



COLORADO

Commercial Vehicle Safety Plan

**Federal Motor Carrier Safety Administration's
Motor Carrier Safety Assistance Program**

Fiscal Years 2021 - 2023

Date of Approval: June 15, 2021

FINAL CVSP



**U.S. Department of Transportation
Federal Motor Carrier Safety Administration**

Part 1 - MCSAP Overview

Part 1 Section 1 - Introduction

The Motor Carrier Safety Assistance Program (MCSAP) is a Federal grant program that provides financial assistance to States to help reduce the number and severity of accidents and hazardous materials incidents involving commercial motor vehicles (CMV). The goal of the MCSAP is to reduce CMV-involved accidents, fatalities, and injuries through consistent, uniform, and effective CMV safety programs.

A State lead MCSAP agency, as designated by its Governor, is eligible to apply for grant funding by submitting a commercial vehicle safety plan (CVSP), in accordance with the provisions of [49 CFR 350.209, 350.211 and 350.213](#). The lead agency must submit the State's CVSP to the FMCSA Division Administrator on or before the due date each year. For a State to receive funding, the CVSP needs to be complete and include all required documents. Currently, the State must submit a performance-based plan or annual update each year to receive MCSAP funds.

The online CVSP tool (eCVSP) outlines the State's CMV safety objectives, strategies, activities and performance measures and is organized into the following five parts:

- Part 1: MCSAP Overview (FY 2021 - 2023)
- Part 2: Crash Reduction and National Program Elements (FY 2021 - 2023)
- Part 3: National Emphasis Areas and State Specific Objectives (FY 2021 - 2023)
- Part 4: Financial Information (FY 2021)
- Part 5: Certifications and Documents (FY 2021)

You will find that each of the five eCVSP parts listed above contains different subsections. Each subsection category will provide you with detailed explanation and instruction on what to do for completing the necessary tables and narratives.

The MCSAP program includes the eCVSP tool to assist States in developing and monitoring their grant applications. The eCVSP provides ease of use and promotes a uniform, consistent process for all States to complete and submit their plans. States and territories will use the eCVSP to complete the CVSP and to submit a 3-year plan or an Annual Update to a 3-year plan. As used within the eCVSP, the term 'State' means all the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.

REMINDERS FOR FY 2021:

Multi-Year plans—All States will be utilizing the multi-year CVSP format. This means that objectives, projected goals, and activities in the plan will cover a full three-year period. The financial information and certifications will be updated each fiscal year.

Annual Updates for Multi-Year plans—States in Year 2 or Year 3 of a multi-year plan will be providing an Annual Update only. States will review the project plan submitted the previous year and indicate any updates for the upcoming fiscal year by answering the "Yes/No" question provided in each Section of Parts 1-3.

- If Yes is indicated selected, the information provided for Year 1 will be editable and State users can make any necessary changes to their project plan. (Note: Trend Analysis information that supports your current activities is not editable.) Answer carefully as there is only one opportunity to select "Yes" before the question is locked.
- If "No" is selected, then no information in this section will be editable and the user should move forward to the next section.

All multi-year and annual update plans have been pre-populated with data and information from their FY 2020 plans. States must carefully review and update this information to reflect FY 2021 activities prior to submission to FMCSA. The financial information and certifications will be updated each fiscal year.

- Any information that is added should detail major programmatic changes. Do not include minor modifications that reflect normal business operations (e.g., personnel changes).
- Add any updates to the narrative areas and indicate changes by preceding it with a heading (e.g., FY 2021 update). Include descriptions of the changes to your program, including how data tables were modified.

Personally Identifiable Information - PII is information which, on its own or matched with other data, would permit identification of an individual. Examples of PII include: name, home address, social security number, driver's license number or State-issued identification number, date and/or place of birth, mother's maiden name, financial, medical, or educational records, non-work telephone numbers, criminal or employment history, etc. PII, if disclosed to or altered by unauthorized

individuals, could adversely affect the Agency's mission, personnel, or assets or expose an individual whose information is released to harm, such as identity theft.

States are reminded **not** to include any PII in their CVSP. The final CVSP approved by FMCSA is required to be posted to a public FMCSA website.

Part 1 Section 2 - Mission/Goal Statement

Instructions:

Briefly describe the mission or goal of the lead State commercial motor vehicle safety agency responsible for administering this Commercial Vehicle Safety Plan (CVSP) throughout the State.

NOTE: Please do not include information on any other FMCSA grant activities or expenses in the CVSP.

The mission of the Colorado State Patrol is to ensure a safe and secure environment for all persons by utilizing the strengths of our members to provide professional law enforcement services that reflect our core values of Honor, Duty, and Respect.

Further the goal of the Colorado State Patrol Motor Carrier Safety Section is to provide a safe and secure environment in Colorado for all persons by reducing commercial vehicle related crashes, reducing hazardous materials incidents, and increasing criminal interdiction activities in commercial motor vehicles.

Evaluation of data obtained from the Analysis and Information website (MCMIS data snapshot as of 05/29/2020) indicates that from calendar year 2015 through calendar year 2019 there was an average of 2,002 fatal and non-fatal crashes occurring in the State of Colorado each year. The goal of the Colorado State Patrol, Motor Carrier Safety Section is to reduce the total number of fatal and non-fatal crashes by 2% each year during FFY 2021-FY 2023 as compared to previous years.

Colorado: Summary Report

Summary	CY 2016	CY 2017	CY 2018	CY 2019	CY 2020*
Number of vehicles involved in fatal & non-fatal crashes	2,103	1,916	2,294	2,345	166
# in fatal crashes	86	86	105	104	6
# in non-fatal crashes	2,017	1,830	2,189	2,241	160
Number of fatal & non-fatal Crashes	2,007	1,803	2,156	2,224	153
# of fatal crashes	81	79	93	96	6
# of non-fatal crashes	1,926	1,724	2,063	2,128	147
Number of Fatalities as a result of a crash	85	84	103	111	6
Number of Injuries as a result of a crash	572	554	797	701	45

Part 1 Section 3 - MCSAP Structure Explanation

Instructions:

Briefly describe the State's commercial motor vehicle (CMV) enforcement program funded by the MCSAP grant.

NOTE: *Please do not include activities or expenses associated with any other FMCSA grant program.*

Due to the retirement of the Motor Carrier Programs and Training (MCPT) Captain in 2018 and additional organizational changes within the Colorado State Patrol, the MCPT section was re-consolidated with the MCSAP section in 2019. This change did not impact the purpose or operations of each section within the Patrol, the primary result is that the management and supervision of both sections is now lead by one Captain instead of two.

This Captain is funded by the MCSAP Basic Grant at 50% and HUTF (CSP) at 50%. In addition to the Captain, there are currently 22 uniformed officers, 2 Port of Entry Officers (POE) who conduct safety audits, 4 Sergeants, 2 Grant Specialists, 1 Administrator who is responsible for the medical waiver program and FMCSA systems, 1 Program Assistant that manages the DataQ's program, and 2 Administrative Assistants in MCSAP. The uniformed officers, POE officers, and sergeants are funded by the MCSAP Basic grant and HUTF. Each Officer inputs their time into the Patrol's Time Management System utilizing a specific function code for each activity. In the event that MCSAP officers are required to perform non-MCSAP functions related to their role as peace officers, their salaries are adjusted when necessary based upon the percentage of time dedicated to each function code/activity. The grant managers in the section keep a record of the time worked by function code, as well as, paper copies for backup documentation. Each of the MCSAP officers conduct inspections, compliance reviews, and new entrant safety audits throughout the year, in addition to public outreach and education duties. Additionally, two of the 22 uniformed officers are responsible for coordinating and implementing MCSAP related training for all certified inspectors/officers within the Colorado State Patrol. To meet match and MOE requirements, the Colorado State Patrol directly funds 7 Troopers, 1 Sergeant, 1 Captain and 1/2 of one Administrative Assistant utilizing Highway User Tax Funds.

All of the MCSAP inspectors/investigators have received basic motor carrier safety inspection training, a bulk-packaging course, general hazardous material training, the motor coach course and the North American Standard Inspection Course Side A & B. In addition, training has been provided by the Federal Motor Carrier Safety Administration on the performance of CSA Compliance reviews and safety audits. Currently, several of the troopers have been certified to perform reviews and audits on commercial carriers. Since the organization of the section, the troopers involved in the program have undergone refresher training courses as well as a week of regular departmental in-service training annually. Additionally two inspectors have been trained to conduct Level VI radioactive highway route controlled substances inspections to assist with WIPP inspections when needed.

Part 1 Section 4 - MCSAP Structure**Instructions:**

Complete the following tables for the MCSAP lead agency, each subrecipient and non-funded agency conducting eligible CMV safety activities.

The tables below show the total number of personnel participating in MCSAP activities, including full time and part time personnel. This is the total number of non-duplicated individuals involved in all MCSAP activities within the CVSP. (The agency and subrecipient names entered in these tables will be used in the National Program Elements—Roadside Inspections area.)

The national program elements sub-categories represent the number of personnel involved in that specific area of enforcement. FMCSA recognizes that some staff may be involved in more than one area of activity.

Lead Agency Information	
Agency Name:	COLORADO STATE PATROL
Enter total number of personnel participating in MCSAP activities	507
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	507
Traffic Enforcement Activities	22
Investigations *	22
Public Education and Awareness	22
Data Collection and Reporting	22
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Subrecipient Information	
Agency Name:	
Enter total number of personnel participating in MCSAP activities	0
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	0
Traffic Enforcement Activities	0
Investigations *	0
Public Education and Awareness	0
Data Collection and Reporting	0
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Non-funded Agency Information	
Total number of agencies:	18
Total # of MCSAP Participating Personnel:	60

Part 2 - Crash Reduction and National Program Elements

Part 2 Section 1 - Overview

Part 2 allows the State to provide past performance trend analysis and specific goals for FY 2021 - 2023 in the areas of crash reduction, roadside inspections, traffic enforcement, audits and investigations, safety technology and data quality, and public education and outreach.

In past years, the program effectiveness summary trend analysis and performance goals were separate areas in the CVSP. Beginning in FY 2017, these areas have been merged and categorized by the National Program Elements as described in [49 CFR 350.109](#). This change is intended to streamline and incorporate this information into one single area of the CVSP based upon activity type.

Note: *For CVSP planning purposes, the State can access detailed counts of its core MCSAP performance measures. Such measures include roadside inspections, traffic enforcement activity, investigation/review activity, and data quality by quarter for the current and past two fiscal years using the State Quarterly Report and CVSP Data Dashboard, and/or the CVSP Toolkit on the A&I Online website. The Data Dashboard is also a resource designed to assist the State with preparing their MCSAP-related quarterly reports and is located at: <http://ai.fmcsa.dot.gov/StatePrograms/Home.aspx>. A user id and password are required to access this system.*

In addition, States can utilize other data sources available on the A&I Online website as well as internal State data sources. It is important to reference the data source used in developing problem statements, baselines and performance goals/objectives.

Part 2 Section 2 - CMV Crash Reduction

The primary mission of the Federal Motor Carrier Safety Administration (FMCSA) is to reduce crashes, injuries and fatalities involving large trucks and buses. MCSAP partners also share the goal of reducing commercial motor vehicle (CMV) related crashes.

Trend Analysis for 2015 - 2019

Instructions for all tables in this section:

Complete the tables below to document the State's past performance trend analysis over the past five measurement periods. All columns in the table must be completed.

- Insert the beginning and ending dates of the five most recent State measurement periods used in the Measurement Period column. The measurement period can be calendar year, Federal fiscal year, State fiscal year, or any consistent 12-month period for available data.
- In the Fatalities column, enter the total number of fatalities resulting from crashes involving CMVs in the State during each measurement period.
- The Goal and Outcome columns allow the State to show its CVSP goal and the actual outcome for each measurement period. The goal and outcome must be expressed in the same format and measurement type (e.g., number, percentage, etc.).
 - In the Goal column, enter the goal from the corresponding CVSP for the measurement period.
 - In the Outcome column, enter the actual outcome for the measurement period based upon the goal that was set.
- Include the data source and capture date in the narrative box provided below the tables.
- If challenges were experienced while working toward the goals, provide a brief narrative including details of how the State adjusted the program and if the modifications were successful.

ALL CMV CRASHES

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g. large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, or other). Other can include injury only or property damage crashes.

Goal measurement as defined by your State: Other

If you select 'Other' as the goal measurement, explain the measurement used in the text box provided:

Total Number of Fatal and Non-Fatal CMV Crashes

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2019	12/31/2019	111	1900	2224
01/01/2018	12/31/2018	103	1939	2156
01/01/2017	12/31/2017	84	1939	1803
01/01/2016	12/31/2016	85	1939	2007
01/01/2015	12/31/2015	73	1939	1823

MOTORCOACH/PASSENGER CARRIER CRASHES

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g. large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, other, or N/A).

Goal measurement as defined by your State: Other

If you select 'Other' or 'N/A' as the goal measurement, explain the measurement used in the text box provided:
Total Number of Fatal and Non-Fatal Crashes for all Buses.

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2019	12/31/2019	3	216	228
01/01/2018	12/31/2018	9	221	182
01/01/2017	12/31/2017	5	188	181
01/01/2016	12/31/2016	2	184	227
01/01/2015	12/31/2015	6	240	194

Hazardous Materials (HM) CRASH INVOLVING HM RELEASE/SPILL

Hazardous material is anything that is listed in the hazardous materials table or that meets the definition of any of the hazard classes as specified by Federal law. The Secretary of Transportation has determined that hazardous materials are those materials capable of posing an unreasonable risk to health, safety, and property when transported in commerce. The term hazardous material includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, and all other materials listed in the hazardous materials table.

For the purposes of the table below, HM crashes involve a release/spill of HM that is part of the manifested load. (This does not include fuel spilled from ruptured CMV fuel tanks as a result of the crash).

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g., large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, other, or N/A).

Goal measurement as defined by your State: Other

If you select 'Other' or 'N/A' as the goal measurement, explain the measurement used in the text box provided:

Total Number of Reportable Hazardous Material Crashes

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2019	12/31/2019	4	47	68
01/01/2018	12/31/2018	2	47	62
01/01/2017	12/31/2017	4	39	46
01/01/2016	12/31/2016	6	39	54
01/01/2015	12/31/2015	3	18	41

Enter the data sources and capture dates of the data listed in each of the tables above.

Total number of Fatal and Non-Fatal crashes obtained via A&I Summary Statistics for large trucks and buses covering calendar years 2016-2020 for all crash events. MCMIS snapshot as of May 29, 2020. Motorcoach/Passenger Carrier Data obtained via A&I Summary Statistics for buses in all domiciles covering calendar years 2016-2020 for all crash events. Bus Crash Summary Report MCMIS snapshot as of May 29, 2020, including crash records through January 31, 2020. Total Hazardous materials crashes for the State of Colorado as reported in A&I within the state records download of crash data, MCMIS snapshot as of May 29, 2020.

Narrative: Describe any difficulties achieving the goal, problems encountered, obstacles overcome, lessons learned, etc.

Data collected from the United States Census Bureau indicates the population in Colorado has increased approximately 14.5% from April 1, 2010 through July 1, 2019. Data indicates that an increase in population results in an increase in road congestion and miles traveled. As such, state total vehicle miles traveled (VMT) in Colorado has increased approximately 13% from 46,968 million in 2013 to 53,954 million in 2018 (A&I State Level CMV Fatality Rate Per 100 Million Total Vehicle Miles Traveled 2013-2018).

Through the implementation of a comprehensive MCS program, which includes the completion of commercial vehicle safety inspections, CSA compliance reviews, safety audits, targeted enforcement and public education awareness and initiatives, one of the goals of MCSAP is to reduce the number of CMV involved crashes and fatalities. However, it is increasingly difficult to accomplish this goal since the number of personnel assigned to MCSAP has not increased proportionately to population. Actually, the size of the MCS program in Colorado has decreased since 2015, with one less Captain and one less trooper, although the section did add 2 POE officers to complete Safety Audits. Other than the 2 POE officers there have not been additions to MCSAP, and it should be noted that the POE officers cannot conduct compliance reviews or traffic enforcement stops. Additionally, many times when an officer retires or transfers it may take many months to replace the position due to staffing shortages within the agency and organizational decisions by Command Staff. The lag in hiring results in vacancy savings and less activity output within MCSAP. Frustratingly, while the amount of MCSAP funds the State has received has increased during the last 5 years, staffing has not. The program has attempted to mitigate the lack of staffing and increased funding by conducting more operations on an overtime basis, however, the amount of overtime each officer can work is often limited.

The state's goal since 2018 has been to reduce the total number of fatal and non-fatal CMV crashes occurring in the state by 2% as compared to the average number of crashes that occurred during CY 2013-CY 2016. Additionally, MCSAP has a goal to reduce the number of passenger carrier crashes occurring in the state by 2% as compared to previous years.

On average, the number of reportable passenger carrier crashes represents approximately 10% of the total reportable CMV crashes in the state. There were an average of 204 passenger carrier fatal and non-fatal crashes from calendar year(s) 2015-2019 and an average of 5 fatalities per year involving passenger carrier for the same time. The majority of passenger carrier crashes in the state occur within municipal boundaries, which limits the impact the State Patrol has on the prevention of these crashes. However, the partnership the Patrol has with the municipal law enforcement agencies within the state has made a positive impact on the passenger carrier crash occurrence within the state.

The state's goal since 2018 has been to reduce the total number of hazardous materials crashes occurring in the state by 2% as compared to previous years.

The transportation of hazardous materials poses a national threat to public safety. It is critical that those carriers transporting hazardous materials within the State of Colorado are aware of and take precautions to safely transport hazardous materials. The Colorado State Patrol has a section dedicated to the safe transportation of hazardous materials that is located within the Motor Carrier Services Branch. Officers within this unit also conduct CMV safety inspections and are responsible for clean up when a hazardous spill occurs, among other duties. Additionally, personnel within the MCSAP section conduct hazardous materials CMV inspections, as well as, compliance reviews/interventions and SCR's specific to the hazardous materials industry. The MCSAP, POE, and MCPT sections work closely with the Haz Mat section to educate hazardous materials carriers on the safety regulations related to hazardous materials transportation to ensure that hazardous materials carriers are in compliance with hazardous materials regulations.

Utilizing data available from A&I and the state's local Safetynet database, the number of reportable CMV hazardous materials crashes represent approximately 2% of the total number of reportable CMV crashes within the state during calendar year(s) 2015-2019. Based upon this data, the state would argue that while personnel will continue to conduct hazardous materials inspections, CR's, SCR's, and safety presentations, and will work closely with the CSP Hazardous Materials Section, the state does not have an identifiable problem in relation to reportable CMV hazardous materials crashes/transportation.

Narrative Overview for FY 2021 - 2023**Instructions:**

The State must include a reasonable crash reduction goal for their State that supports FMCSA's mission to reduce the national number of crashes, injuries and fatalities involving commercial motor vehicles. The State has flexibility in setting its

goal and it can be based on raw numbers (e.g., total number of fatalities or CMV crashes), based on a rate (e.g., fatalities per 100 million VMT), etc.

Problem Statement Narrative: Describe the identified problem, include baseline data and identify the measurement method.

The most current data available from the Analysis and Information Website indicates that from CY 2015 through CY 2019 there were on average a total of 2,002* fatal and non-fatal CMV crashes in the State of Colorado.

The following top five crash causation factors** were also identified: Inattentive to Driving, Lane Violations, Following too Closely, Exceeded Safe Speed, and Failed to yield R-O-W. Additionally, the majority of crashes related to these causation factors occurred in Denver, Adams, Weld, Jefferson and Arapahoe counties. Targeted enforcement efforts will be increased with a focus on the identified crash causation factors and counties, to change driving behaviors related to these crash causation factors and to reduce the number of reportable CMV fatal and non-fatal crashes in the state.

Enter the data source and capture date:

* Total number of Fatal and Non-Fatal crashes obtained via A&I Summary Statistics for large trucks and buses covering calendar years 2016-2020 for all crash events. MCMIS snapshot as of May 29, 2020. **State SafetyNet Database - June 2020

Projected Goal for FY 2021 - 2023:

In the table below, state the crash reduction goal for each of the three fiscal years. The method of measurement should be consistent from year to year. For example, if the overall crash reduction goal for the three year period is 12 percent, then each annual goal could be 4 percent.

Fiscal Year	Annual Crash Reduction Goals
2021	2
2022	2
2023	2

To reduce the baseline average number of fatal and non-fatal crashes occurring in the previous four years.

Program Activities for FY 2021 - 2023: States must indicate the activities, and the amount of effort (staff hours, inspections, traffic enforcement stops, etc.) that will be resourced directly for the program activities purpose.

All MCSAP officers will conduct three (3) multi-day saturation patrols, per fiscal year, in high crash corridors/counties, focusing on the identified crash causation factors. Additionally, saturation patrols will place an emphasis on counties with active oilfield operations, as well as, non-CMV's operating around CMV's in addition to general CMV safety and compliance. All MCSAP troopers participate in the saturation patrols, dedicating an average of 20 hours per trooper to each event. The number and type of contacts varies widely during each event, dependent upon the focus area.

