thousands of shippers have household goods stolen, damaged, or held hostage. Through this program, the Agency returns their belongings to them and ensures they are compensated per the regulations.

The Office of Enforcement is responsible for engaging consumers, shippers, and carriers through partnerships, education, and enforcement and compliance operations to ensure that HHG are delivered as agreed upon between carriers and consumers. To this end, the Office of Enforcement provides significant support to individuals whose shipments are being held hostage by the motor carrier. The Office of Enforcement strives to negotiate an agreement on the terms of the shipment and return the goods to the owner. The Office of Enforcement is also involved in numerous customer service issues and provides direction and guidance on the moving companies and the shipper's responsibilities.

This also provides additional funding in the High Priority grant program dedicated to commercial enforcement and consumer protection, in order to increase the Agency's efforts on commercial enforcement/consumer protection.

### **Border Programs Management and Oversight Program**

This program is needed to maintain relationships with Canada and Mexico on CMV issues, including the development of uniform and consistent motor carrier, driver and CMV regulations, inspection procedures, and safety programs throughout North America. This program also is responsible for implementing the revised CDL Memoranda with Mexico and Canada during this fiscal year.

### **Why Is This Particular Program Necessary?**

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#### **Driver Management and Oversight Program**

In FY 2015, the Office of Enforcement will continue to conduct State CDL program reviews to ensure uniformity and compliance with the Federal Motor Carrier Safety Regulations (FMCSR). These reviews will also help to detect and prevent CDL fraud, and will assist in the oversight, monitoring, and improvement of the effectiveness of each State's testing and licensing procedures. This work requires the Office of Enforcement to work closely with the States as they merge the medical certification requirements into the CDL driver record. On May 9, 2011, FMCSA published a final rule titled, "Commercial Driver's License Testing and Commercial Learner's Permit Standards." Many of the requirements of the rule must be implemented within 3 years of publication. As a result, much of this work will have been completed in FY 2014 which will require significant oversight by the Office of Enforcement. In FY 2015, the Agency will be focusing on any States that experienced delays in their implementation.

More than 14 million CDLs were issued since 1989 by 52 U.S. jurisdictions. Every month, an additional 40,000 CDLs are issued by the States. This program is needed to ensure that the testing and issuance standards across the States are uniform and in compliance with the standards established to ensure that only safe, qualified drivers receive a CDL. In addition to the establishment of regulations that require the States to comply with standards, FMCSA conducts program reviews of the States' programs to ensure that the States remain in compliance with the requirements.

The current funding request will support the FMCSA's ability to enhance its oversight of State driver licensing agencies' level of compliance with the Federal CDL regulations. Enhancement of the FMCSA's oversight capability will improve safety by helping the Agency and its State partners identify unsafe drivers and remove their CDL privileges. In FY 2015, FMCSA plans to accomplish the following with the requested funding level;

- Continue CDL program reviews, assuring State driver licensing agencies are in compliance with all relevant Federal regulations and taking action on States that are not in substantial compliance with requirements.
- Complete implementation of the "Commercial Driver's License Testing and Commercial Learner's Permit Standards" final rule.
- Continue outreach and education to the court systems and State driver licensing agencies to improve accurate and timely conviction data transfer;
- Increase awareness within the court system regarding federal regulations that differentiate commercial driver regulations from non-commercial;
- Continue the process to facilitate the transfer of medical examination results to State driver licensing agencies that will prevent fraud and assure medical compliance for commercial drivers;
- Implement regulations and processes for veterans and active duty military to acquire a CDL as easily as possible while focusing on highway safety;
- Implement the MAP-21 requirements for annual State CDL plans and address program deficiencies within individual states.

### **Enforcement and Compliance Interventions Program**

The FMCSA has conducted research and validated the effectiveness of the compliance review and investigations processes in improving regulatory compliance and reducing CMV related crashes and fatalities. The use of the suite of interventions has been shown to improve the efficiency of Agency field staff by allowing contact with a higher number of motor carriers per FTE, resulting in improved compliance and safety.

An analysis of the SMS has shown the following results. The SMS is the FMCSA's system to prioritize carriers for intervention. Results show:

- Violation rates are down 14% since the program began in December 2010.
- Of the nation's 523,000 active carriers, SMS has enough data to assess 201,000 of them. These 201,000 motor carriers operate 80% of the CMVs and are involved in 91% of all CMV involved crashes.

The funding requested this year is to complete the implementation of the more efficient interventions program, including offsite reviews, and monitoring of the projected safety benefits through reduced crashes. In FY 2015, the Office of Enforcement will continue normalizing operations to ensure uniform application and continuous improvement based on lessons learned and new and improved data. The Agency will continuously review the program for opportunities to improve enforcement procedures and maximize existing tools and authorities to remove unsafe carriers. In addition, the tools will be used to target select segments of the industry, including passenger carriers and hazardous materials shippers and motor carriers. The Office of Enforcement will be dependent on the Office of Research and IT for continued improvement of systems to identify reincarnated carriers and implement the new safety fitness determination rule. In addition, the implementation of the Safety Fitness Determination rulemaking will require an update to a significant number of Agency's enforcement directives and guidance materials. Outreach and educational materials will be required for the new rule.

FY 2015 resources support the Agency's new entrant program. Through grants to the States, each new entrant motor carrier must successfully complete a safety audit within the first 12 months of operations for property carrier, and within 120 days for passenger carriers, per MAP-21. When a new entrant carrier fails the safety audit it must submit a corrective action plan that must be evaluated and monitored by the FMCSA. Currently, there are approximately 40,000 new carriers each year and the failure rate has historically been between 25 and 38 percent. As a result, there is a significant workload to ensure that these new carriers are operating safely or are removed from the industry. An additional **\$3.0 million** in grant funding is requested to cover this workload.

### **Commercial Enforcement Program**

The Commercial Enforcement Program is necessary to ensure that for-hire motor carriers obtain and maintain the proper level of insurance to protect shippers in the event of damage or loss. In addition, this program is necessary to combat the increasing number of rogue HHG movers and brokers that intentionally provide low estimates to get a moving contract but then refuse to deliver the goods unless more money is paid ("hostage loads"). The Agency has determined that 16 percent of the HHG carriers with high levels of complaints are also unsafe according to FMCSA standards. As a result, identifying and taking action on these carriers has a proven safety nexus as well. FMCSA is committed to investigating every hostage load complaint. In addition, the Agency uses complaint and enforcement data to target movers for enforcement. This program has resulted in significant enforcement activities for the field offices.

Funding at the requested level provides the resources needed to sustain the program and expand the enforcement efforts related to hostage loads. In FY 2015, FMCSA plans to accomplish the following with the requested funding level.

- Increase the level of expertise in the enforcement community by establishing additional MOUs with States to coordinate on cases related to commercial enforcement. This will include enhancing the expertise of existing staff, and identifying additional resources, including the development of partnerships with State enforcement agencies.
- Update the Household Goods Plan based on best practices and lessons learned.
- Maintain the National Consumer Complaint Database.
- Expand educational and outreach materials to educate consumers.

- Provide new entrant safety audit grant funds to the States to conduct the commercial reviews required under MAP-21.

### **Border Management and Oversight Program**

This request is to support the Agency's Border Programs that develop and implement strategies to oversee the safety of motor carriers, drivers, and trucks entering the United States from Mexico and Canada. The request includes funding for improving and maintaining border operations; maintaining the CDL Federal Convictions and Withdrawal Database; supporting integration with the U.S. Customs and Border Protection's (CBP) Automated Commercial Environment/International Trade Data System (ACE/ITDS) system; and implementing changes based on updated MOU with Canada and Mexico regarding CDL reciprocity.

The program is a critical component of the Agency's development and implementation of strategies to oversee the safety of trucks entering the United States from Mexico and Canada including federal safety enforcement activities at the U.S./Mexico border to ensure that Mexican carriers entering the United States are in compliance with the FMCSRs. In addition, the Office of Enforcement manages the Agency's coordination of safety activities with the governments of Canada and Mexico including facilitating safety data exchange and harmonization of safety regulations and enforcement programs. The Office of Enforcement facilitates cooperative working relationships with the United States, Mexico, and Canada to develop and implement more uniform and consistent CMV regulations, inspection procedures, and safety programs throughout North America.

**SMS Algorithm Improvements, Increase Request  
Office of Enforcement**

**What Is The Request And What Will We Get For The Funds?**

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(in millions of dollars)

PROGRAM OFFICE	FY 2013 Actual	FY 2014 Request	FY 2015 Request	Difference from FY 2014 Request
MC-E Operations	0.4	0.4	1.9	1.5
MCSAP Grants	-	-	13.4	\$13.4
<b>TOTAL</b>	<b>0.4</b>	<b>0.4</b>	<b>14.9</b>	<b>14.9</b>

In FY 2015, FMCSA requests **\$14.9 million** for the SMS Algorithm Improvements, which is an increase of **\$14.9 million** over FY 2014 President’s Budget, of which an increase of \$1.5 million is requested within the Operations PPA and \$13.4 million within MCSAP Grants.

**What Is This Program?**

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FMCSA is committed to on-going analysis and improvements of the Safety Measurement System (SMS) that is one of the key components to the CSA Program. SMS is successful at identifying high risk carriers with the 10% of carriers identified as exceeding the thresholds account for 45% of the crashes on our highways. FMCSA would use the funding to explore areas to continue to improve the program in ways that include:

- Possibly implementing a crash weighting system,
- Analyzing and implementing dynamic peer grouping to eliminate significant fluctuations in scores when a carrier moves between peer groups, and
- Exploring and implementing improvements to the DataQs system to allow carriers additional levels of review for violations cited during roadside inspections.

**Why Is This Particular Program Necessary?**

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CSA and the SMS have had demonstrated success in improving the Agency’s identification of high risk motor carriers. The Agency consistently seeks input on potential improvement to the program and systems. The potential algorithm improvements have been identified by the Motor Carrier Safety Advisory Committee, industry and NTSB, as means to potentially improve the identification of unsafe motor carriers.

The SMS process is only successful if accurate data is in our systems. While the Agency established the DataQs program to provide opportunities for motor carriers to correct their data,

we receive consistent criticism for not having a formal appeals process. When Safety Fitness Determination (SFD) is implemented and motor carriers' ratings are impacted by their inspection data, we expect a significant surge in DataQs requests. These resources would accommodate that increase and support the establishment of an appeals/adjudications process.

This investment would reduce the number of rating appeals the Agency adjudicates.

### **FMCSA IMPACT**

#### ***“Improving Safety One Company at a Time”***

*FMCSA conducted a compliance review on Kelle's Transport Service, Inc., and identified issues with false logs and drivers' hours of service violations.*

*In response to the review, Kelle's Transport Service voluntarily equipped all of its trucks with electronic logging devices, along with a rigorous system for auditing drivers' logs and taking corrective actions. This allowed the FMCSA division office to consider Kelle's Transport Service for an upgrade to a satisfactory rating, even though division resources weren't available that would have allowed an investigator to conduct a full follow-up compliance review. Kelle's also put in place additional measures to ensure continued safety and compliance.*

*As a result, Kelle's Transport Service was upgraded to satisfactory and now demonstrates a very good ongoing safety performance, which has resulted in a significantly improved Safety Performance Measurement System hours of service compliance score, currently in the 18th percentile, with a crash rate of 3% and a driver Out-of-Service inspection rate of 1%.*

### **How Do You Know The Program Works?**

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The Agency has refined the SMS system and made changes, often recommended by the industry and other Agency partners, after careful analysis and implementation. The result of these changes has consistently been the identification of high risk motor carriers with a higher future crash risk, proving that that our identification system is improving with each modification.



## **Why Do We Want/Need To Fund The Program At The Requested Level?**

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### **What costs and FTE are included?**

The costs cover contract resources to implement the above changes including possibly reviewing police accident reports against specific guidelines and make a decision on the preventability of the crash and the motor carrier's role, analyzing and proposing methods of dynamic peer groupings, and/or reviewing requests for data review against agency guidelines and making a decision on the validity of a violation citation.

Increased funds totaling **\$1.5 million** is requested to provide for contracted systems and data analysis work within the Operations account. Additionally, this request includes a **\$13.4 million** increase (8% of \$168M) in MCSAP to allow the States to dedicate resources to the DataQs process.

**New Entrant Safety Assurance Audits, Increase Request**  
Office of Enforcement

**What Is The Request And What Will We Get For The Funds?**

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(in millions of dollars)

<b>PROGRAM OFFICE</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Request</b>	<b>FY 2015 Request</b>	<b>Difference from FY 2014 Request</b>
<b>MC-E Operations</b>	1.7	1.7	2.8	1.1
<b>MCSAP Grants</b>			3.0	3.0
<b>TOTAL</b>	1.7	1.7	5.7	4.1

In FY 2015, FMCSA requests **\$5.7 million** for the New Entrant Safety Assurance Audits, which is an increase of **\$4.1 million** over the FY 2014 President’s Budget.

**What Is This Program?**

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The New Entrant Program, required by the Motor Carrier Safety Improvement Act of 1999 (MCSIA), requires a safety audit of each new motor carrier. MAP-21 decreased the timeframes for completing safety audits from 18 months to 12 months for property carriers and 4 months for passenger carriers.

Due to program improvements implemented in 2009, FMCSA has been experiencing high failure rates in these safety audits resulting in a significant new workload to process and review corrective action plans.

Additional grant funding is also needed to meet the MAP-21 requirements for completing the safety audits in 12 months for property carriers and 120 days for passenger carriers and for conducting commercial reviews. Under MAP-21, the New Entrant Safety Audit grant program is provided **\$32.0 million** annually. An additional **\$3.0 million** is needed annually to satisfy the MAP-21 requirements.

State auditors conduct the vast majority of the roughly 35,000 motor carrier new entrant safety assurance audits performed each year, but in those instances where a State does not have jurisdiction (i.e., Canadian- and Mexico-domiciled carriers), a limited number of FMCSA investigators and auditors conduct such audits as a component of their overall investigative duties. Additionally, in those instances where an individual State audit program might begin to accumulate a waiting list for audits (i.e., due to a State hiring freeze), Federal investigators/auditors will step in to provide short run assistance to reduce backlogs. Of the more than 105,000 audits conducted during the last three years, more than 30 percent resulted in

failures, and most of these failed audits subsequently resulted in the submission of a Corrective Action Plan (CAP) by the motor carrier to FMCSA for review and approval.

The FY 2015 request for 8 FTE supports the anticipated increase in CAPs that will occur when the timeframe within which the new entrant audits must be conducted is reduced from 18 to 12 months (i.e., property carrier new entrants) or from 12 months to 4 months (i.e., for passenger carrier new entrants), since the shorter time frame means that FMCSA must increase the staff available at any given time to accept, process, review and decide on the acceptability of those CAPs within the given timeframe. Given FMCSA's current, limited staff of New Entrant Specialists processing CAPs and the year-over-year increase in the number of new entrant motor carriers registering with FMCSA, the new MAP-21 deadlines will only intensify the pressure and volume of CAPs requiring assistance within the designated timeframes. FMCSA requests additional NE specialist resources to handle the processing and review requirements under these new, tighter deadlines. Many of these specialists will be certified so that they are able to support State auditors as necessary.

Lastly, FMCSA requests an additional \$3.0 million in funding under the NE grant program to allow States to hire additional staffing resources to handle the anticipated increase in NE audits and shortened time frames.

### **Why Is This Particular Program Necessary?**

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Between 2007 through 2011 the number of active carriers in the United States rose from 690,188 to 725,331. This number is projected to continue to increase through the coming years. This first step is accomplished through the New Entrant Safety Assurance Program. This continued rise in the number of carriers is further impacted by new requirements under MAP-21 which require that safety audits within 12 months for property carriers and 120 days for passenger carriers, versus the prior guideline under SAFETEA-LU of 18 months and 12 months respectively. In addition to the grant funds, this initiative is to be supported by additional staff to ensure proper financial and programmatic management and record keeping.

MAP-21 requires that new entrant safety audits be done in expedited timelines. Additional grant funding is needed to complete the audits in these timeframes. Under SAFETEA-LU, the required timeframe was 18 months for property carriers and 12 months for passenger carriers.

### **How Do You Know The Program Works?**

Currently, over 20% of new motor carriers fail the safety audit, meaning that they do not have adequate systems in place to operate safely and in compliance with Federal regulations. To meet the ever increasing number of carriers that are entering our roads and highways each year, while keeping in compliance with MAP-21, we strive to be proactive in our mission of saving lives and this can best be accomplished by getting to these new firms and monitoring them to ensure they, as new entrants, have basic safety management controls that are operating effectively. This program is our first line of defense against the crashes, injuries, and fatalities that occurs with these preventative measures.

## **Why Do We Want/Need To Fund The Program At The Requested Level?**

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### **What costs and FTE are included?**

An increase in safety audits for new entrants (e.g. product and passenger carriers) by providing an additional \$3.0 million of grant funding. In addition, 16 positions are requested, totaling 8 FTE.

## Office of Field Operations Program

<b>Office of Field Operations (MC-F)</b>				
Program Office (Non-Personnel expenses)				
FY 2013 Actual	FY2014 Enacted	FY 2015 Budget	Inc. over FY 2015	FY 2015 FTE
\$12.5	\$12.8	\$16.0	\$3.2	886
Program Office Increases, including Personnel* (\$ millions)			FY 2015 Request	
<ul style="list-style-type: none"> <li>• Enhancing Field Operations Training (\$0.9)</li> <li>• Tornillo Border Crossing Staff (\$0.04)</li> <li>• State Program Specialists (\$0.2)</li> <li>• Motorcoach Safety Oversight Program (\$9.0)</li> <li>• Border Facilities (\$15.9) – Funded within MC-M nonadd</li> <li>• Non-Border Facilities (\$6.0) – Funded within MC-M nonadd</li> <li>• Facilities Space Management (\$0.5) – Funded within MC-M nonadd</li> </ul>			\$10.5	
<p>*Program increases are requested in the office or activity they support. The associated request may all or in part be allocated to another office for execution purposes.</p>				

In FY 2015, FMCSA requests **\$148.0 million** for the Field Operations Program. Program changes requested for Field include:

- \$0.9 million for Enhancing Training Opportunities for FMCSA Field Staff
- \$0.3 million to adequately staff the Tornillo Border Crossing
- \$0.9 million for State Program Specialists to Manage FMCSA
- \$9.0 million for Motorcoach Safety Oversight Program
- These funds include \$2.3 million in anticipated additional rent expenses within adjustments to base, \$2.6 million supporting truck inspection facility construction and renovation, and \$11.0 million for bus inspection facilities construction and renovation.

### What Does the Office of Field Operations Program Contribute?

The Agency’s Office of Field Operations is essentially the “front line” of FMCSA, managing division offices in each State, the District of Columbia and Puerto Rico and removing unsafe motor carriers, drivers, and vehicles from the Nation’s highways through its enforcement activities. Data-driven targeted enforcement is FMCSA’s primary strategy for meeting its safety goals. Through the Office of Field Operations, its four service centers and 52 division offices, FMCSA targets high-risk carriers with various interventions including on-site comprehensive investigations, on-site focused reviews, off-site reviews, new entrant safety audits, hazardous materials carrier and shipper reviews, and roadside inspections. The Agency also has a

successful partnership with the States to implement a portion of these programs through its grants program. Utilizing the force multiplier of State and local law enforcement agencies, FMCSA also initiates strike forces as a key enforcement strategy in a comprehensive approach to ensure motor carriers are operating safely and in compliance with our Nation's highway safety regulations. The frequency of truck crashes, fatalities, and injuries have declined over the years, as a result of following efforts:

- Conducting 4-5 National strike forces per year;
- Conducting more than 3.5 million roadside inspections per year;
- Completing over 20,000 Federal and State on-site investigations per year;
- Conducting more than 34,000 new entrant safety audits per year;
- Initiating over 10,000 enforcement actions per year; and
- Issuing more than 2,500 operations out-of-service orders per year.

### **Border Programs Implementation**

This program is needed to maintain relationships with Canada and Mexico on CMV safety issues, including the development of uniform and consistent CMV regulations, inspection procedures, and safety oversight programs throughout North America. The availability of funds to staff current and planned border crossing facilities allows FMCSA to transition from a temporary to a permanent operational presence along the southern border and to adequately staff all Customs and Border Patrol (CBP) border crossings.

- The Office of Field Operations will continue to improve both temporary and permanent inspection facilities to provide a safe and efficient work environment at the nearly 30 ports of entry along the US-Mexico border. During FY 2011, FMCSA conducted over 125,000 inspections of Mexican commercial vehicles and drivers crossing the border.
- Continue to decrease the out-of-service rates of Mexico-domiciled motor carriers by maintaining a robust inspection and oversight program. In FY 2001, the vehicle out-of-service rate for Mexico-domiciled carriers in the commercial zones was 33.55%, in FY 2014 the vehicle out-of-service rate for these carriers dropped to 15.87%.

### **FY 2015 Requested Funds for Field Operations**

#### **Office of Field Operations**

In addition to funds required to sustain current CMV safety oversight operations, the Agency will need additional resources in the field to enhance its current oversight program of motorcoach operators and other passenger carriers transporting our most precious of commodities, as well as to enhance the agency's grants program staff in response to recent audit findings which call for strengthening FMCSA's grants program oversight, and to further staff the Southern border to ensure inspection of all incoming commercial vehicles for safety compliance.

The Agency will also continue to execute its programs and make improvements to other enforcement and compliance policies and procedures, including those dealing with reincarnated carriers. With the corresponding improvements in Information Technology Development and Sustainment, the Office of Field Operations will:

- Conduct more in-depth investigations of motorcoach operators and passenger carriers to ensure they maintain safe and compliant operations;

- Expand agency oversight of its grants programs with additional field personnel managing grants;
- Increase awareness and education on the need to increase enforcement of serious traffic violations by drivers;
- Improve the quality, quantity and timeliness of data relating to commercial driver activity in order to better track poor driving performance; and
- Upgrade the quality and timeliness of delivery of driver history from the drivers' record to roadside enforcement.

In addition to continuing to monitor the safety compliance of all motor carriers, and focusing on the safety compliance of passenger carriers in particular, a significant focus in FY 2015 will be on carriers that are still operating after their USDOT number and/or operating authority are revoked. Egregious violators continue to operate after their authority to do so has been suspended or revoked. The Agency must engage with State partners to make sure these carriers do not operate on the Nation's roadways. The Office of Field Operations resources will also be utilized to conduct investigations and initiate enforcement actions against chameleon carriers that reincarnate to avoid fines, penalties, and non-compliance history.

Additionally, resources will continue to be needed to oversee motor carriers in the New Entrant Safety Assurance Program. Motor carriers that fail a safety audit must demonstrate corrective action or have their authority to operate revoked. These corrective action plans are reviewed to ensure the motor carrier will be able to sustain safe operations if allowed to remain in business. Funding at this level will allow the Agency to support the new entrant program to make the program more efficient and effective.

### **Border Programs Implementation**

The FY 2015 funding for additional staffing at our border facilities will allow the Office of Field Operations to continue its urgently needed staffing at all of the southern border crossings, including the newest facility in Tornillo, Texas. Proper staffing levels at the border inspection stations allow FMCSA inspectors to conduct high quality and effective safety inspections of Mexico-domiciled commercial drivers and vehicles crossing into the United States and allow FMCSA to operate its inspection stations during the hours when CBP operates the border crossings. The additional staff to support the new border crossing is critical to allowing the Agency to accomplish its on-going safety mission to ensure the safety of trucks entering the U.S. from Mexico.

### **How Do You Know The Enforcement and Compliance Intervention Program Works?**

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The agency has conducted effectiveness studies conducted on many of its major enforcement programs, including the compliance investigation, roadside inspection, and traffic enforcement initiatives, since FY 2002, and have documented significant safety benefits derived from these programs. For instance, on average, the agency's effectiveness study results estimates that the FMCSA compliance investigation program has helped Americans avoid almost 2,400 large truck and bus crashes per year on average, prevent roughly 1,500 injuries per year, and save almost 100 lives on average. Additionally, the agency estimates that its Roadside Inspection and Traffic Enforcement programs, which are mainly supported through its grants programs with State and

local governments, has helped to prevent more than 19,000 large truck crashes on average per year, prevent almost 13,000 injuries on average per year, and save more than 700 lives on average annually. Sustaining the programs implemented by the Office of Field Operations will result in continued CMV safety benefits and funding for the new or expanded initiatives outlined in this request will support additional safety benefits through crashes, injuries and fatalities avoided as a result of FMCSA's and its State partners' enforcement efforts.

## **Editorials from Our Stakeholders**

A success story of the Enforcement and Compliance Interventions Program:

- **Cargo Tank Inspection Seminars Decrease Public Risks**

For the last several years, the National Tank Truck Carriers (NTTC) has been working with FMCSA field investigators and the Hazardous Materials Division to host four nationwide Cargo Tank Inspection Seminars per year.

These seminars are attended by hundreds of key industry personnel involved in inspecting, manufacturing, repairing and maintaining cargo tanks that transport hazardous materials. Thanks to these classes and the experienced FMCSA field staff teaching them, affiliated industry personnel have the opportunity to learn more about the complex regulations governing cargo tanks. Our partnership with FMCSA allows us to continue to keep costs at a minimum while maximizing our efforts through valuable one-on-one time with the experts. These classes and the experienced FMCSA field staff teaching them, affiliated industry personnel have the opportunity to learn more about the complex regulations governing cargo tanks. Our partnership with FMCSA allows us to continue to keep costs at a minimum while maximizing our efforts through valuable one-on-one time with the experts.

The following success stories are attributable to the Commercial Enforcement Program:

- **Partnerships = Prosecution = Safer Roadways**

In 2010, FMCSA's North Carolina (NC) Division initiated an unannounced compliance review in Eden, NC, that resulted in four violations of FMCSA regulations. The primary violation involved false records of duty status. This carrier had been the focus of two prior enforcement actions, and its safety consultant denied the NC Division access to documents during the 2010 investigation.

After exhausting all administrative remedies, the NC Division requested that the DOT Office of Inspector General (OIG) in Atlanta investigate the carrier under the criminal provisions of the U.S. Code. For two years, the NC Division worked with the OIG and the U.S. Attorney's Office for the Middle District of NC to secure a successful prosecution against the carrier, the president of the company, and the company's safety consultant.



In June 2012, the case was closed with three guilty pleas. The U.S. Attorney's Office also allowed the NC Division to place probationary conditions on the carrier, such as requiring them to install electronic on-board recorders (EOBRs) on all vehicles, give FMCSA full access to the EOBR system, and permit access to the corporate offices at any time. Joint efforts such as this make NC roadways safer for all motor vehicle operators and passengers.

- **Teamwork Stops Dangerous Operators**

FMCSA recently notified the Alabama Revenue Department of a trucking company that was served with an Imminent Hazard Out-of-Service (IH OOS) order. IH OOS orders are issued when an imminent hazard exists that poses the risk of death, serious illness, severe personal injury, or danger to health, property, or the environment.

One day after being served the IH OOS order, the company owner and his wife applied for and obtained a new USDOT number and then applied for operating authority under a new company name. Noticing this red flag, the Alabama Department of Revenue advised FMCSA of the wife's attempt to change the registration on their vehicles to the new company. Since the vehicles were listed in the IH OOS order, authorities were able to inactivate the DOT number and reject the application for operating authority.

Thanks to a partnership between FMCSA and the Alabama Department of Revenue, authorities were able to act quickly to prevent these unsafe business owners from endangering the public again by operating illegally under a new carrier name.

- **Teamwork in Arizona Assists Moving Fraud Victim**

An Arizona resident hired a moving company to move her elderly mother from Detroit, Michigan to Surprise, Arizona. The binding quote was for 2,757 pounds for \$1557.68 for a one bedroom apartment. However, per SAFERsys (FMCSA's Safety and Fitness Electronic Records System) the company had no authority to handle this move.

On the evening of the move, the carrier arrived late to pick up the possessions. As we often see, the movers delayed their arrival until after an agreed upon time. Due to the delayed arrival time, the resident and her mother were forced to leave a friend in charge of meeting the movers on-site in Detroit. The movers ignored specific instructions as to which items were to be transported and which items were to remain. Upon completion of loading, the movers picking up the shipment, failed to leave any documentation, and advised the friend that the price was going to be **much** higher since there were so many items.

The resident searched for assistance and was directed to contact our Arizona Weights & Measures office. We contacted FMCSA, requesting guidance and assistance. There appeared to be a misrepresentation of the price of the service and accordingly, under Arizona statutes, we planned to assist the family and weigh/measure the shipment to determine the true weight.

An FMCSA agent and our office coordinated prior to the delivery date to be on scene to meet the movers and review all the docs. We also coordinated with the Surprise police department to be on scene to review the same and inspect the truck and driver for compliance of all laws.

After the documentation review, we weighed the truck before and after unloading to determine the load weight. Upon completion, it turned out that the resident had only 2,680 pounds of shipment weight, less than the original binding estimate for 2,757 pounds. We held that no additional payments were due from the family to the moving company. Our coordinated efforts allowed us to intervene in another situation of moving fraud.

