**Federal Register Title and Cite**

FMCSA Policy on Calculating Crash Rates and Driver, Vehicle, and Hazardous Materials Out-of-Service Rates and the Top 30 Percent of the National Average Under 49 CFR 385.407; Notice of Enforcement Policy, 72 Fed. Reg. 62795 (Nov. 7, 2007)

The Federal Register text can be found on the Federal Register website. To view the Federal Register text, use the link below.

<https://www.federalregister.gov/documents/2007/11/07/E7-21833/fmcsa-policy-on-calculating-crash-rates-and-driver-vehicle-and-hazardous-materials-out-of-service>

## Federal Register Description/Summary

FMCSA may not issue a hazardous materials safety permit to a motor carrier that has a crash rate, driver, vehicle or hazardous material out-of-service rate in the top 30 percent of the national average pursuant to 49 CFR 385.407. This document states the FMCSA policy on calculating motor carrier crash rates, and driver, vehicle, and hazardous material out-of-service rates that represent the top 30 percent of the national average as indicated in the Motor Carrier Management Information System (MCMIS). The document explains how FMCSA calculates the top thirty percent of the national average and how it calculates whether a single motor carrier falls within the top thirty percent of the national average in each of these categories. The document restates without change the FMCSA policy that has been publicly available on its Web site since January 2005