Performance Measurements and Monitoring: The State will monitor the effectiveness of its CMV Crash Reduction Goal quarterly and annually by evaluating the performance measures and reporting results in the required Standard Form - Performance Progress Reports (SF-PPRs).

Describe how the State will conduct ongoing monitoring of progress in addition to quarterly reporting.

The state will report the number of multi-day operations conducted. The emphasis of the operation. The County where the saturation patrols occurred. The number of CMV's contacted during the saturation patrols. The number of CMV inspections conducted during the saturation patrols. The number and type of citations issued during the saturation patrols as related to the top five (5) crash causation factors. The number of driver violations. The number of OOS driver violations. The number of vehicle violations. The number of OOS vehicle violations. The number of non-CMV's contacted. The number of non-CMV citations issued.

Part 2 Section 3 - Roadside Inspections

In this section, provide a trend analysis, an overview of the State's roadside inspection program, and projected goals for FY 2021 - 2023.

Note: In completing this section, do NOT include border enforcement inspections. Border Enforcement activities will be captured in a separate section if applicable.

Trend Analysis for 2015 - 2019

Inspection Types	2015	2016	2017	2018	2019
Level 1: Full	12647	11231	10512	11793	10459
Level 2: Walk-Around	5360	7553	8433	10978	10223
Level 3: Driver-Only	31780	32076	31641	34411	31370
Level 4: Special Inspections	175	88	189	251	95
Level 5: Vehicle-Only	522	584	530	558	480
Level 6: Radioactive Materials	4	1	48	233	257
Total	50488	51533	51353	58224	52884

Narrative Overview for FY 2021 - 2023

Overview:

Describe components of the State's general Roadside and Fixed-Facility Inspection Program. Include the day-to-day routine for inspections and explain resource allocation decisions (i.e., number of FTE, where inspectors are working and why).

Enter a narrative of the State's overall inspection program, including a description of how the State will monitor its program to ensure effectiveness and consistency.

The COVID-19 pandemic has significantly affected the State's ability to conduct all MCSAP activities. It is expected that the number of inspections completed during FFY 2020 will be less than projected. Due to the pandemic the MCSAP section canceled 5 Part A classes and 2 Part B classes, therefore an additional 175 officers could not be certified to conduct inspections. Additionally, CSP road troopers and MCSAP officers were limited in the number of inspections they were able to complete due to the pandemic's mandatory restrictions enacted by the Governor and the Chief of the Colorado State Patrol. Inspectors were unable to conduct inspections for a full 3 1/2 months (March 2020 through Mid-June 2020). Additionally, the State of Colorado enacted a hiring freeze, resulting in increased attrition without the ability to fill those positions. A travel ban was also implemented, as such, State personnel were unable to travel within or out of the state. The State is currently under continuing restrictions and there is not an estimated date as to when all restrictions will be lifted and MCSAP can operate fully, as such, future inspection/activity estimates will reflect the current operating conditions. It is anticipated that once the section is allowed to resume full activities, it will be several years before the section is fully staffed and able to conduct activities comparable to previous years before the pandemic.

Colorado's roadside program is multifaceted in that it incorporates fixed and mobile sites in conjunction with patrolling. The Colorado State Patrol has a policy that all Port of Entry Officers must be Level III certified upon completion of their training at the Academy. Uniformed Troopers must receive their certification within two years of graduating from their academy. As part of the Patrol's mentorship and professional development initiatives, MCSAP hosts two Level I North America Standard (NAS) schools each year. These schools are available to all uniformed officers and each Troop Commander/District Supervisor is encouraged to send those officers who meet all minimum requirements. Through a Memorandum of Understanding (MOU) Agreement, the Patrol currently has 18 local agencies with active, certified commercial vehicle (CMV) inspectors. These inspectors work with Motor Carrier Safety Assistance Program (MCSAP) Troopers and POE offices to enhance the state's CMV safety program. Each of these officers receive their initial and all refresher training from the Patrol. This is to ensure all CMV inspections conducted are consistent and uniform. There are currently 61 local inspectors, the majority of which are Level III certified. MCSAP currently has 22 troopers assigned to different areas of the State. Assigned areas are determined by CMV crash occurrence and commercial vehicle traffic flow. When a position becomes available due to a vacancy, MCSAP leadership conducts an extensive assessment of the area. A determination is then made as to whether the position will remain in the current locale or be moved to another area with a greater need or an increase in unsafe driving or CMV involved crashes. All MCSAP and Port of Entry (POE) officers utilize both fixed and mobile sites when conducting inspections. POE officers station their mobile sites in areas with a high percentage of CMV involved crashes (data from State SafetyNet). The MCSAP

troopers utilizes this same method when setting up mobile sites and when patrolling. Each officer begins their shift with a review of the crash data for their area of responsibility. This information is then utilized to determine if either a mobile setup or, for the MCSAP Trooper, if routine patrolling will be the most effective in addressing CMV safety. Through the use of these multifaceted techniques, CSP officers ensure enforcement action is initiated in "problem" areas.

All uniformed State Patrol Officers (Troopers and Port of Entry officers) conduct inspections to satisfy match requirements. These inspections are in addition to the inspections performed by MCSAP funded officers. While the inspections conducted by the match officers comply with CVSA and FMCSA requirements, the Level of inspection conducted is contingent upon the current certification of each individual officer. There are more Level III certified "match" officers within the CSP than there are Level I, as such, these officers in total will complete more Level III inspections.

Projected Goals for FY 2021 - 2023

Instructions for Projected Goals:

Complete the following tables in this section indicating the number of inspections that the State anticipates conducting during Fiscal Years 2021 - 2023. For FY 2021, there are separate tabs for the Lead Agency, Subrecipient Agencies, and Non-Funded Agencies—enter inspection goals by agency type. Enter the requested information on the first three tabs (as applicable). The Summary table totals are calculated by the eCVSP system.

To modify the names of the Lead or Subrecipient agencies, or the number of Subrecipient or Non-Funded Agencies, visit [Part 1, MCSAP Structure](#).

Note: Per the [MCSAP Comprehensive Policy](#), States are strongly encouraged to conduct at least 25 percent Level 1 inspections and 33 percent Level 3 inspections of the total inspections conducted. If the State opts to do less than these minimums, provide an explanation in space provided on the Summary tab.

MCSAP Lead Agency

Lead Agency is: COLORADO STATE PATROL

Enter the total number of certified personnel in the Lead agency: 507

Projected Goals for FY 2021 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	8076	503	16	8595	24.14%
Level 2: Walk-Around	3608	765	0	4373	12.28%
Level 3: Driver-Only	22134	0	0	22134	62.16%
Level 4: Special Inspections	135	0	0	135	0.38%
Level 5: Vehicle-Only	196	0	161	357	1.00%
Level 6: Radioactive Materials	0	15	0	15	0.04%
Sub-Total Lead Agency	34149	1283	177	35609	

MCSAP subrecipient agency

Complete the following information for each MCSAP subrecipient agency. A separate table must be created for each subrecipient.

Subrecipient is:

Enter the total number of certified personnel in this funded agency: 0

Projected Goals for FY 2021 - Subrecipients					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full				0	%
Level 2: Walk-Around				0	%
Level 3: Driver-Only				0	%
Level 4: Special Inspections				0	%
Level 5: Vehicle-Only				0	%
Level 6: Radioactive Materials				0	%
Sub-Total Funded Agencies	0	0	0	0	

Non-Funded Agencies

Total number of agencies:	18
Enter the total number of non-funded certified officers:	60
Enter the total number of inspections projected for FY 2021:	1952

Summary

Projected Goals for FY 2021 - Roadside Inspections Summary

Projected Goals for FY 2021 Summary for All Agencies					
MCSAP Lead Agency: COLORADO STATE PATROL					
# certified personnel: 507					
Subrecipient Agencies:					
# certified personnel: 0					
Number of Non-Funded Agencies: 18					
# certified personnel: 60					
# projected inspections: 1952					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	8076	503	16	8595	24.14%
Level 2: Walk-Around	3608	765	0	4373	12.28%
Level 3: Driver-Only	22134	0	0	22134	62.16%
Level 4: Special Inspections	135	0	0	135	0.38%
Level 5: Vehicle-Only	196	0	161	357	1.00%
Level 6: Radioactive Materials	0	15	0	15	0.04%
Total ALL Agencies	34149	1283	177	35609	

Note: If the minimum numbers for Level 1 and Level 3 inspections are less than described in the [MCSAP Comprehensive Policy](#), briefly explain why the minimum(s) will not be met.

Note: States in Year 2 or Year 3 of a multi-year plan cannot edit the table shown below. It should be used as a reference.

Projected Goals for FY 2022 Roadside Inspections	Lead Agency	Subrecipients	Non-Funded	Total
Enter total number of projected inspections	35609	0	1952	37561
Enter total number of certified personnel	400	0	60	460
Projected Goals for FY 2023 Roadside Inspections				
Enter total number of projected inspections	40109	0	1952	42061
Enter total number of certified personnel	500	0	60	560

Part 2 Section 4 - Investigations

Describe the State's implementation of FMCSA's interventions model for interstate carriers. Also describe any remaining or transitioning compliance review program activities for intrastate motor carriers. Include the number of personnel assigned to this effort. Data provided in this section should reflect interstate and intrastate investigation activities for each year.

☐

The State does not conduct investigations. If this box is checked, the tables and narrative are not required to be completed and won't be displayed.

Trend Analysis for 2015 - 2019

Investigative Types - Interstate	2015	2016	2017	2018	2019
Compliance Investigations	8				
Cargo Tank Facility Reviews					
Non-Rated Reviews (Excludes CSA & SCR)					
CSA Off-Site	29	27	30	22	7
CSA On-Site Focused/Focused CR	47	56	51	28	28
CSA On-Site Comprehensive	37	36	28	41	46
Total Investigations	121	119	109	91	81
Total Security Contact Reviews	7	9	6		1
Total Terminal Investigations					

Investigative Types - Intrastate	2015	2016	2017	2018	2019
Compliance Investigations	4				
Cargo Tank Facility Reviews					
Non-Rated Reviews (Excludes CSA & SCR)					
CSA Off-Site	8	9	8	4	5
CSA On-Site Focused/Focused CR	33	19	21	9	12
CSA On-Site Comprehensive	37	32	34	43	38
Total Investigations	82	60	63	56	55
Total Security Contact Reviews	1				
Total Terminal Investigations					

Narrative Overview for FY 2021 - 2023**Instructions:**

Describe the State's implementation of FMCSA's interventions model to the maximum extent possible for interstate carriers and any remaining or transitioning compliance review program activities for intrastate motor carriers. Include the number of personnel assigned to this effort.

Projected Goals for FY 2021 - 2023

Complete the table below indicating the number of investigations that the State anticipates conducting during FY 2021 - 2023.

Projected Goals for FY 2021 - 2023 - Investigations						
Investigation Type	FY 2021		FY 2022		FY 2023	
	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
Compliance Investigations	0	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	0	0	0	0	0
CSA Off-Site	28	17	28	17	28	17
CSA On-Site Focused/Focused CR	29	15	29	15	29	15
CSA On-Site Comprehensive	30	24	30	24	30	24
Total Investigations	87	56	87	56	87	56
Total Security Contact Reviews	2	0	2	0	2	0
Total Terminal Investigations	0	0	0	0	0	0

Add additional information as necessary to describe the carrier investigation estimates.

Due to the anticipated retirement of several investigators in the unit and an unknown time frame (due to the COVID-19 pandemic) as to when we can train/hire additional investigators it is anticipated, the estimated number of investigations will remain static from 2021-2023.

Program Activities: Describe components of the State's carrier investigation activities. Include the number of personnel participating in this activity.

Colorado has implemented a comprehensive compliance review program, and was one of the CSA 100% states. The compliance reviews are only conducted by Colorado State Patrol MCSAP Troopers and no other members. The program consists of one Sergeant who serves as program administrator, and who is the single point of contact for reviews and is the liaison with the FMCSA. Reviews completed by the CSP are sent to the administrating Sergeant, who reviews work products prior to the close out of the review and enforcement actions. The Colorado State Patrol program has 6 full time investigators, whose primary responsibility is complex, comprehensive reviews in the major metropolitan areas. There are also 4 other MCSAP Troopers stationed in various locations who conduct reviews on a smaller scale than the full time investigators. The CSP has a great working relationship with the FMCSA Denver office. When the 6 full time investigators are not working active investigations they are expected to be conducting inspections at stationary locations, and through traffic enforcement. The other 4 MCSAP Troopers who conduct compliance reviews also conduct safety audits and inspections. Reviews are assigned by geographic region, and based on need. Investigators may be required to travel to certain locations in the State based on need and program initiatives. Reviews are assigned and not limited to: serious accidents, formal complaints, roadside inspections, egregious violations of the FMCSR, and deficient BASICS.

Performance Measurements and Monitoring: Describe all measures the State will use to monitor progress toward the annual goals. Further, describe how the State measures qualitative components of its carrier investigation program, as well as outputs.

Reviews are assigned as the result of complaints received, CSA scores, roadside inspections and carriers involved in fatal crashes. The intervention/investigation manager assigns all investigations and closely monitors the number of investigations and completeness of each investigation on a monthly basis. The manager also provides information related to the number and type of investigations conducted for the quarterly report that is submitted to FMCSA.

The COVID-19 pandemic has significantly affected the State's ability to conduct investigations. It is expected that the number of investigations completed during FFY 2021 will be less than projected. Since March 2020, the state has been under continuous operating

restrictions, greatly inhibiting the ability of MCSAP investigators to conduct reviews.

Part 2 Section 5 - Traffic Enforcement

Traffic enforcement means documented enforcement activities of State or local officials. This includes the stopping of vehicles operating on highways, streets, or roads for moving violations of State or local motor vehicle or traffic laws (e.g., speeding, following too closely, reckless driving, and improper lane changes).

Trend Analysis for 2015 - 2019
Instructions:

Please refer to the [MCSAP Comprehensive Policy](#) for an explanation of FMCSA's traffic enforcement guidance. Complete the tables below to document the State's safety performance goals and outcomes over the past five measurement periods.

1. Insert the beginning and end dates of the measurement period being used, (e.g., calendar year, Federal fiscal year, State fiscal year or any consistent 12-month period for which data is available).
2. Insert the total number CMV traffic enforcement stops with an inspection, CMV traffic enforcement stops without an inspection, and non-CMV stops in the tables below.
3. Insert the total number of written warnings and citations issued during the measurement period. The number of warnings and citations are combined in the last column.

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented CMV Traffic Enforcement Stops with an Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2019	12/31/2019	3831	2564
01/01/2018	12/31/2018	3391	3354
01/01/2017	12/31/2017	2814	2783
01/01/2016	12/31/2016	1755	1694
01/01/2015	12/31/2015	1639	2189

☐ The State does not conduct CMV traffic enforcement stops without an inspection. If this box is checked, the "CMV Traffic Enforcement Stops without an Inspection" table is not required to be completed and won't be displayed.

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented CMV Traffic Enforcement Stops without Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2019	12/31/2019	860	860
01/01/2018	12/31/2018	767	800
01/01/2017	12/31/2017	553	553
01/01/2016	12/31/2016	686	346
01/01/2015	12/31/2015	267	265

☐ The State does not conduct documented non-CMV traffic enforcement stops and was not reimbursed by the MCSAP grant (or used for State Share or MOE). If this box is checked, the "Non-CMV Traffic Enforcement Stops" table is not required to be completed and won't be displayed.

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented Non-CMV Traffic Enforcement Stops	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2019	12/31/2019	594	594
01/01/2018	12/31/2018	663	663
01/01/2017	12/31/2017	785	785
01/01/2016	12/31/2016	843	931
01/01/2015	12/31/2015	831	988

Enter the source and capture date of the data listed in the tables above.

* All table data is the total for only those officers assigned to the MCSAP section. All data was derived from quarterly narrative reports. The State Patrol as a whole does not collect TE data specific to what is requested in this template, as a result, MCSAP manually collects and hand tallies this data. An electronic data repository for this data does not currently exist at the state level (except for # of CMV traffic stops with an inspection), so there is the possibility for error since the data will be collected manually. Beginning in FFY 2015 the state implemented procedures to collect this data to ensure it is available for use in future planning years, and it has been reported for CY 2015 only. All data collected through March 2020 has been reported to FMCSA as part of the quarterly narrative reports the state submits.

Narrative Overview for FY 2021 - 2023

Instructions:

Describe the State's proposed level of effort (number of personnel) to implement a statewide CMV (in conjunction with and without an inspection) and/or non-CMV traffic enforcement program. If the State conducts CMV and/or non-CMV traffic enforcement activities only in support of the overall crash reduction goal, describe how the State allocates traffic enforcement resources. Please include number of officers, times of day and days of the week, specific corridors or general activity zones, etc. Traffic enforcement activities should include officers who are not assigned to a dedicated commercial vehicle enforcement unit, but who conduct eligible commercial vehicle/driver enforcement activities. If the State conducts non-CMV traffic enforcement activities, the State must conduct these activities in accordance with the [MCSAP Comprehensive Policy](#).

The COVID-19 pandemic has significantly affected the state's ability to meet the level of effort achieved in 2004-2005. It is expected that the number of all activities completed during FY 2020 will be considerably less than projected. Due to the pandemic the MCSAP section canceled 5 Part A classes and 2 Part B classes, therefore an additional 175 officers could not be certified to conduct inspections. Additionally CSP MCSAP and road troopers were limited in the number of inspections they were able to complete due to the pandemic's mandatory restrictions enacted by the Governor, the Executive Director of CDPS, and the Chief of the Colorado State Patrol. All CSP inspectors were unable to conduct inspections from the beginning of March 2020 through Mid-June 2020. Additionally the State enacted a hiring freeze, resulting in increased attrition without the ability to fill those positions. The State is currently under continuing restrictions and there is not an estimated date as to when all restrictions will be lifted and MCSAP and the Patrol can operate fully. As such, future inspection/investigation activity will reflect the current operating conditions and restrictions. It is anticipated that once the section is allowed to resume full activities, it will be several years before the section is fully staffed and able to conduct activities compared to previous years before the pandemic.

In addition to the limitations caused by the pandemic, it must be noted that the structure of the Patrol and MCSAP has drastically changed since 2004-2005. In 2004 and 2005 the MCSAP grant funded personnel from the Colorado State Patrol (CSP), which is a part of the Department of Public Safety, and the grant also funded 8 full-time inspectors from the Port of Entry (POE), which at the time was a part of the Colorado Department of Revenue. Grant funded personnel within the Colorado State Patrol performed inspections, compliance reviews and new entrant safety audits, while the personnel funded from the Port of Entry conducted inspections only. During FY 2005 State Patrol officers funded by the MCSAP grant conducted 5,157 inspections, 227 compliance reviews and 393 safety audits, in addition to CMV education and traffic enforcement activities. In contrast, the POE officers funded by the MCSAP grant conducted 10,979 inspections. It should be noted that all CSP field officers are required to conduct 32 inspections per year to fulfill match and MOE requirements. The total number of inspections conducted by all officers within the State Patrol and Port of Entry during FY 2005 was 61,456 per state Safetynet Data. Approximately 50% of the total inspections were conducted by the POE.

The structure of Colorado's MCSAP program was modified in August of 2010, as a result of a legislative change, when the Port of Entry lost their ability to conduct inspections. As a result of this change, the POE did not receive MCSAP funding, and more importantly the

program lost the approximately 30,727 inspections the POE conducted, which included inspections conducted by both MCSAP funded and non-MCSAP funded POE officers. As a result of the change in funding the State Patrol MCSAP did add several additional officers, however, due to the large pay discrepancies between a State Patrol Trooper and a Port of Entry Officer, the section was not able to add officers on a 1 to 1 basis. Additionally, due to the increase in program requirements, the Colorado State Patrol established a training section, staffed by three uniformed officers and one Sergeant. While these officers are required to maintain minimum inspection and CR certification, their primary responsibility is to provide CMV-MCSAP training to all CMV inspectors and investigators throughout the State of Colorado.

Available Safetynet data indicates that before the legislative change in 2010, Colorado uploaded on average 59,524 inspections per year. After the POE lost the ability to conduct inspections, the average number of inspections uploaded dropped to 33,625, an average loss of 25,899 inspections per year. As indicated by FMCSA during FY 2016, the state is approximately 21,720 "activities" short of the 2004/2005 requirement. Based upon the data provided it is apparent that this difference was a direct result of the legislative change in 2010.

On July 1, 2012, with the passage of HB 12-1019, the Port of Entry was transferred from the Colorado Department of Revenue to the Colorado Department of Public Safety, Colorado State Patrol. While the transfer was primarily made to increase the state's operational efficiencies through a programmatic consolidation, POE officers did not immediately regain the ability to conduct inspections. This change has been a gradual process, as it required training and certifying POE inspectors to conduct inspections. Additionally, the 8 dedicated full-time POE inspectors were not reinstated and there are currently a fewer number of POE officers conducting inspections overall as well. With the transfer, responsibilities have changed for POE officers and they are not capable, at this time, of producing the number of inspections they had in 2004/2005. Additionally, the POE is historically understaffed due to the lengthy hiring and training process personnel are now required to undergo after transfer to a law enforcement entity.