## Enhancing Training Opportunities for FMCSA Field Staff, Increase Request

(in millions of dollars)

PROGRAM OFFICE	FY 2013 Actual	FY 2014 Request	FY 2015 Request	Difference from FY 2014 Request
MC-F	0.6	0.6	1.5	0.9
<b>TOTAL</b>	<b>0.6</b>	<b>0.6</b>	<b>1.5</b>	<b>0.9</b>

### **What Is The Request And What Will We Get For The Funds?**

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In FY 2015, FMCSA requests **\$1.5 million** for Enhancing Training Opportunities for FMCSA Field Staff, which is an increase of **\$0.9 million** over FY 2014 President’s Budget.

### **What Is This Program?**

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At present, only \$0.6 million annually is allocated to FMCSA Field staff for training, which averages about \$769 per field staff person in a given fiscal year, hardly enough to provide adequate training to FMCSA staff to improve knowledge of their position or learn new, critical interstate skills for the agency. As such, the Office of Field Operations requests an additional \$0.9 million per year, which when allocated among the 780 current field staff, would result in a more appropriate \$1,923 per FMCSA field staff person to allow them to acquire additional job knowledge and/or allow them to learn critical new skills for their current and future positions within the agency. **Planned FY 2015 Accomplishments:** An additional two training courses per Field investigative and enforcement staff, thereby raising competency levels and improving job quality.

### **Why Is This Particular Program Necessary?**

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The implementation of MAP-21’s new requirements imposed significant new training technical requirements on FMCSA field staff. Additionally, new technologies in trucks and buses require rigorous technical training of FMCSA investigative and enforcement staff. These changes have required increased training tempo among the 780 field staff to ensure they can perform compliance checks during inspections and investigations. Training dollars were limited to ensure sufficient qualified staff were on board to staff field offices; consequently the training budget has been static at the FY 2008 budget. Important safety programs such as Electronic Logs, Enhanced Investigative Techniques training (which was pivotal to the success of the Quick Strike Motorcoach Safety Initiative last year), and major new, MAP-21 mandated enforcement initiatives like comprehensive passenger carrier reviews every 3 years, the Unified Registration System (URS) rulemaking implementation, Phase 3 of the Compliance, Safety Accountability Program (i.e., Safety Fitness Determination) all require implementation training and drive

significant offsets in our ability to provide all the needed training. We consistently have to put off needed training like several MCSAP and Safety Partner targeted enforcement training courses, as well as critical professional development and leadership training courses to ensure we can meet the minimal operational training requirements for our field staff.

Also, for the past 2 years the agency has been unable to provide other important training to field staff because of training budget limitations: Supervisory Training, HR for supervisors, Federal Travel Regulations, and Federal Acquisitions Law, as well as putting off several important training initiatives like effective competency management program. The ongoing Safety Investigator Training Academy Curriculum Redesign program had to be changed to a phased approach to ensure we can eventually meet the agencies critical need even if at a much longer period of performance. Failure to provide adequate training dollars will result in a hollowing out of our inspector force, over time they will become less skilled and challenged to adapt to requirements imposed by new regulations and changing carrier behavior.

An good example is Electric Logs; not only must we train all staff nationwide in the new hours-of-service changes but we must train staff to understand the various models and types of electronic tracking devices, how electronic systems can be used to make enforcement cases, what types of supporting documents are still required, how equipment could be manipulated to avoid compliance, etc. In fact, the agency frequently discovers new, creative cases of driver manipulation of electronic logging devices, and it is imperative the agency get, and stay, ahead of this curve through more consistent and advanced hands-on training of enforcement staff. In such cases, the Office of Field Operations effectively cobbles together field the technical staffing resources to develop the necessary training content, and plan and implement the ad-hoc training for its field staff. But such training requires redirecting training resources, with other training priorities delayed.

### **How Do You Know The Program Works?**

There are multiple external agency enforcement and investigation-related courses that the current budget will not support for FMCSA staff, so potential high-quality training is forfeited for a portion of agency staff, safety investigators and enforcement specialists, who directly increase highway safety benefits, if they are properly trained and equipped for their positions.

### **Why Do We Want/Need To Fund The Program At The Requested Level?**

A strong field operations training budget is critical to retaining qualified FMCSA staff and to allow them to maintain and improve upon their critical investigative and enforcement skills set. A mere \$769 per field staff per year in training resources is not nearly adequate for FMCSA investigative and enforcement staff to retain their critical skills and to allow them to learn new, high-value added skills that will benefit safety. Without additional training funding, field staff will continue to rely on limited, free, in-house training with no access to unique, qualified instructional course work that is only offered outside of the agency, thereby significantly limiting their opportunities for value-added training.

## Tornillo Border Crossing Staffing, Increase Request

(in millions of dollars)

PROGRAM OFFICE	FY 2013 Actual	FY 2014 Request	FY 2015 Request	Difference from FY 2014 Request
MC-F	0	0.7	1.0	0.3
TOTAL	0	0.7	1.0	0.3

### What Is The Request And What Will We Get For The Funds?

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In FY 2015, FMCSA requests **\$1.0 million** to adequately staff the Tornillo Border Crossing, which is an increase of **\$0.3 million** over the FY 2014 President's Budget.

### What Is This Program?

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Tornillo is a Port of Entry facility east of El Paso, TX. It currently is not open to commercial vehicle traffic, as the facility has recently gone through a modernization and will be open to CMV traffic in December 2013. Though Customs and Border Protection (CBP) has not officially announced the hours of operation for commercial traffic, they have indicated that the facility will be open to commercial traffic from 6 am-6 pm, Monday through Friday. FMCSA has a congressional mandate to have staff available to perform CMV inspections at any CBP facility along the U.S./Mexico border that allows commercial trucks to cross.

This request provides six staff and one supervisor for the Tornillo station.

### Why Is This Particular Program Necessary?

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Based on the anticipated hours of operation outlined above, FMCSA will need to run two shifts. For safety purposes, a minimum of two staff are required at all times, though three is preferred. Having six people at this facility will allow us to cover the operational hours having three people at all times with an overlap of all six staff from 8 am-2 pm. Currently, the Texas Department of Public Safety does not intend to build an inspection facility at this location. FMCSA's current staffing in El Paso is such that we do not have enough staff at the other facilities to transfer to Tornillo. To take staff from either of those facilities would make it impossible to maintain the required coverage at the current facilities.

### How Do You Know The Program Works?

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During FY 2011, FMCSA conducted over 125,000 inspections of Mexican commercial vehicles and drivers crossing the border. In FY 2001, the vehicle out-of-service rate for Mexico-domiciled carriers in the commercial zones was 33.55 %, while in FY 2012 the vehicle out-of-

service rate for these carriers dropped to 15.87 %. By maintaining a robust inspection and oversight program, FMCSA would expect a decrease the out-of-service (OOS) rates of Mexico-domiciled motor carriers to continue or at least be maintained at current levels, which at present is below the nationwide OOS rate for U.S.-domiciled commercial vehicles.

### **Why Do We Want/Need To Fund The Program At The Requested Level?**

FMCSA has a congressional mandate to have staff available to perform CMV inspections at any CBP facility along the US/Mexico border that allows commercial trucks to cross.

## State Programs Specialists to Manage FMCSA Grants, Increase Request

(in millions of dollars)

PROGRAM OFFICE	FY 2013 Actual	FY 2014 Request	FY 2015 Request	Difference from FY 2014 Request
MC-F	4.3	4.3	5.2	0.9
<b>TOTAL</b>	<b>4.3</b>	<b>4.3</b>	<b>5.2</b>	<b>0.9</b>

### What Is The Request And What Will We Get For The Funds?

In FY 2015, FMCSA requests **\$13.2 million** for Motorcoach Safety Oversight Program, which is an increase of **\$9.0 million** over FY 2014 President’s Budget.

### What Is This Program?

In FY 2013, the FMCSA implemented a concentrated strike force effort aimed at unsafe motorcoach operations throughout the United States, in an effort to “raise the safety bar” for those motor carriers transporting our most important cargo, passengers. FMCSA, using extensive data from its systems, targeted an initial 250 interstate motorcoach operators for a new, intensive investigation effort, whereby 30 teams of two safety investigators each, in conjunction with State inspectors, would conduct onsite reviews of carriers, including comprehensive inspections of the company’s commercial vehicles and interviews with an array of company officials, including mechanics and maintenance supervisors. While the early results of this intensive effort have shown it to be a highly effective strategy, the level of effort at present, utilizing existing enforcement staff resources, is not sustainable long term, since these “Quick Strike” investigations are taking more than 40 hours each to complete (versus 24 hours on average for a typical investigation), and each Quick Strike investigation presently requires two investigators (versus one for a typical investigation). As a result, 80 full-time safety investigator (SI) positions, along with 16 Federal Program Specialists and HQ personnel to support review of the investigations and enforcement cases, will allow the agency to continue supporting its current high-risk carrier enforcement programs such as CSA, while also being able to support this Motorcoach Safety Oversight Program.

**Anticipated FY 2015 Accomplishments:** Between 1,400 and 2,000 reviews per year to start, depending on how the Motorcoach Safety Oversight Program is structured in the long-run.

### Why Is This Particular Program Necessary?

Early results from the Motorcoach “Quick Strike” initiative have proven very effective, and have helped to save lives on the Nation’s highways by removing unsafe motorcoach operators, drivers and vehicles from the highways. But the level of effort is not sustainable long term, with FMCSA’s limited investigative staff and many other important agency safety initiatives

underway at present, such as the Compliance, Safety and Accountability program. As a result, failure to expand the safety investigator ranks within the agency will result in certain high-priority safety enforcement efforts, all of which we know are effective, to be under supported, if the current Motorcoach “Quick Strike” initiative currently underway is requested to continue. Alternatively, this new, enhanced Motorcoach Safety Oversight initiative would have to be reduced to fully support current CSA programmatic requirements aimed at high-risk motor carriers, if no new resources are provided.

**How Do You Know The Program Works?**

The initial effort has proven so successful, yielding an enforcement rate of 75% (versus roughly 30 to 40% for typical investigations), and a vehicle out-of-service rate of more than 30% (versus 20% for our typical roadside safety inspections). At the current pace, this intensive safety effort is resulting in Unsatisfactory/Unfit ratings for 33% of the carriers subject to the investigations.

**Why Do We Want/Need To Fund The Program At The Requested Level?**

**Budget Distribution for Motorcoach Safety Oversight program  
\$000**

<u>Position Titles</u>	<u>Position</u>	<u>FTE</u>	<u>Personnel Costs</u>	<u>Other Objects</u>	<u>Total Costs</u>
Office of Field Operations					
Safety Investigators (SIs)	80	40			
Enforcement Program Specialists in Service Centers	4	2			
2nd Program Specialist in Divisions with new SIs	10	5			
Subtotal Field	94	47	\$6.1	\$2.1	\$8.2
Office of Enforcement					
HQ MC-E personnel	2	1			
Subtotal Enforcement	2	1	\$0.1	\$0.04	\$0.2
Office of Chief Counsel					
Field Attorneys	2	1			
Field Paralegal	1	0.5			
HQ Attorney	1	0.5			
Adjudications Attorney	1	0.5			
Adjudications Paralegal	1	0.5			
Subtotal Chief Counsel	6	3	\$0.4	\$0.1	\$0.6
Total Motorcoach Request	102	51	\$6.6	\$2.3	\$8.9

Coupled with this intensive effort is a new MAP-21 requirement for the agency to rate every motorcoach operator at least once every three years. Given that there are currently 3,500 motorcoach operators nationwide, 1,400 of which have no, or an “old,” safety rating, there is



much work for the agency investigators to do in order to simply meet the current demand for motorcoach investigations to meet the MAP-21 requirement. In the next two years, this roughly equates to 2,000 required motorcoach reviews, and on average, between 1,200 and 1,400 each year thereafter. This workload represents approximately twice the maximum number of motor coach reviews conducted in any one year to date.

The field offices will need additional support for these investigators and the additional enforcement cases that are developed; therefore the Agency is requesting 16 personnel to support this new program. This includes ten division program specialist and four service center enforcement specialists to process resulting enforcement actions. The program specialists review and process the work of the investigators. The enforcement specialists will process additional enforcement actions.

In addition, two HQ personnel are required to support the policy and programmatic needs of the program, in addition to reviewing re-application for authority after carriers have been removed from business for non-compliance and unsafe operating practices. The increased amount of work is significant based on our surged effort experiences. Increased numbers of unsatisfactory rating and imminent hazard out of service orders each require a significant review during reapplication.

The Office of Field Operations has projected that an additional 80 Safety Investigators will be needed in FY 2015 to operationalize the enhanced the level of investigation used in the Motorcoach Safety Initiative. Using a conservative 40:1 investigator to attorney ratio, a minimum of two additional Field Attorneys and one Field Paralegal will be needed to operationalize the Motorcoach Safety Initiative.

Moreover, the Motorcoach Safety Initiative relies heavily on aggressive legal action, including the issuance of subpoenas, demand letters, imminent hazard out-of-service orders, orders to consolidate records of affiliated motor carriers, and orders to show cause why operating authority registrations should not be revoked. Additional new authorities from MAP-21, such as impoundment of vehicles operating in violation of imminent hazard orders, will require legal input as they are used in the Motorcoach Safety Initiative and elsewhere in the Enforcement program. These and other specialty enforcement tools require significantly more attorney input than traditional civil penalty claims. The requested Enforcement and Adjudications staff will support the additional workload directly related to increased Motorcoach Oversight.



## Border Facility Costs – Increase Request

(in millions of dollars)

PROGRAM OFFICE	FY 2013 Actual	FY 2014 Request	FY 2015 Request	Difference from FY 2014 Request
MC-M	-	-	15.9	15.9
FHWA Funds*	24.0	-	-	-
Legacy FMCSA Funds**	-	13.0	-	-
<b>TOTAL</b>	-	-	<b>15.9</b>	<b>15.9</b>

\* In FY 2013, **\$24.0 million** was made available from FHWA to fund a slate of Border Facilities within FMCSA. This is treated as a non-add.

\*\* In FY2014, \$13.0 million was made available from expired FMCSA funds (8048) to fund the modernization and maintenance of border facilities.

### What Is The Request And What Will We Get For The Funds?

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The funds requested total **\$15.9 million, with program changes and adjustments to base totaling \$15.1 million**. These funds include **\$2.3 million** in anticipated additional rent expenses within adjustments to base, **\$2.6 million** supporting truck inspection facility construction and renovation, and **\$11.0 million** for bus inspection facilities construction and renovation. These funds would provide for new or renovated facilities in 18 locations throughout the southern border region, including Texas, New Mexico, Arizona, and California. FMCSA is not currently resourced to build or improve on facilities. In FY 2013, **\$24.0 million** was made available in one time funds to address these issues; however these funds represent just a down payment on the total need.

### What Is This Program?

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FMCSA’s border program relies on truck and bus inspectors to ensure that trucks and buses crossing into the country are safe and compliant with Federal safety regulations. In order for the inspectors to perform their critical functions, the agency must provide working space and protection from the harsh weather conditions. The main objective of the border space program is to decrease the time needed for the inspection of large trucks; improve throughput, ensure the safety of the public as well as FMCSA staff, and provide improved operating conditions for FMCSA personnel and truck and bus drivers.

Specific to truck inspections: One of the requested projects is a major modification of border office and inspection space for the truck inspection facility at Presidio, TX. This includes feasibility studies, land acquisition, design fees, moving costs, construction of a new building, renovations, inspection pits, canopies, furniture and all associated security enhancements. Seven other projects will similarly be funded.

Specific to bus inspections: This request will fund a major modification of border office and inspection space for two bus inspection facilities. This includes feasibility studies, land acquisition, design fees, moving costs, construction of new buildings (office space and bus passenger waiting areas), renovations, inspection pits, canopies, furniture and all associated security enhancements. Further enhancements will be planned and carried out at 8 other locations.

### **Why Is This Particular Program Necessary?**

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With respect to truck facilities, due to the limited service life of the original modular buildings (approximately 5 years maximum and they are now over 10 years old), there is a great need to improve the FMCSA facilities by adding canopies at various locations, upgrading equipment, and increasing vehicle traffic. As the number of trucks arriving each day at border crossings increases, it is critical that the agency review, modify, improve and, in some locations, increase the size of existing facilities.

With respect to bus inspections, the agency does not have dedicated space or facilities to conduct bus inspections at several major bus crossings along the Mexican border. Our inspectors must risk their safety and the safety of the bus driver and passengers by conducting inspections on the side of the road in some locations without protection from the harsh weather conditions. FMCSA has looked to configure its field presence as inexpensively and efficiently as possible. However, co-location in many locations has proved impossible due to site restrictions.

### **How Do You Know The Program Works?**

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FMCSA inspectors have years of experience conducting field inspections of motor carrier and motor coach vehicles and these requests reflect a bottom up understanding of how these processes should work which starts with the inspector who is physical under and around the vehicles involved. The Border Space Management program includes rental payments for all border truck and bus inspection locations in Texas, Arizona, California and New Mexico, as well as feasibility studies, land acquisition, construction of new buildings (office space and bus passenger waiting areas), renovations, inspection pits and canopies, furniture and all associated IT and security enhancements.

### **Why Do We Want/Need To Fund The Program At The Requested Level?**

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There is substantial unfunded need for this activity. The requested funding level balances both FMCSA's ability to execute the request program with the pressing needs to improve facilities, increase throughput, reduce waste to businesses and improve the safety of the public and staff at these facilities. Additional funds for other facilities as well as on going upkeep and maintenance will be necessary, over and above the base Administration budget.

## **Current Conditions**

Since the early 2000's, FMCSA has had a presence on the southern border with facilities, including temporary modular buildings and inspection canopies at some locations. In the vast majority of cases, the FMCSA facilities were installed on Federal property, co-located with Customs and Border Protection (CBP). The General Services Administration (GSA) provided support for this effort. Due to the limited service life of the original modular buildings (approximately 5 years maximum), it is necessary to replace existing temporary structures, add canopies at various locations, upgrade equipment and enhance locations to allow for increased vehicle traffic.

### **Existing Facilities Conditions:**

Some of the serious issues with the current facilities are listed below:

- Temporary Trailers have Exceeded their Lifespan
  - 10+ Years Old
  - Shifting Foundations
  - Structural Deterioration
  - Inadequate Work Space
  - No Employee Break/Locker Rooms
  - Inadequate Employee Restrooms
- Inadequate Inspection Space
- Limited Inspection Lanes
- No Inspection Pits for Easy, Safe Inspection Access
- Limited Canopies:
  - Extreme Sun/Heat Exposure
  - Wind Exposure
  - Dust Exposure



*Above and Below: These photos show trucks lined up for inspection that take longer than need be due to lack of inspection pits. This increases the inspection time by about 10 minutes per truck, which adds up at these very busy ports over the course of the day. The lack of a canopy puts both the driver and the agency inspector in danger of heat-related illness.*



*Above: The inspectors must roll under the hot truck on the hot asphalt to inspect the brakes and other functions to ensure compliance with safety regulations.*





*Above: This photo shows the total lack of bus inspection facilities at Laredo (Lincoln-Juarez). This facility is always extremely busy and we have no way of controlling off-loaded passengers during our inspection process. This increases inspection times for buses and opens us up to passenger safety issues if the bus is placed out of service as is the case in this photo. **The camper in the picture is used as the agency's temporary working space.** The off-loaded passengers can be seen in the back of the picture. This is an example where there is at least a canopy for the passengers but no place for them to sit while they wait for a bus to pick them up again and bring them to their destination. Their bus was placed out of service.*





*Above: Example of an exposed inspection area with no canopy or inspection pits.*



*Above: Bridge of The Americas, El Paso, TX bus inspection area for Customs and Border Patrol. Currently there is no bus inspection area available to FMCSA.*



*Above: Hidalgo, TX. This is clearly an inadequate passenger waiting area. Up to 3 buses may be inspected at one time, posing a safety and security concern for both FMCSA personnel and the numerous bus passengers.*



*Above: Typical old, outdated existing temporary facility*



*Above: Typical driver waiting area. Note the lack of security for FMCSA personnel*

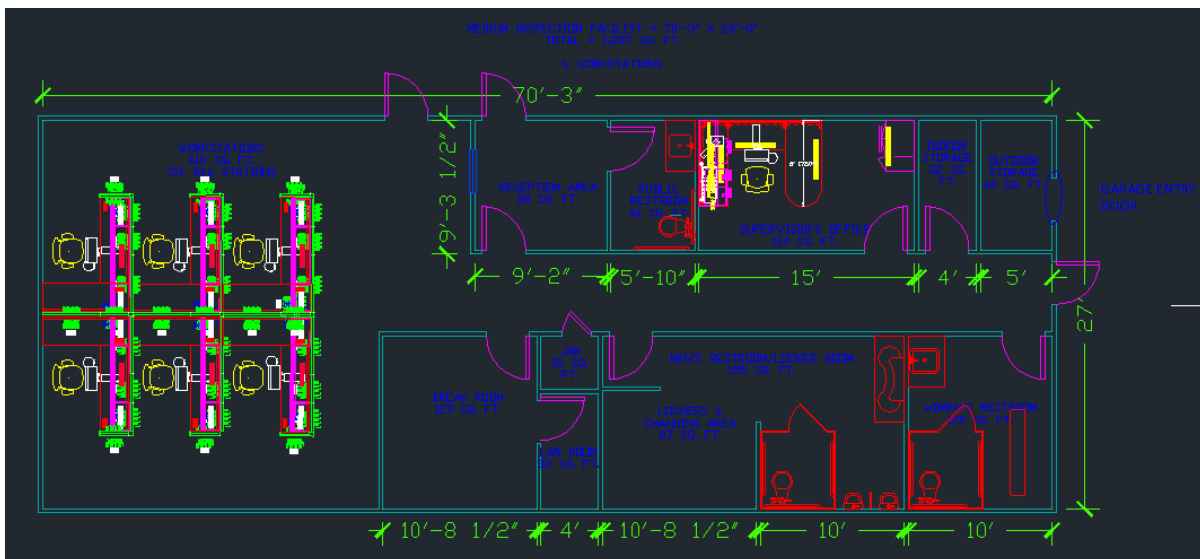


*Above: Typical facility work space with no break room facilities.*

## Moving to a Necessary End State

The main objective is to provide improved working conditions for FMCSA personnel and decrease the time needed for the inspection of large trucks and motor coaches. The first step is to produce an accurate feasibility study at each of the priority LPOEs to ensure:

- Adequate space and utilities exist (office and inspection space)
  - Adequate space exists for the placement of both temporary and permanent canopies
- Proposed FMCSA inspection locations mesh with and do not interfere or disrupt the current traffic flow on the LPOE.



Above: The plan above is for typical new FMCSA office facility. This includes a break room, improved restroom facilities for staff and truck/bus drivers, and adequate workspace. Bus passenger waiting facilities are currently being studied.



*Above: Rio Grande City, TX. This inspection pit is typical for what is planned for each border facility inspection lane.*





*Above: Mariposa, Nogales, AZ. This facility, which FMCSA leases from the State of AZ, is typical of a modern, well-constructed truck inspection facility. It is FMCSA's goal to provide safe, well-lighted facilities to maximize vehicle inspections at the southern border.*

FMCSA has obligated \$24.0 million in funds to GSA to implement Phase I of the Border Facility Capital Improvement Program which includes planning, construction, and renovations at 15 prioritized border locations. FY 15 funding will allow FMCSA to implement a portion of the Phase II Border Facility Capital Improvement Program to improve conditions at 3 truck facilities and construct new passenger carrier inspection facilities at 5 prioritized border locations.

### **Budget Planning:**

#### **\$2.6 million – Truck Facilities**

With \$2.6 million designated for Border Truck Inspection Facilities, FMCSA will be able to initiate three projects in the border facility plan. This funding will provide for a GSA feasibility study at each location, preparing design documents and construction costs for the facility improvements.

The temporary office facility at Veteran's Bridge in Brownsville, Texas will be replaced with a permanent office building. A canopy will be constructed to cover four inspections lanes and eight pits will be constructed to conduct Level 1 truck inspections. The staffing level of nine inspectors and one supervisor will remain the same at this port.

The temporary office facility at Naco, Arizona will be replaced with a permanent office building. An existing canopy will be reconditioned and an inspection pit will be constructed. The staffing level of 1 inspector will remain the same.

At the Tornillo, Texas Port of Entry, FMCSA will add an additional pit to the canopied inspection area and will update the traffic flow pattern to better accommodate out-of-service parking space. These enhancements will not affect the level of staffing at the port.

### **\$11.0 million – Bus Facilities**

With \$11.0 million designated for Border Bus Inspection Facilities, FMCSA will initiate five bus projects in the border facility plan. This funding will provide for a GSA feasibility study at each location, preparing design documents and construction costs for the facility improvements.

Initiating these Border Bus Inspection projects is in-line with two OIG audit recommendations:

- **MH-2009-068, B01:** Adding to its Southern Border Bus Inspection Plan the frequency of required bus inspections at non-commercial crossings and inspections during any hour the border crossing is opened, to include evening and weekend hours. Include in the plan actions to eliminate obstacles to achieving inspection coverage during all open periods.
- **MH-2009-068, B02:** Working with the Customs and Border Protection Service, and other agencies as appropriate, to assess the safety and efficiency of bus inspection locations and space at all non-commercial border crossings at the southern border.

These projects will allow FMCSA to develop passenger holding facilities that allow safe and efficient bus inspections. The improved facilities will allow FMCSA to conduct inspections at a higher rate than is currently conducted due to space and safety limitations.

**Impact If Not Funded:** Failure to provide the requested funding will impact FMCSA's ability to conduct truck and bus inspections in a safe and efficient manner at Southern border commercial crossings. The safety and well-being of FMCSA employees, as well as truck/bus drivers and bus passengers is currently jeopardized by the sub-par working environment at most of the Southern border crossings. FMCSA can no longer risk potential danger to our employees, truck/bus drivers or bus passengers, by working in temporary trailers that are deteriorating, and in inspection areas that exposed to extreme weather conditions and lack safety and security enhancements.

## Non-Border Facility Costs – Increase Request

(in millions of dollars)

PROGRAM OFFICE	FY 2013 Actual	FY 2014 Request	FY 2015 Request	Difference from FY 2014 Request
MC-M	2.4	2.4	8.4	6.0
TOTAL	2.4	2.4	8.4	6.0

### What Is The Request And What Will We Get For The Funds?

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The funds requested total **\$8.4 million**. These funds provide costs essential to meet FMCSA's operational requirement within government leasing authorities. The request would provide for the movement and renovation of 15 Division, Service Center, or other offices.

### What Is This Program?

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The funds requested allow for the renovation in advance of occupation of new office space and alteration of existing non-border FMCSA staff. Costs include facility reconfiguration, security and access control, telecommunications, furniture, etc. FMCSA has 58 Division and 4 Service Center locations across the United States, including Puerto Rico.

### Why Is This Particular Program Necessary?

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Where not collocated with other agencies or in federally owned, federally controlled or leased facilities, FMCSA signed an Occupancy Agreement with GSA for a ten year term (five year base, five year option). FMCSA works with GSA to build-out the new space in accordance to our Space Standard Requirements, Security, IT, Telecommunications, and Network requirements. Once the new space is built-out FMCSA will release the existing space. If a new facility wins the bidding process, FMCSA is required to quit existing space and occupy the new space, requiring renovations to make the space acceptable for occupation and use. FMCSA does not control the competition process or the outcome. In some cases, the cost of the required renovation is more expensive than the rent paid, and an alternate authority for longer term and more stable housing of agency staff would be cost effective. Without these funds, FMCSA offices often shifts to short term or month to month rental periods with rent costs substantially higher than under the ten year terms and in some cases, 300% to 400% higher than the full term.

### How Do You Know The Program Works?

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The program is not currently working effectively. FMCSA has sufficient base resources to fund its ongoing rent obligations; however one-time costs associated with moves are not available within base resources and the legacy of the agency's creation has left a bubble in office turn over which begins in FY 2013 and will continue with fully a third of FMCSA's space turning over in the next four years.



## Why Do We Want/Need To Fund The Program At The Requested Level?

Failure to fund would result in the reduction in enforcement and compliance activities to avoid expensive and embarrassing increases in rental costs. FMCSA is providing a budget for the requested funds. FMCSA is developing a capital budgeting program to address facilities issues as well as reviewing possible changes to the management of facilities, including institution of a facilities review board.