The MCSAP program has evolved since 2004/2005 and as a result the CR process is much more time consuming than it was. A dramatic increase in pay for all CSP officers over the last 12 years, as mandated by state law, has also inhibited the ability of the program to expand, as MCSAP has not received an increase commensurate with pay increases. Increasingly, MCSAP officers are required to do more with less, which overall affects the outputs of the program in conjunction with the change that occurred in 2010.

A & I data indicates that during FY 2018, as a whole, inspectors within the state conducted 58,224 which was an approximate increase of 15% as compared to FY 2015. Additionally, CSP MCSAP funded officers conducted 575 new entrant safety audits, and 147 compliance reviews. The FAST Act requires that the state conduct 66,374 total activities to be eligible for reimbursement of traffic enforcement activities, based upon currently available FY 2018 data, the state completed a total of 58,946 activities.

The Colorado MCSAP program implemented a plan in FY 2017 to mitigate the shortfall. Before the plan was implemented all MCSAP funded officers conducted CR's, inspections and new entrant safety audits, in addition to traffic enforcement and education activities. To ensure that the state maintain the integrity of the program, through quality inspections and thorough investigations the following changes were made. Officers were divided into an inspection team and a compliance review team. Six officers were assigned to the compliance review team with the expectation that they will complete approximately 200 inspections each, as well as, 160 compliance reviews total. An additional 15 officers were assigned to the inspection team, with the expectation that they will complete approximately 500 inspections per officer, as well as, the minimum number of CR's needed to maintain certification. The inspection team will conduct new entrant safety audits as assigned and the CR team will conduct all educational safety talks. It was expected that there would be an approximate 58% increase in the number of inspections completed by MCSAP funded officers as compared to FY 2015. Additionally, in cooperation with the leadership in the Port of Entry, there was an increase in the number of POE officers who receive training and therefore have the ability to conduct Level III inspections, resulting in an increase in the number of inspections completed by the Port of Entry.

During FY 2018 the section added 2 Port of Entry officers, whose primary duty is to conduct Safety Audits. As evidenced by the increase in activities during FY 2018 it is apparent this change increased the amount of time MCSAP officers have to conduct other activities, thereby, increasing the total number of activities.

Unfortunately, due to the COVID-19 pandemic the section and the Patrol are unable to fully implement the plan created in FY 2017.

Projected Goals for FY 2021 - 2023

Using the radio buttons in the table below, indicate the traffic enforcement activities the State intends to conduct in FY 2021 - 2023. The projected goals are based on the number of traffic stops, not tickets or warnings issued. These goals are NOT intended to set a quota.

Note: If you answer "No" to "Non-CMV" traffic enforcement activities, the State does not need to meet the average number of 2004/2005 safety activities because no reimbursement will be requested. If you answer "No" and then click the SAVE button, the Planned Safety Activities table will no longer be displayed.

			Enter Projected Goals (Number of Stops only)		
Yes	No	Traffic Enforcement Activities	FY 2021	FY 2022	FY 2023
<input checked="" type="radio"/>	<input type="radio"/>	CMV with Inspection	1200	1300	1400
<input checked="" type="radio"/>	<input type="radio"/>	CMV without Inspection	100	100	100
<input checked="" type="radio"/>	<input type="radio"/>	Non-CMV	250	250	350
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	825	925	1025

In order to be eligible to utilize Federal funding for Non-CMV traffic enforcement, States must maintain an average number of safety activities which include the number of roadside inspections, carrier investigations, and new entrant safety audits conducted in the State for Fiscal Years 2004 and 2005.

The table below displays the information you input into this plan from the roadside inspections, investigations, and new entrant safety audit sections. Your planned activities must at least equal the average of your 2004/2005 activities.

FY 2021 Planned Safety Activities				
Inspections	Investigations	New Entrant Safety Audits	Sum of FY 2021 Activities	Average 2004/05 Activities
37561	143	525	38229	66734

The sum of your planned FY 2021 safety activities must equal or exceed the average number of 2004/2005 activities. To be reimbursed for non-CMV traffic enforcement activities, update the number of FY 2021 roadside inspections, investigations, and/or new entrant safety audits to reflect the allowable amount.

Describe how the State will monitor its traffic enforcement efforts to ensure effectiveness, consistency, and correlation to FMCSA's national traffic enforcement priority.

The Colorado State Patrol MCSAP unit (22 Troopers and 4 Sergeants) will implement a TACT like traffic enforcement model. Five primary violations from both CMV's and non-CMV's will be targeted. These violations include; Lane Violations, Following Too Closely, Exceeded Safe Speed / Speeding, Failed to Yield Right of Way, and Improper Passing. Additionally, 20% or at least 1,000, of the inspections conducted by MCSAP funded officers will be as the result of a proactive traffic contact. To support the crash reduction goal, data has been analyzed to determine the busiest hours of the day and days of the week. Each Officer's schedule have or will be modified to concur with these times in support of the Traffic Enforcement goals. In conjunction with the changed schedule times, Colorado State Patrol MCSAP wide effort will include five different "Surge Events." During these events, MCSAP Troopers will partner with local HAZMAT Troopers and Port of Entry staff to help in the Traffic Enforcement arena. The MCSAP section officers will continue to utilize intelligence led policing methods including the analyzation of data trends. During FFY 2018 targeted focus will remain in the Weld County region, which includes the counties of Weld, Larimer, Morgan, and Adams. As previously stated MCSAP officers will focus on the Weld County region and its oilfield operations through targeted enforcement and there will also be targeted high visibility enforcement on the I-70 corridor specific to the locations between Golden and Gypsum Colorado.

Part 2 Section 6 - Safety Technology

Performance and Registration Information Systems Management (PRISM) is a condition for MCSAP eligibility in [49 CFR 350.207\(27\)](#). States must achieve full participation by October 1, 2020. FMCSA defines “fully participating” in PRISM for the purpose of determining eligibility for MCSAP funding, as when a State’s or Territory’s International Registration Plan (IRP) or CMV registration agency suspends or revokes and denies registration if the motor carrier responsible for safety of the vehicle is under any Federal OOS order and denies registration if the motor carrier possess an inactive or de-active USDOT number for motor carriers operating CMVs in commerce that have a Gross Vehicle Weight (GVW) of 26,001 pounds or more. Further information regarding full participation in PRISM can be found in the MCP Section 4.3.1.

PRISM, Operations and Maintenance (O&M) costs are eligible expenses subject to FMCSA approval. For Innovative Technology Deployment (ITD), if the State has an approved ITD Program Plan/Top-Level Design (PP/TLD) that includes a project that requires ongoing O&M, this is an eligible expense so long as other MCSAP requirements have been met. O&M expenses must be included and described both in this section and in the Spending Plan section per the method these costs are handled in the State’s accounting system (e.g., contractual costs, other costs, etc.).

Safety Technology Compliance Status

Please verify the current level of compliance for your State in the table below using the drop-down menu. If the State plans to include O&M costs in this year’s CVSP, please indicate that in the table below. Additionally, details must be in this section and in your Spending Plan.

Technology Program	Current Compliance Level	Include O & M Costs?
ITD	Core CVISN Compliant	No
PRISM	Exceeds Full Participation	No

Available data sources:

- [FMCSA website ITD information](#)
- [FMCSA website PRISM information](#)

Enter the agency name responsible for ITD in the State, if other than the Lead MCSAP Agency: Colorado State Patrol

Enter the agency name responsible for PRISM in the State, if other than the Lead MCSAP Agency: Colorado Department of Revenue

Narrative Overview for FY 2021 - 2023

Problem Statement Narrative and Projected Goal:

If the State’s PRISM compliance is less than full participation, describe activities your State plans to implement to achieve full participation in PRISM.

Program Activities for FY 2021 - 2023: Describe any actions that will be taken to implement full participation in PRISM.

Performance Measurements and Monitoring: Describe all performance measures that will be used and include how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

Part 2 Section 7 - Public Education and Outreach

A public education and outreach program is designed to provide information on a variety of traffic safety issues related to CMVs and non-CMV's that operate around large trucks and buses.

Trend Analysis for 2015 - 2019

In the table below, provide the number of public education and outreach activities conducted in the past 5 years.

Public Education and Outreach Activities	2015	2016	2017	2018	2019
Carrier Safety Talks	144	130	104	116	101
CMV Safety Belt Education and Outreach	127	97	63	58	83
State Trucking Association Meetings	8	17	18	19	20
State-Sponsored Outreach Events	0	0	0	0	0
Local Educational Safety Events	4	5	6	6	6
Teen Safety Events	4	4	0	2	0

Narrative Overview for FY 2021 - 2023

Performance Objective: To increase the safety awareness of the motoring public, motor carriers and drivers through public education and outreach activities such as safety talks, safety demonstrations, etc.

Describe the type of activities the State plans to conduct, including but not limited to passenger transportation, hazardous materials transportation, and share the road safety initiatives. Include the number of personnel that will be participating in this effort.

To provide commercial vehicle educational materials and safety presentations to the public to promote highway safety and to reduce the number of reportable commercial vehicle involved crashes by 2% as compared to the average number of crashes occurring from calendar year 2015 through calendar year 2019. The uniformed officers and sergeants assigned to the MCSAP and MCPT sections conduct public education and awareness activities. To provide commercial vehicle enforcement training and guidance to Colorado law enforcement agencies and the citizens of Colorado.

Personnel will provide educational CMV safety information to members of the CMV industry and the public to ensure that adequate safety precautions are recognized and placed into practice before, during, and after the operation of a CMV, to include non-CMV's and pedestrians operating around a CMV. Outreach activities are varied, some events are conducted at large scale venues, such as the Budweiser Events Center, while others are completed at the carrier's principal place of business, or hotel conference rooms and insurance offices. Additionally, officers conduct safety talks at the Colorado Motor Carriers Association offices in Denver and Grand Junction. In addition to specific topics, officers address distracted driving, impaired driving, seatbelt usage, and driving behavior which has shown to lead to CMV involved crashes when conducting safety talks. Teen safety events are conducted during school events targeting new drivers and how they interact in and around CMV traffic. Additionally, talks target elementary and school age children, as it is believed that children can impact and advocate safe driving behavior for adults driving around CMV's. Personnel within the MCSAP section will develop and implement a unified carrier outreach program which will include detailed information related to compliance with the FMCSR's and applicable state statute.

Beginning in FFY 2019, MCSAP officers include a comprehensive overview on truckers against trafficking in all safety presentations. Additionally, MCSAP officers via the section's website will distribute a power point presentation detailing compliance information related to the FMCSR's and applicable state statutes. Training, including the power point data, will be provided to identified carriers on a quarterly basis and results will be included in the quarterly report submitted to FMCSA.

Projected Goals for FY 2021 - 2023

In the table below, indicate if the State intends to conduct the listed program activities, and the estimated number, based on the descriptions in the narrative above.

			Performance Goals		
Yes	No	Activity Type	FY 2021	FY 2022	FY 2023
<input checked="" type="radio"/>	<input type="radio"/>	Carrier Safety Talks	35	44	44
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	1	1	1
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	12	12	12
<input checked="" type="radio"/>	<input type="radio"/>	State-Sponsored Outreach Events	1	1	1
<input checked="" type="radio"/>	<input type="radio"/>	Local Educational Safety Events	1	1	1
<input checked="" type="radio"/>	<input type="radio"/>	Teen Safety Events	1	1	1

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct monitoring of progress. States must report the quantity, duration and number of attendees in their quarterly SF-PPR reports.

Colorado State Patrol personnel will continue to promote safe commercial vehicle driving behaviors through educational safety presentations. As a result, the number and type of safety presentations will be reported to FMCSA on the SF-PPR each quarter as required.

Part 2 Section 8 - State Safety Data Quality (SSDQ)

The FAST Act allows MCSAP lead agencies to use MCSAP funds for Operations and Maintenance (O&M) costs associated with Safety Data Systems (SSDQ) if the State meets accuracy, completeness and timeliness measures regarding motor carrier safety data and participates in the national data correction system (DataQs).

SSDQ Compliance Status

Please verify the current level of compliance for your State in the table below using the drop-down menu. If the State plans to include O&M costs in this year's CVSP, select Yes. These expenses must be included in the Spending Plan section per the method these costs are handled in the State's accounting system (e.g., contractual costs, other costs, etc.).

Technology Program	Current Compliance Level	Include O & M Costs?
SSDQ	Good	No

Available data sources:

- [FMCSA website SSDQ information](#)

Enter the agency name responsible for DQ in the State, if other than the Lead MCSAP Agency:

In the table below, use the drop-down menus to indicate the State's current rating within each of the State Safety Data Quality categories, and the State's goal for FY 2021 - 2023.

SSDQ Category	Current SSDQ Rating	Goal for FY 2021	Goal for FY 2022	Goal for FY 2023
Crash Record Completeness	Good	Good	Good	Good
Crash VIN Accuracy	Good	Good	Good	Good
Fatal Crash Completeness	Good	Good	Good	Good
Crash Timeliness	Good	Good	Good	Good
Crash Accuracy	Good	Good	Good	Good
Crash Consistency	No Flag	No Flag	No Flag	No Flag
Inspection Record Completeness	Good	Good	Good	Good
Inspection VIN Accuracy	Good	Good	Good	Good
Inspection Timeliness	Good	Good	Good	Good
Inspection Accuracy	Good	Good	Good	Good

Enter the date of the A & I Online data snapshot used for the "Current SSDQ Rating" column.

Data current as of May 29, 2020

Narrative Overview for FY 2021 - 2023

Problem Statement Narrative: Describe any issues encountered for any SSDQ category not rated as "Good" in the Current SSDQ Rating category column above (i.e., problems encountered, obstacles overcome, lessons learned, etc.).

During CY 2018 and CY 2019 the Colorado State Patrol MCSAP experienced several issues with crash data. A new data collection system implemented by the Department of Revenue, which is the official data repository for the state, resulted in a decrease in the number of CMV reportable crashes available to MCSAP staff for entry, due to this change crash timeliness was negatively impacted. While the issue was eventually corrected, a new issue arose when the Colorado State Patrol implemented a new CAD/Crash tool for their officers. This change prohibited ALL crashes investigated by the Colorado State Patrol to be uploaded into DOR's new system. The Patrol's information technology and business intelligence unit worked tirelessly with DOR for months to correct the issue.

As a result of these two issues, crash timeliness in the state decreased which impacted the rating for this category. While the issues have been addressed and new processes have been implemented, in the future, it is critical that data entry staff in MCSAP remain involved and apprised of any technology changes within the Patrol and DOR that may impact the ability to obtain crash data.

Program Activities FY 2021 - 2023: Describe activities that will be taken to maintain a "Good" overall SSDQ rating. These activities should include all measures listed in the table above. Also, describe program activities to achieve

a “Good” rating for all SSDQ measures based upon the Problem Statement Narrative including measurable milestones.

Manager(s) and data entry staff within the MCSAP section will continuously monitor crash data received from the Department of Revenue to ensure that MCSAP receives ALL crash data in a timely manner. Management and applicable staff members within the MCSAP section will monitor A&I regularly to ensure the crash timeliness rating, as well as all rating categories, remain "Good". Additionally staff will monitor fatal crash data distributed by VOLPE and make any changes necessary to ensure all fatal crashes are complete and entered into Safetynet within required time frames.

Performance Measurements and Monitoring: Describe all performance measures that will be used and include how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

To maintain an overall "Good" rating as well as "Good" ratings for each individual category. Staff will monitor A&I at least monthly and progress will be reported to FMCSA via quarterly reports.

Part 2 Section 9 - New Entrant Safety Audits

States must conduct interstate New Entrant safety audits in order to participate in the MCSAP ([49 CFR 350.201](#).) A State may conduct intrastate New Entrant safety audits at the State's discretion if the intrastate safety audits do not negatively impact their interstate new entrant program.

Note: A State or a third party may conduct New Entrant safety audits. If a State authorizes a third party to conduct safety audits on its behalf, the State must verify the quality of the work conducted and remains solely responsible for the management and oversight of the New Entrant activities.

Yes	No	Question
<input checked="" type="radio"/>	<input type="radio"/>	Does your State conduct Offsite safety audits in the New Entrant Web System (NEWS)? NEWS is the online system that carriers selected for an Offsite Safety Audit use to submit requested documents to FMCSA. Safety Auditors use this same system to review documents and communicate with the carrier about the Offsite Safety Audit.
<input type="radio"/>	<input checked="" type="radio"/>	Does your State conduct Group safety audits at non principal place of business locations?
<input type="radio"/>	<input checked="" type="radio"/>	Does your State intend to conduct intrastate safety audits and claim the expenses for reimbursement, state match, and/or Maintenance of Effort on the MCSAP Grant?

Trend Analysis for 2015 - 2019

In the table below, provide the number of New Entrant safety audits conducted in the past 5 years.

New Entrant Safety Audits	2015	2016	2017	2018	2019
Interstate	481	440	442	552	557
Intrastate					
Total Audits	481	440	442	552	557

Note: Intrastate safety audits will not be reflected in any FMCSA data systems—totals must be derived from State data sources.

Narrative Overview for FY 2021 - 2023

Enter the agency name conducting New Entrant activities, if other than the Lead MCSAP Agency:

Program Goal: Reduce the number and severity of crashes, injuries, and fatalities involving commercial motor vehicles by reviewing interstate new entrant carriers. At the State's discretion, intrastate motor carriers are reviewed to ensure they have effective safety management programs.

Program Objective: The Statutory time limit for processing and completing interstate safety audits is: If entry date into the New Entrant program (as shown in FMCSA data systems) October 1, 2013 or later, a safety audit must be completed within 12 months for all motor carriers and 120 days for motor carriers of passengers.

Projected Goals for FY 2021 - 2023

For the purpose of completing the table below:

- **Onsite safety audits** are conducted at the carrier's principal place of business.
- **Offsite safety audit** is a desktop review of a single New Entrant motor carrier's basic safety management controls and can be conducted from any location other than a motor carrier's place of business. Offsite audits are conducted by States that have completed the FMCSA New Entrant training for offsite audits.
- **Group audits** are neither an onsite nor offsite audit. Group audits are conducted on multiple carriers at an alternative location (i.e., hotel, border inspection station, State office, etc.).

Projected Goals for FY 2021 - 2023 - New Entrant Safety Audits						
	FY 2021		FY 2022		FY 2023	
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
# of Safety Audits (Onsite)	37	0	38	0	39	0
# of Safety Audits (Offsite)	488	0	496	0	502	0
# Group Audits	0	0	0	0	0	0
TOTAL Safety Audits	525	0	534	0	541	0
# of Non-Audit Resolutions	400	0	400	0	400	0

Strategies: Describe the strategies that will be utilized to meet the program objective above. Provide any challenges or impediments foreseen that may prevent successful completion of the objective.

Data obtained from MCMIS indicates that during the past 5 years, there has been an average of 495 New Entrant Audits conducted by Colorado State Patrol MCS officers each year. MCMIS data also indicated there was an average of 701 Interstate carriers added to MCMIS. Utilizing these averages, the proposed number of audits to be assigned in FFY 2021 is 775. Using a 2% increase each year, in FFY 2022 it is proposed that there will be 791 audits assigned and 807 in FFY 2023.

Utilizing a 3 year average, it has been determined that approximately 32% of audits assigned are resolved by non-audit resolutions. Based on this information, it is anticipated that in FY 2021 - 250 assigned audits will be resolved by non audit resolution, in FY 2022 - 251, and in FY 2023 - 254. Due to the implementation of the offsite audit process, it is not anticipated that group safety audits will be necessary. Colorado does not intend to perform intrastate safety audits at this time.

Activity Plan for FY 2021 - 2023: Include a description of the activities proposed to help achieve the objectives. If group audits are planned, include an estimate of the number of group audits.

To ensure that all New Entrant assignments are resolved by means of a safety audit or through non-audit resolution, the New Entrant Coordinator will assign audits on a weekly basis. Additionally, expedited audits will be assigned immediately and resolved within 60 days of assignment.

Performance Measurement Plan: Describe how you will measure progress toward meeting the objective, such as quantifiable and measurable outputs (staffing, work hours, carrier contacts, inspections, etc.). The measure must include specific benchmarks to be reported on in the quarterly progress report, or as annual outputs.

The number of New Entrant assignments resolved. The number of New Entrant carriers that pass the safety audit.

Part 3 - National Emphasis Areas and State Specific Objectives

FMCSA establishes annual national priorities (emphasis areas) based on emerging or continuing issues, and will evaluate CVSPs in consideration of these national priorities. Part 3 allows States to address the national emphasis areas/priorities outlined in the Notice of Funding Opportunity (NOFO) and any State-specific objectives as necessary. Specific goals and activities must be projected for the three fiscal year period (FYs 2021 - 2023).

Part 3 Section 1 - Enforcement of Federal OOS Orders during Roadside Activities

Instructions:

FMCSA has established an Out-of-Service (OOS) catch rate of 85 percent for carriers operating while under an OOS order. In this part, States will indicate their catch rate is at least 85 percent by using the check box or completing the problem statement portion below.

Check this box if:

☐ As evidenced by the data provided by FMCSA, the State identifies at least 85 percent of carriers operating under a Federal IH or UNSAT/UNFIT OOS order during roadside enforcement activities and will not establish a specific reduction goal. However, the State will maintain effective enforcement of Federal OOS orders during roadside inspections and traffic enforcement activities.

Narrative Overview for FY 2021 - 2023

Enter your State's OOS Catch Rate percentage if below 85 percent: 70%

Projected Goals for FY 2021 - 2023: Enter a description of the State's performance goals.

Fiscal Year	Goal (%)
2021	85
2022	85
2023	85

To increase the State of Colorado's "catch rate" for carriers operating in violation of an OOS order for Imminent Hazard and Unsat=Unfit from 70%* to >=85% during FFY 2021, FFY 2022, and FY 2023.

*FY 2020 YTD Catch Count Reported via A&I Activity Dashboard OOS Catch Rate Report as of April 30, 2020.

Program Activities for FY 2021 - 2023: Describe policies, procedures, and/or technology that will be utilized to identify OOS carriers at roadside. Include how you will conduct quality assurance oversight to ensure that inspectors are effectively identifying OOS carriers and preventing them from operating.

The state will continue to require all Colorado State Patrol inspectors to clear vehicles through Query Central to verify OOS status. All inspectors have access to CVIEW and Aspen 3.0 enabling officers to double-check OOS status when conducting inspections. During FFY 2015 and FFY 2016, inspectors have received training in the use of C-VIEW and the system has been made available to all certified inspectors within the state. It is anticipated that the training that has occurred and increased access to this system will continue to positively affect the identification of those carriers contacted and labeled as imminent hazard and unsat. There are issues with connectivity in remote areas of the state, and occasionally officers are unable to verify OOS status which will affect the percentage identified. The total number of inspections conducted on OOS carriers is less than 0.0002% of the total number of inspections conducted.

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

Continued monitoring of OOS reports produced by FMCSA, all anomalies will be investigated and inspecting officers contacted when necessary. The number of officers contacted will be reported on quarterly reports. Additionally, current OOS identification rates will be reported quarterly.

Part 3 Section 2 - Passenger Carrier Enforcement

Instructions:

FMCSA requests that States conduct enhanced investigations for motor carriers of passengers and other high risk carriers. Additionally, States are asked to allocate resources to participate in the enhanced investigations training being offered by FMCSA. Finally, States are asked to continue partnering with FMCSA in conducting enhanced investigations and inspections at carrier locations.

Check this box if:

☐ As evidenced by the trend analysis data, the State has not identified a significant passenger transportation safety problem. Therefore, the State will not establish a specific passenger transportation goal in the current fiscal year. However, the State will continue to enforce the Federal Motor Carrier Safety Regulations (FMCSRs) pertaining to passenger transportation by CMVs in a manner consistent with the [MCSAP Comprehensive Policy](#) as described either below or in the roadside inspection section.

Narrative Overview for FY 2021 - 2023

Problem Statement Narrative: Describe the problem as identified by performance data and include the baseline data.

As reported by the Analysis and Information website, there were a total of 182 fatal and non-fatal crashes involving buses occurring in the State of Colorado during CY 2018. On average from CY 2015 to CY 2019 there were a total of 204 passenger vehicle fatal and non-fatal crashes per year.*

A review of the state's Safetynet crash data during CY 2018 indicates that the majority of reportable passenger carrier crashes in the state occur within the counties of Denver, Arapahoe, Adams, and El Paso. The Colorado State Patrol will work with local law enforcement and members of the passenger carrier industry operating within these counties to educate both motorists and pedestrians of the proper safety precautions and driving behaviors that should be instituted in conjunction with passenger carrier vehicles.

Additionally, migrant worker transportation in rural areas is a special emphasis area identified by FMCSA. Data obtained from the FMCSA Colorado Division Office indicates that of July 29, 2020, there were zero crashes in Colorado involving migrant worker carriers, therefore, a specific state objective is not required to address this emphasis area.

*Data snapshot as of May 29, 2020

** State Safetynet database as of July 6, 2020

Projected Goals for FY 2021 - 2023: Enter the performance goal for the three year CVSP period for the State's passenger carrier enforcement initiative. Annual passenger carrier enforcement benchmarks for FY 2021, 2022 and 2023 must also be included.

To reduce the total number of passenger carrier crashes occurring within the State of Colorado during FY 2021, 2022, and 2023 by 2% per year as compared to the average number of crashes occurring from CY 2015 through CY 2019 (204). To reduce the total number of reportable passenger carrier crashes occurring within the counties of Denver, Arapahoe, Adams, and El Paso by 2% as compared to CY 2018.

Program Activities for FY 2021 - 2023: Provide additional information regarding how these activities will be implemented.

Personnel will conduct 150 inspections per year on motorcoach and passenger carriers during FY 2021, FY 2022, and FY 2023. Inspections will be performed in conjunction with team operations and special operations, such as, Quickstrike, and through regular inspection activities. Inspections will be performed with an emphasis on terminal and destination inspections and the identified counties when feasible. Additionally, personnel will conduct 5 CSA on-site comprehensive reviews per year from FY 2021 through FY 2023 on passenger carriers identified through the Safety Management System.

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

The number of motorcoach/passenger carrier inspections completed by CSP MCSAP inspectors. The number of team operations conducted. The number of driver violations. The number of OOS driver violations. The number of vehicle violations. The number of OOS vehicle violations.

The number of and results of CSA on-site comprehensive reviews conducted on passenger carriers. The number of total and acute/critical violations discovered. The number of enforcement actions taken as a result of reviews.

Part 3 Section 3 - State Specific Objectives – Past

Instructions:

Describe any State-specific CMV problems that were addressed with FY 2020 MCSAP funding. Some examples may include hazardous materials objectives, Electronic Logging Device (ELD) implementation, and crash reduction for a specific segment of industry, etc. Report below on year-to-date progress on each State-specific objective identified in the FY 2020 CVSP.

Progress Report on State Specific Objectives(s) from the FY 2020 CVSP

Please enter information to describe the year-to-date progress on any State-specific objective(s) identified in the State's FY 2020 CVSP. Click on "Add New Activity" to enter progress information on each State-specific objective.

Activity #1

Activity: Describe State-specific activity conducted from previous year's CVSP.

To identify potential data collection and consistency issues through the review of RDR's within the DataQ's system and the monitoring and examination of CMV inspection reports; and to provide training and education to inspectors when issues are identified. From October 1, 2019 through July 6, 2020, on average a total of 76% of RDR's received were closed within 0-14 days.

Goal: Insert goal from previous year CVSP (#, %, etc., as appropriate).

The number and type of RDR's received and closed during each quarter, ensuring that all RDR's are resolved to the satisfaction of all parties and that $\geq 80\%$ of all RDR's are closed within 0-14 days.

Actual: Insert year to date progress (#, %, etc., as appropriate).

From October 1, 2019 through July 6, 2020 a total of 1,250 RDR's were received. Of the 1,250 RDR's received, 946 or 76% were closed within 0-14 days.

Narrative: Describe any difficulties achieving the goal, problems encountered, obstacles overcome, lessons learned, etc.

Consistency and data quality during the inspection process are key issues in the State of Colorado. While all inspectors receive MCS training and updates throughout the year, there are inconsistencies during the inspection process due to individual inspector interpretation and discretion. Officer discretion is encouraged, however, it is imperative for the state to provide on-going training and monitoring to ensure that all inspectors are aware of programs goals and objectives; that they accurately and completely document violations during roadside inspections; and that all officers have access to, and correctly utilize the inspection selection process.

Part 3 Section 4 - State Specific Objectives – Future

Instructions:

The State may include additional objectives from the national priorities or emphasis areas identified in the NOFO as applicable. In addition, the State may include any State-specific CMV problems identified in the State that will be addressed with MCSAP funding. Some examples may include hazardous materials objectives, Electronic Logging Device (ELD) implementation, and crash reduction for a specific segment of industry, etc.

Describe any State-specific objective(s) identified for FY 2021 - 2023. Click on "Add New Activity" to enter information on each State-specific objective. This is an optional section and only required if a State has identified a specific State problem planned to be addressed with grant funding.

State Objective #1

Enter the title of your State-Identified Objective.

Inspection Data Collection & Consistency

Narrative Overview for FY 2021 - 2023

Problem Statement Narrative: Describe problem identified by performance data including baseline data.

Consistency and data quality during the inspection process are key issues in the State of Colorado. While all inspectors receive MCS training and updates throughout the year, there are inconsistencies during the inspection process due to individual inspector interpretation and discretion. Officer discretion is encouraged, however, it is imperative for the state to provide on-going training and monitoring to ensure that all inspectors are aware of programs goals and objectives; that they accurately and completely document violations during roadside inspections; and that all officers have access to, and correctly utilize the inspection selection process.

Projected Goals for FY 2021 - 2023:

Enter performance goal.

>=80% of all RDR's are closed within 0-14 days.

Program Activities for FY 2021 - 2023: Describe the activities that will be implemented including level of effort.

Monitor the number and type of RDR's received to ensure that issues are adequately researched in a timely manner and communicated to the MCPT Sergeant for inclusion in the training bulletin when applicable.

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

The number and type of RDR's received and closed during each quarter, ensuring that all RDR's are resolved to the satisfaction of all parties and that >=80% of all RDR's are closed within 0-14 days.

State Objective #2

Enter the title of your State-Identified Objective.

Technology/Training

Narrative Overview for FY 2021 - 2023

Problem Statement Narrative: Describe problem identified by performance data including baseline data.

Due to the COVID-19 pandemic many employees within the State of Colorado are required to work remotely. On average the MCSAP unit hosts 40 training/update classes per year with approximately 1,000 students in attendance. As a result of the pandemic

state restrictions limiting group gatherings and travel, the unit currently does not have the ability to provide remote or in-person training classes, which has greatly impacted MCSAP. Approximately 15 classes/updates were cancelled due to the COVID-19 pandemic. Utilizing FY 2021 grant funds, MCSAP will purchase a comprehensive remote training system to deliver training and updates remotely. This purchase will enable the training team to continue operations seamlessly despite issues, such as the pandemic. Additionally, this system will enable timely training to a wide range of students while reducing travel costs, travel time, and emissions.

Projected Goals for FY 2021 - 2023:

Enter performance goal.

Purchase, install and implement a remote MCSAP training system. Conduct training, meetings, and update courses remotely.

Program Activities for FY 2021 - 2023: Describe the activities that will be implemented including level of effort.

Purchase a comprehensive remote training system. Conduct training and update courses remotely, as well as, record training classes for distribution to students for self-paced courses.

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

Purchase of the system, the number of classes, meetings, and updates conducted remotely.

State Objective #3

Enter the title of your State-Identified Objective.

Enforcement

Narrative Overview for FY 2021 - 2023

Problem Statement Narrative: Describe problem identified by performance data including baseline data.

To impact crash reduction, the state must increase the number of enforcement activities conducted to include inspectors outside of the MCSAP section but within the Colorado State Patrol. Due to increased population, current activity mandates, and the inability to increase MCSAP personnel due to various restrictions, the unit cannot increase enforcement activities during regular duty time. Therefore MCSAP OT grant funds will be utilized to increase activities among MCSAP inspectors/investigators and all certified inspectors within the Colorado State Patrol.

Projected Goals for FY 2021 - 2023:

Enter performance goal.

Expand participation, to include certified inspectors outside of the MCSAP unit for participation, in CVSA sponsored enforcement operations/waves, FMCSA mandated strike-force weeks, and focused enforcement waves utilizing overtime funds. Increase the number of inspections and traffic enforcement activities hosted by MCSAP.

Program Activities for FY 2021 - 2023: Describe the activities that will be implemented including level of effort.

Increased participation in Operation Safe Driver, Brake Safety Week, unannounced brake safety day, International Road Check, FMCSA Passenger Carrier Strikeforce, Controlled Substance and Alcohol Strikeforce, as well as, CSP MCSAP sponsored enforcement waves/activities.

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

Activities participated in, number of CSP MCSAP sponsored enforcement waves/activities.

State Objective #4

Enter the title of your State-Identified Objective.

Enforcement

Narrative Overview for FY 2021 - 2023

Problem Statement Narrative: Describe problem identified by performance data including baseline data.

When conducting inspections at the Cortez Port of Entry, inspectors and drivers are not protected from the elements and are unable to utilize inspection equipment, such as the PBBT, due to lack of space. The result is the inability to effectively conduct inspections at this location.

Projected Goals for FY 2021 - 2023:

Enter performance goal.

Purchase a temporary shelter/shed to store inspection equipment and enable inspectors to utilize this valuable tool regardless of weather and elemental changes.

Program Activities for FY 2021 - 2023: Describe the activities that will be implemented including level of effort.

The purchase of a shed. Increase in the usage of the PBBT during inspections as compared to the previous year. The Colorado State Patrol petitioned and ultimately received approval from CVSA to change the operator standards and training for PBBT operators. This will drastically increase PBBT usage. In addition the PBBT's have been assigned permanently to fixed locations for crash reduction efforts. This storage shed will allow greater usage of the PBBT in all weather conditions.

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

Progress will be monitored by MCSAP sergeants and will be reported quarterly to FMCSA.

Part 4 - Financial Information

Part 4 Section 1 - Overview

The Spending Plan is an explanation of each budget component, and should support the cost estimates for the proposed work. The Spending Plan should focus on how each item will achieve the proposed project goals and objectives, and explain how costs are calculated. The Spending Plan must be clear, specific, detailed, and mathematically correct. Sources for assistance in developing the Spending Plan include [2 CFR part 200](#), [2 CFR part 1201](#), [49 CFR part 350](#) and the [MCSAP Comprehensive Policy](#).

Before any cost is billed to or recovered from a Federal award, it must be allowable ([2 CFR §200.403](#), [2 CFR §200 Subpart E – Cost Principles](#)), reasonable and necessary ([2 CFR §200.403](#) and [2 CFR §200.404](#)), and allocable ([2 CFR §200.405](#)).

- **Allowable** costs are permissible under the OMB Uniform Guidance, DOT and FMCSA regulations and directives, MCSAP policy, and all other relevant legal and regulatory authority.
- **Reasonable and Necessary** costs are those which a prudent person would deem to be judicious under the circumstances.
- **Allocable** costs are those that are charged to a funding source (e.g., a Federal award) based upon the benefit received by the funding source. Benefit received must be tangible and measurable.
 - For example, a Federal project that uses 5,000 square feet of a rented 20,000 square foot facility may charge 25 percent of the total rental cost.

Instructions

The Spending Plan should include costs for FY 2021 only. This applies to States completing a multi-year CVSP or an Annual Update to their multi-year CVSP.

The Spending Plan data tables are displayed by budget category (Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual and Subaward, and Other Costs). You may add additional lines to each table, as necessary. Please include clear, concise explanations in the narrative boxes regarding the reason for each cost, how costs are calculated, why they are necessary, and specific information on how prorated costs were determined.

The following definitions describe Spending Plan terminology.

- **Federal Share** means the portion of the total project costs paid by Federal funds. Federal share is 85 percent of the total project costs for this FMCSA grant program.
- **State Share** means the portion of the total project costs paid by State funds. State share is 15 percent of the total project costs for this FMCSA grant program. A State is only required to contribute up to 15 percent of the total project costs of all budget categories combined as State share. A State is NOT required to include a 15 percent State share for each line item in a budget category. The State has the flexibility to select the budget categories and line items where State match will be shown.
- **Total Project Costs** means total allowable costs incurred under a Federal award and all required cost sharing (sum of the Federal share plus State share), including third party contributions.
- **Maintenance of Effort (MOE)** means the level of effort Lead State Agencies are required to maintain each fiscal year in accordance with [49 CFR § 350.301](#). The State has the flexibility to select the budget categories and line items where MOE will be shown. Additional information regarding MOE can be found in the MCSAP Comprehensive Policy (MCP) in section 3.6.

On Screen Messages

The system performs a number of edit checks on Spending Plan data inputs to ensure calculations are correct, and values are as expected. When anomalies are detected, alerts will be displayed on screen.

- Calculation of Federal and State Shares

Total Project Costs are determined for each line based upon user-entered data and a specific budget category formula. Federal and State shares are then calculated by the system based upon the Total Project Costs and are added to each line item.

The system calculates an 85 percent Federal share and 15 percent State share automatically and populates these

values in each line. Federal share is the product of Total Project Costs x .85. State share equals Total Project Costs minus Federal share. If Total Project Costs are updated based upon user edits to the input values, the 85 and 15 percent values will not be recalculated by the system and should be reviewed and updated by users as necessary.

States may edit the system-calculated Federal and State share values at any time to reflect actual allocation for any line item. For example, States may allocate a different percentage to Federal and State shares. States must ensure that the sum of the Federal and State shares equals the Total Project Costs for each line before proceeding to the next budget category.

An error is shown on line items where Total Project Costs does not equal the sum of the Federal and State shares. Errors must be resolved before the system will allow users to 'save' or 'add' new line items.

Territories must insure that Total Project Costs equal Federal share for each line in order to proceed.

- **MOE Expenditures**

States may enter MOE on individual line items in the Spending Plan tables. The Personnel, Fringe Benefits, Equipment, Supplies, and Other Costs budget activity areas include edit checks on each line item preventing MOE costs from exceeding allowable amounts.

- If "Percentage of Time on MCSAP grant" equals 100%, then MOE must equal \$0.00.
- If "Percentage of Time on MCSAP grant" equals 0%, then MOE may equal up to Total Project Costs as expected at 100%.
- If "Percentage of Time on MCSAP grant" > 0% AND < 100%, then the MOE maximum value cannot exceed "100% Total Project Costs" minus "system-calculated Total Project Costs".

An error is shown on line items where MOE expenditures are too high. Errors must be resolved before the system will allow users to 'save' or 'add' new line items.

The Travel and Contractual budget activity areas do not include edit checks for MOE costs on each line item. States should review all entries to ensure costs reflect estimated expenditures.

- **Financial Summary**

The Financial Summary is a summary of all budget categories. The system provides warnings to the States on this page if the projected State Spending Plan totals are outside FMCSA's estimated funding amounts. States should review any warning messages that appear on this page and address them prior to submitting the eCVSP for FMCSA review.

The system will confirm that:

- Overtime value does not exceed the FMCSA limit.
- Planned MOE Costs equal or exceed FMCSA limit.
- States' proposed Federal and State share totals are each within \$5 of FMCSA's Federal and State share estimated amounts.
- Territories' proposed Total Project Costs are within \$5 of \$350,000.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85.01% Federal Share	14.99% State Share	Total Estimated Funding
Total	\$4,990,138.00	\$880,544.00	\$5,870,682.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of MCSAP Award Amount):	\$880,544.00
MOE Baseline:	\$309,041.47

Part 4 Section 2 - Personnel

Personnel costs are salaries for employees working directly on a project.

Note: Do not include any personally identifiable information (PII) in the CVSP. The final CVSP approved by FMCSA is required to be posted to a public FMCSA website.

List grant-funded staff who will complete the tasks discussed in the narrative descriptive sections of the CVSP. Positions may be listed by title or function. It is not necessary to list all individual personnel separately by line. The State may use average or actual salary and wages by personnel category (e.g., Trooper, Civilian Inspector, Admin Support, etc.). Additional lines may be added as necessary to capture all your personnel costs.

The percent of each person's time must be allocated to this project based on the amount of time/effort applied to the project. For budgeting purposes, historical data is an acceptable basis.

Note: Reimbursement requests must be based upon documented time and effort reports. Those same time and effort reports may be used to estimate salary expenses for a future period. For example, a MCSAP officer's time and effort reports for the previous year show that he/she spent 35 percent of his/her time on approved grant activities. Consequently, it is reasonable to budget 35 percent of the officer's salary to this project. For more information on this item see [2 CFR §200.430](#).

In the salary column, enter the salary for each position.

Total Project Costs equal the Number of Staff x Percentage of Time on MCSAP grant x Salary for both Personnel and Overtime (OT).

If OT will be charged to the grant, only OT amounts for the Lead MCSAP Agency should be included in the table below. If the OT amount requested is greater than the 14.99 percent limitation in the MCSAP Comprehensive Policy (MCP), then justification must be provided in the CVSP for review and approval by FMCSA headquarters.

Activities conducted on OT by subrecipients under subawards from the Lead MCSAP Agency must comply with the 14.99 percent limitation as provided in the MCP. Any deviation from the 14.99 percent limitation must be approved by the Lead MCSAP Agency for the subrecipients.

Summary of MCSAP Funding Limitations

Allowable amount for Lead MCSAP Agency Overtime without written justification (14.99% of MCSAP Award Amount):	\$880,544.00
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Personnel: Salary and Overtime Project Costs							
Salary Project Costs							
Position(s)	# of Staff	% of Time on MCSAP Grant	Salary	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Uniformed Officers	22	100.0000	\$98,781.00	\$2,173,182.00	\$1,499,706.00	\$673,476.00	\$0.00
MCSAP Captain	1	100.0000	\$127,843.00	\$127,843.00	\$63,921.50	\$63,921.50	\$0.00
POE Officers	2	100.0000	\$47,868.00	\$95,736.00	\$95,736.00	\$0.00	\$0.00
Civilians	6	100.0000	\$63,342.00	\$380,052.00	\$356,568.00	\$23,484.00	\$0.00
State Funded Level I Inspections	1000	0.0000	\$34,095.00	\$0.00	\$0.00	\$0.00	\$34,095.00
State Funded Level II-V Inspections	4475	0.0000	\$101,717.00	\$0.00	\$0.00	\$0.00	\$101,717.00
MCSAP Sergeant	4	100.0000	\$111,911.00	\$447,644.00	\$335,602.50	\$112,041.50	\$0.00
State Funded Level II-V Inspections	1	100.0000	\$7,621.00	\$7,621.00	\$0.00	\$7,621.00	\$0.00
Subtotal: Salary				\$3,232,078.00	\$2,351,534.00	\$880,544.00	\$135,812.00
Overtime Project Costs							
MCSAP Officers	22	4.0000	\$180,305.00	\$158,668.40	\$158,668.40	\$0.00	\$0.00
Non-MCSAP Inspector OT	50	2.0000	\$191,123.30	\$191,123.30	\$191,123.30	\$0.00	\$0.00
Subtotal: Overtime				\$349,791.70	\$349,791.70	\$0.00	\$0.00
TOTAL: Personnel				\$3,581,869.70	\$2,701,325.70	\$880,544.00	\$135,812.00
Accounting Method:	Accrual						

Enter a detailed explanation of how the personnel costs were derived and allocated to the MCSAP project.