### **FY 2015 Increase by Project**

	<u>LOCATION</u>	<u>Cost Estimate</u>	<u>Description</u>
1	Iowa	\$350,000	Lease Expiration
2	HQ Reorganization	\$750,000	Renovations
3	Jackson Field Office (TN)	\$350,000	Lease Expiration
5	Arkansas Division	\$350,000	Lease Expiration
6	Kansas Division	\$400,000	Lease Expiration
7	Buffalo Field Office	\$400,000	Lease Expiration
8	Kentucky Division	\$350,000	Lease Expiration
9	Connecticut Division	\$350,000	Lease Expiration
10	Nebraska Division	\$400,000	Lease Expiration
11	Pennsylvania	\$350,000	Lease Expiration
12	Louisiana	\$380,000	Relocation
13	Maine	\$350,000	Lease Expiration
14	New Mexico	\$350,000	Relocation
15	Puerto Rico	\$500,000	Relocation
	Reserve for overages	\$400,000	
	<b>Total</b>	<b>\$6,030,000</b>	

Base funding needs are still being determined as FMCSA implements our Capital Improvement Plan and internal review and management process. A working group has been established and policies and priorities are being established. High priority maintenance or rehabilitation activities would be funded and remaining funds would be applied to a project from either the FY 2016 border or non-border project needs, including potentially the Brownsville TX border post which is currently estimated at a total cost of \$2.4 million.

**Facilities Management**  
**“Costs NOT FMCSA Driven”**

*The schedule of renovations is not driven by FMCSA policy or preference, so there is no true opportunity cost to these renovations as we have no viable alternatives in most cases. Our space requirements are mission driven and we are staffing as efficiently as we can. Where we are able to “make do” and avoid cost to the taxpayer we have. Unfortunately, within the authorities FMCSA currently has, we are dependent on GSA driven leases which are effectively 10 years in length. The outcome of that process drives our renovation need (as you can see from the FY 2015 list). GSA leases space for 5 years, often with 5 option year extensions. When a lease is expiring, GSA reviews the current location, determines if Federal space is available, and seeks input from FMCSA on our preference to stay or move. GSA’s first preference is to find Federal space. If Federal space is available, GSA will require FMCSA to move into the Federal space. Often, the Federal space has cheaper rent costs. In all cases, there are moving and renovation costs associated with the move that vary depending on the level circumstances.*

*If GSA does not find sufficient Federal space, they will conduct a market survey, based on FMCSA’s requirements, to find commercial space, and then develop a Solicitation for Offers (SFO). The current lessor is welcome to bid on the SFO. GSA determines the best offer and negotiates a lease. Lease cost is the main factor in determining the best offer.*

*Once the lease is signed, FMCSA must pay to renovate the space to meet FMCSA’s requirements (office size, cubicle size, conference space, etc.). FMCSA field space follows established GSA space guidelines for square footage by employee. When new furniture is necessary, FMCSA purchases furniture at a reduced cost by using the DOT Blanket Purchase Agreement (BPA) for furniture. In general, the new leased spaces are for less square footage per person due to GSA’s revised space guidelines. This, in turn, can help bring the lease costs down. Even if the current lessor wins the bid, there are often renovations costs necessary to update new requirements in IT, phones, and other issues that may have changed since the initial lease. After the renovations are complete, FMCSA must move the employees and their equipment to the new space.*

*Continued on Next Page*

## **Facilities Management - Continued**

### ***“Costs NOT FMCSA Driven”***

*This cost varies depending on the number of employees moving, the local moving market costs, and the amount of equipment moving.*

*If GSA fails to sign a new lease when the previous lease expires, the lease becomes a month to month lease and, in many cases, the lessor substantially increases the rent. For example, in Montana, the lease expired in May 2013. FMCSA’s rent bill went from \$2,644.27 to \$6,147.18 per month in the current location. FMCSA is working with GSA to move into a new location as soon as possible to avoid these unnecessary costs.*

*FMCSA works closely with GSA to minimize costs to the Federal government by trying to locate within Federal space, locating in the cheapest rent district possible, and decreasing per person square footage. At the same time, FMCSA works with GSA to ensure the security and safety of our employees at each Field location. All of these factors play into the decision of which space to choose. The costs of moves/renovations are substantial and in some cases actually more than the cost of rent for the lease period. However, current authorities and regulations drive this cost structure. The alternative, staying in month to month leases, could see costs for rent double or triple for the same space, offsetting the cost of the renovation. In the Montana example, over 10 years, staying put and avoiding the cost of the move/renovation would result in costs to the government of \$420.3k. The budgeted cost for this renovation is \$275k, yielding in cost avoidance to the government of \$145k. We would be interested in exploring alternatives to the current model, but have to budget within existing authorities. Where this savings is small, the public perception of the government paying 3 or 4 times market rents would be difficult for the general public to understand regardless of the underlying math and a renovation/move would be wise government.*

## Space Management Costs – Increase Request

(in millions of dollars)

PROGRAM OFFICE	FY 2013 Actual	FY 2014 Enacted	FY 2015 Request	Difference from FY 2014 Request
MC-M	0.9	0.9	1.4	0.5
TOTAL	0.9	0.9	1.4	0.5

### **What Is The Request And What Will We Get For The Funds?**

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The funds requested total **\$1.4 million in FY 2015, with \$0.5 million requested above FY 2014**. These funds provide four essential federal staff, travel expenses and contractor support to manage a growing FMCSA field presence, who will be involved in space management, management analysis, and security reviews.

### **What Is This Program?**

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The funds requested improved management of FMCSA’s existing non-border and border facilities, including the additional 27 new or renovated border facilities planned through FY 2015. FMCSA currently lacks sufficient staff and correct expertise to manage the large number of projects planned, conduct required analysis and manage its facility portfolio within base resources.

### **Why Is This Particular Program Necessary?**

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Without proper staffing, we will be unable to properly oversee planned contracts, conduct necessary analysis and ensure that a substantial federal investment is properly managed. FMCSA would continue to be at risk of wasted rent payments and a public black eye over our stewardship of taxpayer resources.

### **How Do You Know The Program Works?**

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FMCSA will revamp its existing facility management model, one that has worked for its existing workload, putting in place new controls and reviews. However, there simply are not sufficient staff resources to manage the complexity or ancillary costs required to manage FMCSA’s existing facilities as well as border facilities across the Southwest.

## **Why Do We Want/Need To Fund The Program At The Requested Level?**

Failure to provide adequate staffing would place FMCSA border renovations and construction at risk from lack of adequate planning and oversight. FMCSA is developing a capital budgeting program to address facilities issues as well as reviewing possible changes to the management of facilities, including institution of a facilities review board.

**Policy and Regulatory Development Program**  
**MC-P, GOE**

<b>Office of Policy (MC-P)</b>				
Program Office (Non-Personnel expenses)				
FY 2013 Actual	FY2014 Enacted	FY 2015 Budget	Inc. over FY 2015	FY 2015 FTE
\$0.3	\$0.3	\$10.5	\$10.2	40
Program Office Increases, including Personnel* (\$ millions)			FY 2015 Request	
<ul style="list-style-type: none"> <li>• Regulatory Development (\$10.2)</li> <li>• Regulations Attorneys (\$0.3)</li> </ul>			\$10.5	
*Program increases are requested in the office or activity they support. The associated request may all or in part be allocated to another office for execution purposes.				

The multiyear reauthorization proposal assumes that the Office of Policy and funds noted as Regulation Development would be combined, along with \$1.0 million in true program increase and \$0.2 million in inflationary cost adjustments. Combining these lines will provide operational flexibility to the Office of Policy while not negatively impacting on the breadth of activities the office funds with it contract dollars. The two programs have closely complemented each other and will continue to do so with simplified reporting and accounting.

**What is The Request And What Will We Get For The Funds?**

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For FY 2015, FMCSA requests \$10.2 million in operating funds for its Policy and Regulatory Development Program which consists of the following five divisions:

- **Regulatory Development** –The program serves as a focal point for development of rulemaking documents for the Agency that implement safety improvements with direction that is clear, simple, timely, fair, reasonable, and necessary. The program coordinates the review, revision, approval, and issuance of such documents within the Agency.
- **Strategic Planning and Program Evaluation** –Strategic Planning and Program Evaluation develops the Agency’s strategic and performance plans and monitors activities and evaluates accomplishments against established plans, goals and objectives:
  - Strategic Planning activities include the development, implementation, and periodic updating of FMCSA’s Strategic Plan to include development and

implementation of elements related to the Roadway Safety Plan. Also, the program facilitates the development and evaluation of performance measures.

- Data Analysis focuses on ensuring data quality and accountability, and analyzing data to determine program effectiveness. The Data Analysis and Program Effectiveness Program within this area supports DOT's Safety and Environmental Sustainability strategic goals by providing the analytical support for FMCSA regulatory, program and policy development and implementation essential to effective decision-making.
- Program Evaluation is a wide ranging area that acts as liaison and coordination with external oversight organizations (i.e., the DOT Office of the Inspector General, GAO, and the National Transportation Safety Board), maintenance of an Audit Liaison Action Planning and Tracking System, and preparation of the Agency's Organizational Assessment at the end of each fiscal year for formal submission to the Office of the Secretary and the Office of Management and Budget.
- **Medical Programs** – The FMCSA has jurisdiction over the medical qualifications of approximately 7 million CMV drivers operating in interstate commerce. The number of CMV drivers and the prevalence of medical conditions related to an aging population, such as cardiovascular disease and musculoskeletal injury, will have a detrimental effect on the safety and health of commercial drivers and highway safety overall. The FMCSA developed a strategy for creating a much-improved, comprehensive medical oversight program, including evaluation of the current medical certification process and successful implementation of key initiatives such as the National Registry of Certified Medical Examiners (National Registry) and Driver Wellness Programs.
- **Driver and Carrier Operations** – These functions involve subject matter experts responsible for driver qualifications standards (other than medical qualifications) including entry-level driver training, and drivers' hours of service. This division also has responsibility for subject matter expertise in reviewing requests for waivers, applications for exemptions from certain Federal Motor Carrier Safety Regulations (FMCSRs), and requests for pilot programs.
- **Vehicle and Roadside Operations** – The division is responsible for providing subject matter expertise in developing policy and regulatory options concerning vehicle safety equipment and inspection, repair and maintenance standards for heavy trucks and buses. This work includes the review of petitions for rulemaking, requests for waivers, and applications for exemptions from the safety regulations.

### **What Does Policy and Regulatory Development Contribute?**

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- **Regulatory Development Support and Regulatory Impact Analyses**  
Regulatory Development Support and Regulatory Impact Analyses focuses on the review of crash data (fatalities, injuries, and property damage) and the estimated costs and safety

benefits associated with regulatory options to reduce the incidence of crashes. The Agency is required by statute and Executive Order to consider the costs and benefits of its regulatory actions with the expectation that the regulations it issues would provide cost-effective solutions to safety challenges.

- **Federal Advisory Committees**

The Medical Review Board (MRB) and the Motor Carrier Safety Advisory Committee (MCSAC) are the two advisory committees operating in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. Both committees provide important advice to the Agency on salient issues relating to motor carrier safety and medical fitness to operate in the motor carrier industry.

- **Medical Review Board (MRB)**

The MRB advises the Agency on developing evidence based rulemaking and guidance development through evidence reports. The advice provided by the MRB enables the Agency to establish sound rules and guidance for physical qualifications for driving commercial motor vehicles. The current funding request supports the FMCSA's mandate for the MRB to continue providing advice on medical issues, such as physical and mental qualifications, standards, and guidelines.

- **Motor Carrier Safety Advisory Committee (MCSAC)**

MCSAC was established to provide FMCSA with advice and recommendations on motor carrier safety programs and monitor carrier safety regulations under the authority of the U.S. Department of Transportation (DOT), established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2.

The FMCSA's only representative stakeholder body, the MCSAC is comprised of 17 members representing the motor carrier industry, labor, safety advocates, and safety enforcement officials. The members are experts in their respective fields and are committed to motor carrier safety. They provide advice and recommendations about needs, objectives, plans, approaches, content, and accomplishments of the motor carrier safety programs carried out by the FMCSA and are charged with providing advice and recommendations on motor carrier safety regulations.

The MCSAC fulfills the requirements for MAP-21 as an advisory committee that will provide FMCSA with expert advice on motor carrier safety. The MCSAC advises the FMCSA Administrator on important tasks like fatigue management, distracted driving, electronic on-board recorders (EOBRs), safety technologies, and the Safety Fitness Determination rulemaking. Since its inception, the MCSAC's more than 20 reports have assisted the Agency in making informed decisions on issues of concern to motor carrier safety. The current funding request supports the FMCSA's need for the MCSAC to continue providing advice and recommendations on the requirements, objectives, plans, approaches, content, safety regulations, and accomplishments of the motor carrier safety programs carried out by the FMCSA.



The Medical Programs cover each of the following:

- **Exemption Programs** - The FMCSA Medical Program promotes the safety of America's roadways through the promulgation and implementation of medical regulations, guidelines, and policies that ensure CMV drivers engaged in interstate commerce are physically qualified to do so. There are an estimated 40,000 medical practitioners who perform the medical certification examination for CMV drivers, every two years. There are an estimated 400,000 drivers who undergo the medical fitness-for-duty examination each month. The National Transportation Safety Board (NTSB) investigations have identified medical conditions as a factor in several significant CMV crashes resulting in multiple injuries and fatalities. Additionally, the Government Accountability Office (GAO) investigations have highlighted the need for improved oversight of the medical certification process.

### **New Initiatives**

- **National Registry of Certified Medical Examiners** – The National Registry rulemaking was mandated by Congress. In FY 2013 FMCSA implemented the capability for medical examiners to register through the FMCSA's website. In FY 2015 FMCSA will continue to develop the functionality for medical examiners to transmit medical certificate information directly to FMCSA. The Agency would then transmit the medical certificate information for CDL holders to the State driver licensing agency.

Information Technology (IT) related expenditures for the development of the National Registry Phase II systems capability are identified in the IT Development and Sustainment program. The execution and implementation aspects of the National Registry program are included within the Medical Program's budget with most of the developmental work for the National Registry being performed by the Department's John A Volpe National Transportation Systems Center.

- **National Registry Medical Examiners Handbook, Test Updates** – In addition to the IT component of the National Registry program, the Agency anticipates extra work to complete the development of a medical examiners' handbook to assist healthcare professionals in understanding the Federal driver qualifications rules and to serve as a reference manual for examiners to review topics they may not encounter on a frequent basis. The Agency also anticipates significant efforts to continue to update the standardized test questions used for the National Registry examination.
- **Medical Evidence Reports – Expert Panels** – In support of the MRB, FMCSA funds the preparation of "evidence" reports. These evidence reports document the review of published research reports on specific medical topics and through a meta-analysis, identifies those studies the Agency should consider to have sufficient merit, based on the research methodology and sample size, etc., to support policy or regulatory decisions. The evidence reports are then reviewed by expert panels, a group of physicians specializing in the medical topic being considered and the panel would then provide a report with recommendations to the MRB. The MRB would then consider the evidence

along with the expert panel reports and, after deliberation in a public meeting, offer recommendations to the Agency.

### **Why Is This Particular Program Necessary?**

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Policy and regulatory development provides the foundation for FMCSA's compliance and enforcement operations. The three functions related to this program are regulatory development, driver programs (including driver training, qualifications, and medical certification), and program evaluation activities. These functions serve as key elements for achieving increased protection by establishing safety standards, improving operator fitness, and strengthening Agency programs through the analysis of program effectiveness.

Through regulations, FMCSA promotes improved safety and raises the safety bar for operating in the trucking and passenger carrier industries. The Agency will provide a clear path for compliance and enforcement efforts, and establish the keystone of enhanced safety performance and outreach efforts. Regulations are the basis for FMCSA safety and commercial enforcement activities. FMCSA implements non-regulatory policy approaches such as regulatory guidance, waivers and exemptions, and educational materials to address unique commercial vehicle safety challenges. The Agency responds to a large volume of public and governmental inquiries (by phone, e-mail, and controlled correspondence). The overall goal of these activities is to establish well-written, concise, and effective safety standards and regulatory guidance for the trucking and motorcoach industries. The Agency supports this performance element with policy economic and legal analyses to ensure that regulations are focused on the most cost-effective solution to identified safety challenges and rulemaking documents are legally sufficient.

### **Anticipated FY 2015 Accomplishments**

In FY 2015, FMCSA plans to complete rulemakings regarding Electronic Logging Devices (ELDs) – formally referred to as Electronic On-Board Recorders or EOBRs – and Hours of Service Supporting Documents which would establish new technical specifications for ELDs, mandate the use of the devices, specify minimum requirements for HOS supporting documents, and address protections against the use of ELDs to harass drivers; the establishment of a Controlled Substances and Alcohol Test Results Clearinghouse (Drug and Alcohol Clearinghouse) to ensure that all commercial driver's license (CDL) holders who test positive for the use of controlled substances or the abuse of alcohol complete the required return-to-duty process before resuming any safety-sensitive functions; Bus Leasing to require that all for-hire entities responsible for leasing passenger carrying vehicles such as motor coaches maintain certain records that enable Federal and State enforcement personnel to readily identify the entity responsible for the safety of operation of the vehicle. FMCSA plans to complete rulemaking proposals concerning Safety Fitness Determination (SFD) to establish a new process for determining whether a motor carrier should be rated unfit and to separate the safety fitness determination process from the on-site comprehensive compliance review process; and Entry-Level Driver Training (ELDT) to establish minimum standards for driver training schools and require that all CDL applicants complete formal training at such schools prior to receiving a CDL.

In the area of program evaluations, FMCSA will complete its evaluation of the Agency's Motorcoach Safety Oversight program and the underlying statutory authorities; and complete a review of the Compliance Review Enforcement Intervention.

In FY 2015, FMCSA also anticipates enrolling medical examiner candidates in its NRCME program and, working through private-sector training providers and testing organizations, implement the SAFETEA-LU requirement for medical examiners who certify the physical qualifications of truck and motorcoach drivers to complete training and testing concerning FMCSA's physical qualifications standards.

### **How Do You Know The Program Works?**

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Funding for the policy and regulatory development program supports contract services and other expenses related to the development of regulatory proposals and final rules, the processing of exemption applications concerning the Agency's vision, diabetes, seizure, and hearing standards, the establishment of a National Registry of Certified Medical Examiners, and operations of the MRB and the MCSA Committee, and program evaluations. The FMCSA's Medical Programs Division is responsible for administering the Agency's Vision and Diabetes Exemption Programs. During FY 2012 and FY 2013, FMCSA completed the following notable accomplishments under its Medical Oversight Program:

- Exemptions for CMV drivers who have had a seizure and are taking seizure medication but have been seizure free for 4 years while on the same type and dosage of medication;
- Exemptions, on a case by case basis, for deaf drivers;
- Development of a comprehensive, interactive National Registry program including testing, training, sample training documents, and information manuals for testing and training organizations, candidate handbooks; and
- Conducted extensive outreach programs to ensure geographically distributed certified medical examiners meet driver medical needs particularly in rural and underserved areas of the country.

The funds also cover the operation of the Agency's GUARD, a web-based regulatory information and guidance program to enable Federal and State enforcement officials to quickly access regulatory guidance and recent regulatory changes.

The current funding request will support FMCSA's ability to enhance its oversight of medical examiner activity, the drivers medical qualifications for driving, develop the medical certificate data transfer to the state driver's licensing agencies, minimizing fraud and ensuring that only physically qualified drivers are operating CMVs in interstate commerce. In FY 2015, FMCSA plans to accomplish the following with the requested funding level;

- Increase awareness and education on the need for physically qualified drivers, medical conditions and the potential impact on safe driving;
- Increase outreach and education to the driver and employer communities regarding new medical Federal requirements;

- Enhance the data transfer processes of medical examination results to State driver licensing agencies that will prevent fraud and assure medical compliance for commercial drivers;  
Continue the process of updating the driver physical qualification rules through sound evidence-based rulemaking utilizing evidence reports, Medical Expert Panels and Medical Review Board meetings;

Enhance and maintain the National Registry of Certified Medical Examiners to ensure that only those medical professionals who are trained and tested can perform medical examinations on CMV drivers in interstate commerce. The FMCSA now has control, for the first time, over the medical examinations and is monitoring the medical examiners' performance to ensure it conforms to the Agency's regulations and guidance; and Strengthen the driver wellness initiatives to assist commercial drivers in developing and maintaining optimal health and thus increase their ability to maintain employment as a CMV driver.

## Office of the Administrator and Staff Offices

The Office of the Administrator includes the immediate staff and functions associated with the Administrator, the Office of Chief Counsel, the Office of Civil Rights, and Office of Communications as well as oversight of the Office of the CFO.

<b>Office of the Administrator (MC-A)</b>				
Program Office (Non-Personnel expenses)				
FY 2013 Actual	FY2014 Enacted	FY 2015 Budget	Inc. over FY 2015	FY 2015 FTE
\$1.0	\$1.0	\$1.7	\$0.7	79
<b>Program Office Increases*</b>			<b>FY 2015 Request</b>	
<ul style="list-style-type: none"> <li>• Motorcoach Attorneys (\$0.2) – Included in Field Operations</li> <li>• Registration Attorneys (\$0.3) – Included in IT</li> <li>• Program Evaluation Attorneys (\$0.2) – Included in Policy</li> <li>• Grants Attorneys (\$0.2) – Included in CFO</li> <li>• Outreach &amp; Education (\$-0.8) – Part of the Office of Outreach and Education</li> </ul>			<b>\$0.1</b>	
*Program increases are requested in the office or activity they support. The associated request may all or in part be allocated to another office for execution purposes.				

### Immediate Office of the Administrator

FMCSA requests **\$1.6 million** for the Office of the Administrator. The Office of the Administrator is the key leadership positions within FMCSA which includes the Administrator, Deputy Administrator, Chief Safety Officer, and support staff. The Administrator’s Office provides overall Agency direction and oversight. They represent FMCSA and promote the agency’s safety-first mission within the Department and, work with other Federal agencies, the legislative branch, all stakeholders, and our State and industry partners.

### Office of the Chief Counsel

The Office of the Chief Counsel (MC-CC), which renders legal services and provides legal policy and direction to all FMCSA headquarters and field offices concerning all aspects of the programs, functions, or activities for which FMCSA is responsible. MC-CC provides assistance in the interpretation, administration, and enforcement of the motor carrier safety and hazardous materials regulations including the prosecution and adjudication of violations. MC-CC also handles legal matters involving Agency contracting activities, personnel and employment, civil rights, public access, and ethics issues. In addition, MC-CC performs all legal services associated with the drafting of legislation, comments on pending bills and presentation of agency officials’ testimony. MC-CC provides legal services in connection with the development, coordination, and interpretation of all FMCSA regulations, guidance, and rulemaking documents.

Legal support has been necessary throughout this period to ensure the Agency’s programs were implemented effectively and pursuant to legal requirements. As a result of the solid work of FMCSA’s regulatory attorneys, for example, only 3 of the more than 50 FMCSA final rules issued since 2004 have been reversed in judicial challenges. In 2011, MC-CCG was instrumental in uncovering and voluntarily reporting several Anti-Deficiency Act violations, going back several years, and these attorneys then worked closely with the GAO to document problems and implement process changes. MC-CCE has been at the forefront on enhanced motorcoach safety, including finding and deploying new legal tools to combat unsafe curbside bus companies, placing a record number of unsafe motor carriers out of service as “imminent hazards” in the past two years. And because of careful and conservative rulings of our Adjudications Division, none of the Agency’s civil penalty assessments that were upheld in administrative reviews since 2004 have been reversed in Federal court.

The requested staffing for MC-CC is integral to individual initiatives and is justified with them. The following reference table summarizes these position requests by initiative, dollar cost requested and the page number they can be found on.

<u>Program Area</u>	<u>Requested FY 2015 Positions</u>	<u>\$ Req (in millions of dollars)</u>
Motorcoach Safety Initiative	2 Field Attorney 1 Field Paralegal 1 HQ Enforcement Attorney 1 Adjudications Attorney 1 Adjudications Paralegal	\$0.6
Mission Support (GMO)	2 Grants/Fiscal Attorneys	\$0.3
Policy and Regulatory Development	2 Regs Attorneys	\$0.3
TOTALS	8 Attorneys 2 Paralegals	\$1.2

**Component Divisions:**

- Enforcement and Litigation Division (MC-CCE), 8 Attorneys, 2 Paralegals:** MC-CCE provides legal services on all motor carrier enforcement program issues and serves as the point-of-contact for enforcement and rulemaking litigation support involving the Agency or its officials. MC-CCE provides legal support on issues including passenger carrier safety, transportation of hazardous materials, drug and alcohol testing, NAFTA and border crossing issues, international transportation, and the transportation of household goods. MC-CCE coordinates legal representation and other legal services in connection with pending litigation or other proceedings involving FMCSA or its officials. MC-CCE also coordinates all requests for appearances and subpoenas issued to FMCSA personnel including representation of all Agency employees and officials at such events when deemed appropriate after consultation with the Chief Counsel.

Multiple workforce analyses since the FMCSA Field attorneys were brought under HQ supervision in 2004 have determined that Field legal staffing is insufficient and have recommended ratios of 25 to 30 investigators to each Field enforcement attorney. There are currently 323 Safety Investigators, serviced by just 9 Field Attorneys, already a ratio of 36 to 1. Add to that the work of 43 Border Auditors and 153 Border Inspectors, and the current ratio exceeds 57 to 1. Current staff is strained meeting existing workload, yet they will be asked to provide nearly all front line legal support for the new Safety Fitness Determination program, the enhanced Motorcoach Safety Initiative, the expanded grants management support role, among others.

#### Motorcoach Safety Initiative

The Office of Field Operations has projected that an additional 80 Safety Investigators will be needed in FY 2015 to operationalize the enhanced level of investigation used in the Motorcoach Safety Initiative. Using a conservative 40:1 investigator to attorney ratio, a minimum of two additional Field Attorneys and one Field Paralegal will be needed to operationalize the Motorcoach Safety Initiative.

Moreover, the Motorcoach Safety Initiative relies heavily on aggressive legal action, including the issuance of subpoenas, demand letters, imminent hazard out-of-service orders, orders to consolidate records of affiliated motor carriers, and orders to show cause why operating authority registrations should not be revoked. Additional new authorities from MAP-21, such as impoundment of vehicles operating in violation of imminent hazard orders, will require legal input as they are used in the Motorcoach Safety Initiative and elsewhere in the Enforcement program. These and other specialty enforcement tools require significantly more attorney input than traditional civil penalty claims.

#### Other Workload Increases

Within Headquarters, MC-CCE attorneys will see increased volumes of protests of operating authority registration under 49 CFR part 365. MC-CCE attorneys provide guidance to the Agency decision maker in administrative reviews of these cases, which, unlike civil penalties, safety ratings and hazmat permit cases, do not go to the Assistant Administrator. MC-CCE attorneys in HQ will also have to assist on establishing procedures and implementing administrative reviews and appeals under the Medical Program, including the National Registry of Certified Medical Examiners. The Agency is also ramping up enforcement of commercial, ADA, household goods and other non-safety regulations pursuant to MAP-21, the Over-the-Road Bus Transportation Accessibility Act of 2007 and the Agency's own initiatives. Legal support for all of these efforts will rest on MC-CCE attorneys, largely in HQ.

- **General Law Division (MC-CCG), 2 Attorneys, 1 Paralegal:** MC-CCG provides legal support regarding budget, fiscal and financial management matters, including availability of appropriation and eligibility for Federal funding under the Motor Carrier Safety Assistance Program and other Federal motor carrier-related grant programs. MC-CCG provides litigation and legal services related to contracts, grants, cooperative agreements, memoranda of understanding, Federal Tort Claims Act, intellectual property, technology issues, and represents the Agency before the Government Accountability Office and the

General Services Administration Board of Contract Appeals. MC-CCG also provides legal assistance in all matters related to personnel and employment and civil rights, represents the Agency before the Equal Employment Opportunity Commission, the Merit Systems Protection Board, and the Office of Special Counsel. Additionally, MC-CCG provides legal advice in connection with public access to government information, including the Freedom of Information Act (FOIA) and the Privacy Act, as well as ethics and conflicts of interest issues.

The two additional attorneys in MC-CCG are necessary for the Agency to accomplish its safety mission, which includes awarding approximately 300 grants annually, authorized under 9 individual programs. The grant awards make up over 55% of the Agency's budget -- \$310 million in FY 2014.

One of these two attorneys is needed as a dedicated FTP to support the Grants Management Office. A second grants/fiscal law attorney is needed to assist with MAP-21 mandates with respect to CDL/Grant enforcement program. These Program offices have requested additional legal services in relation to these mandates.

An attorney solely for the grants management function would provide specialized legal expertise, continuity, and support on complex, more problematic issues that arise. Grant attorneys review documentation for every award, approximately 600-1,000 grant applications, amendments and related legal reviews annually, to ensure that awards comply with all legal requirements. These attorneys perform a vital fiscal oversight role, advising on cost eligibility questions raised by technical review panels, field personnel, and Motor Carrier Safety Assistance Program compatibility review findings. They work with States to come into compliance with the Federal Motor Carrier Safety Regulations in order to remain eligible for Motor Carrier Safety Assistance Program and CDL funding, and they help create and train on grant policies and procedures for FMCSA employees and grantees. Grant attorneys coordinate with various FMCSA and OST offices to prepare the Secretary's memorandum of approval (MOA) for each of the grant programs. Grant attorneys also review and supervise the legal responses to grant related congressional, GAO, OIG, DOT, State partner, and stakeholder inquiries.

The Chief Counsel's Office does not have any exclusive grants attorneys which is a serious deficiency for a program accounting for over half the Agency's budget. The current workload is split among attorneys in the General Law Division in addition to their other responsibilities. The additional grants attorney would allow the Chief Counsel's Office to assign an attorney to the Grants Management Office to provide specialized legal expertise, continuity, and support on complex grant legal issues that arise and focus on providing legal support to policy and training development.

The second attorney is necessary to provide additional legal support for the Agency's grant making activities and to address the backlog of MCSAP Compatibility Review findings and Corrective Action Plans (CAPs). Due to the high volume of reviews required, failure to receive funding for the attorney positions could result in delays in the grant concurrence process, which in turn will delay the award of grants. Given the large



backlog, the Agency will also not be able to address Motor Carrier Safety Assistance Program Compatibility Report findings and State CAPs in a timely manner. MC-CCG will also need this attorney to assist with some major contract procurements that will be taking place in the next few years.

A litigation paralegal is also needed in MC-CCG to provide assistance in employment and Federal Tort Claims litigation. Such an individual would also assist in providing support for acquisitions and contract litigation and maintain current legal publications for the entire office.

- **Regulatory Affairs Division (MC-CCR), 2 Attorneys:** MC-CCR provides legal services on all motor carrier regulatory program issues, including the preparation, interpretation, and administration of regulations governing motor carrier safety, the transportation of hazardous materials, commercial drivers' licenses, minimum financial responsibility, and the Motor Carrier Safety Assistance Program. MC-CCR coordinates with the FMCSA Regulatory Ombudsman, Office of General Counsel, the Office of Management and Budget, and the Office of the Federal Register on regulatory, reporting and compliance matters. MC-CCR provides legal advice and legal sufficiency reviews in connection with the development of FMCSA regulations, guidance and interpretations. MC-CCR also reviews proposed regulations issued by other agencies and DOT modes affecting FMCSA and coordinates Agency comments.

MAP-21 mandates 29 rulemaking initiatives for FMCSA, each requiring full notice and comment proceedings. Over the next two years, FMCSA's high priority rules include:

- Safety Fitness Determination
- Electronic Logging Devices
- Drug & Alcohol Clearinghouse
- National Registry of Certified Medical Examiners II
- Bus Leasing
- Ensuring against Coercion, under 49 USC 31136(a) (5)
- New Entrant Testing
- Unified Registration System II
- Entry Level Driver Training
- MCSAP Rules Revision
- Employer Notification System
- Freight Forwarder and Broker Requirements
- E-Signatures
- Motorcoach Driver Hours of Service
- Annual Bus Inspections
- Certified Safety Auditors
- Lube and Oil Leaks
- Impoundment

In 2011 FMCSA published 7 final rules, and in 2012, it published 11. Only 20 rulemaking publications can be accommodated with in base staffing, counting proposed and final rules.

These production numbers obviously fall short of fulfilling the mandate Congress has given the Agency. Increased funding for the Office of Policy and Regulatory Development is therefore requested under the Regulatory Program element above. As legal sufficiency reviews of Agency rulemakings are generally an inherently governmental function, however, MC-CC also seeks two additional attorneys for the MC-

CCR to support the rulemaking activities. Each additional attorney is expected to add approximately three rulemaking publications per year to the Agency's legal review capacity for regulatory development.

Attorney support is vital for the completion of these rules. FMCSA's statutory framework and regulatory enforcement structure are complex, even opaque, and may also require innovative approaches to bring needed rules to fruition. And there are more than 50 other rulemaking actions that fall into the non-priority, "improvement" category, including rules on sleep apnea, prescription drugs and other medical issues, as well as consumer protection and other commercial regulations.

Moreover, FMCSA also recognizes that some of its rules need updating and even repeal. The Agency's proposed repeal of its Driver Vehicle Inspection Report in cases where no vehicle defect is found, for example, will result in savings of many millions of dollars, without loss of safety. Yet even rule changes that lift regulatory burdens require notice and comment proceedings, and that requires legal support.

- **Adjudications Division (MC-CCA), (5 Attorneys, 1 Paralegal):** MC-CCA provides legal services to the Assistant Administrator/Chief Safety Officer in civil penalty enforcement cases, safety rating appeals, and hazardous materials safety permit appeals. MC-CCA drafts final orders, orders on reconsideration, orders on binding arbitration, orders appointing and administrative law judges, and decisions on appeal from Administrative Law Judge recommended decisions in civil penalty enforcement cases concerning the Federal Motor Carrier Safety Regulations, Hazardous Materials Regulations, and Federal Motor Carrier Commercial Regulations. MC-CCA also drafts decisions for the Assistant Administrator/Chief Safety Officer's signature concerning appeals of safety ratings and denials, suspensions or revocations of hazardous materials safety permits.

MC-CCA provides legal services to the Assistant Administrator in his/her role as a decision maker regarding enforcement matters arising under the statutes and regulations enforced by FMCSA's program offices.

The increased workload created by recent rulemakings has imposed stringent time constraints for action by MC-CCA. For example, on May 29, 2012, the Agency adopted a rule authorizing it to issue orders consolidating the records of motor carriers and/or to place them out of service. In doing so, it required a decision by the Assistant Administrator (AA) within 30 days. See 49 CFR 386.73(g). The records consolidation cases are complex and fact intensive. While necessary to ensure public safety from so-called "reincarnated" motor carriers, the deadlines have significantly increased the workload burden on MC-CCA and have shifted the resources away from other cases that do not require a decision by a regulatory deadline.

Moreover, there has also recently been an increase in safety rating appeals, another type of cases that require a decision within a specific period imposed by the regulations. These petitions required a decision within either 30 or 45 days. These petitions also

involved complex legal and factual issues. Without the additional attorneys, MC-CCA will not be able to handle the influx of a larger number of complex legal and factual issues. Furthermore, the new safety fitness rating methodology will increase the number of safety rating appeals by a multiple that is unknown at this time (although current estimates range from 3x to 6x).

#### Civil Penalty Proceedings

MC-CCA provides advice and recommended decisions for signature of the Assistant Administrator in civil penalty enforcement cases including:

1. Interim Orders;
2. Final Orders;
3. Orders on reconsideration;
4. Orders on requests for binding arbitration;
5. Orders appointing and administrative law judges;
6. Orders on Reconsideration on appeal from Administrative Law Judge recommended decisions in civil penalty enforcement cases;
7. Informal Hearings

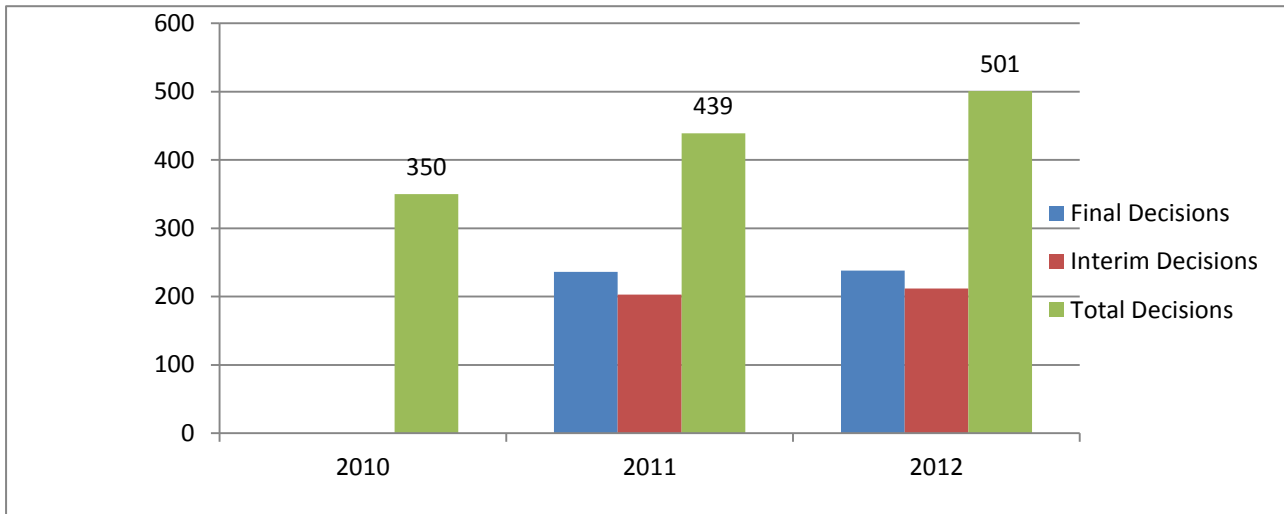
#### Other Enforcement Proceedings

MC-CCA also provides advice and recommended decisions for signature of the Assistant Administrator in the following enforcement proceedings:

1. Appeals from final and proposed Unsatisfactory and Conditional safety ratings;
2. Appeals from denials of request for upgrade of proposed or final safety ratings;
3. Appeals from denial or revocation of hazardous materials safety permits;
4. Appeals of driver disqualifications;
5. Appeals of record consolidation and out-of-service orders;
6. Appeals from Imminent Hazard Orders.

#### Additional FTE's Required to Manage Current and Future Workload

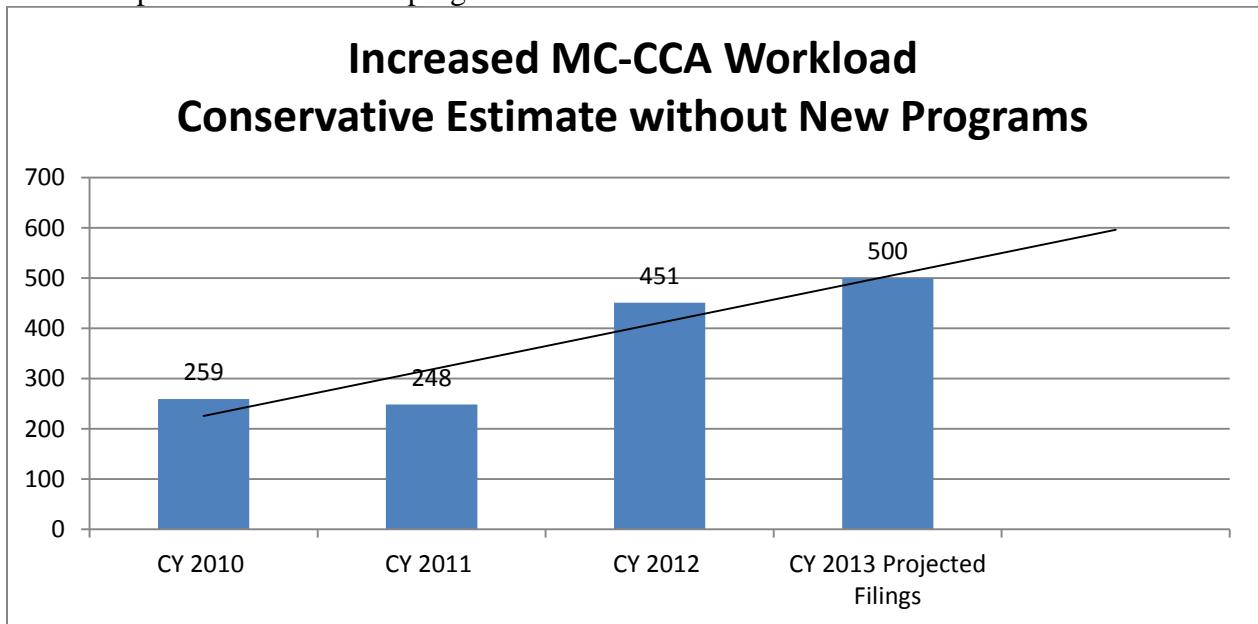
At the beginning of 2011, MC-CCA increased from 2 to 3 attorneys. The additional adjudications attorney increased the number of decisions rendered by MC-CCA.



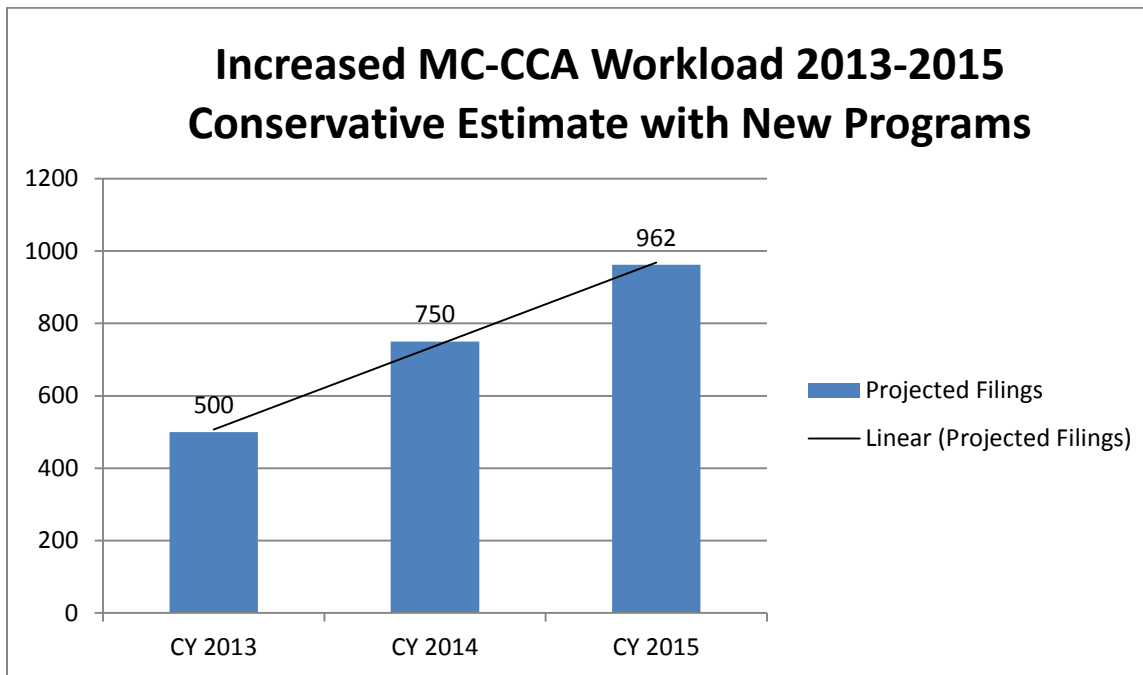
The increase in the number of decisions has not, however, been able to keep pace with the increase level of enforcement activity and enforcement matters generated by FMCSA’s enforcement program.

Increased Enforcement Activity

The number of filings in enforcement proceedings dramatically increased in 2012 and is projected to continue on an upward trajectory based on the current year filings to date. This projection is a conservative estimate based on the filings to date. It does not include increased filings that usually occur in the latter half of the calendar year. It also does not include the increased enforcement activity projected to occur as a result of implementation of new programs.



Even the most conservative projections (three-fold for safety fitness determinations and two-fold for enforcement activities) resulting from implementation of new programs for CY 2013-2015 see dramatic increases to MC-CCA workload.



#### Increased Safety Rating Challenges

MC-CCA has seen a significant increase in challenges to safety ratings issued by FMCSA. In 2010 only 7 safety rating appeals were filed. Within the first 5 months of 2013, twenty appeals have been filed relating to Unsatisfactory safety ratings. These cases require a decision within 30 or 45 days depending on the type of carrier.

#### Delayed Decisions and Backlog Hinder Enforcement

Because the number of decisions issued by MC-CCA has not been able to keep pace with the filings in enforcement cases, the enforcement process has a backlog of over three hundred pending enforcement cases awaiting a decision. The average length of time a matter takes to be processed for enforcement, in the absence of any statutory or regulatory deadlines, is more than two years.

Timeliness of enforcement decisions is essential to a robust and effective enforcement program. The failure to render a decision in a timely manner, results in no effective deterrent system for those regulated by FMCSA and a weakened enforcement process. Moreover, regulatory and statutory deadlines imposed for various types of proceedings require a timely decision. Failure to act within the prescribed time periods could result in dismissal of the enforcement proceedings.

#### Record Consolidation and Out-of-Service Proceeding

On May 29, 2012, the Agency enacted new procedures to consolidate the records of so-called reincarnated motor carriers and place these carriers out-of-service. Decisions under the new procedures are complex and time intensive and are required to be made within a 30 day time frame. These proceedings significantly increased the burden on an already over-burdened adjudications team. Unless the additional adjudications attorneys are

funded, the backlog of pending enforcement matters will significantly increase resulting in a less effective enforcement program. As demonstrated by the increased number of filings, unless the additional adjudications attorneys are funded, MC-CCA's ability to render decisions will not be able to meet the projected filing levels.

#### Office of Governmental Affairs

The Office of Governmental Affairs provides an important service by communicating the Agency's initiatives and programs to our stakeholders. The Office serves as the official liaison on Agency programs and policies to Congress, the Office of Management and Budget, State and local governments, commercial motor vehicle and safety stakeholders, and other interested parties. It is the focal point within the FMCSA for communicating the Agency's legislative and programmatic priorities, policies, rulemakings, or other initiatives to external stakeholders. The Office responds to requests for technical assistance from Congress, coordinates congressional hearings, transmits witness testimony on motor carrier related issues, and provides project status reports through meetings, conference calls, or official correspondence on a daily basis. Through these mechanisms and increased public engagement, the Office of Governmental Affairs continues to promote FMCSA programs in support of its safety-first mission to reduce crashes, injuries, and fatalities involving large trucks and buses.

#### Office of Civil Rights

In accordance with the President's Executive Order 13583 on Establishing a Coordinated Government-Wide Initiative to Promote Diversity and Inclusion in the Federal Workforce, FMCSA is committed to equal opportunity, diversity, and inclusion in order to accomplish the agency's safety-first mission to reduce crashes, injuries, and fatalities involving large trucks and buses. FMCSA is also committed to providing a discrimination-free workplace and affording its employees and applicants equal opportunity and treatment as it strives to become a model EEO program, a "best place" and a more diverse and inclusive place to work.

The core activities for OCR are ensuring: that recipients of funds from the FMCSA conduct their Federal assisted programs and activities in a non-discriminatory manner; that FMCSA does not discriminate against its employees or applicants for employment; and that FMCSA conducts all of its programs and activities free of discrimination. Major statutes which FMCSA impact operations include: Titles VI and VII of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Title II of the Americans with Disabilities Act of 1990; the Equal Pay Act of 1963; and, the Age Discrimination in Employment Act of 1967.

It is essential that OCR partners with FMCSA's Office of Human Resources and the Departmental Office of Civil Rights (DOCR) in order to develop a highly skilled and motivated workforce; conducts outreach activities to educational and professional institutions which contain a large pool of applicants from groups which have low participation rates at the FMCSA; and works with Agency leadership to reduce the number of complaints filed against the Agency. The OCR implements all statutory requirements and provides proactive training and education approaches to ensure a discrimination free workplace. In FY2014, the plans to conduct four Title VI compliance reviews, conduct targeted recruitment activities to employee groups with low participation rates at FMCSA, and to conduct one Title VI investigation.

**Office of the Chief Financial Officer, Including Increase Request  
MC-B (GOE)**

<b>Office of the Chief Financial Officer (MC-B)</b>				
Program Office (Non-Personnel expenses)				
FY 2013 Actual	FY2014 Enacted	FY 2015 Budget	Inc. over FY 2015	FY 2015 FTE
\$7.8	\$8.0	\$8.1	\$0.1	19
<b>Program Office Increases, including Personnel* (\$ millions)</b>			<b>FY 2015 Request</b>	
<ul style="list-style-type: none"> <li>• Grants Attorneys (\$0.3) – Funds apply to MC-A</li> </ul>			<b>\$0.3</b>	
*Program increases are requested in the office or activity they support. The associated request may all or in part be allocated to another office for execution purposes.				

**Overview:** The Office of the Chief Financial Officer (OCFO) encompasses budget, finance, grant oversight and risk management functions. The core activities for the OCFO are developing and maintaining proper internal controls related to budget, financial and grants reporting. This office ensures that sufficient internal controls are in place for proper stewardship of all financial resources. Activities planned during FY 2014 include elimination of Qualified Statement of Assurance for an Unqualified Statement of Assurance, demonstrate plan and begin implementation of a Resource Management Tool, and achieve all Green Performance Metrics

- **Budget Office:** This Office is the Agency's authority on appropriation and authorization policies, processes, programs and transactions with the support from the Administrator, CFO and Chief Counsel. The Budget Office prepares budget submissions, provides responses for Congressional and Departmental budget data requests, processes apportionments, provides funding to program offices, analyzes agency budget execution, evaluates and approves proper use of appropriated funding, non-appropriated funding and manages payroll activity. The Budget Office also provides standard operating procedures, guidance, and advanced budget tracking tools and methodology to the program offices to maximize Agency resources and maintain real-time tracking of fund execution. The Budget Office is responsible for the development of the Resource Management Tool, a data discovery tool planned to provide for the integration multiple types of data, dashboarding to all levels of FMCSA staff operations, and allowing analysts to design and implement new analytics, without costly IT staff involvement.
- **Finance Office:** The Finance Office performs a host of financial management related activities, including internal controls, financial statement audit liaison, oversight of the Agency's travel card, management of the Agency's travel program and eTravel system, and providing funds availability certification for commitment, obligation transactions as well as de-obligation of outstanding undelivered orders. The Finance Office is also

responsible for recording financial transactions, reconciling financial transactions (coordinated with the program offices) and reporting the financial status of the Agency on a monthly, quarterly, and annual basis. Responsibility for the agency annual year-end closeout and adherence to the OMB Circular A-123 and the Federal Managers Financial Integrity Act (FMFIA) falls under the purview of this office.

- **Grants Management Office:** This program provides the administrative and financial management of the Agency's grants programs, as specified in MAP-21. The Grants Management Office is responsible for developing and implementing the FMCSA grant programs; soliciting applications; evaluating the technical aspects of the applications; recommending awards; executing awards; obligating and de-obligating funding; monitoring deliverables for timely completion; reviewing the grants for compliance with program requirements; meeting performance measures; requiring corrective action plans when deficiencies are identified; and establishing and monitoring internal controls to ensure, identify and promote best practices. Proper voucher tracking, funds reconciliation, and file management are also parts of the comprehensive grants management program.
- **Risk Management Office:** In September 2013, FMCSA hired a Risk Manager to operate this office. Efforts will build on current contractor driven reviews of FMCSA practices.

#### **OCFO Grants Management Office –Compliance Unit, Increase Request**

FMCSA requests \$0.3 million to support FMCSA's grant making activity with two additional fiscal law attorneys and one paralegal hired within the Office of Chief Counsel. Assigned attorneys solely for the grants management function would provide specialized legal expertise, continuity, and support on complex, more problematic issues that arise. Grant attorneys review documentation for every award, approximately 600-1,000 grant applications, amendments and related legal reviews annually, to ensure that awards comply with all legal requirements.

The grants attorneys will perform a vital fiscal oversight role, advising on cost eligibility questions raised by technical review panels, field personnel, and Motor Carrier Safety Assistance Program compatibility review findings. They will work with States to come into compliance with the Federal Motor Carrier Safety Regulations in order to remain eligible for Motor Carrier Safety Assistance Program and CDL funding, and also review and supervise the legal responses to grant related congressional, GAO, OIG, DOT, State partner, and stakeholder inquiries.



**Office of Administration**  
MC-A, GOE

Office of Administration (MC-M) Program Office (Non-Personnel expenses)				
FY 2013 Actual	FY2014 Enacted	FY 2015 Budget	Inc. over FY 2015	FY 2015 FTE
\$34.6	\$35.5	\$63.0	\$22.9	63
<b>Program Office Increases, including Personnel* (\$ millions)</b>			<b>FY 2015 Request</b>	
<ul style="list-style-type: none"> <li>• Border Facilities (\$15.9) – Requested in Field Operations</li> <li>• Non-Border Facilities (\$6.0) – Requested in Field Operations</li> <li>• Facilities Space Management (\$0.5) – Requested in Field Operations</li> </ul>			<b>\$22.4</b>	
*Program increases are requested in the office or activity they support. The associated request may all or in part be allocated to another office for execution purposes.				

**Office of Management Services**

The Office of Management Services (OMS) program develops Agency-wide management support services, policies, and activities. These services include space management, facilities and equipment management, metered and express mail services, property management, fleet management, printing, transit benefits, and other administrative services.

OMS supports the government-wide environmental initiatives to reduce greenhouse gas emissions in buildings and complies with the President’s Executive Order 13514 ensuring the agency’s motor vehicle fleet use alternative fuels by 2015. The FMCSA executes the Freedom of Information Act (FOIA), Paperwork Reduction Act, and Privacy Act activities and maintains administrative directives for all Agency activities. These essential functions are supported centrally to leverage economies of scale, to monitor and control costs, and assure adherence to regulations and Agency policy and procedures. Further, Management Services implement many government-wide initiatives to improve transparency, sustainability, and ensure effective use of Federal resources to include:

- Occupational Safety and Health within the OMS provides agency-wide administration and management of the employee occupational safety and health program.
- Border Space Management program includes rental payments for all border truck and bus inspection locations, as well as feasibility studies, land acquisition, construction of new buildings and office spaces, bus passenger waiting areas renovations, inspection pits, canopies, furniture and all associated IT information technology (IT) and security enhancements.

- OMS responds to approximately 1,900 valid FOIA requests, which are processed in consultation with the Office of Chief Counsel and Office of Communications. FMCSA receives the third highest number of requests, following the Federal Highway Administration (FHWA) and Federal Aviation Administration.
- Fleet Management program within OMS provides Agency-wide management of GSA leased vehicles. These vehicles facilitate the agency's mission of motor carrier safety by providing vehicles for use by Special Investigators throughout the 50 states and territories.

### **Office of Human Resources**

The Office of Human Resources provides a full range of services to the FMCSA employees, including employee and labor relations, staffing and classification, executive resources, oversight of various human resources information technology systems, employee benefits, and strategic human capital planning. The FMCSA values its employees as its number one resource, and to ensure continuity in the mission related activities and minimize Agency costs, the FMCSA is requesting funding for employee recruitment and retention initiatives. Maintaining an experienced workforce enables the Agency to effectively support its safety mission. The FMCSA's goal is to hire high quality employees, develop future leaders, and maintain a high performing workforce that is effective in accomplishing FMCSA's safety mission.

In FY 2014, this office will automate the position classification process to include developing standardized position descriptions (PD) as well as a PD library, obtain off-the-shelf software aimed at analyzing accession trends that forecast skills gaps among our employees and our diversity metrics, and improve metrics on the pay related processing of personnel actions that will require automatic verifications of HRIT systems. In FY 2015, they will develop and implement new standard operating procedures (SOP) for updating the agency's competitive level coding process, develop and implement new standard operating procedures for tracking FTE through the new position allocation numbering process and improve workforce forecasting through the use of automated workforce trend and demographic statistical software analysis.

### **National Training Center**

The FMCSA National Training Center (NTC) is a full service training organization, providing a wide range of development and delivery options to its customers, utilizing state of the art technologies, design methodologies and delivery options. The NTC is a unique organization in that over 90% of the 16,000 students trained annually, are not FMCSA employees. The NTC training development and delivery, includes travel, course maintenance and updates, new training aids developments, and instructor development and travel.

Impact If Not Funded: Failure to fund the National Training Center will result in many agency priority tasks being minimized. This delay will have persistent and long term negative impacts on internal capability and sustainability of critical training to our stakeholders (internal and external). Without this funding, efforts across NTC will be stalled and our planning process and program improvements will be delayed. Further, the agency will not have met a pressing need to

train both Field and Headquarters personnel in such areas of commercial enforcement as brokering, freight forwarding, insurance, and licensing (operating authority). Lack of funding will lead to our current and future leaders being at technically disadvantaged with their peers and our agency will have negative impacts on performance as a result.

In FY 2014:

- Updated curriculum for Safety Academy, including pre-Academy and post-Academy on-the-job training
- FLETA Re-accreditation for CMV Criminal Interdiction Training.
- CSA Training.
- Grants Management Training.
- Expanded training to support Hours of Service rule and electronic on-board recorders.
- Roll-out of new Leadership curriculum to support FMCSA employee development.
- Competency modeling completion.
- Revision of the hazardous materials program to mirror the NAS programs with re - certification of all HM instructors.
- Roll out of the new Learning Management System giving all instructors and state POC access to better communication and class management.
- Additional courses will be added to meet the needs of several prerequisites and electives needed for the new Professional Development and Leadership Program (PDLP) designed for FMCSA employee enrichment.
- Projected total students trained = 18,239.