Calculations are based on current salary derived directly from the state payroll system as of June 30, 2020. As previously indicated, there is 1 Captain, 22 uniformed officers, 4 Sergeants, 2 POE officers, and 5.5 civilian staff assigned to the MCSAP section. All of the uniformed officers in the section conduct inspections, compliance reviews, safety audits, and public outreach and education duties. Additionally, several officers are responsible for coordinating and implementing MCSAP related training for all certified inspectors/officers within the State of Colorado.

To satisfy MOE requirements, all Colorado State Patrol uniformed personnel are required to perform 32 inspections per year. The time spent conducting these inspections, is paid 100% by State HUTF funds. It is estimated that these officers will conduct at least 1,000 Level I inspections (45 minutes per inspection) and 4,475 Level II-V (30 minutes per inspection) inspections at an average hourly rate of \$45.46. The following calculation was used for the MOE and match Expenditures. **As previously stated, hourly MOE rates are based on AVERAGES as there are over 507 inspectors within the Colorado State Patrol that conduct match inspections. Each inspector is compensated at a different pay level depending upon their Trooper/Corporal designation, with different benefit selections that impact hourly salary averages. Additionally POE officers are considered a completely separate personnel class, again, with differing pay levels based upon position (POE I, POE II, etc). As such hourly salary averages for the Trooper and POE Class are utilized. Actual time each inspector spends conducting inspections is recorded in the Safetynet database, however, the State does not query each inspection conducted to calculate exact time per inspection for MOE purposes. CVSA estimates dictating average time to conduct each level of inspection is utilized in the MOE calculation.** ***It should be noted that due to the COVID pandemic, it is expected that the number of inspections conducted by field officers will be dramatically reduced, however, the state anticipates that it will meet match and MOE requirements as a result of MCSAP salaries and benefits paid directly by the Colorado State Patrol.

Level 1 - 1000 inspections x \$45.46 x 45 minutes (average time per inspection) = \$34,095

Level II-V - 4475 inspections x \$45.46 x 30 minutes = \$101,717

Part 4 Section 3 - Fringe Benefits

*Fringe costs are benefits paid to employees, including the cost of employer's share of FICA, health insurance, worker's compensation, and paid leave. Only non-Federal grantees that use the **accrual basis** of accounting may have a separate line item for leave, and is entered as the projected leave expected to be accrued by the personnel listed within Part 4.2 – Personnel. Reference [2 CFR §200.431\(b\)](#).*

Show the fringe benefit costs associated with the staff listed in the Personnel section. Fringe costs may be estimates, or based on a fringe benefit rate approved by the applicant's Federal cognizant agency for indirect costs. If using an approved rate, a copy of the indirect cost rate agreement must be provided through grants.gov. For more information on this item see [2 CFR §200.431](#).

Show how the fringe benefit amount is calculated (i.e., actual fringe benefits, rate approved by HHS Statewide Cost Allocation or cognizant agency). Include a description of the specific benefits that are charged to a project and the benefit percentage or total benefit cost.

The cost of fringe benefits are allowable if:

- Costs are provided under established written policies.
- Costs are equitably allocated to all related activities, including Federal awards.
- Accounting basis (cash or accrual) selected for each type of leave is consistently followed by the non-Federal entity or specified grouping of employees.

Depending on the State, there are fixed employer taxes that are paid as a percentage of the salary, such as Social Security, Medicare, State Unemployment Tax, etc.

- For each of these standard employer taxes, under Position you may list "All Positions," the benefits would be the respective standard employer taxes, followed by the respective rate with a base being the total salaries for Personnel in Part 4.2.
- The base multiplied by the respective rate would give the total for each standard employer tax. Workers' Compensation is rated by risk area. It is permissible to enter this as an average, usually between sworn and unsworn—any grouping that is reasonable and clearly explained in the narrative is allowable.
- Health Insurance and Pensions can vary greatly and can be averaged; and like Workers' Compensation, can sometimes be broken into sworn and unsworn.

In the Position column include a brief position description that is associated with the fringe benefits.

*The **Fringe Benefit Rate** is:*

- The rate that has been approved by the State's cognizant agency for indirect costs; or a rate that has been calculated based on the aggregate rates and/or costs of the individual items that your agency classifies as fringe benefits.
- For example, your agency pays 7.65 percent for FICA, 42.05 percent for health/life/dental insurance, and 15.1 percent for retirement. The aggregate rate of 64.8 percent (sum of the three rates) may be applied to the salaries/wages of personnel listed in the table.

*The **Base Amount** is:*

- The salary/wage costs within the proposed budget to which the fringe benefit rate will be applied.
- For example, if the total wages for all grant-funded staff is \$150,000 and the percentage of time on the grant is 50 percent, then that is the amount the fringe rate of 64.8 (from the example above) will be applied. The calculation is: $\$150,000 \times 64.8 \times 50\% / 100 = \$48,600$ Total Project Costs.

Total Project Costs equal the Fringe Benefit Rate x Percentage of Time on MCSAP grant x Base Amount divided by 100.

Fringe Benefits Project Costs							
Position(s)	Fringe Benefit Rate	% of Time on MCSAP Grant	Base Amount	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
MCSAP Captain	38.0000	50.0000	\$127,843.00	\$24,290.17	\$24,290.17	\$0.00	\$0.00
Uniformed Officers	38.0000	100.0000	\$1,499,706.00	\$569,888.28	\$569,888.28	\$0.00	\$0.00
Uniformed Officers MOE	38.0000	0.0000	\$673,476.00	\$0.00	\$0.00	\$0.00	\$250,920.88
MCSAP Sergeant	37.0000	100.0000	\$335,602.50	\$124,172.92	\$124,172.92	\$0.00	\$0.00
POE Officers	38.0000	100.0000	\$95,736.00	\$36,379.68	\$36,379.68	\$0.00	\$0.00
Civilians	37.0000	100.0000	\$356,568.00	\$131,930.16	\$131,930.16	\$0.00	\$0.00
Civilian MOE	37.0000	0.0000	\$23,484.00	\$0.00	\$0.00	\$0.00	\$8,689.08
MCSAP Sergeant MOE	37.0000	0.0000	\$112,041.50	\$0.00	\$0.00	\$0.00	\$41,455.35
Uniformed Fringe MOE	38.0000	0.0000	\$673,476.00	\$0.00	\$0.00	\$0.00	\$255,920.88
State Funded Level I Inspections	38.0000	0.0000	\$34,095.00	\$0.00	\$0.00	\$0.00	\$12,956.10
State Funded Level II-V Inspections	38.0000	0.0000	\$101,717.00	\$0.00	\$0.00	\$0.00	\$38,652.46
MCSAP Captain MOE	38.0000	0.0000	\$63,921.50	\$0.00	\$0.00	\$0.00	\$24,290.17
TOTAL: Fringe Benefits				\$886,661.21	\$886,661.21	\$0.00	\$632,884.92

Enter a detailed explanation of how the fringe benefit costs were derived and allocated to the MCSAP project.

Fringe benefits are variable as they are based upon the salary, class, and position of each individual employee within the State of Colorado. Fringe benefits are pre-determined based upon individual class and position, are required by State Law and can and do change annually based upon legislative recommendations.

Following is the current breakdown of fringe benefits for retirement, short-term disability, and medicare.

Retirement	STD	Medicare
Uniformed - 19.25%	0.190%	1.45%
Civilian - 16.55%	0.190%	1.45%

Payment of medical, dental, and life insurance benefits will depend on the individual employee selections and these amounts generally increase on an annual basis at the beginning of the new State Fiscal Year based upon recommendations from the Governor and State Legislature.

Part 4 Section 4 - Travel

Itemize the positions/functions of the people who will travel. Show the estimated cost of items including but not limited to, airfare, lodging, meals, transportation, etc. Explain in detail how the MCSAP program will directly benefit from the travel.

Travel costs are funds for field work or for travel to professional meetings.

List the purpose, number of persons traveling, number of days, percentage of time on MCSAP Grant, and total project costs for each trip. If details of each trip are not known at the time of application submission, provide the basis for estimating the amount requested. For more information on this item see [2 CFR §200.474](#).

Total Project Costs should be determined by State users, and manually input in the table below. There is no system calculation for this budget category.

Travel Project Costs							
Purpose	# of Staff	# of Days	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
FMCSA MCSAP Planning Meeting	4	4	100.0000	\$8,000.00	\$8,000.00	\$0.00	\$0.00
Routine MCSAP Related In-State Travel	26	3	100.0000	\$33,534.14	\$33,534.14	\$0.00	\$0.00
Mileage	31	0	100.0000	\$200.00	\$200.00	\$0.00	\$0.00
FMCSA IT Workshop	3	5	100.0000	\$6,000.00	\$6,000.00	\$0.00	\$0.00
Challenge Competition	1	5	100.0000	\$2,000.00	\$2,000.00	\$0.00	\$0.00
CVSA Spring Conference	2	5	100.0000	\$4,000.00	\$4,000.00	\$0.00	\$0.00
CVSA Fall Conference	2	5	100.0000	\$4,000.00	\$4,000.00	\$0.00	\$0.00
TOTAL: Travel				\$57,734.14	\$57,734.14	\$0.00	\$0.00

Enter a detailed explanation of how the travel costs were derived and allocated to the MCSAP project.

Routine MCSAP-Related Travel

In-state travel is necessary to enable the Colorado State Patrol to provide adequate coverage within the State of Colorado. In order to provide coverage to the entire State in a cost efficient manner, a number of overnight stays are necessary. Travel is necessary, at times, to perform compliance reviews, saturation patrols, team operations in high crash corridors, and safety audits within the State. Reimbursement is based upon the current per diem rates and current state fiscal rules in regards to in and out times and the number of miles traveled.

Estimates for all travel were calculated based upon previous spending and anticipated costs for airfare, lodging, baggage, per diem, transportation, etc. It is impossible to determine exact amounts for each conference due to unknown and multiple locations for each meeting. Location and duration will ultimately determine the final cost of airfare, per diem, lodging, etc. ONLY ACTUAL TRAVEL COSTS ARE PAID AFTER TRAVEL IS COMPLETE

In State travel estimates are based upon previous spending, as supervisors within the unit determine the length, location, personnel and number of MCSAP operations to be conducted throughout the year. ONLY ACTUAL TRAVEL COSTS ARE PAID AFTER TRAVEL IS COMPLETE.

Mileage

Mileage reimbursement is approved for staff that do not have an assigned state vehicle or access to a state vehicle. Travel to meetings and required alternate work locations are examples of reimbursable mileage, however, state policy determines mileage reimbursement. Current mileage reimbursement rate is established by Colorado Revised Statute (CRS) 24-9-104(2).

Part 4 Section 5 - Equipment

Equipment is tangible or intangible personal property. It includes information technology systems having a useful life of more than one year, and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the non-Federal entity (i.e., the State) for financial statement purposes, or \$5,000.

- If your State's equipment capitalization threshold is below \$5,000, check the box below and provide the threshold amount. See [§200.12](#) Capital assets, [§200.20](#) Computing devices, [§200.48](#) General purpose equipment, [§200.58](#) Information technology systems, [§200.89](#) Special purpose equipment, and [§200.94](#) Supplies.

Show the total cost of equipment and the percentage of time dedicated for MCSAP related activities that the equipment will be billed to MCSAP. For example, you intend to purchase a server for \$5,000 to be shared equally among five programs, including MCSAP. The MCSAP portion of the total cost is \$1,000. If the equipment you are purchasing will be capitalized (depreciated), you may only show the depreciable amount, and not the total cost ([2 CFR §200.436](#) and [2 CFR §200.439](#)). If vehicles or large IT purchases are listed here, the applicant must disclose their agency's capitalization policy.

Provide a description of the equipment requested. Include the quantity, the full cost of each item, and the percentage of time this item will be dedicated to MCSAP grant.

Total Project Costs equal the Number of Items x Full Cost per Item x Percentage of Time on MCSAP grant.

Equipment Project Costs							
Item Name	# of Items	Full Cost per Item	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
TOTAL: Equipment				\$0.00	\$0.00	\$0.00	\$0.00
Equipment threshold is greater than \$5,000.							

Enter a detailed explanation of how the equipment costs were derived and allocated to the MCSAP project.

Part 4 Section 6 - Supplies

Supplies means all tangible property other than that described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or \$5,000, regardless of the length of its useful life. See also §200.20 Computing devices and §200.33 Equipment.

Estimates for supply costs may be based on the same allocation as personnel. For example, if 35 percent of officers' salaries are allocated to this project, you may allocate 35 percent of your total supply costs to this project. A different allocation basis is acceptable, so long as it is reasonable, repeatable and logical, and a description is provided in the narrative.

Provide a description of each unit/item requested, including the quantity of each unit/item, the unit of measurement for the unit/item, the cost of each unit/item, and the percentage of time on MCSAP grant.

Total Project Costs equal the Number of Units x Cost per Unit x Percentage of Time on MCSAP grant.

Supplies Project Costs							
Item Name	# of Units/ Unit of Measurement	Cost per Unit	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Office Supplies	1 Year	\$30,500.00	100.0000	\$30,500.00	\$30,500.00	\$0.00	\$0.00
Uniform Supplies	1 Year	\$25,000.00	100.0000	\$25,000.00	\$25,000.00	\$0.00	\$0.00
Inspection/Police Supplies	1 Year	\$30,500.00	100.0000	\$30,500.00	\$30,500.00	\$0.00	\$0.00
ADP Expense	1 Year	\$6,500.00	100.0000	\$6,500.00	\$6,500.00	\$0.00	\$0.00
Reproduction/Printing Expense	1 Year	\$12,000.00	100.0000	\$12,000.00	\$12,000.00	\$0.00	\$0.00
TOTAL: Supplies				\$104,500.00	\$104,500.00	\$0.00	\$0.00

Enter a detailed explanation of how the supply costs were derived and allocated to the MCSAP project.

Office Supplies

Includes items that are necessary for the day to day operations of the MCSAP office. Includes, but is not limited to, pens, pencils, staples, paper, paper clips, chairs, filing supplies, filing cabinets, and all other miscellaneous office supplies. This total also includes copy machine costs.

Uniform and Other Related Supplies

Costs include uniforms to be worn by personnel dedicated 100% to MCSAP. Costs includes replacement or purchase of any required or approved part of the uniform authorized to be worn while on duty. Includes, but is not limited to, collar brass, badges, patches, shoes, leather gear, etc.

Inspection/Police Supplies

Costs includes all necessary equipment required to perform inspections, including but not limited to chocks, creepers, tire gauges, etc. Additionally, costs included in this category include those operational supplies used in the performance of the duties of a peace officer, including but not limited to, ammunition, flashlights, batteries, evidence kits, accident investigation supplies, ticket books, clipboards, cameras, video equipment, first aid supplies, fuses, etc.

Automated Data Processing Supplies

Costs include but are not limited to repair costs for existing equipment, costs to upgrade computer hardware, printer cartridges and ink, and miscellaneous data processing supplies such as cables, printers, back up drives, etc.

Reproduction and Printing Expenses

Includes artwork and reproduction costs associated with updating and providing copies of Driver/Vehicle inspection reports; and costs to develop and print educational and informational materials to be distributed to the motoring public and CMV industry. Printing costs are estimated based on previous year's expenditures and vary depending on the type of document printed, the number of pages, whether the document is in color or black and white, type of binding if applicable, number of copies needed, etc. All printing is completed through the state print shop, Integrated

Document Services (IDS). It is mandatory that all agencies within the state use IDS unless a specific service is unavailable, at which time, the agency would request a waiver to have items sent to a commercial vendor for printing.

Part 4 Section 7 - Contractual and Subaward

This section includes contractual costs and subawards to subrecipients. Use the table below to capture the information needed for both contractual agreements and subawards. The definitions of these terms are provided so the instrument type can be entered into the table below.

Contractual – A contract is a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award ([2 CFR §200.22](#)). All contracts issued under a Federal award must comply with the standards described in [2 CFR §200 Procurement Standards](#).

Note: Contracts are separate and distinct from subawards; see [2 CFR §200.330](#) for details.

Subaward – A subaward is an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract ([2 CFR §200.92](#) and [2 CFR §200.330](#)).

Subrecipient - Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program, but does not include an individual who is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency ([2 CFR §200.93](#)).

Enter the legal name of the vendor or subrecipient if known. If unknown at this time, please indicate 'unknown' in the legal name field. Include a description of services for each contract or subaward listed in the table. Entering a statement such as "contractual services" with no description will not be considered meeting the requirement for completing this section.

Enter the DUNS or EIN number of each entity. There is a drop-down option to choose either DUNS or EIN, and then the State must enter the corresponding identification number.

Select the Instrument Type by choosing either Contract or Subaward for each entity.

Total Project Costs should be determined by State users and input in the table below. The tool does not automatically calculate the total project costs for this budget category.

Operations and Maintenance-If the State plans to include O&M costs that meet the definition of a contractual or subaward cost, details must be provided in the table and narrative below.

Please describe the activities these costs will be using to support (i.e., ITD, PRISM, SSDQ or other services.)

Contractual and Subaward Project Costs							
Legal Name	DUNS/EIN Number	Instrument Type	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Vehicle Lease	DUNS 878046747	Contract	100.0000	\$396,323.00	\$396,323.00	\$0.00	\$0.00
Description of Services: Vehicles for use by MCSAP Officers							
TOTAL: Contractual and Subaward				\$396,323.00	\$396,323.00	\$0.00	\$0.00

Enter a detailed explanation of how the contractual and subaward costs were derived and allocated to the MCSAP project.

Vehicle Lease

Lease costs are determined by the State of Colorado Fleet Management Unit, as well as, mileage and usage charges, pre-determined by State of Colorado Fleet Management to fund gasoline, repair, and maintenance for vehicles. Additionally costs include radio usage charges as determined by Fleet Management. Costs for each vehicle are dependent upon, year, make and model of each vehicle, as well as vehicle usage. Costs included in the proposal are an annual average of total costs since cost per individual vehicle will vary. Vehicles funded by the MCSAP Basic Grant are 100% dedicated to MCSAP activities and any non-eligible activities are incidental to routine law enforcement actions. **Vehicle usage costs are variable, based upon mileage/usage and will continue throughout the life of the vehicle until it is sold at auction. The actual vehicle lease is applied to the actual cost of the vehicle and Fleet Maintenance will retain ownership, however, the vehicle will remain in the MCSAP unit until it is sold at auction. Upon sale of the vehicle at auction, all funds are returned to the MCSAP grant which are used to offset current MCSAP**

vehicle costs. The FMCSA division office is aware of this practice that has been in place for many years. While there are 22 troopers assigned to the unit, there are 4 Sergeants, 2 Captains, and 2 POE officers that are 100% dedicated to the MCSAP Unit. Each of the Sergeants and Captains have been assigned a vehicle and the two POE officers will share one vehicle. .

Item	# of Vehicles	Cost Per Item	Total Cost
Vehicles	29	\$13,666.31	\$396,323.00

Part 4 Section 8 - Other Costs

Other Costs are those not classified elsewhere and are allocable to the Federal award. These costs must be specifically itemized and described. The total costs and allocation bases must be explained in the narrative. Examples of Other Costs (typically non-tangible) may include utilities, leased property or equipment, fuel for vehicles, employee training tuition, meeting registration costs, etc. The quantity, unit of measurement (e.g., monthly, annually, each, etc.), unit cost, and percentage of time on MCSAP grant must be included.

Operations and Maintenance—If the State plans to include O&M costs that do not meet the definition of a contractual or subaward cost, details must be provided in the table and narrative below. Please identify these costs as ITD O&M, PRISM O&M, or SSDQ O&M. Sufficient detail must be provided in the narrative that explains what components of the specific program are being addressed by the O&M costs.

Enter a description of each requested Other Cost.

Enter the number of items/units, the unit of measurement, the cost per unit/item, and the percentage of time dedicated to the MCSAP grant for each Other Cost listed. Show the cost of the Other Costs and the portion of the total cost that will be billed to MCSAP. For example, you intend to purchase air cards for \$2,000 to be shared equally among five programs, including MCSAP. The MCSAP portion of the total cost is \$400.

Total Project Costs equal the Number of Units x Cost per Item x Percentage of Time on MCSAP grant.

Indirect Costs

Information on Indirect Costs ([2 CFR §200.56](#)) is captured in this section. This cost is allowable only when an approved indirect cost rate agreement has been provided in the "My Documents" area in the eCVSP tool and through Grants.gov. Applicants may charge up to the total amount of the approved indirect cost rate multiplied by the eligible cost base. Applicants with a cost basis of salaries/wages and fringe benefits may only apply the indirect rate to those expenses. Applicants with an expense base of modified total direct costs (MTDC) may only apply the rate to those costs that are included in the MTDC base ([2 CFR §200.68](#)).

- **Cost Basis** — is the accumulated direct costs (normally either total direct salaries and wages or total direct costs exclusive of any extraordinary or distorting expenditures) used to distribute indirect costs to individual Federal awards. The direct cost base selected should result in each Federal award bearing a fair share of the indirect costs in reasonable relation to the benefits received from the costs.
- **Approved Rate** — is the rate in the approved Indirect Cost Rate Agreement.
- **Eligible Indirect Expenses** — means after direct costs have been determined and assigned directly to Federal awards and other activities as appropriate. Indirect costs are those remaining to be allocated to benefitted cost objectives. A cost may not be allocated to a Federal award as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been assigned to a Federal award as a direct cost.
- **Total Indirect Costs** equal Approved Rate x Eligible Indirect Expenses divided by 100.

Your State will claim reimbursement for Indirect Costs.

Indirect Costs					
Cost Basis	Approved Rate	Eligible Indirect Expenses	Total Indirect Costs	Federal Share	State Share
Salaries, Wages and Fringe (SWF)	21.40	\$3,587,986.91	\$767,829.19	\$767,829.19	\$0.00
TOTAL: Indirect Costs			\$767,829.19	\$767,829.19	\$0.00

Other Costs Project Costs							
Item Name	# of Units/ Unit of Measurement	Cost per Unit	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
CVSA Decals	16000 Decal	\$0.28	100.0000	\$4,480.00	\$4,480.00	\$0.00	\$0.00
Registration/Conference Costs	1 Year	\$4,000.00	100.0000	\$4,000.00	\$4,000.00	\$0.00	\$0.00
Communications	1 Year	\$25,013.26	100.0000	\$25,013.26	\$25,013.26	\$0.00	\$0.00
Postage	1 Year	\$3,000.00	100.0000	\$3,000.00	\$3,000.00	\$0.00	\$0.00
Dues and Memberships	1 Year	\$13,500.00	100.0000	\$13,500.00	\$13,500.00	\$0.00	\$0.00
Software	1 Year	\$1,200.00	100.0000	\$1,200.00	\$1,200.00	\$0.00	\$0.00
MCSAP Remote Training System	1 1	\$20,266.50	100.0000	\$20,266.50	\$20,266.50	\$0.00	\$0.00
Temporary/Portable Shed	1 1	\$4,305.00	100.0000	\$4,305.00	\$4,305.00	\$0.00	\$0.00
TOTAL: Other Costs				\$75,764.76	\$75,764.76	\$0.00	\$0.00

Enter a detailed explanation of how the 'other' costs were derived and allocated to the MCSAP project.

Indirect Costs

The current indirect cost rate as established by the agreement is 21.4%.

Training

Upon further discussion with the MCSAP training team it has been determined that this expense is not required and will therefore be removed from the budget request.

CVSA Decals

$16,000 * 0.28 = \$4,480.00$

Registration/Conference Costs

Includes department authorized MCSAP training and/or seminars. Includes registration fees for CVSA workshops, as well as, registration fees for any other conferences/training seminars.

Communications

Includes:

1. Office telephone equipment lease costs and line charges.
2. Cellular phones, lease, and air time charges to make MCSAP related telephone calls.
3. Hotspot and airtime charges related to MCSAP funded activities.
4. Long distance, toll charges, conference calls

Each MCSAP officer has been assigned a cellular phone that also provides network access when at the roadside. This function is necessary to access the FMCSA systems at the roadside and to transfer ASPEN reports and compliance reviews.

Postage

Includes costs of US Postal Services, UPS and Fed/Ex type shipping and freights costs for MCSAP related activities, such as, correspondence with carriers, as well as, shipping to MCSAP officers stationed outside of the Denver Metro Area.

Dues and Memberships

Costs include:

CVSA membership

Software

Includes purchase of new software, and/or updates for existing software to support MCSAP related activities. Software purchases/upgrades include Crystal Reports, Adobe Pro, etc.

Remote Training System

Due to the COVID-19 pandemic many employees within the State of Colorado are required to work remotely. On average the MCSAP unit hosts 40 training/update classes per year with approximately 1,000 students in attendance. As a result of the pandemic and state restrictions limiting group gatherings and travel, the unit currently does not have the ability to provide remote or in-person training classes, which has greatly impacted MCSAP. Approximately 15 classes/updates were cancelled due to the COVID-19 pandemic.

The training equipment will be utilized for Commercial Vehicle Training. At a minimum all State Patrol Officers will receive their annual Level 1 updates via the remote training system, as will Level 3 inspectors who receive annual updates and training. The purchase of this equipment will enable CSP-MCSAP to deliver more timely training to our MOU agencies located throughout the state, without the need for travel. Lastly, the NTC has expressed interest in hosting remote classes, they currently allow remote evaluations for instructors and master instructors. The purchase of this equipment would enable CSP-MCSAP to accomplish both of these NTC training initiatives for inspectors within the State of Colorado. Currently, there are 507 certified inspectors in the Colorado State Patrol and 60 certified inspectors within participating MOU agencies.

Utilizing FY 2021 grant funds, MCSAP will purchase a comprehensive remote training system to deliver training and updates remotely. This system will be dedicated 100% to MCSAP eligible training and will enable the training team to continue operations seamlessly despite issues, such as the pandemic. Additionally, this system will enable timely training to a wide range of students while reducing travel costs, travel time, and emissions.

1 - Cisco 28 Port Managed POE Switch	\$ 995.00
1 - 24 Port Patch Panel	195.00
1 - Atlona 8x8 HDMI/CAT5 Matrix Switcher	5,250.00
4 - Atlona HDMI Receiver w/IR & RS232	752.00
1 - Atlona Conference Kit w/Codac, Camera Interface	2,100.00
1 - Atlona Stereo/Mono Power Amp	340.00
1 - Black Magic Digital Video Recorder	695.00
1 - Shure Audio Conferencing Processor	1,900.00
1 - Shure 4 Channel LXR Microphone Mixer	262.50
3 - Shure Wireless Handheld/Lavalier Combo System	2,277.00
1 - Misc Cable Harware	1,000.00
1 - Labor to install and program	4,200.00
1 - Freight Cost	300.00

Temporary/Portable Shed

When conducting inspections at the Cortez Port of Entry, inspectors and drivers are not protected from the elements and are unable to utilize inspection equipment, such as the PBBT, due to lack of space. The result is the inability to effectively conduct inspections at this location. The purchase of a temporary shed will enable inspectors to store inspection equipment and enable inspectors to utilize this valuable tool regardless of weather and elemental changes. The shed is portable and could be moved to other locations if needed, it **will not** be permanently affixed to the ground and **will not** have a foundation. There will be an increase in the usage of the PBBT during inspections as compared to previous years since the Colorado State Patrol petitioned and ultimately received approval from CVSA to change the operator standards and training for PBBT operators. This will drastically increase PBBT usage, additionally the PBBT's have been assigned permanently to fixed locations for crash reduction efforts. This storage shed will allow greater usage of the PBBT in all weather conditions.

Part 4 Section 9 - Comprehensive Spending Plan

The Comprehensive Spending Plan is auto-populated from all line items in the tables and is in read-only format. Changes to the Comprehensive Spending Plan will only be reflected by updating the individual budget category table(s).

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85.01% Federal Share	14.99% State Share	Total Estimated Funding
Total	\$4,990,138.00	\$880,544.00	\$5,870,682.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of Basic Award Amount):	\$880,544.00
MOE Baseline:	\$309,041.47

Estimated Expenditures				
Personnel				
	Federal Share	State Share	Total Project Costs (Federal + Share)	MOE
Uniformed Officers	\$1,499,706.00	\$673,476.00	\$2,173,182.00	\$0.00
MCSAP Captain	\$63,921.50	\$63,921.50	\$127,843.00	\$0.00
POE Officers	\$95,736.00	\$0.00	\$95,736.00	\$0.00
Civilians	\$356,568.00	\$23,484.00	\$380,052.00	\$0.00
State Funded Level I Inspections	\$0.00	\$0.00	\$0.00	\$34,095.00
State Funded Level II-V Inspections	\$0.00	\$0.00	\$0.00	\$101,717.00
MCSAP Sergeant	\$335,602.50	\$112,041.50	\$447,644.00	\$0.00
State Funded Level II-V Inspections	\$0.00	\$7,621.00	\$7,621.00	\$0.00
Salary Subtotal	\$2,351,534.00	\$880,544.00	\$3,232,078.00	\$135,812.00
MCSAP Officers	\$158,668.40	\$0.00	\$158,668.40	\$0.00
Non-MCSAP Inspector OT	\$191,123.30	\$0.00	\$191,123.30	\$0.00
Overtime subtotal	\$349,791.70	\$0.00	\$349,791.70	\$0.00
Personnel total	\$2,701,325.70	\$880,544.00	\$3,581,869.70	\$135,812.00

Fringe Benefits				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
MCSAP Captain	\$24,290.17	\$0.00	\$24,290.17	\$0.00
Uniformed Officers	\$569,888.28	\$0.00	\$569,888.28	\$0.00
Uniformed Officers MOE	\$0.00	\$0.00	\$0.00	\$250,920.88
MCSAP Sergeant	\$124,172.92	\$0.00	\$124,172.92	\$0.00
POE Officers	\$36,379.68	\$0.00	\$36,379.68	\$0.00
Civilians	\$131,930.16	\$0.00	\$131,930.16	\$0.00
Civilian MOE	\$0.00	\$0.00	\$0.00	\$8,689.08
MCSAP Sergeant MOE	\$0.00	\$0.00	\$0.00	\$41,455.35
Uniformed Fringe MOE	\$0.00	\$0.00	\$0.00	\$255,920.88
State Funded Level I Inspections	\$0.00	\$0.00	\$0.00	\$12,956.10
State Funded Level II-V Inspections	\$0.00	\$0.00	\$0.00	\$38,652.46
MCSAP Captain MOE	\$0.00	\$0.00	\$0.00	\$24,290.17
Fringe Benefits total	\$886,661.21	\$0.00	\$886,661.21	\$632,884.92

Travel				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
FMCSA MCSAP Planning Meeting	\$8,000.00	\$0.00	\$8,000.00	\$0.00
Routine MCSAP Related In-State Travel	\$33,534.14	\$0.00	\$33,534.14	\$0.00
Mileage	\$200.00	\$0.00	\$200.00	\$0.00
FMCSA IT Workshop	\$6,000.00	\$0.00	\$6,000.00	\$0.00
Challenge Competition	\$2,000.00	\$0.00	\$2,000.00	\$0.00
CVSA Spring Conference	\$4,000.00	\$0.00	\$4,000.00	\$0.00
CVSA Fall Conference	\$4,000.00	\$0.00	\$4,000.00	\$0.00
Travel total	\$57,734.14	\$0.00	\$57,734.14	\$0.00

Equipment				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Equipment total	\$0.00	\$0.00	\$0.00	\$0.00

Supplies				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Office Supplies	\$30,500.00	\$0.00	\$30,500.00	\$0.00
Uniform Supplies	\$25,000.00	\$0.00	\$25,000.00	\$0.00
Inspection/Police Supplies	\$30,500.00	\$0.00	\$30,500.00	\$0.00
ADP Expense	\$6,500.00	\$0.00	\$6,500.00	\$0.00
Reproduction/Printing Expense	\$12,000.00	\$0.00	\$12,000.00	\$0.00
Supplies total	\$104,500.00	\$0.00	\$104,500.00	\$0.00

Contractual and Subaward				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Vehicle Lease	\$396,323.00	\$0.00	\$396,323.00	\$0.00
Contractual and Subaward total	\$396,323.00	\$0.00	\$396,323.00	\$0.00

Other Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
CVSA Decals	\$4,480.00	\$0.00	\$4,480.00	\$0.00
Registration/Conference Costs	\$4,000.00	\$0.00	\$4,000.00	\$0.00
Communications	\$25,013.26	\$0.00	\$25,013.26	\$0.00
Postage	\$3,000.00	\$0.00	\$3,000.00	\$0.00
Dues and Memberships	\$13,500.00	\$0.00	\$13,500.00	\$0.00
Software	\$1,200.00	\$0.00	\$1,200.00	\$0.00
MCSAP Remote Training System	\$20,266.50	\$0.00	\$20,266.50	\$0.00
Temporary/Portable Shed	\$4,305.00	\$0.00	\$4,305.00	\$0.00
Other Costs total	\$75,764.76	\$0.00	\$75,764.76	\$0.00

Total Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Subtotal for Direct Costs	\$4,222,308.81	\$880,544.00	\$5,102,852.81	\$768,696.92
Indirect Costs	\$767,829.19	\$0.00	\$767,829.19	NA
Total Costs Budgeted	\$4,990,138.00	\$880,544.00	\$5,870,682.00	\$768,696.92

Part 4 Section 10 - Financial Summary

The Financial Summary is auto-populated by the system by budget category. It is a read-only document and can be used to complete the SF-424A in Grants.gov. Changes to the Financial Summary will only be reflected by updating the individual budget category table(s).

- The system will confirm that percentages for Federal and State shares are correct for Total Project Costs. The edit check is performed on the **"Total Costs Budgeted"** line only.
- The system will confirm that Planned MOE Costs equal or exceed FMCSA funding limitation. The edit check is performed on the **"Total Costs Budgeted"** line only.
- The system will confirm that the Overtime value does not exceed the FMCSA funding limitation. The edit check is performed on the **"Overtime subtotal"** line.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85.01% Federal Share	14.99% State Share	Total Estimated Funding
Total	\$4,990,138.00	\$880,544.00	\$5,870,682.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of Basic Award Amount):	\$880,544.00
MOE Baseline:	\$309,041.47

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Salary Subtotal	\$2,351,534.00	\$880,544.00	\$3,232,078.00	\$135,812.00
Overtime Subtotal	\$349,791.70	\$0.00	\$349,791.70	\$0.00
Personnel Total	\$2,701,325.70	\$880,544.00	\$3,581,869.70	\$135,812.00
Fringe Benefits Total	\$886,661.21	\$0.00	\$886,661.21	\$632,884.92
Travel Total	\$57,734.14	\$0.00	\$57,734.14	\$0.00
Equipment Total	\$0.00	\$0.00	\$0.00	\$0.00
Supplies Total	\$104,500.00	\$0.00	\$104,500.00	\$0.00
Contractual and Subaward Total	\$396,323.00	\$0.00	\$396,323.00	\$0.00
Other Costs Total	\$75,764.76	\$0.00	\$75,764.76	\$0.00
	85.01% Federal Share	14.99% State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Subtotal for Direct Costs	\$4,222,308.81	\$880,544.00	\$5,102,852.81	\$768,696.92
Indirect Costs	\$767,829.19	\$0.00	\$767,829.19	NA
Total Costs Budgeted	\$4,990,138.00	\$880,544.00	\$5,870,682.00	\$768,696.92

Part 5 - Certifications and Documents

Part 5 includes electronic versions of specific requirements, certifications and documents that a State must agree to as a condition of participation in MCSAP. The submission of the CVSP serves as official notice and certification of compliance with these requirements. State or States means all of the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.

If the person submitting the CVSP does not have authority to certify these documents electronically, then the State must continue to upload the signed/certified form(s) through the "My Documents" area on the State's Dashboard page.

Part 5 Section 1 - State Certification

The State Certification will not be considered complete until the four questions and certification declaration are answered. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.

1. What is the name of the person certifying the declaration for your State? Timothy Keeton
2. What is this person's title? Major
3. Who is your Governor's highway safety representative? Shoshana Lew
4. What is this person's title? Executive Director

The State affirmatively accepts the State certification declaration written below by selecting 'yes'.

- ☒ Yes
- ☐ No

State Certification declaration:

I, Timothy Keeton, Major, on behalf of the State of COLORADO, as requested by the Administrator as a condition of approval of a grant under the authority of [49 U.S.C. § 31102](#), as amended, certify that the State satisfies all the conditions required for MCSAP funding, as specifically detailed in [49 C.F.R. § 350.211](#).

Part 5 Section 2 - Annual Review of Laws, Regulations, Policies and Compatibility Certification

You must answer all three questions and indicate your acceptance of the certification declaration. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.

1. What is the name of your certifying State official? Leonard Dittman
2. What is the title of your certifying State official? Captain
3. What are the phone # and email address of your State official? 303-273-1942 leonard.dittman@state.co.us

The State affirmatively accepts the compatibility certification declaration written below by selecting 'yes'.

- ☒ Yes
- ☐ No

I, Leonard Dittman, certify that the State has conducted the annual review of its laws and regulations for compatibility regarding commercial motor vehicle safety and that the State's safety laws remain compatible with the Federal Motor Carrier Safety Regulations (49 CFR parts 390-397) and the Hazardous Materials Regulations (49 CFR parts 107 (subparts F and G only), 171-173, 177, 178, and 180) and standards and orders of the Federal government, except as may be determined by the Administrator to be inapplicable to a State enforcement program. For the purpose of this certification, Compatible means State laws or regulations pertaining to interstate commerce that are identical to the FMCSRs and HMRs or have the same effect as the FMCSRs and identical to the HMRs and for intrastate commerce rules identical to or within the tolerance guidelines for the FMCSRs and identical to the HMRs.

If there are any exceptions that should be noted to the above certification, include an explanation in the text box below.

Part 5 Section 3 - New Laws/Legislation/Policy Impacting CMV Safety
--

Has the State adopted/enacted any new or updated laws (i.e., statutes) impacting CMV safety since the last CVSP or annual update was submitted?

☒ Yes ☐ No

In the table below, please provide the bill number and effective date of any new legislation. Include the code section which was changed because of the bill and provide a brief description of the legislation. Please include a statute number, hyperlink or URL, in the summary. Do NOT include the actual text of the Bill as that can be very lengthy.

Legislative Adoption			
Bill Number	Effective Date	Code Section Changed	Summary of Changes
HB 17-1061	07/01/2017	42-4-235	Although this went into effect in 2017 it substantially changed CMV enforcement and inspection efforts in Colorado. The statute changed the definition of a Commercial Motor Vehicle in Colorado. It changed the GVWR to 16,001 lbs or more.

Has the State adopted/enacted any new administrative actions or policies impacting CMV safety since the last CVSP?

☐ Yes ☒ No

STATE AND LOCAL GOVERNMENTS RATE AGREEMENT

EIN:

DATE:06/10/2019

ORGANIZATION:

FILING REF.: The preceding
agreement was dated
09/11/2018

Colorado Department of Public Safety
700 Kipling Street
Lakewood, CO 80215

The rates approved in this agreement are for use on grants, contracts and other agreements with the Federal Government, subject to the conditions in Section III.

SECTION I: INDIRECT COST RATES

RATE TYPES:		FIXED	FINAL	PROV. (PROVISIONAL)	PRED. (PREDETERMINED)
<u>EFFECTIVE PERIOD</u>					
<u>TYPE</u>	<u>FROM</u>	<u>TO</u>	<u>RATE (%)</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
PRED.	07/01/2019	06/30/2020	9.40	All	Executive Director's Office
PRED.	07/01/2019	06/30/2020	21.40	All	Colorado State Patrol
PRED.	07/01/2019	06/30/2020	30.80	All	Division of Fire Prevention and Control
PRED.	07/01/2019	06/30/2020	37.10	All	Division of Criminal Justice
PRED.	07/01/2019	06/30/2020	28.20	All	Colorado Bureau of Investigation
PRED.	07/01/2019	06/30/2020	20.60	All	Div. of Homeland Security & Emergency Management
PROV.	07/01/2020	06/30/2021	9.40	All	Executive Director's Office

ORGANIZATION: Colorado Department of Public Safety

AGREEMENT DATE: 6/10/2019

<u>TYPE</u>	<u>FROM</u>	<u>TO</u>	<u>RATE(%)</u>	<u>LOCATION</u>	<u>APPLICABLE TO</u>
PROV.	07/01/2020	06/30/2021	21.40	All	Colorado State Patrol
PROV.	07/01/2020	06/30/2021	30.80	All	Division of Fire Prevention and Control
PROV.	07/01/2020	06/30/2021	37.10	All	Division of Criminal Justice
PROV.	07/01/2020	06/30/2021	28.20	All	Colorado Bureau of Investigation
PROV.	07/01/2020	06/30/2021	20.60	All	Div. of Homeland Security & Emergency Management

*BASE

Direct salaries and wages including all fringe benefits.

ORGANIZATION: Colorado Department of Public Safety

AGREEMENT DATE: 6/10/2019

SECTION II: SPECIAL REMARKS

TREATMENT OF FRINGE BENEFITS:

The fringe benefits are specifically identified to each employee and are charged individually as direct costs. The directly claimed fringe benefits are listed below.