In FY 2015:

- Implement updated curriculum for Safety Academy, including pre-Academy and post-Academy on-the-job training
- Implement the Updated Basic Safety Academy at a fixed academy location based on needs and site analysis planned in FY 2014
- Expand FLETA Accreditation for other NTC Training.
- CSA software and ongoing Training.
- Grants Management Training.
- Expanded training to support Hours of Service rule and electronic on-board recorders.
- Roll-out of new Leadership curriculum to support FMCSA employee development.
- Competency Management System integration.
- Revision of the NAS program training courses.
- Expand Learning Management System giving all instructors and state POC access to better communication and class management across all MCSAP stakeholders.
- Implement the new FMCSA Employee Orientation/Indoctrination Class.
- Implement the new FMCSA HR for Supervisors Course.
- Annual review of all NTC courses for updates and regulatory revisions.
- Projected total students trained = 19,100.

## **Office of Acquisitions Management**

The Office of Acquisitions Management (OAM) Program which provides agency with support for contracting and procurement actions. Without this support, the FMCSA would not be able to procure the goods and services the program offices need to meet the Agency's mission.

Acquisitions management includes pre-award and post-award support, contract management and administration, records retention of contract files, and contract closeout. This support includes management and oversight of contracting officer's professional development, warrants, certification and training, contracting officer's technical representatives, and management of the Purchase Card program. Acquisition support includes guidance to program offices on market research, independent government cost estimates, contract type, Statement of Work (SOW) development, and technical evaluations. OAM is also responsible for Inter and Intra Agency Agreements within DOT and with other Federal agencies. OAM develops standard operating procedures for internal control over all types of acquisitions. OAM develops FMCSA policies and procedures related to all acquisition subjects and for purposes of internal control.

In FY 2014, the office will complete an information technology systems contract valued in excess of \$100.0 million, consolidating information technology legacy systems into a single contractor operated system. In FY 2015, Award of \$150.0 million IT Systems Integration Contract and transition to new vendor, implement a PRISM and DELPHI (DP2) automated interface, management of existing contracts valued in excess of \$350.0 million and continued re-certification of the FMCSA Acquisition workforce (i.e. COs, CORs, & PMs).

**Office of Research and Information Technology, Including Increase Request  
MC-R, GOE**

FMCSA’s Office of Research and Information Technology coordinates research and development to improve the safety of motor carrier operations and commercial motor vehicles and drivers. In FY 2015, \$4.7 million is requested for Statistical Data Analysis, \$3.9 million for Registration and Safety, \$0.5 million for additional staffing for 6 new positions for IT support staff, and \$0.1 million for additional travel in support of the Research and Technology program.

<b>Office of Research and Information Technology (MC-R)</b>				
Program Office (Non-Personnel expenses) - (\$ millions)				
FY 2013 Actual	FY2014 Enacted	FY 2015 Request	Inc. over FY 2015	FY 2015 FTE
\$11.8	\$16.0	\$25.0	\$9.0	50
Program Office Increases, including Personnel*			FY 2015 Request	
<ul style="list-style-type: none"> <li>• Statistical Data Analysis (\$4.7)</li> <li>• Registration (\$4.2)</li> <li>• Information Management staffing (\$0.5)</li> <li>• Research and Technology Travel (\$0.1)</li> </ul>			<b>\$9.5</b>	
*Program increases are requested in the office or activity they support. The associated request may all or in part be allocated to another office for execution purposes.				

**Statistics and Analysis, Including Increase Request**

(in millions of dollars)

FY 2013 Actual*	FY 2014 Enacted*	FY 2015 Request	Difference from FY 2014 Request
<b>0.6</b>	<b>3.9</b>	<b>4.7</b>	<b>4.7</b>

Originally funded within the Information Management activity, the Statistics and Analysis function was transferred to GOE in the FY 2014 Budget, however no authority was requested, requiring a 3.5% reduction across the board to non-personnel spending in GOE and/or a significant reduction statistics activities.

For FY 2015, the Statistics and Analysis request is \$4.7 million – This program collects and analyzes data on roadway crashes, commercial drivers, and the operations and safety performance of motor carriers. The program serves as an agency-wide resource providing USDOT policy makers, Congress, industry, and the research community with timely and relevant statistical information. The agency collects and analyzes data on the Nation’s more than 500,000 interstate and intrastate hazardous materials, motor carriers, their 4.5 million commercial vehicle drivers, and the 130,000 reportable crashes occurring each year. An on-line interactive repository of commercial motor vehicle safety data is available at <http://ai.fmcsa.dot.gov/>.

Funds will also be used to undertake the establishment of an enterprise master and data reference project to standardize the statistical sources across the agency. The initial tasks for FY 2015 will include an inventory of data elements utilized across the agency which may have conflicting interpretations and competing updating procedures. This will be a fairly extensive enumeration of the data elements as FMCSA maintains databases which stretch back decades and were created to serve different operational missions. When competing data terminology, definitions, or values are found, the project will designate the appropriate data as the authoritative source.

In FY 2015 the Program will:

- Develop new performance metrics to assess the completeness, timeliness, accuracy, and consistency of State-reported crash and roadside inspection data to FMCSA, and incorporate as part of the State Safety Data Quality program (see Figure).
- Conduct a comprehensive analysis of motor carrier registration data to identify missing, incorrect, and potentially fraudulent entries, and design testing and error-checking methodologies to detect and prevent future invalid entries.
- Conduct analyses of State data reporting processes and performance to identify problem areas and provide technical assistance, training, and guidance to effect improvements.
- Analyze requests for data review submitted by motor carriers, drivers, and others through the DataQs process to assess problem areas in inspection and crash data reporting and identify system changes, training needs, and other interventions to reduce the error rate in FMCSA safety data.
- Develop a series of data dashboards, customized to FMCSA program office and field operations requirements, to make more effective and efficient use of FMCSA and other highway safety-related data by putting information directly into the hands of the users through the implementation of business intelligence tools.
- Conduct analyses of emerging safety issues in areas such as motorcoach operations, commercial motor vehicle driver performance, vehicle maintenance issues, etc.

**Registration and Safety Information Program, Including Increase Request**

Funding Source (\$ millions)	FY 2013 Actual	FY 2014 Enacted	FY 2015 Request	Difference from FY 2014 Request
MC-R Operations	0.0	0.0	3.9	3.9
MC-A Counsel	0.0	0.0	0.3	0.3
Carrier Licensing and Insurance(L&I) (offsetting Collection)	8.9	9.0	9.0	0.0
Total Requested	8.9	9.0	12.9	3.9

FY 2015, FMCSA requests **\$3.9 million** for the Registration and Safety Information Program; these funds will augment funds received from fee collections, which offset obligations from our GOE funds. Without these funds, increasing personnel costs (L&I funds support 61 indirect FTE) and increased customer service contract costs would severely erode the agency's ability to provide timely information to applicants as well as hamper agency efforts to reduce "chameleon" carriers, carriers reinventing their operations to circumvent safety and other regulations.

FMCSA carrier licensing, insurance, and related customer service responsibilities were consolidated in FY 2012 (on July 16, 2012) into a new FMCSA program office --the Office of Registration and Safety Information (a component of the FMCSA Office of Research and Information Technology). The reorganization and program consolidation was needed to meet rapidly increasing challenges and demands for better coordination of carrier licensing practices, improved vetting of applications submitted by motor carriers requesting operating authority, ensuring evidence of carriers' financial status meet statutory requirements, improved customer service and increased responsiveness to stakeholders. This organizational change strengthened FMCSA's commitment to: raise the bar to enter the motor carrier industry; maintain high safety standards to remain in the industry; and remove high-risk carriers, drivers, and service providers from operation.

The Registration and Safety Information Program uses registration, insurance and safety data to implement regulations and programs that support improved safety in motor carrier operations across all entities engaged in the industry including motor carriers, drivers, vehicles, brokers, service providers. The program collects safety information and maintains safety information systems to direct and support targeted actions on higher risk carriers in enforcing the safety regulations; promulgate educational messages to carriers, commercial drivers, other regulated entities, stakeholders and the public; partner with stakeholders including Federal, State, and local enforcement agencies, the motor carrier industry, safety groups, and organized labor on efforts to improve driver, vehicle and motor carrier safety to reduce bus and truck-related crashes; conduct research and analyses needed to support its programs and policies; and supply driver safety data to prospective employers.

The Registration and Safety Information Program operations are funded through statutory customer-based licensing and insurance fee revenues, typically ranging from \$15.0M to \$16.0M annually. Licensing and insurance fees include: application fees for operating authority; applications fees for mergers, transfers or leases of operating rights of motor passenger and property carriers, property brokers and household goods freight forwarders; special property transportation authorities (e.g., transporting explosives); self-insurer fees; and operating authority reinstatement fees.

This request is for annual expenditure of license and insurance fees authorized by statute, plus new funds (directly appropriated) to enhance and expanded carrier vetting and also to implement an efficient Customer Relations Management (CRM) support system. The funding request will expand carrier screening to all carrier applicants for operating authority and expand intensive vetting. Presently, there is no comprehensive applicant screening process and only 4% of the 50,000 carrier applications (i.e., passenger and household goods applicants) undergo intensive

vetting. The need to adopt risk-based screening and vetting of all types of carriers to identify attempts to reincarnate to avoid poor safety histories and violations has been identified as a critical safety need:

- Congress - Senate Committee directed GAO to evaluate the effectiveness of FMCSA's new applicant screening programs to prevent chameleon carriers from obtaining new operating authority
- National Transportation Safety Board - 2009 recommendation to: "Apply the evasion detection algorithm process against all interstate passenger carriers"
- DOT Office of Inspector General-- DOT OIG recommended that FMCSA improve its carrier vetting process to detect reincarnated carriers.
- GAO- GAO Report 12-364, Mar 22, 2012, recommended: "To help FMCSA better identify chameleon carriers through its vetting program, the Secretary of Transportation should direct the FMCSA Administrator to, using this new methodology, expand the vetting program as soon as possible to examine all motor carriers with chameleon attributes, including freight carriers."

The \$3.9 million request includes \$2.0 million to initiate a more efficient customer relations management (CRM) system as well as \$1.9 million to support, enhance and expand carrier screening and vetting. This request will supplement Licensing and Insurance (L&I) funding prior to future fee reconsideration. This request will not be used for IT development or sustainment purposes associated with the Unified Registration System. Specifically, the funds will support: (a) more efficient CRM and customer services, and (b) safety-related carrier screening, vetting, and licensing and insurance compliance. Funds for carrier screening and vetting will be used consistent with the 2013 FMCSA Report to Congress on implementing a risk-based methodology to identify carriers attempting to reincarnate for the purpose of circumventing safety and regulatory requirements. Vetting, licensing and insurance compliance includes legal notifications, adjudications and appeals with legal assistance. The CRM will assist in coordinating and tracking more than 1 million letters and 500,000 telephone inquiries annually.

Revenue and requested funds support FMCSA statutory and regulatory registration and safety functions performed by the Registration and Safety Information Program, including: granting carrier operating authorities, verification of compliance with insurance requirements, and vetting.



## Information Management

### What Do I Need To Know Before Reading This Justification?

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**FMCSA’s Office of Research and Information Technology, Office of Information Technology (MC-RI)** develops, implements and maintains the information technology (IT) that is critical to our data-driven enforcement and compliance programs. The IT systems perform the essential function of providing real-time access to data for the enforcement community, industry, stakeholders, and the public in support of FMCSA’s mission of preventing crashes and saving lives. The office supports a highly mobile workforce by operating the agency’s field IT network of regional and state service centers, and ensuring that inspectors have the tools and mobile infrastructure necessary to perform their duties at the side of the road, where unsafe carriers are detected and removed from our roadways.

For FY 2015, MC-RI is requesting a budget increase of \$6.6 million from the FY 2014 President’s budget for: the continued development of system functionality in support of MAP-21 requirements and future rulemaking agenda; continued migration of legacy applications to the portal environment; operational support and maintenance for the aging field infrastructure; and the mitigation/elimination of existing security weaknesses identified in our audit of compliance with the Federal Information Security Management Act (FISMA) and other statutory requirements.. This migration affords FMCSA the opportunity to streamline and restructure systems into our modern Service-Oriented-Architecture (SOA) infrastructure, and provide for more efficient use of the requested personnel and monetary resources. With this approach, the overall total lifecycle costs of ownership are reduced.

### What Is The Request And What Will We Get For The Funds?

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#### IT DEVELOPMENT & SUSTAINMENT (in millions of dollars)

Program Activity	FY 2013 ACTUAL	FY 2014 ENACTED	FY 2015 REQUEST	DIFFERENCE BETWEEN FY 2014 ENACTED AND FY 2015 REQUEST
<b><u>Information Management</u></b>				
IT Development	21.4	22.0	23.4	1.4
IT Sustainment	13.1	12.5	12.8	0.3
<b>Total Information Management</b>	<b>34.5</b>	<b>34.5</b>	<b>36.2</b>	<b>1.7</b>

The total request for FY 2015 is **\$36.2** million FTEs. The request provides funding for the information technology programs and activities required to enhance FMCSA’s ability to focus its efforts on outreach, oversight, and enforcement resources directed at the entire commercial motor vehicle transportation life-cycle. The funds will be used to provide the infrastructure and technology solutions that are required to further enhance safety and reinforce the focus on our three core principles:

- Raising the Bar to Entry;
- Requiring to Maintain High Safety Standards; and
- Removing High Risk Carriers & Drivers.

The total amount requested includes Contract costs for IT development, modernization and enhancements (DME), and sustainment (operation and maintenance) of the current IT infrastructure and applications. The following strategies are being employed to promote IT efficiencies and innovations:

- Use a state-of-the-art, secure Service-Oriented-Architecture (SOA) environment to continue developing and maintaining our safety information systems by allowing the connection of all the various FMCSA services and systems through the FMCSA Portal;
- Replace aging network equipment, servers, computers, and field workstations on an industry ‘best practice’ life cycle to increase reliability and improve the security of information systems and the data that they contain;
- Leverage commercially available technology to enhance existing IT systems, such as cloud solutions and third party vendors software where appropriate;
- Implement best practices in the management and operations of information technology to coordinate resources to achieve predictable results; and
- Retire obsolete legacy systems and reinvest those savings in the enhancement of IT initiatives, which is consistent with DOT and OMB direction.

## **What Is The Program?**

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FMCSA carries out its safety mandate through four (4) key safety process areas—Registration, Inspection, Compliance, and Enforcement (“R-I-C-E”). These safety processes, and stakeholders involved, require both operational access to information to support the day-to-day business needs of FMCSA, states, insurers and carriers, and analytical interfaces that fulfill research and reporting needs.

To better support achieving our mission in FY 2013, FMCSA established a new enterprise portfolio model to improve resource alignment and promote accountability within six (6) portfolios. As illustrated in the Figure below, the portfolios are now comprised of the four (4) safety process areas (RICE), as well as Mission Support Systems and Infrastructure. The new structure provides FMCSA with the ability to look across the investments in these portfolios and identify the linkages of business processes and strategic improvement opportunities to enhance mission effectiveness.

New Activity Planned for FY2015		
Investment Name	New/Enhance Major Functionality	Specific Requirements from OMB approved modernization plan and MAP-21
FMCSA100 Unified Registration System (URS)	<ul style="list-style-type: none"> <li>Form MCSA-1 Online Wizard</li> <li>Automated Vetting</li> <li>Risk-Based Analysis</li> <li>Operating Authority</li> <li>Licensing and Insurance</li> <li>Data Migration</li> <li>Management Reports</li> <li>Automated Reporting</li> <li>Existing System Integrations</li> </ul>	MAP-21 Rules <ul style="list-style-type: none"> <li>Subtitle A — Commercial Motor Vehicle Registration</li> <li>Sec. 32602. Performance and registration information systems management program</li> <li>Sec. 32914. Registration requirements</li> <li>Sec. 32915. Additional motor carrier registration requirements</li> <li>Sec. 32916. Registration of freight forwarders and brokers</li> <li>Sec. 32917. Effective periods of registration</li> <li>Sec. 32921. Additional registration requirements for household goods motor carriers</li> </ul>
FMCSA200 Integrated Inspection Management System (IIMS)	<ul style="list-style-type: none"> <li>Consolidating Four Systems into One New System</li> <li>Smart Logic for Federal Motor Carrier Safety Regulations (FMCSRs)</li> <li>Smart Logic for Hazardous Materials Regulations (HMRs)</li> <li>Inspection Level I</li> <li>Inspection Level II</li> <li>Inspection Level III</li> </ul>	Based on the OMB approved FMCSA Modernization Re-Plan Roadmap, the following systems will be retired and replaced by IIMS: <ul style="list-style-type: none"> <li>Aspen</li> <li>ISS</li> <li>CDLIS</li> <li>SAFETYNET</li> </ul>
FMCSA301 NRCME II	<ul style="list-style-type: none"> <li>New Driver Medical Certificate</li> <li>Change in Medical Condition</li> <li>Medical Certificate Renewal</li> <li>Authority Requires New Medical Certificate</li> <li>Medical Examiner Shopping</li> <li>Driver Request SPE Certification</li> <li>Driver Request Temporary SPE</li> <li>Driver Request Exemption</li> <li>Medical Examiner Removed</li> <li>Intrastate Exam</li> <li>Automated Letter Generation and Email Communication</li> </ul>	MAP-21 Rules: <ul style="list-style-type: none"> <li>Sec. 32302. Driver medical qualifications</li> <li>Sec. 32307. Employer responsibilities</li> </ul>
FMCSA302 D&ADB	<ul style="list-style-type: none"> <li>Registration for Users</li> <li>Pre-Employment Checks</li> <li>Drug &amp; Alcohol Testing</li> <li>Citation Updates for CMV</li> <li>SAP Assessment Updates</li> <li>Return-to-Duty (RTD)</li> <li>Limited Driver Queries by Employer</li> <li>Full Driver Queries by Employer</li> </ul>	MAP-21 Rules: <ul style="list-style-type: none"> <li>§ 31306a. National clearinghouse for controlled substance and alcohol test results of commercial motor vehicle operators</li> <li>Sec. 32102. Safety fitness of new operators</li> <li>Sec. 32303. Commercial driver's license notification system</li> </ul>

New Activity Planned for FY2015		
Investment Name	New/Enhance Major Functionality	Specific Requirements from OMB approved modernization plan and MAP-21
	<ul style="list-style-type: none"> <li>• Driver Full Query Consent</li> <li>• Fees Associated with Queries</li> <li>• Automated Reporting</li> </ul>	
FMCSA 501 Enterprise Data Management	<ul style="list-style-type: none"> <li>• Data elements from L&amp;I</li> <li>• Data Elements from MCMAS</li> </ul>	<p>Based on the OMB approved FMCSA Modernization Re-Plan Roadmap, the data in the following systems will be migrated to the enterprise database supporting the portal:</p> <ul style="list-style-type: none"> <li>• L&amp;I</li> <li>• MCMAS</li> </ul>
FMCSA600 IT Security	<ul style="list-style-type: none"> <li>• Security Assess and Authorization</li> <li>• System Security Plan Update</li> <li>• Vulnerability Management</li> <li>• Security Baseline Configuration Management</li> <li>• Business Impact Assessment</li> <li>• POAM Support</li> <li>• Intrusion Detection and Prevention System</li> <li>• Continuous Monitoring Plan</li> <li>• Incident Response Plan</li> <li>• Enterprise Security Operation Support</li> <li>• Privacy Threshold Analysis</li> </ul>	<p>To mitigate over 900 major system vulnerabilities identified by the following assessments and reports:</p> <ul style="list-style-type: none"> <li>• 2012 OIG Audit Report</li> <li>• Weekly vulnerability scan report conducted on all FMCSA assets</li> <li>• Open Plan of Action and Milestone (POAMs) report generated from the Cyber Security Assessment and Management (CSAM) database.</li> </ul>

### FY 2015 IT Budget Request by Portfolio

Each portfolio may include investments for the following two categories:

- **IT Development, Modernization and Enhancements (DME)** – new development and system integration work required in order to comply with mandates and meet FMCSA strategic goals for enhancing safety and raising the bar to entry. Data Analysis, which focuses on ensuring data quality and accountability, and analyzing data to determine program effectiveness, now appears in the Mission Support Program Activity.
- **IT Operation and Maintenance (Sustainment)** – all operations and maintenance and related support, including Field IT Infrastructure. This activity funds the maintenance and operations of the web-based portal environment in support of the “RICE” safety process areas and current legacy systems that have not been modernized to support the modern SOA requirements. FMCSA needs to maintain these legacy systems to ensure the safe transition between legacy and future portal environment. IT Sustainment will be funded out of FMCSA Operating Expenses Program Activity.

The following sections provide additional detail regarding how the funding will be used within each portfolio and describe the activities that will be supported by the budget request within the areas of DME, sustainment and major investments.

### **Registration Portfolio**

- **DME:URS (\$8.0 MILLION) – Major Investment**
- **Sustainment: Legacy registration systems (\$0.2 million)**

FMCSA is using IT as a critical enabler to improve and increase the efficiency of the registration process while also making carrier data more readily available. While the current registration system continues to fulfill its mission of processing and reviewing applications for operating authority, the process is ripe for further efficiencies, particularly regarding vetting carriers that may be reincarnated or “chameleon” carriers. Previous FMCSA initiatives to improve the registration process, and to identify and act upon special types of unsafe carriers reincarnating, have been met with success. The planned enhancements will allow FMCSA to more accurately screen carriers; especially passenger carriers, and save time in the registration process. This contributes directly to the FMCSA goal of raising the bar to enter the motor carrier industry so that only carriers that are fit, willing and able can operate. The FY 2015 budget request for IT support for the Registration Portfolio is \$8.400 million.

### **DME – Unified Registration System (URS) (\$ 8.0 million)**

The objective of the URS is to replace the existing registration systems with a single comprehensive, online system and provide FMCSA regulated entities a more efficient means of submission and manipulation of data pertaining to registration applications for USDOT Numbers, obtaining operating authority (range of operations) credentials and approval and submission of all registration related documentation. The implementation of the URS will produce estimated cost savings of \$23.0 million for industry and \$42.6 million for FMCSA. The implementation of the URS will result in estimated total net societal benefits in reduced fatalities and injuries, which translates to a potential \$19.6 million monetary savings.

The URS system supports multiple requirements from *MAP-21*. Below is a list of subtitle and sections in the *MAP-21* specifying mandates to Registration:

- Subtitle A — Commercial Motor Vehicle Registration
- Sec. 32602. Performance and registration information systems management program
- Sec. 32914. Registration requirements
- Sec. 32915. Additional motor carrier registration requirements
- Sec. 32916. Registration of freight forwarders and brokers
- Sec. 32917. Effective periods of registration
- Sec. 32921. Additional registration requirements for household goods motor carriers

The URS will streamline the existing registration process for FMCSA regulated entities by incorporating the USDOT Number as the single identification number for registration. FMCSA internal authorities can more effectively track and monitor the operations of motor carriers, brokers, freight forwarders, intermodal equipment providers (IEP), hazardous materials safety permit applicants (HMSP), and cargo tank facilities (CTF) using registration and application indicators.

### **Sustainment – Legacy Registration Systems (\$ 0.2 million)**

There are currently three (3) operational registration systems - OAM, L&I, and MCMIS Registration function. These legacy systems will provide support to the FMCSA legacy systems that currently process and store registration data. The sustainment funding will keep the legacy systems operational until URS is implemented and the transition is complete.

### **Inspection Portfolio**

- **DME: Integrated Inspection Management System (3.6 million)**
- **Sustainment: Legacy inspection systems (\$0.7 million)**

FMCSA depends on IT to conduct roadside inspections of high risk carriers and to ensure inspection data is made available and is usable as quickly as possible. Over 3 million inspections are completed each year. The inspection data collected feeds into the CSA Safety Measurement System (SMS), which is used to prioritize for further interventions to remove unsafe carrier and drivers from operation. FMCSA expects future inspection enhancements to improve the overall safety posture of the motor carrier industry and contribute directly to the FMCSA goal of maintaining high safety standards to remain in the industry. The FY 2015 budget request for IT support for the Inspection Portfolio is \$4.3 million.

### **DME– Integrated Inspection Management System (IIMS) (\$ 3.6 million)**

This is to ensure that FMCSA has the most current, most accurate, and most complete data necessary for use with the Safety Measurement System (SMS); ensure proper selection of high-risk carriers for roadside inspections; and improve inspectors and the commercial trucking industry experience by minimizing roadside inspections. The goal is to have the data collected in roadside inspections uploaded and available for action within seven (7) days. Current upload times (which vary by state/locality, due to local data quality processes) are generally between nine (9) and twenty-one (21) days. By enhancing the Inspections processes and integrating them into the Service Oriented Architecture (SOA), FMCSA expects to significantly decrease the cycle time for these critical data uploads to allow for timelier carrier evaluation which, in turn, will result in faster identification of unsafe carriers.

As part of FMCSA’s core mission to raise the safety bar, FMCSA conducts roadside inspections of commercial motor vehicles (CMV). A roadside inspection is an examination of a motor carrier’s commercial motor vehicle(s) and/or its driver(s). The inspection should be conducted in such a manner that assures violations are not missed, overlooked, or unrecorded.

There are several objectives for conducting a successful driver and vehicle examination:

- Removing potentially unsafe drivers and imminently hazardous vehicles from our Nation’s highways;
- Ensuring compliance with the provisions of the Federal Motor Carrier Safety Regulations (FMCSR), Federal Motor Vehicle Safety Standards (FMVSS), and the Hazardous Materials Regulations (HMRs), by requiring repairs of vehicle defects and appropriate remedial action for vehicle and/or driver violations;
- Documenting violations that can be used in subsequent enforcement actions; and

- Obtaining information regarding carriers, drivers, vehicles, and cargo relative to safety and compliance with the FMCSR, FMVSS, and HMRs, and overall program direction and evaluation.

In addition, the improvements will help better meet federal safety mandates for providing timely and accurate information. The IIMS initiative enables FMCSA and State partners to “maintain high safety standards to remain in the industry” while improving the ability to identify non-compliant and unsafe motor carriers. The funding will be used to enhance the enterprise database for roadside inspection data, Build new “real-time” web services and enhance the mobile client for the roadside inspectors.

As a part of *FMCSA Modernization Re-Plan Roadmap*, FMCSA intends to enhance its information technology (IT) systems that support roadside inspections of CMVs. This is to ensure the FMCSA has the most current, accurate, and complete data necessary for use with the Safety Measurement System. The SMS uses a motor carrier’s data from roadside inspections, including all safety-based violations, State-reported crashes, and the Federal motor carrier census to quantify performance in the Behavior Analysis and Safety Improvement Categories (BASICS). Furthermore, this will assure decision making factors used by the inspector are the most current, most accurate, and most complete data necessary to ensure proper selection of high-risk carriers. The result will allow roadside inspectors to optimize their time and effort by focusing on high risk carriers. Finally, this will also ensure the experience of the end user allows for concentration on the inspection of the commercial motor vehicle and driver while factoring in the inspector’s safety.

The IIMS will be a single client system available for multiple platforms (laptop, desktop, or tablet) that enables the inspector to perform checks of the carrier, driver, and vehicle within a single user interface. This system would leverage existing web services, and develop new web services to provide real-time queries into the motor carrier’s status and operating authority, the driver’s CDL status and history, and the vehicle’s past inspection history. Additionally, this client software could be designed to guide and assist the inspector with the inspection process. The data would reside in a refined database where all data elements necessary for use in analysis and the SMS would be optimized. In enhancing the inspection management system, the following systems will be retired:

- Aspen
- ISS
- CDLIS
- SAFETYNET

**Sustainment – Legacy Inspection Systems (\$ 0.7 million)**

There are currently seven (7) operational Inspection systems - HMPIP, Aspen, ISS, CDLIS Access, Safetynet Inspection, and Query Central. These legacy systems provide support to the FMCSA legacy roadside inspection systems that are used to generate and process roadside enforcement data. The sustainment funding will keep the legacy systems operational until IIMS is implemented and the transition is complete.

### **Compliance Portfolio**

- **DME: Sentri, NRCME III, D&ADB (\$8.5 million)**
- **Sustainment: Legacy compliance systems (\$0.3 million)**

The Compliance Portfolio serves to meet FMCSA's strategic goals of maintaining high safety standards and removing high-risk entities. The IT investments of the Compliance Portfolio will enable FMCSA to identify and investigate carriers for safe operations, and carriers found not to be operating in compliance will be subject to enforcement actions. This contributes to the FMCSA goal of maintaining high safety standards to remain in the industry, further improving the overall safety posture of the motor carrier industry. The FY 2015 budget request for IT support for the Compliance Portfolio is \$8.35 million.

#### **DME – Sentri system, NRCME, D&ADB (\$ 8.5 million)**

FMCSA will implement additional Compliance, Safety, Accountability (CSA) interventions, leveraging the more robust safety metrics prescribed by the CSA program. Enhancements to the CSA prioritization algorithms will more effectively target carriers for interventions, resulting in a higher percentage of enforcement actions per intervention. In FY 2008, federal and state enforcement personnel conducted nearly 15,000 compliance reviews (CR). The 11,000 carriers still active for at least one year after their CR had on average lowered their crash rate per power unit. Additionally, the CRs resulted in an estimated 2,886 crashes avoided during the 12 month period following the carriers' CR which, in turn, resulted in an estimated 101 lives saved and 1,853 injuries avoided per year. The following represent the DME investments within the Compliance portfolio.

##### **DME – Sentri (\$2.0 million)**

The Safety Enforcement Tracking and Investigation System (Sentri) is the FMCSA mobile client to facilitate safety audits and interventions by FMCSA and state users. The projects that are supported by Sentri include:

- New Entrant (NE)
- Compliance, Safety, Accountability (CSA)
- Electronic Logging Device (ELD)
- Safety Fitness Determination (SFD)

##### **DME - Drug & Alcohol Clearinghouse (\$4.5 million)**

FMCSA is establishing the Commercial Driver's License Drug and Alcohol Clearinghouse which will contain controlled substances (drug) and alcohol test result information for the holders of commercial driver's licenses (CDLs).

In support of Agency rulemaking and as required under *MAP-21*, the drug and alcohol clearinghouse will contain controlled substances and alcohol test result information for Commercial Driver's License holders. This clearinghouse will improve safety by ensuring the effectiveness of employer testing programs and by providing the ability to capture positive test results for querying by any future employer, state driver license agencies, and FMCSA. In



addition, this clearinghouse provides information on drug and alcohol driver status to help with future Imminent Hazard programs. The following include the *MAP-21* requirements specifically impacting D&A:

- § 31306a. National clearinghouse for controlled substance and alcohol test results of commercial motor vehicle operators
- Sec. 32102. Safety fitness of new operators
- Sec. 32303. Commercial driver's license notification system

The current proposed rule (MAP 21) requires FMCSA-regulated employers, Medical Review Officers (MROs), Substance Abuse Professionals (SAPs), and consortia/third party administrators (C/TPAs) implementing U.S. Department of Transportation (DOT) testing programs to report test results and information on follow-up testing.

The proposed rule also requires employers to report actual knowledge of a traffic citation for driving a commercial motor vehicle (CMV) while under the influence (DUI) of alcohol or drugs as well as requiring employers to query the database when hiring CDL drivers to operate CMVs on public roads, and to perform an annual query of each of their drivers.

Below is the proposed major functionality supporting the MAP-21 requirements. The goal of this system is to reduce fraud and abuse and notify state agencies when a driver is not qualified, thus improving safety.

- Registration for Users
- Pre-Employment Checks
- Drug & Alcohol Testing
- Citation Updates for CMV
- SAP Assessment Updates
- Return-to-Duty (RTD)
- Limited Driver Queries by Employer
- Full Driver Queries by Employer
- Driver Full Query Consent
- Fees Associated with Queries
- Automated Reporting

## **DME - National Registry II (NRCME II) (\$2.0 million)**

As required under *MAP-21*, the National Registry will electronically transfer a medical examiner's driver medical certification from the National Registry System to a State Driver Licensing Agency for Commercial Motor Vehicle drivers. The following include the *MAP-21* requirements specifically impacting NRCME:

- Sec. 32302. Driver medical qualifications
- Sec. 32307. Employer responsibilities

The NRCME II system transfers the medical examiner's driver medical certification information electronically from the National Registry system to the SDLAs for CMV drivers who are CLP or CDL holders or applicants. Also, the NRCME II system would transmit Medical Exemption/SPE information electronically to the SDLAs through the National Registry.

The National Registry will hold certification information received from MEs for intrastate-only drivers in the registry for analysis purposes only since the qualification standards used may be different than for interstate drivers.

Under NRCME II, the National Registry application sends medical examiner information for CDL and CLP drivers to the SDLA. If no SDLA record is available for this driver, the information is held in NR II to allow the SDLA to retrieve the medical examination information later. In most cases, medical certificate information has been transmitted to the SDLA prior to the driver visit; if not, the SDLA can pull the information from NRCME II. The SDLA can take actions based on the medical examination information and existing FMCSA licensing regulations. These medical results include:

- Medically Qualified
- Medically Qualified with Grandfathering Exemption
- Exemption/SPE Needed
- Exemption/SPE granted
- Exemption/SPE not granted
- Medically Unqualified

The proposed major functionality supporting the proposed rule includes:

- New Driver Medical Certificate
- Change in Medical Condition
- Medical Certificate Renewal

- Authority Requires New Medical Certificate
- Medical Examiner Shopping
- Driver Request SPE Certification
- Driver Request Temporary SPE
- Driver Request Exemption
- Medical Examiner Removed
- Intrastate Exam
- Automated Letter Generation and Email Communication

**Sustainment – Legacy Compliance Systems (\$ 0.3 million)**

There are currently two (2) operational Compliance systems – ProVu and CAPRI. These legacy systems support Federal and State users enabling them to conduct Compliance Reviews in order to determine a motor carrier’s safety fitness. The sustainment funding will keep the legacy systems operational until Sentri absorbs their functionality and the transition is complete. This funding will also support the continued operation of existing Sentri and NRCME I functionality.

**Enforcement Portfolio**

- **Sustainment: Legacy enforcement Systems (\$0.4 million)**

FMCSA is using IT to increase efficiency and effectiveness in the enforcement process. Carriers and drivers not operating in compliance with regulations are subject to fines, being put out of service or other enforcement actions. This contributes to the goal of removing high-risk carriers, drivers, and service providers from operation. Enhancement of the Enforcement systems will be in the early analysis and design phase in FY 2014. The FY 2015 budget request for IT support for the Enforcement Portfolio is \$0.400 million.

**DME**

No DME is expected in FY 2015 for the Enforcement Portfolio

**Sustainment – Legacy Enforcement Systems (\$ 0.4 million)**

There are currently three (3) operational Enforcement systems – CaseRite, EMIS and UFA. These legacy systems enable Federal and State enforcement users to calculate fines and penalties, generate case documentation including Notice of Claim and Notice of Violation Letters and track Enforcement actions throughout its lifecycle from initiation to final payment. As FMCSA continues to modernize its IT systems the functionality of this investment will be migrated into the mission support system of the Portal.

### **Mission Support Portfolio**

- **DME: Portal, Enterprise data management, Business Intelligence and DataQs (\$2.7 million)**
- **Sustainment: Legacy mission support systems (\$0.7 million)**

The Mission Support Systems covers IT systems and services that span across all other FMCSA IT Portfolios. It provides database, web services and analytic functional support to the R-I-C-E safety areas. The FY 2015 budget request for IT support for the Mission Support area is \$3.4 million.

#### **DME – Portal, EDM, BI and DataQs (\$ 2.7 million)**

The Portal manages various web services to transfer data between internal and external systems and users. It provides single sign on to user to access applications. The Portal is supported by a backend Enterprise Database (EDB), which is the FMCSA system of record. As we continue to modernize our systems, multiple databases will be consolidated into this single system of record, allowing FMCSA to standardize and unify data. The Portal also provides FMCSA with robust data management and business analytical capabilities.

- Enterprise Data Management (EDM) - the EDM will provide FMCSA the ability to precisely define, easily integrate and effectively retrieve data both internal applications and external communications. FMCSA EDM will place emphasis on data precisions, granularity, meaning and focuses on how the content /data is integrated into the FMCSA business applications as well as how it is passed along from one business process to another.
- Business Intelligence (A&I) – The Business Intelligent investment is used to access, analyze and transform FMCSA motor carrier raw data into meaningful and useful information used to enable more effective strategic, tactical and operational insight and decision -making for various business stakeholder groups.
- DataQs and Other Mission Support Systems - The DataQs system allows carriers to request and track FMCSA data that is thought to be incomplete or incorrect. MCMIS and SAFER are the current system of records for FMCSA carrier data.

The funding also includes the deployment of a test bed for the application/system and network/desktop development and operational environment, which is shielded from hazards of testing in a live or production environment. This test bed will include the FMSCA applications/systems software, hardware and network components. The test bed will be used as a proof of concept for when a new module is tested apart from the application/system, which will eventually be added to either the application or system.

#### **Sustainment – Legacy Mission Support Systems (\$ 0.7 million)**

There are currently four (4) operational mission support systems – SAFER, MCMIS, A&I and DataQs. SAFER and MCMIS are the current systems of record for FMCSA carrier data. A&I is used to access and analyze FMCSA motor carrier information for various stakeholder groups.

The DataQs system allows carriers to request and track FMCSA data that is thought to be incomplete or incorrect. Data and processes contained within these systems include registration, compliance and enforcement data. As we continue to modernize the FMCSA IT systems these systems will be retired, and the legacy functionality will be migrated to the Portal and the data to the EDB.

### **IT Infrastructure Portfolio**

- **Sustainment: IT Security (\$1.1 million)**
- **Sustainment: Telecommunications, Help and Service Desk, Hosting Data Center, Workplace Computing (\$6.9 million)**
- **Sustainment: Communication and Productivity Tools (\$0.6 million)**
- **Sustainment: Information Technology Services (\$2.3 million)**

The FMCSA IT Infrastructure includes the Hardware, Software, Licenses and Tools used to support the FMCSA user community. The system availability level is maintained above 99.5% to ensure that the FMCSA and its safety partners have access to safety data and tools whenever they are needed. This level of service has been maintained even as the number of users of the FMCSA Portal has grown from around 6,000 to more than 17,500 since the release of Phase 1 of CSA program in January 2011 and Phase II in December 2012. The FY 2015 budget request for IT infrastructure is \$11.4 million. The sections below describe the budget categories within the IT Infrastructure portfolio.

### **DME**

No DME is expected in FY 2015 for the Infrastructure Portfolio

### **Sustainment – Information Technology Services (\$ 2.3 million)**

This includes providing support services for development, implementation, and maintenance of IT functional services including enterprise architecture, enterprise data management, information sharing, IT strategic policy and planning, performance measurement, capital planning and investment control (CPIC), and portfolio management.

### **Sustainment – IT Security (\$ 1.1 million)**

This includes providing agency-wide protection of information (including privacy) and IT infrastructure assets against the risks of loss, misuse, disclosure or damage. Based on the following security assessments and reports, FMCSA systems average over 900 major security vulnerabilities per month.

- 2012 OIG Audit Report
- Weekly vulnerability scan report conducted on all FMCSA assets
- Open Plan of Action and Milestone (POAMs) report generated from the Cyber Security Assessment and Management (CSAM) database.

In order to mitigate these security vulnerabilities risks posed by external threats, the following projects and activities are planned for FY 2015:

- Security Assess and Authorization
- System Security Plan Update
- Vulnerability Management
- Security Baseline Configuration Management
- Business Impact Assessment
- POAM Support
- Intrusion Detection and Prevention System
- Continuous Monitoring Plan
- Incident Response Plan
- Enterprise Security Operation Support
- Privacy Threshold Analysis

**Sustainment – Telecommunications, Help and Service Desk, Hosting, and Workplace Computing (\$ 6.9 million)**

The FMCSA headquarter, regional and state service centers depend on the agency's IT network to carry out their mission activities. FMCSA's IT support is managed from Washington, D.C. with field service personnel strategically positioned throughout the continental United States. These personnel support a highly mobile workforce with approximately 850 end-user devices (663 laptops and 187 desktops) and 70 servers and network. In addition to the above, the funding will address the field's aging router/switches infrastructure and technology refresh of the laptops and desktop computers every four year. The enterprise infrastructure includes servers, hosting, cloud computing, virtualization and enterprise licenses such as Oracle, webMethods, and webSphere, equipment refresh, telecomm refresh voice over/IP, and Management Services. This infrastructure is critical to the success of the FMCSA mission.

**Sustainment – Communication and Productivity Tools (\$ 0.6 million)**

This includes providing maintenance and enhancements of both the internal and external websites. The internal websites enable employees to share ideas, access employee information and collaborate together to support FMCSA safety mission. The external websites inform regulated entities, state partners and the general public on issues involving motor carriers and motor carrier-related regulations.

## **Why Is This Particular Program Necessary?**

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With improved safety information systems in place and available, FMCSA will be better positioned to identify high-risk carriers and drivers and to correct high-risk behavior sooner, thus increasing safety on the Nation's roadways. It will reduce the time required for uploading inspection reports which currently takes generally between nine (9) and twenty-one (21) days. Increased transparency will result from more timely access to key safety information at any time and from any location where enforcement action is required. The FMCSA stakeholders will also see significantly increased access to safety information and will find the data to be more reliable for timely and important decision-making.

The flagship of FMCSA's safety efforts can be captured with our progress towards implementing a more automated, accurate and timely registration process that encompasses the identification of carriers that try to re-enter the industry as new entities, thereby enabling FMCSA to take appropriate enforcement actions and prevent unsafe carriers from operating. This initiative is envisioned as being an integral part of ongoing FMCSA efforts to establish the Unified Registration System (URS) required by the Interstate Commerce Commission (ICC) Termination Act of 1995 (ICCTA), which includes replacing the current registration information system with a single, online Federal system.

## **How Do You Know The Program Works**

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There are many performance management metrics that demonstrate the efficiency and effectiveness of the program, and help the FMCSA measure performance within the portfolios. See below for examples.

**Registration Portfolio** – While the current registration system continues to fulfill its mission of processing and reviewing applications for operating authority, the process is ripe for further efficiencies, particularly regarding vetting carriers that may be reincarnated or “chameleon” carriers. Previous FMCSA initiatives to improve the registration process, and to identify and act upon special types of unsafe carriers reincarnating, have been met with some success. The implementation of the URS will produce cost savings estimated to be \$23.0 million for the industry and \$42.6 million for FMCSA. This results in estimated total net societal benefits of \$19.6 million in reduced fatalities and injuries.

**Inspection Portfolio** – The current goal is to have the data collected in roadside inspections uploaded and available for action within seven (7) days. Current upload times (which vary by state/locality, due to local data quality processes) are generally between nine (9) and twenty-one (21) days. By enhancing the Inspections processes and integrating them into the SOA, FMCSA expects to significantly decrease the cycle time for these critical data uploads to allow for timelier carrier evaluation which, in turn, will result in faster identification of unsafe carriers.

**Compliance Portfolio** – FMCSA will implement additional Compliance, Safety, Accountability (CSA) interventions, leveraging the more robust safety metrics prescribed by the CSA program. Enhancements to the CSA prioritization algorithms will more effectively target carriers for interventions, resulting in a higher percentage of enforcement actions per intervention. In

FY 2008, federal and state enforcement personnel conducted nearly 15,000 compliance reviews (CR). The 11, 000 carriers still active for at least one year after their CR had, on average lowered their crash rate per power unit. Additionally, the CRs resulted in an estimated 2,886 crashes avoided during the 12 month period following the carriers' CR which, in turn, resulted in an estimated 101 lives saved and 1,853 injuries avoided per year.

**Enforcement Portfolio** – Enhancement of the Enforcement systems will be in the early analysis and design phase in FY 2014.

**IT Infrastructure Portfolio** – The Program continues to maintain system availability levels above 99.5% to ensure that the FMCSA and its safety partners have access to safety data and tools whenever they are needed. This level of service has been maintained even as the number of users of the FMCSA Portal has grown from around 6,000 to more than 17,500 since the release of Phase 1 and II of CSA program.



## RESEARCH & DEVELOPMENT

### RESEARCH & DEVELOPMENT (in millions of dollars)

Program Activity	FY 2013 ACTUAL	FY 2014 ENACTED	FY 2015 REQUEST	DIFFERENCE BETWEEN FY 2014 ENACTED AND FY 2015 REQUEST
<b><u>Research &amp; Development</u></b>				
Research & Development	8.5	9.0	9.7	0.7
<b>Total Research &amp; Development</b>	<b>8.5</b>	<b>9.0</b>	<b>9.7</b>	<b>0.7</b>

### **What Is This Program?**

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The program works closely with the agency components to develop a robust and innovative research program based on the rulemaking priorities, the strategic plan, and recommendations provided to the Agency by Congress, the Office of Management and Budget, the National Transportation Board, industry, safety advocates, and the public. Reflecting the increased demand for research support, the FY 2015 research and technology portfolio contains 27 new research projects.

With the 9.9 million in The Research and Technology program has made innovative contributions to the Agency's safety mission by providing scientific research findings on driver behavior and technology applications. FMCSA's Research Program has proven to be critical in current agency rulemakings which have addressed issues such as driver fatigue, distractions, and hours of service recordkeeping. Sound scientific research is fundamental to improving operations and enhancing federal rules to advance commercial motor vehicle safety.

In FY 2014, FMCSA implemented a carrier-based survey to determine the *Impacts of Driver Compensation on CMV Safety*. The Agency has been collecting electronic logging device (ELD) data with origin and destination data which will be matched with crashes to access the *Effects of Detention Times on CMV Driver Fatigue and Safety*.

To support the rulemaking on ELD, FMCSA completed two studies; a study to evaluate the *Safety Benefits of ELDs, and an ELD Driver Harassment Survey*. This study collected data from drivers regarding their perceptions and experiences on whether ELD are used to harass drivers and what the Agency could do to protect drivers from adverse uses of ELDs. FMCSA completed the onboard monitoring Field Operational Test (FOT). This study will assess the safety benefits of driver monitoring and collected over 20 million miles of naturalistic driving data.

FMCSA completed two Small Business Innovative Research (SBIR) projects to develop a commercially viable *Fatigue Monitoring and Warning System* for CMVs. To increase use of the

primary safety system in commercial motor vehicles, FMCSA developed technology for CMVs required progressive use of safety belts among drivers.

The Committee on National Statistics at the National Academies of Science convened a national study panel and provided FMCSA with a report to identify *Research Strategies and Statistical Techniques to Improve CMV Driver Fatigue Research*.

FMCSA completed a *SmartPark: Real-Time Parking Availability Study*. This effort demonstrated the feasibility of Doppler radar combined with either laser scanning or light curtain technology to determine the availability of truck parking in real time.

## **MAP-21 Accomplishments**

In Moving Ahead for Progress in the 21st Century (MAP 21) Act, Congress required the Agency to complete a number of studies:

As of FY 2014, the Agency has completed the *Hours of Service Field Study*. The field study evaluated the efficacy of the restart rule applicable to operators of property carrying CMVs subject to maximum driving time requirements.

FMCSA completed a *Rental Truck Accident Study* that examined the safety of rental trucks.

To support the *CMV Driver Training/Entry Level Driver Training Rule*, the Agency completed two studies – an Entry Level Driver Training Survey that determined how drivers were trained and examined their safety records to identify the safety benefits of various training programs and a second study which examined the safety benefits of CDL training programs, carrier training program, and State mandated programs.

FMCSA conducted a study of the exemptions from requirements for covered farm vehicles. The *Agricultural Exemption Study* evaluated the crash and safety statistics of covered farm vehicles and compared State and Federal regulations.

The Agency conducted a *Study of Motor Carrier (MC) Hazardous Materials (HM) Safety Permit Program*. The study identified the list of HM carriers requiring safety permits; the number of permits that have been issued, denied, revoked, or suspended since inception of the program, and reasons for those decisions. The study offered recommendation for how the program could be improved. FMCSA also completed a study on *Feasibility, Benefits, and Costs of Establishing a System of Certification of MC Training Programs*.

## **Why Is This Particular Program Necessary?**

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FMCSA's research program develops the data, information, and knowledge necessary to develop data driven regulations. The research is necessary to identify factors that impact safety and to support innovative solutions and processes to improve safety. The following highlight research projects that will be funded in FY 2015:

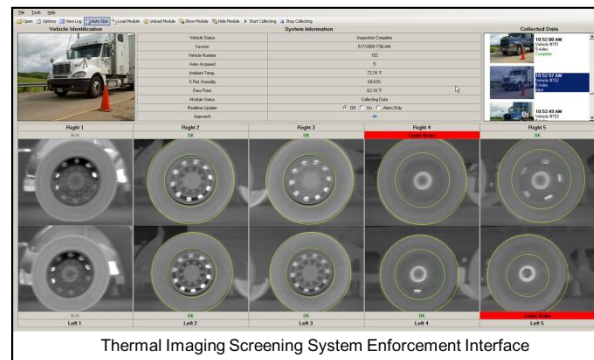
## Anticipated FY 2015 Accomplishments:

- As the Research and Technology program continues to focus on driver-related issues, the predominant cause of truck and bus crashes, the FY 2015 request includes continued funding for a multi-year Large Truck Crash Study (LTCCS) to provide valuable insights into the role new technologies have on crash causation and fatalities, and distracted driving.
- FMCSA is executing a more robust driver fatigue research program that supports hours of service (HOS) modifications. The center piece of this program, briefed to OMB in March 2012, is a study of *Crash Risks by CMV Driver Schedules*. This study will identify crash risk ratios for various aspects of Hours of Service provisions. The Agency is collecting 6 to 10 billion miles of Electronic Logging Devices (ELD) data regarding hours of service and matching those data to the crash records of carriers to identify crashes by hour of driving.
- The Agency has collected millions of miles of naturalistic driving video and data in both trucks and motorcoaches. In FY 2015 FMCSA will begin evaluating aspects of naturalistic driving video to determine the causes of safety critical events, interactions with passengers and other vehicles to determine how potential crash conflicts could be mitigated.
- The Agency has developed a number of new research projects to build a more robust motorcoach research program, including evaluating naturalistic driving video, testing tire safety, examining minimum maintenance requirements, extending motorcoach fire research to include school busses, and identifying the amount of restorative sleep needed for bus drivers.
- FMCSA will examine whether innovative technology used for onboard monitoring could be used to determine if drivers may have sleep disorders.

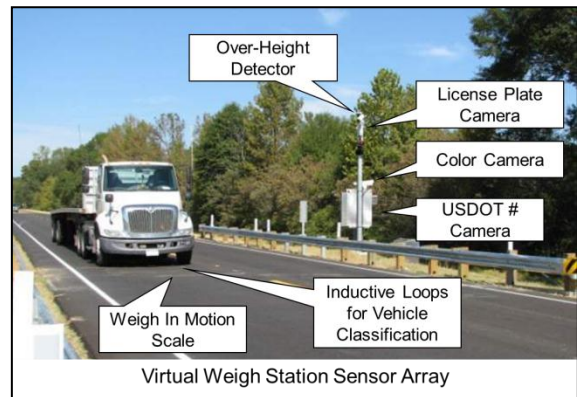
FMCSA's technology component will continue to adopt, develop, test, and deploy advanced integrated information technology solutions and innovative on-board commercial vehicle, driver, and roadside technologies. These activities aim to improve safety and security, save lives, and prevent serious injury by reducing the number and severity of truck and bus crashes.

With base resources and the requested increase of \$0.7 million, these technology projects will be funded in FY 2015:

- FMCSA will begin a large-scale field operational test (FOT) of the Wireless Roadside Inspection (WRI) program to increase the efficiency and effectiveness of roadside inspections and to augment the data needed for Enforcement's CSA program.
- The Agency will continue to provide technical support to States for implementing the Commercial Vehicle Information Systems and Networks (CVISN) program. This includes expanding deployment of infrared-based screening systems (IBSS) that check for brake, wheel, and tire problems on trucks in real time. FMCSA's research has shown that 80% of the vehicles flagged by the IBSS were then put out of service by roadside inspectors.



- To support DOT’s mission of technology transfer, FMCSA plans to take the lessons learned from the FMCSA’s Advanced System Testing utilizing a Data Acquisition System on the Highway (FAST DASH) program and develop a new program to continue conducting real-world field tests to assess the costs and potential life-saving benefits of new technology solutions.
- FMCSA will follow up on its success developing mobile applications for the traveling public, i.e., SaferBus App and the mobile safety App that provides safety data on motor carriers to roadside safety inspectors (Query Central Mobile App). Funding will be used to develop additional safety Apps to access FMCSA data for our State enforcement partners and the general public.
- FMCSA will evaluate onboard technologies designed to detect low clearance areas that can be problematic for large trucks and buses.
- The Agency will continue to support the deployment of virtual weight and inspection stations where States can identify non-compliant motor carriers as they try to avoid existing staffed weigh stations.
- The Agency will conduct a study to test ELDs to ensure compliance with respect to the technical requirements in the HOS and ELD rulemaking.
- The Agency will implement the international border crossing e-screening technology.
- The agency will complete an instructional guide for inspecting electric and hybrid CMV.
- Program resources will also complement activities under the U.S. Department of Transportation (USDOT) Intelligent Transportation Systems (ITS) program. The flagship program for the Department’s ITS program is the connected vehicle safety program, which is testing a transformational safety system that has the potential to address a significant number of all highway crashes in the coming years.



### **How Do You Know The Program Works?**

Research and Technology is an essential component in the agency’s rule development and implementation. Without this program, the Agency risks implementing procedures that may fall short of the intended safety outcome. Research allows the Agency to better predict the outcome and potential effectiveness of its programs – thereby better serving industry, CMV drivers, and the motoring public. It is estimated that the implementation of wireless roadside technology will create significant annual societal benefits in safety improvements over a ten-year period. As well, a more automated process to identify and inspect large trucks crossing into the United States will expedite commercial traffic at the border and allow safety inspectors to more effectively identify trucks for inspection.

### **Why Do We Want/Need To Fund The Program At The Requested Level?**

The proposed funding supports research to ensure proposed rules and policies accurately and appropriately address safety issues. Without research, the Agency risks implementing procedures

that may not have the intended safety outcome. A continuous research program allows the Agency to address emerging issues quickly; establish long-term projects to ensure effectiveness; and instills needed flexibility to address changes in driver behavior and motor carrier technologies and the environment that influences them. By delivering an appropriately oriented research program, FMCSA can maintain leadership in truck and motor coach safety, innovation, and performance and will spearhead safer, simpler, and smarter transportation solutions.



## Office of Outreach and Communications

(in millions of dollars)

FY 2013 Actual	FY 2014 Enacted	FY 2015 Request	Difference from FY 2014 Request
<b>4.0</b>	<b>4.0</b>	<b>4.9</b>	<b>0.9</b>

**Overview:** FMCSA requests **\$4.9 million** for the Office of Communications and Outreach. The Office communicates the Agency’s safety-first culture through integrated marketing campaigns, online media, educational materials, exhibits, videos, websites, and publications. For the office to successfully develop, promote, and administer educational, outreach, and digital strategies and tactics to motor carriers, commercial motor vehicle (CMV) drivers and the public in order to increase compliance with safety regulations and to prevent CMV crashes within the United States, it requests the following budget.

### **FY-2015 Funding Profile**

The **\$4.9 million** in operating expenses will fund salaries, benefits, supplies, equipment and contractual services. The requested implements a proposal which is part of the multiyear reauthorization bill; the function of communications and outreach is proposed to become the Office of Communications and Outreach.

The Office of Public Affairs will work on strengthening its effective communication with the public and commercial motor vehicle safety stakeholders.

- Continue CMV Safety Belt Usage Improvement Program through expanded Partnership efforts, the “Be Ready. Be Buckled” national outreach campaign and deploy strategies and tactics around enforcement activities.
- Develop an outreach materials distribution strategy/partnership to ensure the delivery of FMCSA information at truck-stops nationwide.
- Roll-out National Occupant Protection Use Survey (NOPUS) findings concerning safety belt use among CMV drivers.
- Expand motorcoach safety education and outreach program to consumers and the industry.
- Conduct consumer moving fraud prevention outreach campaign around FMCSA’s enforcement efforts to protect the public from illegal activities and deceitful business practices by dishonest moving companies and brokers.





## Motor Carrier Safety Grants

### What Do I Need To Know Before Reading This Justification

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Under the proposed multiyear reauthorization, FMCSA proposes a simplification of the Agency's grant programs. The Motor Carrier Safety Assistance Program grants will now include border enforcement, the PRISM system, safety data improvement activities and the completion of new entrant safety audits, rather than maintaining separate grant programs. Further, the Commercial Vehicle Information Systems and Networks (CVISN) grant is being broadened to include other innovative technology. Additionally, funding for the Commercial Motor Vehicle Operator Safety Training (CMVOST) programs is shifted from Operations to the grants program.

### What Is The Request And What Will We Get For The Funds?

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The FY 2015 funding request of **\$352.8 million** for FMCSA's grants programs consists of the following accounts:

- Motor Carrier Safety Assistance Program (MCSAP) (**\$288.2 million**) – This includes the MCSAP Basic and Incentive formula grants and the High Priority discretionary grant program.
- The MCSAP formula grants now include funding to support border enforcement, the PRISM program, and the completion of new entrant safety audits.
- The MCSAP High Priority discretionary grants provide funding for special initiatives that now include safety data improvement.
- Other motor carrier safety grants (**\$64.6 million**) – FMCSA provides grants to states and organizations for Innovative Technology Deployment; Commercial Motor Vehicle Operator Safety Training; and Commercial Driver's License Program Improvement (CDLPI).
- Partner Training and Program Support is funded with a takedown from all grants programs excluding the CMVOST grants.