TREATMENT OF PAID ABSENCES

Vacation, holiday, sick leave pay and other paid absences are included in salaries and wages and are claimed on grants, contracts and other agreements as part of the normal cost for salaries and wages. Separate claims are not made for the cost of these paid absences.

DEFINITION OF EQUIPMENT

Equipment is defined as tangible nonexpendable personal property (including information technology systems) having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.

The following fringe benefits are treated as direct costs:

DENTAL/HEALTH/LIFE INSURANCE, DISABILITY, FICA, RETIREMENT, UNEMPLOYMENT, AND WORKPER'S COMPENSATION.

This Rate Agreement is issued in accordance with the Customer Service agreement (CSA) between DHHS/CAS and the Federal Emergency Management Agency (FEMA).

NEXT PROPOSAL DUE DATE

A proposal based on actual costs for fiscal year ending 06/30/19, will be due no later than 12/31/19.

ORGANIZATION: Colorado Department of Public Safety
AGREEMENT DATE: June 10, 2019

SECTION III: GENERAL

A. **LIMITATIONS:** The rates in this Agreement are subject to any statutory or administrative limitations and apply to a given grant, contract or other agreement only to the extent that funds are available. Acceptance of the rates is subject to the following conditions: (1) Only costs incurred by the organization were included in its indirect cost pool as finally accepted; such costs are legal obligations of the organization and are allowable under the governing cost principles; (2) The same costs that have been treated as indirect costs are not claimed as direct costs; (3) Similar types of costs have been accorded consistent accounting treatment; and (4) The information provided by the organization which was used to establish the rates is not later found to be materially incomplete or inaccurate by the Federal Government. In such situations, the rate(s) would be subject to renegotiation at the discretion of the Federal Government.

B. **ACCOUNTING CHANGES:** This Agreement is based on the accounting system purported by the organization to be in effect during the Agreement period. Changes to the method of accounting for costs which affect the amount of reimbursement resulting from the use of this Agreement require prior approval of the authorized representative of the cognizant agency. Such changes include, but are not limited to, changes in the charging of a particular type of cost from indirect to direct. Failure to obtain approval may result in cost disallowances.


C. **FIXED RATES:** If a fixed rate is in this Agreement, it is based on an estimate of the costs for the period covered by the rate. When the actual costs for this period are determined, an adjustment will be made to a rate of a future year(s) to compensate for the difference between the costs used to establish the fixed rate and actual costs.

D. **USE BY OTHER FEDERAL AGENCIES:** The rates in this Agreement were approved in accordance with the authority in Office of Management and Budget 2 CFR 200, and should be applied to grants, contracts and other agreements covered by this circular, subject to any limitations in A above. The organization may provide copies of the Agreement to other Federal Agencies to give them early notification of the Agreement.

E. **OTHER:** If any Federal contract, grant or other agreement is reimbursing indirect costs by a means other than the approved rate(s) in this Agreement, the organization should (1) credit such costs to the affected programs, and (2) apply the approved rate(s) to the appropriate base to identify the proper amount of indirect costs allocable to these programs.

BY THE INSTITUTION:

Colorado Department of Public Safety
(Institution)


(Signature)

Dean McDaniel
(Name)

Controller
(Title)

7/1/2019
(Date)

ON BEHALF OF THE FEDERAL GOVERNMENT:

DIHS – Federal Emergency Management Agency
(Agency)

JENNIFER J CLARK Digitally signed by Jennifer J Clark
DN: cn=JENNIFER J CLARK, o=DIHS, ou=DIHS, email=jclark@dihs.gov
(Signature)

Jennifer Clark
(Name)

Chief, FEMA Finance Center
(Title)

July 1, 2019
(Date)

DIHS Representative: Stanley Huynh
Telephone: (415) 437-7820

**DEPARTMENT OF PUBLIC SAFETY
DIVISION OF STATE PATROL**

**RULES AND REGULATIONS
CONCERNING
MINIMUM STANDARDS FOR THE OPERATION
OF COMMERCIAL VEHICLES**

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

Pursuant to §42-4-235(4) (a) (I), CRS, the Chief of the Colorado State Patrol (CSP) has the authority to promulgate rules and regulations for the minimum standards for the operation of commercial vehicles within the State of Colorado.

Amendments are being proposed to 8 Colorado Code of Regulations 1507-1 to ensure compliance and consistency with state law and federal regulations. Specifically, these amendments incorporate the most recently promulgated Out of Service Criteria set forth by the Commercial Vehicle Safety Alliance (CVSA); pertinent sections of the October 2019 Federal Motor Carrier Safety Regulations required as a result of federal law, state law and grant requirements; to clarify the applicability of these rules to vehicles supporting snowplowing operations and the inapplicability of the financial responsibility (insurance) requirements of rules to vehicles operated by river outfitters regulated by the Colorado Department of Natural Resources, Division of Wildlife; and to address minor grammar and formatting issues.

It has been declared by the General Assembly that the safe operation of commercial vehicles is a matter of statewide concern. The absence of implementing rules to carry out the purpose of the statutes would be contrary to the public health, peace, safety and welfare of the state. For these reasons, it is necessary that these proposed amendments be adopted.


Colonel Matthew C. Packard
Chief, Colorado State Patrol

2/05/2020
Date of Adoption

**DEPARTMENT OF PUBLIC SAFETY
DIVISION OF STATE PATROL**

**RULES AND REGULATIONS
CONCERNING
MINIMUM STANDARDS FOR THE OPERATION
OF COMMERCIAL VEHICLES**

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It has been declared by the General Assembly that the safe operation of commercial vehicles is a matter of statewide concern. The absence of implementing rules to carry out the purpose of the statutes would be contrary to the public health, peace, safety and welfare of the state. For these reasons, it is necessary that these proposed amendments be adopted.

Colonel Matthew C. Packard
Chief, Colorado State Patrol

Date of Adoption

**DEPARTMENT OF PUBLIC SAFETY
DIVISION OF STATE PATROL**

**RULES AND REGULATIONS
CONCERNING
MINIMUM STANDARDS FOR THE OPERATION
OF COMMERCIAL VEHICLES**

AUTHORITY TO ADOPT STANDARDS AND SPECIFICATIONS

The Chief of the Colorado State Patrol (CSP) is authorized by the provisions of §42-4-235(4) (a) (I), CRS, to adopt rules and regulations for safety standards and specifications for the operation of all commercial vehicles in Colorado, both in interstate and intrastate transportation.

I. APPLICABILITY

- A. These rules and regulations shall apply to individuals, corporations, Colorado government or governmental subdivisions or agencies, or other legal entities who operate commercial vehicles as defined in §42-4-235(1) (a), CRS.
1. In addition to this rule, anyone who transports hazardous materials as defined in 49 CFR 171.8 §42-20-103 (3), CRS and/or nuclear materials as defined in §42-20-402 (3) (a)-(c), CRS, shall comply with the CSP Rules and Regulations Concerning the Permitting, Routing, and Safe Transportation of Hazardous and Nuclear Materials and the Intrastate Transportation of Agricultural Products in the state of Colorado found in 8 CCR 1507-25.
 2. The CSP Motor Carrier Safety Section (MCSS) may consider and grant requests for temporary variance from the rules in 8 CCR 1507-1, for intrastate commercial motor carriers only, provided the variance is not in violation of §42-4-235, CRS.

II. GENERAL DEFINITIONS

- A. Definitions relevant to these rules are found in Title 49 of the Code of Federal Regulations (CFR). These definitions are amended, where necessary, to conform to the Colorado Revised Statutes (CRS). Those definitions controlled by the CRS that are applicable to these rules are referenced below:
1. **Commercial Vehicle:** The definition of commercial vehicle will be as it is set forth in §42-4-235 (1) (a), CRS.
 2. **Enforcement Official:** The definition of enforcement official will be as it is set forth in §§ 16-2.5-101, 16-2.5-114, 16-2.5-115, and 16-2.5-143 and also as set forth in 42-20-103 (2), CRS.

- 3. Motor Carrier:** The definition of motor carrier will be as it is set forth in §42-4-235 (1) (c), CRS.

III. AUTHORITY TO INSPECT VEHICLES, DRIVERS, CARGO, BOOKS AND RECORDS

- A.** Enforcement officials, who are authorized to perform motor vehicle safety inspections on commercial motor vehicles and drivers, shall be required to meet the inspector qualifications set forth in §42-4-235(4) (a)(I), CRS, while performing a Level I North American Standard Safety Inspection. All enforcement officials performing Level I-VI North American Standard Safety Inspections must maintain certification requirements prescribed in the Commercial Vehicle Safety Alliance (CVSA) Operations Manual.
- B.** Authorized enforcement officials shall at all times have the authority to inspect commercial vehicles, commercial vehicle drivers, cargo, and any required documents, set forth in 49 CFR, Subchapter B, Parts 387, 390, 391, 392, 393, 395, 396, 397 and 399 CFR, as revised October 1, 2019.
- C.** CSP Enforcement officials who are certified by the Federal Motor Carrier Safety Administration (FMCSA) pursuant to 49 CFR 385, Subpart C to perform compliance reviews and safety audits shall have the authority to enter the facilities of and inspect any motor carrier, as defined in §42-4-235 (1) (c), CRS, and any required records and supporting documents, set forth in 49 CFR, Subchapter B, Parts 40, 380, 382, 385, 387, 390, 391, 392, 393, 395, 396, 397 and 399, and Appendix G, CFR, as revised October 1, 2019.

IV. INSPECTIONS STANDARDS AND REPORTS

- A.** Through a Memorandum of Understanding (MOU) with the CVSA, dated October 1, 2019, the CSP adopts the standards and procedures established for the inspection of commercial vehicles, collectively known as the North American Uniform Driver/Vehicle Inspection.
- B.** Authorized enforcement officials performing safety inspections on commercial vehicles, drivers, and cargo shall use as general guidelines the levels, methods of inspections and Out-of-Service criteria, found in the CVSA bylaws, as revised April 1, 2020.
- C.** Authorized enforcement officials shall, on completion of each inspection, prepare a report which at minimum fully identifies the inspector, the inspector's agency, the carrier's name and address, the date and time of the inspection, the location of the inspection, the vehicle, the driver, the defects found, if any, and the disposition of the vehicle. A copy of the inspection report shall be given to the driver or motor carrier.

V. REGULATIONS

- A.** All intrastate and interstate motor carriers, commercial vehicles and drivers thereof operating within the state of Colorado shall operate in compliance with the safety regulations contained in:

49 CFR 40	Procedures for Transportation Workplace Drug and Alcohol Testing Programs
49 CFR 380	Special Training Requirements
49 CFR 382	Controlled Substances and Alcohol Use and Testing
49 CFR 385 Subparts C & D	Safety Fitness Procedures
49 CFR 387	Minimum Levels of Financial Responsibility for Motor Carriers
49 CFR 390	Federal Motor Carrier Safety Regulations: General
49 CFR 391	Qualifications of Drivers and Longer Combination Vehicle (LCV) Driver Instructors
49 CFR 392	Driving of Commercial Motor Vehicles
49 CFR 393	Parts & Accessories Necessary for Safe Operation
49 CFR 395	Hours of Service of Drivers
49 CFR 396	Inspections, Repair, and Maintenance
49 CFR 397	Transportation of Hazardous Materials;
	Driving and Parking Rules
49 CFR 399	Employee Safeties and Health Standards
49 CFR Appendix G:	Minimum Periodic Inspection Standards

of the United States Department of Transportation's Motor Carrier Safety Regulations as the same were in effect on October 1, 2019 and published in Title 49 of the Code of Federal Regulations (CFR), subtitle B chapter III, Parts 200 through 399, with references therein, with the following modifications:

1. Unless otherwise specified, all references to interstate commerce shall include intrastate commerce.
2. 49 CFR 380.509 (a) shall be amended to read: "Each employer must ensure each entry level driver, who first begins operating a commercial motor vehicle requiring a commercial driver's license under §42-2-404, CRS, receives the training required by 49 CFR 380.503."
3. 49 CFR 385.301 (b) and (c), through 385.305 through 385.308 and 385.319 (b) Through 385.337 shall not apply. 49 CFR 385.309 through 385.319 (a), hereafter referred to as the Colorado Intrastate New Entrant Safety Assurance Program, shall apply to intrastate motor carriers who are beginning in intrastate operations and are required to obtain an intrastate USDOT identification number from the FMCSA. Intrastate motor carriers can confirm if they need a USDOT number and complete an application online by going to

[HTTPS://WWW.FMCSA.DOT.GOV/REGISTRATION/DO-I-NEED-USDOT-NUMBER](https://www.fmcsa.dot.gov/registration/do-i-need-usdot-number). A prior interstate safety audit or compliance review shall meet the requirement for an intrastate safety audit.

- a. All interstate motor carriers beginning operations in Colorado must submit to a Safety Audit as defined in 49 CFR 385.3.
 - i. Safety audits on interstate carriers beginning operations in the state of Colorado will be conducted by the CSP MCSS.
 - b. All intrastate motor carriers beginning operations in Colorado are eligible for the Colorado Intrastate New Entrant Safety Assurance Program. New intrastate carriers may schedule training by contacting the CSP MCSS.
4. Pursuant to §42-4-235(4) (a) (I), CRS, the financial responsibility and insurance provisions of these rules do not apply to commercial vehicles regulated by the Colorado Public Utilities Commission (PUC). These provisions also do not apply to those commercial vehicles operated by river outfitters regulated by the Colorado Department of Natural Resources, Division of Wildlife under 2 CCR 405-3. These noted exceptions aside, 49 CFR 387.1 through 387.17, 387.303, 387.305 and 387.309 shall apply to the operation of commercial vehicles with the following exceptions:
 - a. 49 CFR 387.7 (e) and (g) shall not apply.
 - b. 49 CFR 387.9 (4) applies only to interstate and foreign commerce.
 - c. Transportation carriers may obtain a certificate of self insurance issued pursuant to §42-7-501, CRS, or 49 CFR 387.
 - d. Motor carriers subject to these rules shall carry a minimum level of cargo liability coverage of \$10,000 for loss or damage to property carried on any one motor vehicle or an amount adequate to cover the value of the property being transported, whichever is less, unless the shipper and the property carrier otherwise agree by written contract to a lesser amount.
5. 49 CFR 390.3 (f), (1-2) and (6) shall not apply.
6. 49 CFR 390.5 Definitions:
 - a. The definition of “Commercial Motor Vehicle” and “Motor Carrier” shall not apply.
 - b. The definition of an “Emergency” is amended by adding the following: “A governmental agency has determined that a local emergency requires relief from the maximum driving time in 49 CFR 395.3 or 395.5.”

- 7.** 49 CFR 390.19T (a) is amended to read: “Each motor carrier that conducts operations in intrastate commerce must apply for and receive an intrastate USDOT identification number prior to beginning operations within the state. The motor carrier is required to update this information every 24 months.”

 - a.** Identification numbers for intrastate motor carriers are processed by the Federal Motor Carrier Safety Administration (FMCSA).
- 8.** 49 CFR 390.21 (b) is amended by adding the following: “Intrastate carriers must mark their vehicles with the assigned intrastate USDOT identification number, preceded by the letters “USDOT” and followed by the suffix “CO” (e.g.: USDOT 1234567 CO).

 - a.** Motor carriers operating in intrastate commerce, not transporting 16 or more passengers (including the driver) or transporting placarded hazardous materials and having a GVWR or GCWR equal to or in excess of 16,001 lbs. but not in excess of 26,000 lbs., may meet the marking requirements of 49 CFR 390.21 by marking the trailer or secondary unit, if the GVWR of the self-propelled unit is less than 16,001 lbs.
 - b.** In the interests of public safety, repossessioners as defined within §42-6-146 (4), CRS, operating intrastate are not subject to the marking requirements of 49 CFR 390.21.
- 9.** 49 CFR 391.11(b)(1) shall be amended to read: “Is at least 21 years old if engaged in interstate commerce or transporting hazardous materials of a type or quantity that would require the vehicle to be marked or placarded under 49 CFR 177.823. All other drivers must be at least 18 years of age.”
- 10.** Public transit agency carriers and their drivers operating in intrastate commerce may meet the requirement in 49 CFR 395.1 (e) (1) (ii) by either meeting the existing regulation or by replacing 49 CFR 395.1 (e) (1) (ii) with “the driver is released from work within 12 consecutive hours.”
- 11.** 49 CFR 395.3 or 395.5 shall not apply to drivers of either Colorado governmental vehicles or tow trucks working an emergency, as defined in 49 CFR 390.
- 12.** 49 CFR 395.3 shall not apply to tow drivers who are towing a vehicle from a public roadway at the request of a police officer or other law enforcement purpose.
- 13.** Drivers transporting livestock, poultry, slaughtered animals or the grain, corn, feed, hay etc. used to feed animals are eligible to use the agricultural operations exception in 49 CFR 395.1 (k).
- 14.** 49 CFR 395.1 (k) is amended to read: “Is conducted during the planting and

harvesting seasons within Colorado as determined by the Department of Agriculture to be from January 1 to December 31.”

15. All references to federal agencies and authorized personnel shall be construed to include the CSP, PUC, and law enforcement agencies with a signed MOU with the CSP and their authorized personnel.
16. All reporting requirements referred to in 49 CFR 40, 368, 380, 382, 385, 387, 390, 391, 392, 393, 395, 396, 397 and 399, upon request shall be filed with or provided to the CSP MCSS, 15075 S. Golden Rd., Golden, CO 80401, or by mutually agreed upon methods of electronic document delivery.

B. These Rules and Regulations apply to all vehicles which meet the definition of a commercial vehicle set forth in §42-4-235 (1) (a), CRS, and drivers which meet the definition of “Driver” as described in 49 CFR 390.5, with the following exceptions:

1. Drivers of intrastate vehicles and combination of vehicles with a gross vehicle weight rating (GVWR) or gross combined weight rating (GCWR) of not more than 26,000 pounds, and which do not require a commercial driver’s license to operate, are not subject to 49 CFR 391, Subpart E, Physical Qualifications and Examinations;
2. Vehicles owned and operated by the Federal Government or state government or political subdivision thereof not domiciled in Colorado, which are not transporting hazardous materials of a type and quantity that requires the vehicle to be marked or placarded under 49 CFR 172.504;
3. The operation of authorized emergency vehicles, as defined in §42-1-102 (6), CRS, while in emergency and related operations;
4. The operations of snowplows, as defined in §42-1-102 (91), CRS, and all other vehicles engaged in supporting the use thereof when snowplows are removing snow/ice from the roadway or related snow/ice removal operations.

C. Traction Devices Required

Drivers operating a commercial vehicle as defined in Colorado Department of Transportation (CDOT) rule 2 CCR 601-14, with the exception of mobile cranes, that are operated on Interstate 70 between milepost 133 and milepost 259 from September 1st to May 31st inclusive, must carry tire chains as defined in §42-4-106 (5) (a) (I) CRS. Alternative traction devices or tire cables may be used in lieu of tire chains as identified in 2 CCR 601-14.

VI. INTRASTATE MEDICAL WAIVERS

A. Approval of Medical Waivers

- a.** The CSP MCSS may grant variances/waivers to drivers unable to satisfy the requirements of 49 CFR 391, Subpart E. Individual applications requesting a variance/waiver of specific requirements may be approved when the approval of the variance/waiver is supported by the decision of a certified medical examiner and the documented determination of an appropriate medical professional, combined with satisfaction of any applicable performance standards, to support a decision that a medical condition has no adverse impact on safety.
- b.** Medical waiver requirements, submission information and documents are available online at WWW.COLORADO.GOV/PACIFIC/CSP/MEDICAL-WAIVERS.

B. Medical Waiver Application Denial

- a.** An application for a medical waiver may be denied if:
 - i.** The applicant does not currently possess or is not in the process of attaining a state of Colorado Commercial Driver's License;
 - ii.** If the applicant has a medical condition for which a waiver or variance is not available; or
 - iii.** If either the certified medical examiner or the medical professional fail to complete or certify the required waiver form(s).
 - iv.** If, upon review of relevant motor vehicle operation data available to the CSP at the time of receipt of paperwork to re-issue a medical waiver to an individual having an expired or expiring waiver, the CSP determines that to re-issue a medical waiver to an individual will not promote safety, protect human life, or preserve the highways of this state.
 - A.** The denial of an application for the re-issue of a medical waiver to an individual based upon relevant motor vehicle operation data available to the CSP at the time of the receipt of paperwork will be afforded the same appeal rights as a waiver revocation.

- b.** Denial of a medical waiver application will be by written notice by the CSP MCSS.

C. Medical Waiver Revocation

- 1.** A medical waiver may be revoked by the CSP when a waiver holder fails to comply with applicable terms and conditions of the CSP Medical Waiver Program.
- 2.** A medical waiver may be revoked by the CSP when it is determined by the CSP that

the continued use of a waiver by a holder fails to promote safety, protect human life, or preserve the highways of this state.

- i. Medical waiver cardholders are provided written notice of relevant program terms and conditions at the time of card approval and subsequent renewal.
- ii. Revocation of any medical waiver will be by written notice from the CSP MCSS.

D. Right to Appeal Medical Waiver Revocation

- 1. Within 30 days of receiving written notice from the CSP MCSS revoking a medical waiver, the holder of the waiver may request a hearing.
 - i. Hearing requests by waiver holders must be made in writing.
 - ii. Hearing requests must be addressed to the Chief of the CSP or his or her designee at the CSP MCSS, 15075 S. Golden Rd., Golden Co, 80401.