- Conduct consumer moving fraud prevention outreach campaign around FMCSA's enforcement efforts to protect the public from illegal activities and deceitful business practices by dishonest moving companies and brokers
- Full complement of MC-ADO on-board staff to develop and execute the Agency's outreach and education programs due to increased requirements placed on FMCSA by Congress, NTSB, GAO and the American people to ensure public safety

## **Motor Carrier Safety Grants**



## **MOTOR CARRIER SAFETY GRANTS**

(LIQUIDATION OF CONTRACT AUTHORITY)

(LIMITATION ON OBLIGATIONS)

(TRANSPORTATION TRUST FUND)

Contingent upon enactment of multi-year surface transportation authorization legislation, for payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, as amended by Public Law 112–141, \$352,753,000, to be derived from the Transportation Trust Fund and to remain available until expended: Provided, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of \$352,753,000 in fiscal year 2015 for "Motor Carrier Safety Grants"; of which \$288,173,000 shall be available for the motor carrier safety assistance program, \$38,500,000 shall be available for the commercial driver's license improvements program, \$25,000,000 shall be available for an innovative technology deployment program, and \$1,000,000 shall be available for commercial motor vehicle operators' grants. (Department of Transportation Appropriations Act, 2014.)



**Department of Transportation  
Federal Motor Carrier Safety Administration  
Motor Carrier Safety Grants  
PROGRAM AND FINANCING**

(In thousands of dollars)

Identification code 69-17-8158

		<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
		<u>Actual</u>	<u>Enacted</u>	<u>Request</u>
<b>Obligations by program activity:</b>				
0001	Motor Carrier Safety Assistance Program	213,172	218,000	246,158
0002	Border Enforcement Grants	31,936	32,000	32,992
0003	Safety Data Improvement Grants	2,994	3,000	3,093
0004	Commercial Driver's License (CDL) Program Improvement Grants	29,397	30,000	38,580
0005	Commercial Vehicle Information Systems	15,786	25,000	25,775
0006	Performance and Registration Information System	4,990	5,000	5,155
0007	Commercial Motor Vehicle Operator Grant	-	-	1,000
0100	Subtotal, direct program	<u>298,275</u>	<u>313,000</u>	<u>352,753</u>
0799	Total, direct obligations	298,275	313,000	352,753
0801	Reimbursable program	0	0	0
0900	Total new obligations	<u>298,275</u>	<u>313,000</u>	<u>352,753</u>
 <b>Budgetary Resources:</b>				
<b>Unobligated balance:</b>				
1000	Unobligated balance brought forward, Oct 1	71,994	92,294	92,294
1021	Recoveries of prior year unpaid obligations	9,195	0	0
1050	Unobligated balance (total)	<u>81,189</u>	<u>92,294</u>	<u>92,294</u>
 <b>Budget authority:</b>				
<b>Appropriations, discretionary:</b>				
1101	Appropriation, (trust fund)	310,000	313,000	352,753
1137	Appropriations applied to liquidate contract authority	-310,000	-313,000	-352,753
1160	Appropriation, discretionary (total)	<u>0</u>	<u>0</u>	<u>0</u>
 <b>Contract authority, mandatory:</b>				
1600	Contract authority	310,000	313,000	352,753
1620	Contract authority and or unobligated balance of contract authority permanently reduced	-620	0	0
1640	Contract authority, mandatory (total)	<u>309,380</u>	<u>313,000</u>	<u>352,753</u>
1900	Budget authority (total)	309,380	313,000	352,753
1930	Total budgetary resources available	390,569	405,294	445,047
<b>Memorandum (non-add) entries:</b>				
1941	Unexpired unobligated balance, end of year	92,294	92,294	92,294

**Department of Transportation  
Federal Motor Carrier Safety Administration  
Motor Carrier Safety Grants  
PROGRAM AND FINANCING**

(In thousands of dollars)

Identification code 69-17-8158

		<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
		<u>Actual</u>	<u>Enacted</u>	<u>Request</u>
<b>Change in obligated balance:</b>				
<b>Obligated balance , start of year (net):</b>				
3000	Unpaid obligations, brought forward, Oct 1 (gross)	412,084	399,192	379,210
3010	Obligations incurred, unexpired accounts	298,275	313,000	352,753
3020	Outlays (gross)	-301,973	-332,982	-341,909
3040	Recoveries of prior year unpaid obligations, unexpired	-9,195	0	0
3050	Unpaid obligations, end of year (gross)	399,192	379,210	390,054
<b>Memorandum (non-add) entries</b>				
3100	Obligated balance, start of year	412,084	379,210	390,054
3200	Obligated balance, end of year	399,192	379,210	390,054
<b>Budget authority and outlays, net:</b>				
<b>Discretionary:</b>				
Outlays, gross:				
4010	Outlays from new discretionary authority	67,678	87,640	98,491
4011	Outlays from discretionary balances	234,295	245,342	243,418
4020	Outlays, gross (total)	301,973	332,982	341,909
4080	Outlays net (discretionary)	301,973	332,982	341,909
<b>Mandatory:</b>				
4090	Budget authority, gross	309,380	313,000	352,753
4160	Budget authority, net (mandatory)	309,380	313,000	352,753
4180	Budget authority, net (total)	309,380	313,000	352,753
4190	Outlays net (total)	301,973	332,982	341,909



## MOTOR CARRIER SAFETY GRANTS

### PROGRAM AND PERFORMANCE STATEMENT

Motor Carrier Safety Grants support States to conduct compliance reviews, identify and apprehend traffic violators, conduct roadside inspections, and support safety audits on new entrant carriers. The Federal Motor Carrier Safety Administration (FMCSA) also supports States by conducting training for State agency personnel to accomplish motor carrier safety objectives. In addition, FMCSA reviews State commercial driver's license (CDL) oversight activities to prevent unqualified drivers from being issued CDLs, and is initiating an Innovative Technology program to improve the safety and productivity of commercial vehicles and drivers. The Motor Carriers Safety Grants account maintains the Agency's individual grants under the Compliance, Safety and Accountability Program



**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION  
MOTOR CARRIER SAFETY GRANTS  
OBJECT CLASSIFICATION  
(\$ 000)**

	<b>FY 2013 ACTUAL</b>	<b>FY 2014 ENACTED</b>	<b>FY 2015 REQUEST</b>
<b>Direct Obligations:</b>			
21.0 Travel and Transportation of persons	621	1,000	1,000
25.2 Other services	2,171	24,000	24,000
41.0 Grants, subsidies and contributions	295,483	288,000	327,753
<b>99.9 Total Obligations</b>	<b>298,275</b>	<b>313,000</b>	<b>352,753</b>



**MOTOR CARRIER SAFETY GRANTS  
LIQUIDATION OF CONTRACT AUTHORITY (HIGHWAY TRUST FUND)**

CONTRACT AUTHORITY ESTIMATES	CONTRACT AUTHORITY
2006.....282,000,000	2006..... 282,000,000
	2006 Rescission of Contract Authority..... (2,820,000) <sup>1</sup>
2007.....297,411,000	2007.....297,411,000 <sup>2</sup>
2008.....300,000,000	2008..... 300,000,000
	2008 Rescission of Contract Authority
	P.L. 110-161..... (11,260,214) <sup>3</sup>
2009.....307,000,000	2009..... 307,000,000
	2009 Rescission of Contract Authority
	P.L. 111-8 ..... (6,502,558) <sup>4</sup>
2010.....310,070,000	2010..... 307,000,000
	2010 Rescission of Contract Authority
	P.L. 111-8 ..... (1,610,661)
2011.....310,070,000	2011..... 307,000,000
2012.....330,000,000	2012..... 307,000,000
	2012 Rescission of Contract Authority
	P.L. 112-30 ..... (1,000,000)
2013.....330,000,000	2013..... 310,000,000
2014.....313,000,000	2014..... 313,000,000
2015.....352,753,000	

<sup>1</sup> Applied 1.0% rescission pursuant to FY 2006 Enacted P.L. 109-148

<sup>2</sup> Includes \$3,411,000 RABA adjustment

<sup>3</sup> Rescission of prior year carryover

<sup>4</sup> Rescission of prior year carryover

**MOTOR CARRIER SAFETY GRANTS  
LIMITATION ON OBLIGATIONS (HIGHWAY TRUST FUND)**

APPROPRIATION ESTIMATES	APPROPRIATION
2006.....282,000,000	2006..... 282,000,000
	2006 Rescission of Liquidating Cash ..... (2,820,000) <sup>1</sup>
2007.....297,508,000	2007.....297,411,000 <sup>2</sup>
2008.....300,000,000	2008..... 300,000,000
	2008 Rescission of Liquidation Cash ..... (11,260,214) <sup>3</sup>
2009.....307,000,000	2009..... 307,000,000
	2009 Rescission of Liquidating Cash..... (6,502,558) <sup>4</sup>
2010.....310,070,000	2010..... 310,070,000
2011.....310,070,000	2011..... 310,070,000
2012.....330,000,000	2012..... 307,000,000
2013.....330,000,000	2013.....308,878,840 <sup>5</sup>
	2013..... 310,000,000
	2013 Across-the-Board Reduction ..... (620,000) <sup>6</sup>
2014.....313,000,000	2014..... 313,000,000
2015.....352,753,000	

<sup>1</sup> Rescission of prior year carryover P.L. 109-148

<sup>2</sup> Includes \$3,411,000 RABA adjustment

<sup>3</sup> Rescission of prior year carryover P.L. 110-161

<sup>4</sup> Rescission of prior year carryover P. L. 111-8

<sup>5</sup> Continuing Resolution Annualized P.L. 112-175

<sup>6</sup> Applied .002% Across-the-Board reduction required by the Consolidated and Further Continuing Act, 2013, P.L. 113-6

**EXHIBIT III-1-B**  
**MOTOR CARRIER SAFETY GRANTS**  
**69-X-8158**  
**Appropriations Summary by Program Activites**  
**(\$000)**

<b>ACCOUNTS</b>	<b>FY 2013 ACTUAL</b>	<b>FY 2014 ENACTED</b>	<b>FY 2015 REQUEST</b>
<b>Motor Carrier Safety Assistance Program</b>			
<b>MSCAP Grants</b>	<b>213,173</b>	<b>218,000</b>	<b>0</b>
MSCAP Basic	164,282	168,275	0
MCSAP High Priority	14,912	15,000	0
MCSAP New Entrant	31,329	32,000	0
MCSAP Administrative Takedown	2,650	2,725	0
<b>MCSAP General (Includes Basic, New Entrant, Border, PRISM, and SaDIP)</b>	<b>0</b>	<b>0</b>	<b>266,995</b>
<b>MCSAP High Priority</b>	<b>0</b>	<b>0</b>	<b>21,178</b>
<b>Border Enforcement Grants (BEG)</b>	<b>31,936</b>	<b>32,000</b>	<b>0</b>
<b>Safety Data Improvement (SaDIP)</b>	<b>2,994</b>	<b>3,000</b>	<b>0</b>
<b>Commercial Vehicle Information Systems and Networks (CVISN)</b>	<b>15,786</b>	<b>25,000</b>	<b>0</b>
<b>Innovative Technology Deployment (IDT)</b>	<b>0</b>	<b>0</b>	<b>25,000</b>
<b>Performance and Registration Information Sysetms Management (PRISM)</b>	<b>4,990</b>	<b>5,000</b>	<b>0</b>
<b>Commercial Drivers License Program Improvement (CDL)</b>	<b>29,397</b>	<b>30,000</b>	<b>38,580</b>
<b>Partner Training and Program Support (PTAPS) (non-add)</b>			<b>5,276</b>
<b>Commercial Motor Vehicle Operating Grants (CMV)</b>	<b>0</b>	<b>0</b>	<b>1,000</b>
<b>TOTAL GRANTS</b>	<b>298,276</b>	<b>313,000</b>	<b>352,753</b>

**EXHIBIT III-1-B-1**  
**MOTOR CARRIER SAFETY GRANTS**  
**SUMMARY ANALYSIS OF CHANGE FROM FY 2014 TO FY 2015**  
**Appropriations, Obligations Limitations, and Exempt Obligations**

	Change from FY 2014 to FY 2015 (\$000)	Change from FY 2014 to FY 2015 (FTE)
<b>FY 2014 Enacted</b>	<b>313,000</b>	<b>0</b>
<b>Adjustment to Base</b>		
<b>Inflation</b>		
<b>Motor Carrier Safety Assistance Program (MCSAP)</b>	<b>0</b>	
MCSAP Basic	0	
MCSAP New Entrant	0	
MCSAP High Priority	0	
MCSAP Administrative Takedown	0	
Border Enforcement Grants (BEG)	<b>0</b>	
Safety Data Improvement (SaDIP)	<b>0</b>	
Commercial Vehicle Information Systems and Networks (CVISN)	<b>0</b>	
Performance and Registration Information Systems Management (PRISM)	<b>0</b>	
Commercial Drivers License Program Improvement (CDL)	<b>0</b>	
<b>Subtotal Adjustment to Base</b>	<b>0</b>	<b>0</b>
<b>New or Expanded Programs</b>		
<b>Motor Carrier Safety Assistance Program (MCSAP)</b>	<b>(218,000)</b>	
MCSAP Basic	<b>(168,275)</b>	
MCSAP New Entrant	<b>(32,000)</b>	
MCSAP High Priority	<b>(15,000)</b>	
MCSAP Administrative Takedown	<b>(2,725)</b>	
Border Enforcement Grants (BEG)	<b>(32,000)</b>	
Safety Data Improvement (SaDIP)	<b>(3,000)</b>	
Performance and Registration Information Systems Management (PRISM)	<b>(5,000)</b>	
Commercial Vehicle Information Systems and Networks (CVISN)	<b>(25,000)</b>	
MCSAP General (Includes Basic, New Entrant, Border, PRISM, and SaDIP)	266,995	
MCSAP High Priority	21,178	
Innovative Technology Deployemnt (ITD)	<b>25,000</b>	
Commercial Drivers License Program Improvement (CDL)	<b>8,580</b>	
Partner Training and Program Support (PTAPS) (non-add)	<b>5,276</b>	
Commercial Motor Vehicle Grant	<b>1,000</b>	
<b>SUBTOTAL NEW OR EXPANDED BASE</b>	<b>39,753</b>	<b>0</b>
<b>TOTAL INCREASES/DECREASE</b>	<b>39,753</b>	<b>0</b>
<b>FY 2015 BUDGET REQUEST</b>	<b>352,753</b>	<b>0</b>



## **FMCSA IMPACT**

### ***“Driving America: One Veteran at a Time”***

*The goal of the Commercial Motor Vehicle Operator Safety Training (CMVOST) grant is to train potential CMV operators, and the FY 2013 priority was to help former members of the United States Armed Forces and their spouses receive training for jobs in the transportation industry.*

*So in July 2013, FMCSA awarded nearly \$1 million in CMVOST grants to six colleges to help train an estimated 300 veterans and veteran spouses- This program is a win-win: grants enable veterans to transition into quality jobs back home, bringing with them unique transportation skills acquired during their service, and colleges increase enrollment and job placement .*

- *Century College (White Bear Lake, MN) plans to use its \$0.1 million grant to train 30 enrollees in 2013-2014.*
- *“We work with veterans all the time, and this grant will help those whose benefits cannot cover the full amount of their training,” said Velvet Walker, Century College interim dean of Continuing Education/Customized Training.*
- *Joliet Junior College (Joliet, IL) received \$0.2 million. The school’s “Driving America: One Veteran at a Time” project will provide CDL training and job placement assistance to 50 veterans and/or their families. “As a designated military friendly school serving an area with more than 35,000 veterans, JJC is the ideal college to receive this grant,” said Director of Corporate and Community Services Amy Murphy.*
- *Long Beach Community College District (Long Beach, CA) will use its \$0.2 million grant to train and certify 60 veterans and/or spouses over a two-year period.*
- *Grants also went to Grays Harbor College (Aberdeen, WA), Orangeburg-Calhoun Technical College (Orangeburg, SC), and Lone Star College (Woodlands, TX).*

## What Is The Program?

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### **Motor Carrier Safety Assistance Program (MCSAP) - \$288.2 million**

The FMCSA relies on its partnerships with State and local law enforcement agencies to increase its enforcement and safety capacity to cover the motor carrier population nationwide. MCSAP grants provide formula and discretionary funding to the States, local law enforcement agencies and other organizations and associations that effect commercial motor vehicle safety on the Nation's roadways. As a result, these entities become a force multiplier in delivery of motor carrier, driver and vehicle safety programs.

- **MCSAP Formula (\$267.0 million)** - This request will provide both formula funding to support programs that improve motor carrier compliance and safety through State law enforcement programs including roadside inspections, interventions, investigations, and targeted enforcement. The FMCSA provides formula grants to the States to fund work detailed in their Commercial Vehicle Safety Plans (CVSP) through the MCSAP Basic program. The MCSAP program requires a 20 percent match from the States and which rewards States demonstrating reductions in large truck crashes with additional funds for targeted initiatives. These funds are distributed pursuant to a formula based on the States' crash rates and timely uploading of crash and inspection reports. This funding also includes additional funding for the States to have dedicated resources for addressing DataQs. This request is \$13.0 million over the comparable programs in FY 2014.
- **MCSAP High Priority (\$21.2 million)** - MCSAP will also provide discretionary funding for the Agency's High Priority program which encourages best practices and innovative enforcement or safety initiatives. Through MCSAP High Priority, grant funds will be made available for targeting unsafe driving of, and around, commercial motor vehicles in areas identified as high risk crash corridors. One of the long-standing programs funded through this program is the Agency's successful Targeting Aggressive Cars and Trucks (TACT) program. In addition, this program would provide funding for commercial enforcement by the States and now includes funding for safety data improvement programs.

In order to increase the Agency's efforts on commercial enforcement/consumer protection, this request would provide an additional **\$4.9 million** in grant funds. Involvement by the States in this program is critical to improve consumer protections and eliminate rogue movers. States are expressing interest in partnering with FMCSA on initiatives. This increase allows the Administration to strategically engage the States on consumer protection activities.

### **Innovative Technology Deployment (\$25.0 million) -**

This grant program provides funding for the Innovative Technology Deployment. The new program would authorize the Secretary to provide grants to States for innovative technologies that support commercial vehicle information systems and networks, expanding and renaming the current Commercial Vehicle Information Systems and Networks (CVISN) grant program. The new program would authorize the Secretary to provide grants to States for innovative technologies that support commercial vehicle information systems and networks.

**Commercial Driver’s License Program Improvement (CDLPI) (\$38.6 million) -**

The Commercial Driver’s License (CDL) Program Improvement Grant, provides financial assistance to States to achieve compliance with the requirements of commercial driver’s license issuance under 49 CFR Parts 383 and 384. Additionally, the CDLPI grant program provides financial assistance for other entities capable of executing national projects that aid States in their compliance efforts and that will improve the national CDL program. The CDLPI grant program encourages State Driver Licensing Agencies, the CDLIS administrator, educational institutions and other organizations to maintain and provide timely information about unsafe drivers through CDLIS. It also provides funding for the States’ development of the annual plan.

FY 2015, FMCSA requests **\$7.7 million** in additional funds in support of the development of CDL State Plans a required by MAP-21. In addition, MAP-21 Section 32305 requires the States to submit annual plans to FMCSA to ensure compliance with the CDL requirements, and for the Agency to produce an annual comparison of the States’ performance. Currently, each State completes the requirements of the CDL program differently. The plans would require the States to conduct self-assessments and provide data about their programs. The annual report would compare performance by the States in key program areas such as timeliness for updating driver records, taking disqualifying actions on drivers per appropriate regulations, and fraud monitoring requirements. Currently, the States compliance with the CDL program requirements is only documented through reviews conducted by FMCSA every 3-5 years. The submission and analysis of the plans will allow FMCSA to identify States with deficiencies and focus resources and attention until improvements are made.

**Partner Training and Program Support (PTAPS) program (\$5.3 million)** – Formerly funded as an administrative takedown from MCSAP grants, PTAPS funds under the multiyear reauthorization proposal will be raised to 1.5% from 1.25% and would be applied to all grant funds, except the CMVOST grants. These funds would be made available to provide training of law enforcement personnel on commercial motor vehicle, carrier and driver safety regulations through the FMCSA National Training Center. In addition, these funds are used to support nationwide initiatives such as data analysis and program reviews. Any funds that are not needed will be returned to the specific grant program for award as a grant.

**Commercial Motor Vehicle Operators Safety Training (CMVOST) Grant:** FMCSA requests \$1.0 million for CMVOST grants. This grant is a discretionary program for State, local, and Federally recognized Native American Tribal governments, accredited post-secondary educational institutions (public or private) and truck driver training schools that are accredited and recognized by the U.S. Department of Education. The purpose of the grant is to expand the number of CDL holders possessing enhanced operator safety training in order to reduce the severity and number of crashes on U.S. roads involving CMVs; and assist economically distressed regions of the U.S. by providing workforce training opportunities for qualified individuals to become CMV operators. Special emphasis is on training veterans and their spouses for carriers in the transportation industry.

## **FMCSA IMPACT**

### ***“One driver, one license.”***

*Two years ago, FMCSA Commercial Driver’s License (CDL) grant funds were used to support facial recognition screening to detect individuals trying to acquire multiple CDLs from the New York State (NYS) Department of Motor Vehicles (DMV). The system is designed to advance DMV’s goals of ensuring “one driver, one license” and improving highway safety. That agency has been—and continues to be—particularly successful in using the technology to prevent drivers from fraudulently obtaining a CDL.*

*After two tragic bus accidents in March 2011 claimed the lives of 17 people, NYS Governor Andrew M. Cuomo announced a concerted crackdown on bus safety. Within weeks, the DMV worked with local, State, and Federal law enforcement in an operation that netted 15 arrests in and around New York City stemming from an investigation into bus drivers fraudulently obtaining multiple CDLs using aliases. Investigators used facial recognition technology to identify individuals who had a valid CDL in one name and additional license documents in another. A subsequent collaboration resulted in the arrest of 46 additional NYS CDL holders—some with open felony warrants.*

*The numbers have continued to rise. Through March 2013, the NYS DMV has investigated 13,000 possible cases of identity fraud, resulting in more than 2,500 arrests and more than 5,000 individuals facing administrative action. All told, 1,031 of the 13,000 cases involved at least one of the records having a CDL privilege.*

*For example, one man who was licensed and working as a CDL school bus driver in NYS under one name, date of birth, and Social Security number also had a non-driver ID under another name and date of birth that had open suspensions for unpaid tickets and narcotics convictions, as well as license suspensions for narcotics transactions. He was arrested under multiple felony charges and no longer operates a school bus.*

*“We have seen extraordinary results from the use of facial recognition technology.”*

*- DMV Commissioner Barbara J. Fiala*

## Reauthorization

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As part of the multiyear reauthorization proposal, FMCSA proposes the following program changes:

Motor Carrier Safety Assistance Program (MCSAP): The section would maintain basic and incentive grant programs under MCSAP. Section 31102 of title 49, governing the Motor Carrier Safety Assistance Program (MCSAP), would be revised to include both the New Entrant grant program and the Border Enforcement grant program as a part of the MCSAP formula grant. Separate funding would no longer be issued for these programs. Instead, the basic and incentive calculations would be adjusted to include factors for each State based the States' previous new entrant and border enforcement programs. If a border state did not include border enforcement efforts in its annual plan, funding would be adjusted accordingly. The proposal would also require States to conduct safety audits of new entrant motor carriers as a condition of MCSAP funding would not extend to United States territories. However, the Secretary would be granted discretion to require participation if he or she deems it appropriate. Additionally, this formula grant has been modified to include the PRISM program.

Congress authorized FMCSA in section 32603(i) of MAP-21 to identify and implement processes to reduce the administrative burden on the States and the Department of Transportation concerning the application and management of grant programs. Further, the American people expect government to be more streamlined and effective with existing resources. Restructuring the MCSAP program to include the New Entrant grant and the Border Enforcement Grant programs achieves both of these important goals. States would no longer be required to prepare and submit multiple applications for closely related commercial motor vehicle safety activities. Further, it would reduce the burden on the States for post-award grant management and would eliminate the need for multiple submissions of required documents and reports (e.g., grant agreements, amendments, vouchers for reimbursement, and quarterly performance and financial reports).

FMCSA's experience has also shown that State inspectors and other safety officials routinely perform activities under each of these three grant programs in a single work day. Currently, the States have to closely monitor safety officials' time and allocate costs among multiple grant programs for reimbursement purposes. Combining the grant programs will reduce the amount of time and resources necessary for the State to voucher for reimbursement. Additionally, by reducing the number of active grants for each State, FMCSA can devote more of its grant management resources to effectiveness analysis and program improvement rather than to administrative tasks.

Innovative Technology Deployment (ITD) Program: Building on the existing CVISN program, the core and expanded funding caps applicable to the CVISN program would be eliminated. The elimination is requested because the original funding caps of \$2.5 million for Core CVISN Deployment and \$1.0 million for Expanded CVISN Deployment are out of date and do not serve the FMCSA's or States' current needs to deploy Intelligent Transportation Systems for Commercial Vehicle Operations (ITS/CVO). The caps were put in place under SAFETEA-LU for FY 2006 to ensure an even and uniform deployment of CVISN and ITS/CVO services across

the States. Since the trucking industry includes long-haul and nationwide freight services, in 2005, FMCSA program managers wanted to use the caps to constrain the States so that CVISN core services such as the electronic screening of weigh stations and automated/e-commerce of commercial vehicle registration and fuel tax filings would be deployed nationwide rather than in regional pockets only. Now, almost ten years later, 47 States offer electronic screening for weigh station automated check and bypass. With all 50 States and the District of Columbia participating in the deployment of CVISN, the goal of uniform interstate deployment of ITS/CVO systems has been achieved. Removing the caps provides more flexibility and removes artificial constraints, limits, and delays in the deployment of innovative technologies that improve motor carrier safety operations as well as productivity.

### **Why Is This Particular Program Necessary?**

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FMCSA's front line enforcement staff is less than 600 interstate investigators, auditors, and inspectors. In order to tap the existing network of State and local police departments, FMCSA provides financial assistance to complete safety audits, roadside inspections, interventions, targeted on-site reviews, comprehensive on-site reviews and off-site reviews.

MCSAP grant programs provide resources to these entities for special initiatives targeting certain sectors of the industry including new entrants, household goods carriers, or foreign carriers. This grant funding also encourages applicants to focus on certain high crash corridors, rural areas and work zones to improve the level of safety and reduce the number of large truck and bus crashes, injuries and fatalities. The MCSAP formula grant would now provide funding to assist the States and entities in carrying out their responsibilities of ensuring foreign and international motor carriers and drivers, who operate within their jurisdiction, are in compliance with all federal and state commercial motor vehicle requirements.

The MCSAP High Priority grant program has been modified and now provides funding to ensure that the data received from the States to assess the safety of motor carriers and drivers. Through the High Priority grant program, States can request funding for needed data improvements to improve the identification of unsafe entities.

The Innovative Technology program furthers the implementation and use of CVISN and integrates State, federal, and carrier systems to improve safety and productivity. This activity solves institutional and architectural issues, as well as technical problems related to providing electronic access to timely and accurate motor carrier safety and other credentials information. As a result, roadside inspectors can make decisions on which carriers to inspect and law enforcement has key information about the carrier when conducting an inspection.

The Commercial Driver's License Program Improvement (CDLPI) grant provides financial assistance to States to achieve compliance with the requirements of 49 CFR Parts 383 and 384. Additionally, the CDLPI grant program provides financial assistance for other entities capable of executing national projects that aid States in their compliance efforts and that will improve the national Commercial Driver's License (CDL) program. The goal of the national CDL program is to reduce the number and severity of commercial motor vehicle crashes in the United States by ensuring that only qualified drivers are eligible to receive and retain a CDL.

## **How Do You Know The Program Works?**

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With the Compliance and Safety grants funding provided, States conducted inspections on over 3.5 million vehicles and investigations of more than 7,000 companies in FY 2010. In addition, the fatalities resulting from crashes involving large trucks and buses declined from FY 2005 to FY 2010.

Through these grants, the Agency has conducted safety audits on between 35,000 to 40,000 new entrant carriers each year. The failure rate for these carriers has ranged between 30% and 40%. Therefore, identifying unsafe carriers earlier in their existence is making a safety difference by requiring corrective action or revocation of their authority.

High Priority projects increase commercial motor vehicle education and enforcement. Projects tested through the High Priority program can be assessed for implementation at a national level; thus improving safety.

The Agency's 2006 Large Truck Crash Causation Study determined that drivers of trucks or other vehicles are the cause of 87% of all crashes involving CMVs. It is critical that CDL holders be trained, tested and monitored to ensure continued safety. By supporting training of commercial motor vehicle operators, especially in economically distressed areas, not only produces safer drivers but also increase employment opportunities.

Further, it is critical that a CDL applicant be properly tested to ensure knowledge and skills. The requirements for testing must be consistent to ensure that drivers are not qualified in a weaker, unsafe State.

In addition, it is statutorily required that each driver hold only one license and that the license record include medical certificate information and violation history. It is critical that the CDL issuance systems be fully interoperable and that the information provided is uniformly, so that information from other states can be transmitted to the driver's State of Record, so that it can be correctly interpreted, and proper actions (i.e. suspension or revocation) can be initiated.