E. Hearing and Review

- 1. The Chief of the CSP or his or her designee will hold the hearing.
 - i. The scope of the hearing will be limited to whether the applicant or permit holder complied with the terms and conditions applicable to the medical waiver program.
 - ii. The Chief of the CSP or his or her designee will issue a written decision within 20 business days of the completed hearing.
 - A. If the Chief of the CSP or his or her designee finds that evidence of non-compliance and/or ineligibility is sufficient, the medical waiver revocation will be sustained.
 - B. If the Chief of the CSP or his or her designee finds that evidence of non-compliance and/or ineligibility is not sufficient, the medical waiver revocation will be immediately overturned and the medical waiver will be reinstated.
 - iii. The decision by the Chief of the CSP or his or her designee shall constitute a final agency action and is subject to judicial review as described by §24-4-106, CRS.

VII. INTRASTATE SAFETY FITNESS RATINGS AND CIVIL PENALTIES

- A. The Colorado Department of Public Safety (CDPS) is authorized by the provisions of §42-4-235 (2) (a), CRS, to collect civil penalties levied against intrastate carriers

found in violation of the rules adopted by the CDPS pursuant to §42-4-235 (4) (a), CRS. The following procedure shall apply to the determination and issuance of those penalties.

- B.** The CSP must establish a Safety Fitness Rating for each motor carrier upon which it conducts a Compliance Review. The CSP shall use as general guidelines the procedures and definitions contained in 49 CFR 385.

1. Scope, Authority and Application

- a.** §42-4-235 (2) (a), CRS, Minimum Standards for Commercial Vehicles. No person shall operate a commercial vehicle on a public highway of this state unless such vehicle is in compliance with the rules adopted by CSP. Any person who violates such rules shall be subject to the civil penalties authorized pursuant to 49 CFR 386, Subpart G.
- i.** Intrastate motor carriers shall not be subject to any provisions in 49 CFR 386, Subpart G that relate the amount of a penalty to a violator's ability to pay. Such penalties shall be based upon the nature and gravity of the violation, the degree of culpability and such other matters as justice and public safety may require.
- b.** The CSP shall have exclusive enforcement authority to conduct Compliance Reviews, as defined in 49 CFR 385.3 and to impose civil penalties pursuant to such rules.
- c.** The Civil Penalty will be applied at the completion of a Compliance Review by a Motor Carrier Safety Investigator certified by the FMCSA as a Compliance Review investigator.

2. Definitions

- a. Civil Penalty Process:** The process and proceedings to collect civil penalties by the CSP for violations of §42-4-235 (4) (a), CRS.
- b. Notice of Claim Letter (NOC):** The written order informing the motor carrier of their penalty, the rights associated with the penalty, and the process for responding to the penalty.
- c. Commercial Vehicle:** Shall have the same meaning as described in §42-4- 235 (1) (a), CRS.
- d. Compliance Review:** An examination of motor carrier operations, such as driver's hours of service, maintenance and inspection, driver qualification, commercial driver's license requirements, financial responsibility, accidents, hazardous materials, and other safety and transportation records to determine whether a motor carrier meets the safety fitness standard.

- e. **Conditional Safety Rating:** Indicates that a motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard that could result in occurrences listed in 49 CFR 385.5.
- f. **Motor Carrier:** Shall have the same meaning as described in §42-4-235 (1) (c), CRS.
- g. **Served/Service:** Indicates NOC or other service document was sent by first class mail to the last address furnished to the CSP MCSS by the motor carrier or was personally served by a uniformed member of the CSP.
 - i. Service of a NOC or document by first class mail is considered complete when it is mailed, not when it is received.
- h. **Satisfactory Safety Rating:** Indicates a motor carrier has in place and functioning adequate Safety Fitness controls to meet the safety fitness standard prescribed in 49 CFR 385.5. Safety Fitness controls are adequate if they are appropriate for the size and type of operation of the particular motor carrier.
- i. **Unrated Safety Rating:** Indicates a safety rating has not been assigned to the motor carrier by the CSP.
- j. **Unsatisfactory Safety Rating:** Indicates a motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard which has resulted in occurrences listed in 49 CFR 385.5.

3. Safety Fitness Rating

- a. Upon completion of a Compliance Review the CSP shall assign a proposed Safety Fitness Rating that shall be based on the degree of compliance with the federal motor carrier safety fitness standard for motor carriers found in 49 CFR 385.5. The Safety Fitness Rating will be determined using the factors prescribed in 49 CFR 385.7. A motor carrier may determine their degree of compliance with the safety fitness standard by reviewing 49 CFR 385.5.
- b. On the 61st day after the assignment of a proposed Safety Fitness Rating the motor carrier's Safety Fitness Rating will become a final Safety Fitness Rating.
- c. The final Safety Fitness Rating of an intrastate motor carrier will be available to the public upon request by contacting the CSP Central Records Unit (CRU) office at:

Colorado State Patrol
Central Records Unit
700 Kipling St.
Lakewood, CO 80215
303-239-4500

- d.** If a motor carrier believes the CSP committed an error in assigning its Safety Fitness Rating they may request an administrative review. The request must conform to the following provisions.

 - i.** The request must be in writing addressed to the Chief of the CSP or his or her designee within 30 days of the assignment of the proposed Safety Fitness Rating.
 - ii.** The request must explain the error the motor carrier believes the CSP committed in issuing the Safety Fitness Rating. The motor carrier must include a list of all factual and procedural issues in dispute, and any information or documentation that supports its argument.
 - iii.** The Chief of the CSP or his or her designee may request more information and/or require the motor carrier to attend a conference to discuss the rating. If the motor carrier does not provide the information requested or attend the conference then the chief/designee may dismiss the request.
 - iv.** The Chief of the CSP or his or her designee will serve the decision within 30 days of receiving the request.
 - v.** The proposed Safety Fitness Rating will remain as a proposed Safety Fitness Rating until the decision of the Chief of the CSP or his or her designee.
 - vi.** The decision will include the assignment of a final Safety Fitness Rating. The decision constitutes final action by the CSP.
- e.** In the event a Safety Fitness Rating is assigned to an intrastate motor carrier, the motor carrier may request a change to their Safety Fitness Rating based on corrective actions taken by the motor carrier. This request cannot be made and will not be acted upon sooner than 90 days after the assignment of a proposed Safety Fitness Rating. The request must be in writing and addressed to the Chief of the CSP or his or her designee. The request must conform to the following provisions:

 - i.** The motor carrier must submit a description of corrective action taken, hereinafter referred to as the Cooperative Safety Plan.

- ii. The Cooperative Safety Plan shall address each violation on the most recent Compliance Review that was an acute and/or critical violation. It shall also address factor six (crashes) of the Compliance Review when the rating for factor six is “unsatisfactory.”
 - iii. The Cooperative Safety Plan must identify why the violation(s) cited as acute and critical were permitted to occur.
 - iv. The Cooperative Safety Plan must discuss the actions to be taken to correct the deficiency or deficiencies that allowed the acute and or critical violations to occur.
 - v. Actions taken to insure these critical and/or acute violations do not reoccur in the future.
 - vi. If factor six (crashes) is rated as unsatisfactory an accident countermeasure program must be included as part of the Cooperative Safety Plan. The program must include, but not limited to, defensive driving training.
 - vii. If the Cooperative Safety Plan includes actions taken in the near future, such as training, reorganization of departments, purchasing of computer programs etc., a schedule of when that activity is to occur must be included.
 - viii. Any additional documentation or information that relates to motor carrier safety and the prevention of crashes and hazardous materials incidents must be included.
 - ix. The Cooperative Safety Plan must include a written statement certifying that the motor carrier will operate in compliance with the motor carrier safety and hazardous materials regulations adopted by the CSP pursuant to §§42-4-235 and 42-20-108, CRS, and all applicable state and local laws.
 - x. The Cooperative Safety Plan must be signed by a corporate officer in the case of a corporation, a member or manager in the case of a limited liability company, by the general partner of a limited partnership or by all partners or proprietors in the case of a general partnership or proprietorship.
- f. The motor carrier may request a change in their Safety Fitness Rating by requesting a follow up Compliance Review, as follows:
- i. The request must be made to the Chief of the CSP or his or her designee. The request cannot be made and will not be acted upon sooner than three months after the assignment of a proposed Safety

Fitness Rating.

- ii. The Compliance Review investigator will review the corrective actions taken by the motor carrier since the last Compliance Review.

4. Civil Penalty

- a. The Compliance Review may result in the assessment of a Civil Penalty as prescribed by §42-4-235(2), CRS, for violations discovered during the Compliance Review.
- b. The amount of the Civil Penalty will be determined by taking into account the following factors:
 - i. Nature and gravity of the violation;
 - ii. Degree of culpability;
 - iii. History of offenses within three years preceding the date of the Compliance Review;
 - iv. Such other matters as justice and public safety not to include any consideration of a violator's ability to pay the Civil Penalty.
- c. The intrastate operation of implements of husbandry shall not be subject to the civil penalties provided in 49 CFR 386, Subpart G.
- d. The Compliance Review investigator will use the Uniform Fine Assessment (UFA), as codified by §42-4-235 (2) (a), CRS, to determine the Civil Penalty levied upon the motor carrier.

5. Civil Penalty Process

- a. **Notification.** Upon determination of the Civil Penalty, the Compliance Review investigator will serve notification in the form of a NOC.
- b. **Payment or Administrative Review.** The motor carrier shall serve the CSP MCSS with their response to the NOC within 30 days of service of the NOC in one of the following ways:
 - i. Pay the full amount of the Civil Penalty as instructed in the NOC; or
 - ii. Submit a written request for a payment plan to the Commander of the CSP MCSS; or
 - iii. If a motor carrier believes the CSP committed an error in determining its

Civil Penalty, they may request an administrative review of that penalty. The following provisions will govern the administrative review:

- A.** The request must be in writing addressed to the Chief of the CSP or his or her designee within 30 days of the service of the NOC letter.
- B.** The request must explain the error the motor carrier believes the CSP committed in issuing the Civil Penalty. The motor carrier must include a list of issues in dispute, and any supporting information or documentation.
- C.** The Chief of the CSP or his or her designee may request additional information and/or require the motor carrier to attend a conference to discuss the penalty. If the motor carrier does not provide the information requested or attend the conference then the Chief of the CSP or his or her designee may dismiss the request.
- D.** The Chief of the CSP or his or her designee shall serve the motor carrier with a written decision within 30 days after the Chief of the CSP or his or her designee has determined that the administrative record is complete. This decision shall constitute final agency action.
- E.** The motor carrier has 30 days from the date of the service of the decision to pay the penalty, to arrange for a payment plan as described in 5 (b) (ii) or 35 days from the date of final agency action to file an action in the appropriate district court as provided by §24-4-106 (4), CRS.
 - i.** If, after the 30 days, the carrier does not pay the penalty, request a payment plan or file an action in the appropriate district court the carrier will be deemed to have failed to pay. The CSP MCSS will forward notice to the Colorado Department of Revenue for any carrier deemed to have failed to pay, consistent with §42-4-235 (2) (d) (I), CRS.
 - ii.** If a carrier has failed to pay the assessed or adjudicated penalty, the registrations of the carrier's vehicles shall be cancelled pursuant to §42-3-120, CRS.

VIII. MISCELLANEOUS

- A.** All contact with the CSP regarding these rules or their applicability should be addressed to:

Colorado State Patrol
Motor Carrier Safety Section

15075 South Golden Road
Golden, CO 80401
303-273-1875
303-273-1939 (Fax)
MCSAP@STATE.CO.US

- B.** All publications, standards, guidelines, and rules adopted and incorporated by reference in these rules are on file and available upon request for public inspection by contacting the CSP MCSS at 15075 S. Golden Road, Golden, CO., 80401-3990. These rules are available online through the CSP Motor Carrier Safety Webpage accessible through the CDPS Website at WWW.COLORADO.GOV/PUBLICSAFETY.
- 1.** All publications, standards, guidelines, and rules adopted and incorporated by reference in these rules will be provided to and made available for examination at any state publications depository library as required by §24-4-103 (12.5), CRS. The following publications, standards, guidelines and rules are adopted as amended within these rules in accordance with §24-4-103 (12.5), CRS:
 - a.** Commercial Vehicle Safety Alliance (2020). North American Standard Out-of-Service Criteria (OOSC). April 1, 2020. Greenbelt, MD: Author.
 - b.** Federal Motor Carrier Safety Regulations, 49 CFR §§ 40, 380, 382, 385, 387, 390-397, 399, and Appendix G (2019). This information is also available online through the Government Publishing Office website at: [HTTPS://WWW.ECFR.GOV/CGI-BIN/ECFR?PAGE=BROWSE](https://www.ecfr.gov/cgi-bin/ecfr?PAGE=BROWSE).
 - 2.** The CSP MCSS shall maintain copies of the complete texts of each of the aforementioned publications, standards, guidelines and rules and will make them available for public inspection during regular business hours. Interested parties may access these documents free of charge online. Interested parties may also inspect the referenced incorporated materials and/or obtain copies of the adopted standards for a reasonable fee by contacting the CSP MCSS at 15075 S. Golden Rd., Golden, CO., 80401. Copies of the adopted publications, standards, guidelines and rules may also be available from the organizations of original issue:
 - a.** 2020 CVSA Out-Of-Service Inspection Criteria: Commercial Vehicle Safety Alliance (CVSA), 6303 Ivy Lane, Suite 310, Greenbelt, Maryland 20770-6319. Phone: 301-830-6143. Email: CVSAHQ@CVSA.ORG.
 - b.** Federal Motor Carrier Safety Administration (FMCSA), 1200 New Jersey Ave., SE, Room W-65-206, Washington, DC, 20590. Phone: 1-800-832-5660. Website: WWW.FMCSA.DOT.GOV.

C. These rules do not include later amendments to or editions of any publications, standards, guidelines or rules incorporated by reference herein.

FY 2021 Certification of MCSAP Conformance (State Certification)

I J. P. Burt, Major, on behalf of the State of Colorado, as requested by the Administrator as a condition of approval of a grant under the authority of 49 U.S.C. § 31102, as amended, do hereby certify as follows:

1. The State has designated the Colorado State Patrol as the Lead State Agency to administer the Commercial Vehicle Safety Plan (CVSP) throughout the State for the grant sought and the Colorado State Patrol to perform defined functions under the CVSP.
2. The State has assumed responsibility for and adopted commercial motor carrier and highway hazardous materials safety regulations, standards and orders that are compatible with the FMCSRs and the HMRs, and the standards and orders of the Federal Government.
3. The State will cooperate in the enforcement of financial responsibility requirements under 49 C.F.R. part 387.
4. The State will enforce registration (i.e., operating authority) requirements under 49 U.S.C §§ 13902 and 31134 by prohibiting the operation of any vehicle discovered to be operating without the required registration or beyond the scope of the motor carrier's registration.
5. The laws of the State provide the State's enforcement officials right of entry (or other method a State may use that is adequate to obtain the necessary information) and inspection sufficient to carry out the purposes of the CVSP, as approved.
6. The Lead State Agency and any subrecipient of MCSAP funds have the legal authority, resources, and qualified personnel necessary to enforce the State's commercial motor carrier, driver, and highway hazardous materials safety laws, regulations, standards, and orders.
7. The State has undertaken efforts to emphasize and improve enforcement of State and local traffic laws as they pertain to CMV safety.
8. The State will obligate the funds or resources necessary to provide a matching share to the Federal assistance provided in the grant to administer the plan submitted and to enforce the State's commercial motor carrier safety, driver, and hazardous materials laws, regulations, standards, and orders in a manner consistent with the approved plan.
9. The State will maintain the maintenance of effort required under 49 C.F.R. § 350.225.
10. The State requires that all reports required in the CVSP be available to FMCSA upon request, meets the reporting requirements, and uses the forms for recordkeeping, inspections, and investigations that FMCSA prescribes.
11. The State implements performance-based activities, including deployment and maintenance of technology, to enhance the efficiency and effectiveness of CMV safety programs.

12. The State dedicates sufficient resources to a program to ensure that accurate, complete, and timely motor carrier safety data are collected and reported, and to ensure the State's participation in a national motor carrier safety data correction system prescribed by FMCSA.
13. The State will ensure that the Lead State Agency will coordinate the CVSP, data collection, and information systems with the State highway safety improvement program under 23 U.S.C. § 148(c).
14. The State will ensure participation in information technology and data systems as required by FMCSA for jurisdictions receiving MCSAP funding.
15. The State will ensure that information is exchanged with other States in a timely manner.
16. The laws of the State provide that the State will grant maximum reciprocity for inspections conducted pursuant to the North American Standard Inspection procedure, through the use of a nationally accepted system allowing ready identification of previously inspected CMVs.
17. The State will conduct comprehensive and highly visible traffic enforcement and CMV safety inspection programs in high-risk locations and corridors.
18. The State will ensure that it has departmental policies stipulating that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel.
19. The State will ensure that, except in the case of an imminent or obvious safety hazard, an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a bus station, terminal, border crossing, maintenance facility, destination, or other location where motor carriers may make planned stops (excluding a weigh station).
20. The State will address activities in support of the national program elements listed in 49 C.F.R. § 350.203.
21. The State will ensure that detection of criminal activities and CMV size and weight enforcement activities described in 49 C.F.R. § 350.227(b) funded with MCSAP funds will not diminish the effectiveness of other CMV safety enforcement programs.
22. The State will ensure that violation sanctions imposed and collected by the State are consistent, effective, and equitable.
23. The State will include, in the training manual for the licensing examination to drive a non-CMV and the training manual for the licensing examination to drive a CMV, information on best practices for safe driving in the vicinity of noncommercial and commercial motor vehicles.
24. The State has in effect a requirement that registrants of CMVS demonstrate their knowledge of the applicable FMCSRs, HMRs, or compatible State laws, regulations, standards, and orders on CMV safety.

25. The State will transmit to its roadside inspectors at the notice of each Federal exemption granted pursuant to 49 U.S.C. § 31315(b) and 49 C.F.R. §§ 390.32 and 390.25 as provided to the State by FMCSA, including the name of the person granted the exemption and any terms and conditions that apply to the exemption.
26. Except for a territory of the United States, the State will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under 49 U.S.C. § 31144(g). The State must verify the quality of the work conducted by a third party authorized to conduct safety audits under 49 U.S.C. § 31144(g) on its behalf, and the State remains solely responsible for the management and oversight of the activities.
27. The State will fully participate in the performance and registration information systems management program under 49 U.S.C. § 31106(b) not later than October 1, 2020, or demonstrates to FMCSA an alternative approach for identifying and immobilizing a motor carrier with serious safety deficiencies in a manner that provides an equivalent level of safety.
28. The State will ensure that it cooperates in the enforcement of hazardous materials safety permits issued under subpart E of part 385 of this subchapter by verifying possession of the permit when required while conducting vehicle inspections and investigations, as applicable.
29. In the case of a State that shares a land border with another country, the State may conduct a border CMV safety program focusing on international commerce that includes enforcement and related projects or will forfeit all MCSAP funds based on border-related activities.
30. In the case that a State meets all MCSAP requirements and funds operation and maintenance costs associated with innovative technology deployment with MCSAP funds, the State agrees to comply with the requirements established in 49 C.F.R. subpart D.

Date OCT. 1, 2020

Signature J.P. Bant

Annual Review of Laws, Regulations, Policies and Compatibility Certification

I, **Leonard Dittman, Captain**, on behalf of the State of **the State of Colorado** have the authority to make the following certification on behalf of the State. I certify that the State has conducted the annual review required by 49 C.F.R. section 350.303 of its laws, regulations, standards, and orders on commercial motor vehicle (CMV) safety and that the State's safety laws, regulations, standards, and orders on CMV safety are compatible with the Federal Motor Carrier Safety Regulations (49 C.F.R. parts 390, 391, 392, 393, 395, 396, and 397) and the Hazardous Material Regulations (49 C.F.R. parts 107 (subparts F and G only), 171-173, 177, 178, and 180), except as may be determined by the Administrator to be inapplicable to a State enforcement program.

For the purpose of this certification, *compatible* means State laws, regulations, standards, and orders on CMV safety that:

- (1) As applicable to interstate commerce not involving the movement of hazardous materials:
 - (i) Are identical to or have the same effect as the FMCSRs; or
 - (ii) If in addition to or more stringent than the FMCSRs, have a safety benefit, do not unreasonably frustrate the Federal goal of uniformity, and do not cause an unreasonable burden on interstate commerce when enforced;
- (2) As applicable to intrastate commerce not involving the movement of hazardous materials:
 - (i) Are identical to or have the same effect as the FMCSRs; or
 - (ii) Fall within the limited variances from the FMCSRs allowed under 49 C.F.R. sections 350.305 or 350.307; and
- (3) As applicable to interstate and intrastate commerce involving the movement of hazardous materials, are identical to the HMRs.

If there are any exceptions that should be noted to the above certification, include an explanation below.

(Enter information on any exceptions to the above certification here)

Signature of Certifying Official: _____



Title of Certifying Official: Captain _____

Date of Certification: October 2, 2020