Please see the Enforcement and Field program section for examples of success stories for FMCSA grant programs.

## **Why Do We Want/Need To Fund The Program At The Requested Level?**

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Funding at the requested level represents a **\$96.0 million** increase in funding for the MCSAP program, roughly \$13.0 million more than the same legacy programs in FY 2014. This request provides adequate funding to ensure the compliance of approximately 35,000 - 40,000 new carriers that join the industry each year.

Ensuring safe drivers is a key component of highway safety. The CDL grants are key funding resources for States to maintain and improve implementation of their commercial driver's

licenses programs; provide research, development and demonstration projects; train commercial vehicle operators; conduct overt and covert test monitoring; integrate the medical certificate with the CDL, and provide for CDL program coordinators who champion the State's CDL programs.



**Department of Transportation  
Motor Carrier Safety  
PROGRAM AND FINANCING**

(In thousands of dollars)

<b>Identification code 69-17-8055</b>		<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
		<b><u>Actual</u></b>	<b><u>Enacted</u></b>	<b><u>Request</u></b>
<b>Obligations by program activity:</b>				
0900	Total new obligations	0	0	0
<b>Budgetary Resources:</b>				
<b>Unobligated balance:</b>				
1000	Unobligated balance brought forward, Oct 1	448	1,571	858
1020	Adjustment of unobligated bal brought forward, Oct 1	0	0	0
1021	Recoveries of prior year unpaid obligations	2,855	0	0
1050	Unobligated balance (total)	<u>3,303</u>	<u>1,571</u>	<u>858</u>
<b>Budget authority:</b>				
<b>Appropriations, discretionary:</b>				
1160	Appropriation, discretionary (total)	0	0	0
<b>Contract authority, discretionary:</b>				
1521	Unobligated balance of contract authority permanently reduced	0	0	0
1540	Contract authority, discretionary (total)	<u>0</u>	<u>0</u>	<u>0</u>
<b>Contract authority, mandatory:</b>				
1621	Unobligated balance of contract authority permanently reduced	0	0	0
1640	Contract authority, mandatory (total)	<u>0</u>	<u>0</u>	<u>0</u>
Spending authority from offsetting collections, discretionary:				
1700	Collected	0	0	0
1701	Change in uncollected customer payments from federal sources	106	0	0
1750	Spending auth from offsetting collections, disc (total)	<u>106</u>	<u>0</u>	<u>0</u>
1900	Budget authority (total)	106	0	0
1930	Total budgetary resources available	3,409	1,571	858
<b>Memorandum (non-add) entries:</b>				
1941	Unexpired unobligated balance ,end of year	3,409	1,571	858

**Department of Transportation  
Motor Carrier Safety  
PROGRAM AND FINANCING**

(In thousands of dollars)

<b>Identification code 69-17-8055</b>		<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
		<u>Actual</u>	<u>Enacted</u>	<u>Request</u>
<b>Change in obligated balance:</b>				
<b>Unpaid obligations:</b>				
3000	Unpaid obligations, brought forward, Oct 1 (gross)	5,173	1,776	0
3001	Adjustments to unpaid obligations, brought forward, Oct 1	0	0	0
3010	Obligations incurred, unexpired accounts	1,839		
3020	Outlays (gross)	-2,381		
3040	Recoveries of prior year unpaid obligations, unexpired	-2,855	0	0
3050	Unpaid obligations, end of year (gross)	1,776	1,670	0
3060	Uncollected pymts, Fed sources, end of year	106	106	0
3061	Adjustments to uncollected paymtns, Fed sources brought forward	0	0	0
3070	Change, uncoll cust payments, Fed srcs, unexp	-106	0	0
3090	EOY: Uncoll cust. Payments from Fed. Srcs	0	0	0
Memorandum (non-add entries)				
3100	Obligated balance , start of year:	5,279	1,776	0
3200	Obligated balance , end of year:	1,776	0	0
<b>Budget authority and outlays, net:</b>				
<b>Discretionary:</b>				
4000	Budget authority, gross	106	0	0
4011	Outlays from discretionary balances	2,381	1,776	0
4020	Total outlays, gross (disc)	2,381	1,776	0
Offsetting collections from:				
4030	Federal sources (disc)	0	0	0
4040	Offsetting against gross budget authority and outlays (disc)(total)	0	0	0
Additional offsets against gross budget authority only (disc):				
4050	Change in uncollected cust pymnts from federal sources (unexpired)(disc)	-106	0	0
4060	Additional offsets against budget authority only (disc)(total)	-106	0	0
4070	Budget authority, net (discretionary)			
4080	Outlays net (discretionary)	2,381	1,776	0
<b>Mandatory:</b>				
4090	Budget authority, gross			
4160	Budget authority, net (mandatory)			
4180	Budget authority, net (total)	0	0	0
4190	Outlays net (total)	2,381	1,776	0

MOTOR CARRIER SAFETY  
PROGRAM AND PERFORMANCE STATEMENT

No funding is requested for this account in 2015.



**MOTOR CARRIER SAFETY  
LIQUIDATION OF CONTRACT AUTHORITY (HIGHWAY TRUST FUND)**

**CONTRACT AUTHORITY ESTIMATES**

1995.....	73,000,000
1996.....	68,000,000
1997.....	74,000,000
1998.....	
1999.....	
2000.....	
2001.....	
2002.....	
2003.....	
2004.....	
2005.....	
2006.....	
2007.....	
2008.....	
2009.....	
2010.....	
2011.....	
2012.....	
2013.....	
2014.....	
2015.....	

**CONTRACT AUTHORITY**

1995.....	73,000,000
1996.....	68,000,000
1996 Rescission of Contract Authority ...	(33,000,000) <sup>1</sup>
1997.....	74,000,000
1997 Rescission of Contract Authority ...	(12,300,000) <sup>2</sup>
1998.....	85,000,000
1999.....	100,000,000
2000.....	105,000,000
2001.....	
2002.....	
2003.....	
2004.....	
2005.....	
2006.....	
2007.....	
2008 Rescission of Contract Authority.....	(32,187,720) <sup>3</sup>
2009 Rescission of Contract Authority .....	(2,231,259) <sup>4</sup>
2010 Rescission of Contract Authority .....	(6,415,501)
2011.....	
2012.....	
2013.....	
2014.....	
2015.....	

<sup>1</sup> Enacted rescission pursuant to P.L. 104-134

<sup>2</sup> Enacted rescission pursuant to P.L. 104-208

<sup>3</sup> Enacted rescission of prior year carryover P.L. 110-161

<sup>4</sup> Enacted rescission of prior year carryover P.L. 111-8

**MOTOR CARRIER SAFETY  
LIMITATION ON OBLIGATIONS (HIGHWAY TRUST FUND)**

APPROPRIATION ESTIMATES	APPROPRIATION
2000.....	2000.....76,058,400 <sup>5</sup>
2001..... 92,194,000	2001..... 92,194,000
2002.....139,007,000	2001 Rescission of Liquidating Cash ..... (202,827) <sup>6</sup>
	2002..... 110,000,000
	2002 Rescission of Liquidating Cash ..... (158,000) <sup>7</sup>
	2002 Rescission of Liquidating Cash ..... (107,000) <sup>8</sup>
2003.....117,464,000	2003..... 117,464,000
	2003 Rescission of Liquidating Cash ..... (763,516) <sup>9</sup>
	2003 Rescission of Liquidating Cash ..... (200,000) <sup>9</sup>
2004.....	2004..... 176,070,000
	2004 Rescission of Liquidating Cash ..... (1,532,675) <sup>10</sup>
2005.....	2005..... 257,547,000
	2005 Rescission of Liquidating Cash ..... (2,698,376) <sup>11</sup>
2006.....	2006.....
2007.....	2007.....
2008.....	2008 Rescission of Liquidating Cash ..... (32,187,720) <sup>12</sup>
2009.....	2009 Rescission of Liquidating Cash ..... (2,231,259) <sup>13</sup>
2010.....	2010 Rescission of Liquidating Cash ..... (6,415,501)
2011.....	2011.....
2012.....	2012.....
2013.....	2013.....
2014.....	2014.....
2015.....	2015.....

<sup>5</sup> Transferred to the newly established FMCSA from Federal-Aid Highways. (With the enactment of P.L. 106-159, the account again includes funding for Motor Carrier Research)

<sup>6</sup> Enacted 0.22% rescission pursuant to Public Law 106-554

<sup>7</sup> Enacted TASC rescission pursuant to Public Law 107-87, as amended by P.L. 107-117

<sup>8</sup> Enacted rescission pursuant to P.L. 107-206

<sup>9</sup> Enacted 0.65% and \$200K rescission pursuant to P.L. 108-7

<sup>10</sup> Applied 0.59% and \$494K rescission pursuant to FY 2004 enacted, P.L. 108-199

<sup>11</sup> Applied 0.8% and \$638K rescission pursuant to FY 2005 enacted, P.L. 108-447

<sup>12</sup> Rescission of prior year carryover P.L. 110-161

<sup>13</sup> Rescission of prior year carryover P.L. 111-8

**Department of Transportation  
Motor Carrier Safety  
PROGRAM AND FINANCING**

(In thousands of dollars)

<b>Identification code 69-17-8055</b>		<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
		<b><u>Actual</u></b>	<b><u>Enacted</u></b>	<b><u>Request</u></b>
<b>Obligations by program activity:</b>				
0900	Total new obligations	0	0	0
<b>Budgetary Resources:</b>				
<b>Unobligated balance:</b>				
1000	Unobligated balance brought forward, Oct 1	448	1,571	858
1020	Adjustment of unobligated bal brought forward, Oct 1	0	0	0
1021	Recoveries of prior year unpaid obligations	2,855	0	0
1050	Unobligated balance (total)	<u>3,303</u>	<u>1,571</u>	<u>858</u>
<b>Budget authority:</b>				
<b>Appropriations, discretionary:</b>				
1160	Appropriation, discretionary (total)	0	0	0
<b>Contract authority, discretionary:</b>				
1521	Unobligated balance of contract authority permanently reduced	0	0	0
1540	Contract authority, discretionary (total)	<u>0</u>	<u>0</u>	<u>0</u>
<b>Contract authority, mandatory:</b>				
1621	Unobligated balance of contract authority permanently reduced	0	0	0
1640	Contract authority, mandatory (total)	<u>0</u>	<u>0</u>	<u>0</u>
Spending authority from offsetting collections, discretionary:				
1700	Collected	0	0	0
1701	Change in uncollected customer payments from federal sources	106	0	0
1750	Spending auth from offsetting collections, disc (total)	<u>106</u>	<u>0</u>	<u>0</u>
1900	Budget authority (total)	106	0	0
1930	Total budgetary resources available	3,409	1,571	858
<b>Memorandum (non-add) entries:</b>				
1941	Unexpired unobligated balance ,end of year	3,409	1,571	858

**Department of Transportation  
Motor Carrier Safety  
PROGRAM AND FINANCING**

(In thousands of dollars)

<b>Identification code 69-17-8055</b>		<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
		<u><b>Actual</b></u>	<u><b>Enacted</b></u>	<u><b>Request</b></u>
<b>Change in obligated balance:</b>				
<b>Unpaid obligations:</b>				
3000	Unpaid obligations, brought forward, Oct 1 (gross)	5,173	1,776	0
3001	Adjustments to unpaid obligations, brought forward, Oct 1	0	0	0
3010	Obligations incurred, unexpired accounts	1,839		
3020	Outlays (gross)	-2,381		
3040	Recoveries of prior year unpaid obligations, unexpired	-2,855	0	0
3050	Unpaid obligations, end of year (gross)	1,776	1,670	0
3060	Uncollected pymts, Fed sources, end of year	106	106	0
3061	Adjustments to uncollected paymtns, Fed sources brought forward	0	0	0
3070	Change, uncoll cust payments, Fed srcs, unexp	-106	0	0
3090	EOY: Uncoll cust. Payments from Fed. Srcs	0	0	0
Memorandum (non-add entries)				
3100	Obligated balance , start of year:	5,279	1,776	0
3200	Obligated balance , end of year:	1,776	0	0
<b>Budget authority and outlays, net:</b>				
<b>Discretionary:</b>				
4000	Budget authority, gross	106	0	0
4011	Outlays from discretionary balances	2,381	1,776	0
4020	Total outlays, gross (disc)	2,381	1,776	0
Offsetting collections from:				
4030	Federal sources (disc)	0	0	0
4040	Offsetting against gross budget authority and outlays (disc)(total)	0	0	0
Additional offsets against gross budget authority only (disc):				
4050	Change in uncollected cust pymnts from federal sources (unexpired)(disc)	-106	0	0
4060	Additional offsets against budget authority only (disc)(total)	-106	0	0
4070	Budget authority, net (discretionary)			
4080	Outlays net (discretionary)	2,381	1,776	0
<b>Mandatory:</b>				
4090	Budget authority, gross			
4160	Budget authority, net (mandatory)			
4180	Budget authority, net (total)	0	0	0
4190	Outlays net (total)	2,381	1,776	0



NATIONAL MOTOR CARRIER SAFETY PROGRAM  
PROGRAM AND PERFORMANCE STATEMENT

No funding is requested for this account in 2015.



**NATIONAL MOTOR CARRIER SAFETY PROGRAM  
LIQUIDATION OF CONTRACT AUTHORITY (HIGHWAY TRUST FUND)**

**CONTRACT AUTHORITY ESTIMATES**

1998.....	90,000,000
1999.....	100,000,000
2000.....	155,000,000 <sup>1</sup>
2001.....	187,000,000 <sup>2</sup>
2002.....	204,837,000 <sup>3</sup>
2003.....	190,000,000
2004.....	
2005.....	
2006.....	
2007.....	
2008.....	
2009.....	
2010.....	
2011.....	
2012.....	
2013.....	
2014.....	
2015.....	

**CONTRACT AUTHORITY**

1998.....	
1999.....	
2000.....	(105,000,000) <sup>4</sup>
2001.....	177,000,000
2002.....	205,896,000 <sup>5</sup>
2003.....	190,000,000
2003 Rescission of Contract Authority.....	(1,235,000) <sup>6</sup>
2004.....	190,000,000
2004 Rescission of Contract Authority.....	(1,121,000) <sup>7</sup>
2005.....	190,000,000
2005 Rescission of Contract Authority.....	(1,520,000) <sup>8</sup>
2006.....	
2007.....	
2008 Rescission of Contract Authority.....	(5,212,858) <sup>9</sup>
2009 Rescission of Contract Authority.....	(19,571,910) <sup>10</sup>
2010 Rescission of Contract Authority.....	(3,232,639)
2011.....	
2012.....	
2013.....	
2014.....	
2015.....	

<sup>1</sup> Includes \$50 million in revenue aligned budget authority

<sup>2</sup> Includes \$10 million in revenue aligned budget authority

<sup>3</sup> Includes \$22.837 million in revenue aligned budget authority as authorized in 23 U.S.C. 110, as amended by P.L. 106-159

<sup>4</sup> Transferred to the newly established FMCSA from the FHWA Motor Carrier Safety Grants account

<sup>5</sup> Includes \$23.896 million in revenue aligned budget authority as authorized in 23 U.S.C. 110, as amended by P.L. 107-87

<sup>6</sup> Enacted 0.65% rescission pursuant to P.L. 108-7

<sup>7</sup> Applied 0.59% rescission pursuant to FY 2004 enacted P.L. 108-199

<sup>8</sup> Applied 0.80% rescission pursuant to FY 2005 enacted P.L. 108-447

<sup>9</sup> Enacted rescission of prior year carryover P.L. 110-161

<sup>10</sup> Enacted rescission of prior year carryover P.L. 111-8

**NATIONAL MOTOR CARRIER SAFETY PROGRAM  
LIMITATION ON OBLIGATIONS (HIGHWAY TRUST FUND)**

APPROPRIATION ESTIMATES	APPROPRIATION
1998.....100,000,000	1998.....
1999.....100,000,000	1999.....
2000.....155,000,000 <sup>11</sup>	2000.....(105,000,000) <sup>14</sup>
2001.....187,000,000 <sup>12</sup>	2001.....177,000,000
	2001 Rescission of Liquidating Cash .....(389,400) <sup>15</sup>
2002.....204,837,000 <sup>13</sup>	2002.....205,896,000 <sup>16</sup>
2003.....190,000,000	2003.....190,000,000
	2003 Rescission of Liquidating Cash .....(1,235,000) <sup>17</sup>
2004.....	2004.....190,000,000
	2004 Rescission of Liquidating Cash .....(1,121,000) <sup>18</sup>
2005.....	2005.....190,000,000
	2005 Rescission of Liquidating Cash .....(1,520,000) <sup>19</sup>
2006.....	2006.....
2007.....	2007.....
2008.....	2008 Rescission of Liquidating Cash .....(5,212,858) <sup>20</sup>
2009.....	2009 Rescission of Liquidating Cash .....(19,571,910) <sup>21</sup>
2010.....	2010 Rescission of Liquidating Cash .....(3,232,639)
2011.....	2011.....
2012.....	2012.....
2013.....	2013.....
2014.....	2014.....\$13,000,000 <sup>22</sup>
2015.....	2015.....

<sup>11</sup> Includes \$50 million in revenue aligned budget authority

<sup>12</sup> Includes \$10 million in revenue aligned budget authority

<sup>13</sup> Includes \$22.837 million in revenue aligned budget authority as authorized in 23 U.S.C. 110, as amended by P.L. 106-159

<sup>14</sup> Transferred to the newly established FMCSA from the FHWA Motor Carrier Safety Grants account

<sup>15</sup> Enacted .22% rescission pursuant to P. L. 106-554

<sup>16</sup> Includes \$23.896 million in revenue aligned budget authority as authorized in 23 U.S.C. 110, as amended by P.L. 106-159, pursuant to P.L. 107-87

<sup>17</sup> Enacted 0.65% rescission pursuant to P.L. 108-7

<sup>18</sup> Applied 0.59% rescission pursuant to FY 2004 enacted, P.L. 108-199

<sup>19</sup> Applied 0.8% rescission pursuant to FY 2005 enacted, P.L. 108-447

<sup>20</sup> Rescission of prior year carryover P.L. 110-161

<sup>21</sup> Rescission of prior year carryover P.L. 111-8

<sup>22</sup> Unobligated contract authority carryover P.L. 113-76

**EXHIBIT III-2**  
**ANNUAL PERFORMANCE RESULTS AND TARGETS**  
**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

The Federal Motor Carrier Safety Administration (FMCSA) integrates performance results into its Fiscal Year (FY) 2014 budget request to demonstrate alignment with the Department’s Strategic and Roadway Safety Plans, along with the agency’s 2012-2016 Strategic Plan. FMCSA tracks the following department level performance measures to demonstrate program results.

**Strategic Goal: Safety**

The FMCSA supports the DOT Agency Performance Goal (APG) of reducing roadway fatalities by delivering safety programs which influence the reduction of large truck and bus crashes, fatalities, and injuries. FMCSA contributes to the DOT safety goal by delivering safety focused rulemaking, outreach and education, enforcement, and research and development activities. Within DOT, two other operating administrations contribute directly to the achievement of the APG and other road user measures - the National Highway Traffic Safety Administration (NHTSA) and the Federal Highway Administration (FHWA).

**DOT Agency Priority Goal, Road User Measures, and Target Analysis**

Early fatality and vehicle mileage estimates indicate DOT is on track to reduce the fatality rate by about 25 percent when compared to Calendar Year (CY) 2005 performance of 1.46 fatalities.

<b>Reduce the Rate of Roadway Fatalities per 100 Million Vehicle Miles Traveled (VMT).</b> <i>(CY) Shared Measure with NHTSA and FHWA</i>					
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
<b>Target</b>	1.10	1.05	1.03	1.02	1.02
<b>Actual</b>	1.10	TBD	-	-	TBD

**Target Analysis:** Reduce Passenger Vehicle Occupant Fatalities per 100 million Passenger Vehicle Miles Traveled (PVMT)

<b>Reduce Passenger Vehicle Occupant Fatalities per 100 million PVMT. (CY)</b> <i>Shared Measure with NHTSA and FHWA</i>					
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
<b>Target</b>	0.85	0.85	0.82	0.82	0.82
<b>Actual</b>	0.83-0.89*	0.83-0.89*	-	-	TBD

*\*Projection based on preliminary results*

**Target Analysis:** Reduce Motorcycle Rider Fatalities per 100,000 Motorcycle Registrations.

<b>Reduce Motorcycle Rider Fatalities per 100,000 Motorcycle Registrations. (CY)</b> <i>Shared Measure with NHTSA and FHWA</i>					
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
<b>Target</b>	63	63	63	62	62
<b>Actual</b>	56-58*	56-58*	-	-	TBD

*\*Projection based on preliminary results* **Target Analysis:** Reduce Non-occupant (pedestrian/bicycle) Fatalities per 100 million VMT.

<b>Reduce Non-occupant (pedestrian and bicycle) Fatalities per 100 million VMT. (CY)</b> <i>Shared Measure with NHTSA and FHWA</i>					
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
<b>Target</b>	0.16	0.16	0.16	0.15	0.15
<b>Actual</b>	0.16-0.17*	0.16-0.17*	-	-	TBD

*\*Projection based on preliminary results*

**Target Analysis:** Reduce Roadway fatalities Involving Large Trucks and Buses per 100 million VMT\* (Calendar year).

<b>Reduce Roadway Fatalities Involving Large Trucks and Buses per 100 million VMT*</b> <i>(CY) Shared Measure with NHTSA and FHWA</i>					
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
<b>Target</b>	0.121	0.117	0.114	0.110*	0.110*
<b>Actual</b>	0.136**	0.110-0.127***	-	T	TBD

*\*FMCSA is currently reassessing the targets for the Large Truck and Bus Fatality Rates for CY14 and beyond given the anomaly experienced in 2009. Revised targets will be included in the 2015 Budget..*

*\*\*Actual estimate*

*\*\*\*Projection based on preliminary results*

In addition to being a Departmental roadway user measure in support of the APG, the Large Truck and Bus Fatalities per 100 million VMT performance measure also serves as FMCSA's primary outcome measure supporting the Agency's mission of reducing crashes, injuries, and fatalities involving CMV transportation. This safety goal is driven by the implementation and maturation of aggressive safety programs, either implemented or augmented through the 2005 SAFETEA-LU authorization and continues with the 2013-2014 MAP-21 authorization. Like SAFETEA-LU, MAP-21 also funds increases in safety activities like outreach, education, partner support, enforcement, roadside inspections, innovative interventions, and aggressive safety-oriented rules and regulations. However, FMCSA rebaselined its targets in 2011 when 2009 actual performance exceeded the goal for 2015. FMCSA is currently reassessing the targets for the Large Truck and Bus Fatality Rates for CY14 and beyond given the anomaly experienced in 2009. Revised targets will be included in the 2015 Budget. However, the current actual estimate for 2011 is still far below the original 2011 target of 0.160 and still exceeds the original 2015 target of 0.148.

**FMCSA Performance Goals and Target Analysis: Target Analysis: Reduce Injury Crashes Involving Large Trucks and Buses per 100 million VMT:**

This performance measure tracks the Agency’s progress on reducing injury crashes linked to large trucks and bus crashes. FMCSA updated its targets in 2011 when 2009 actual performance exceeded the goal previously established for 2012. However, since 2009, the injury crash rate has increased, but the 2011 number is still significantly lower than our original target of 2.67 and exceeds our original 2015 target of 2.51.

<b>Reduce Injury Crashes Involving Large Trucks and Buses per 100 million VMT* (CY)</b>					
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
<b>Target</b>	2.00	1.95	1.90	1.85*	1.85*
<b>Actual</b>	2.07**	TBD	-	-	TBD

*\*FMCSA is currently reassessing the targets for the Large Truck and Bus Injury Crashes for CY14 and beyond given the anomaly experienced in 2009. Revised targets will be included in the 2015 Budget..*

*\*\*Projection based on preliminary results*

**Target Analysis: States Satisfying "Green" Data Quality Criteria As Reflected on the State Safety Data Quality (SSDQ) Map.**

Improved data quality enables FMCSA to effectively target “high risk” motor carriers and operators. The Agency evaluates the completeness, timeliness, accuracy, and consistency of the state reported commercial motor vehicle crash and inspection records in the Motor Carrier Management Information System (MCMIS). The states receive ratings of “Good” (*Green*), “Fair” (*Yellow*) or “Poor” (*Red*) for seven SSDQ measures as well as an overall rating which considers all seven SSDQ measures.

<b>States Satisfying "Green" Data Quality Criteria As Reflected on the State Safety Data Quality (SSDQ) Map. (Fiscal Year)</b>					
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
<b>Target</b>	36	38	40	42	42
<b>Actual</b>	44	47**	-	-	TBD

*\*The FY 2010 criteria added two new measures of data quality, creating a more stringent standard for a “green” rating. Additional measures to further improve data quality are currently not planned due to lack of resources.*

*\*\*Data as of January 2013*

**Target Analysis:** Reduce the Number of Roadway HAZMAT Incidents Involving Death or Major Injury.

The FMCSA contributes to the roadway portion of the PHSMA’s performance target of reducing the number of HAZMAT transportation (air, roadway and sea) incidents that result in death or major injury to no more than 30 per year by FY 2012. Preliminary data indicates that the number of HAZMAT incidents resulting in death or major injury declined by over 14 percent over FY 2011. The Agency influenced this improvement by completing enforcement interventions such as HAZMAT shipper reviews, special permitting, cargo tank facility reviews, HAZMAT package inspections (over 5,000 Federal and 600 State), HAZMAT vehicle inspections (208,000), and outreach and educational activities.

<b>Reduce the Number of Roadway HAZMAT Incidents Involving Death or Major Injury.</b> (Fiscal Year)					
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
<b>Target</b>	30	29	29	29	29
<b>Actual</b>	27	23	-	-	TBD

**Target Analysis:** Increase Safety Belt Use by Drivers of Large Trucks.

The performance measure demonstrates the percentage of CMV operators who wear safety belts based on NHTSA’s National Occupant Protection Use Survey (NOPUS) results. The Agency based its targets on the actual performance reported in the NOPUS report, while considering the trends associated with the number of States governed by primary safety belt use and secondary use laws.

<b>Increase Safety Belt Use by Drivers of Large Trucks. (CY)</b>					
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
<b>Target</b>	74%	75%	76%	77%	77%
<b>Actual</b>	*	*	-	-	TBD

*\*Seatbelt usage reached an all time high of 78% in 2010, the most recent year for which data is currently available. The next planned NOPUS for safety belt use for drivers of large trucks is planned to begin in 2013, with results in 2014.*

There was no funding for a NOPUS survey in 2011 and 2012 for occupants of large trucks. However, the Fatality Analysis Reporting System (FARS) data for 2011 shows that nearly 80 percent of large truck occupants involved in fatal crashes were wearing their safety belts and had a much higher survival rate than those that did not wear their safety belt. The Agency is planning to fund a survey in 2013 with results available in 2014 and continue its outreach efforts to get all drivers of large trucks to buckle up.



EXHIBIT V-1

RESEARCH, DEVELOPMENT & TECHNOLOGY  
DEPARTMENT OF TRANSPORTATION  
BUDGET AUTHORITY  
(in thousands of dollars)

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION	FY 2013 Enacted	FY 2014 Pres. Bud.	FY 2015 Request	FY 2015 Applied	FY 2015 Development
<b>A. Produce Safe Drivers</b>	4,195	4,900	2,465	2,115	0
1. Produce Safe Drivers	2,445	3,500	2,115	2,115	0
2. Produce Safe Drivers (T)	1,750	1,400	350	NA	NA
<b>B. Improve Safety of Commercial Vehicles</b>	1,636	1,050	2,675	550	0
1. Improve Safety of Commercial Vehicles	200	0	550	550	0
2. Improve Safety of Commercial Vehicles (T)	1,436	1,050	2,125	NA	NA
<b>C. Produce Safer Carriers</b>	930	1,000	1,200	700	0
1. Produce Safer Carriers	930	800	700	700	0
2. Produce Safer Carriers (T)	0	200	500	NA	NA
<b>D. Advanced Safety Through Info-Based Initiatives</b>	450	1,575	2,770	0	0
1. Advanced Safety Through Info-Based Initiatives	0	275	0	0	0
2. Advanced Safety Through Info-Based Initiatives (T)	450	1,300	2,770	NA	NA
<b>E. Enable and Motivate Internal Excellence</b>	1,332	475	625	125	0
1. Enable and Motivate Internal Excellence	700	475	125	125	0
2. Enable and Motivate Internal Excellence (T)	632	0	500	NA	NA
<b>F. Administrative Expenses</b>	2,382	2,482	2,582	2,482	0
<b>Subtotal, Research &amp; Development</b>	6,657	7,532	6,072	5,972	0
<b>Subtotal, Technology Investment (T)</b>	4,268	3,950	6,245	-	-
<sup>a</sup> <b>Total FMCSA</b>	0	0	0	0	0
	10,925	11,482	12,317	8,454	0