



NORTH DAKOTA

Commercial Vehicle Safety Plan

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

**Fiscal Years 2019 - 2021
Annual Update FY 2021**

Date of Approval: June 16, 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 2019 - 2021)
- Part 2: Crash Reduction and National Program Elements (FY 2019 - 2021)
- Part 3: National Emphasis Areas and State Specific Objectives (FY 2019 - 2021)
- 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

Please review the description of your State's lead CMV agency's goals or mission. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

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 North Dakota Highway Patrol (NDHP) is the administrator for the Commercial Vehicle Safety Plan (CVSP). The NDHP mission is *to make a difference every day by providing high quality law enforcement services to keep North Dakota safe and secure*. It strives to promote and maintain a spirit of teamwork that is the tradition of the North Dakota Highway Patrol, through core values of loyalty, integrity, commitment and respect. The Motor Carrier Safety Assistance Program (MCSAP) goal, which is consistent with the NDHP mission, is to reduce CMV-involved crashes, fatalities and injuries through consistent, uniform, and effective CMV safety programs.

The NDHP performance target is to reduce the CMV fatal event rate to 0.17 per 100 million vehicle miles traveled (VMT) for fiscal year 2021. This goal would represent a 45% reduction in the average fatality event rate compared with the average rate for the previous five years. The incidence rate ranged from 0.15 to 0.45 per 100 million VMT over the past five years. Between 2013 and 2017 trucks were involved in 25.1% of fatal crash events, which compares with a truck-involvement level of 16.5% between 2008 and 2012. The share of crashes involving a truck in 2017 was the lowest since 2010. These shifts coincides with a expansion and contraction of oil exploration. As the energy market again becomes more active, it is reasonable to expect truck traffic and risk for truck-involved crashes to increase.

Recent exponential growth in North Dakota's CMV traffic, associated with oil development activities in the west, created safety challenges. The activity has slowed with lower energy prices and scaled back exploration activities. The market does, however, continue to react to economic signals with regard to energy prices and global supply/demand that are reflected in local development activities. In addition, travel resulting from the expansion that occurred during the spike in exploration keeps traffic above the historical levels in terms of large truck VMT. Therefore, an ongoing evaluation of the CMV fatality rate goal from previous years is necessary to set realistic and realizable safety goals.

The NDHP continues to improve CMV safety through:

Strategy 1: Reduced MCV Fatal and Injury-Related Crash Rates

- Objective 1.1: Compliance & enforcement
- Objective 1.2: Thoroughly investigate all fatal and injury commercial vehicle crashes to determine causation factors and plan operations based on findings.
- Objective 1.3: Improve data collection and analysis.

Strategy 2: Community Outreach & Policing

- Objective 2.1: Create public awareness of sharing the road with commercial vehicles.
- Objective 2.2: Work with North Dakota motor carriers to conduct training and informational seminars.
- Objective 2.3: Establish liaison with community organizations for support.
- Objective 2.4: Publicize agency objectives.
- Objective 2.5: Educate high-risk and high-exposure driver groups.

Strategy 3: Employee Development and Safety

- Objective 3.1: Conduct safety training programs.
- Objective 3.2: Ensure personnel have all equipment and information necessary to carry out MCSAP duties.

Part 1 Section 3 - MCSAP Structure Explanation

Please review your State's CMV enforcement program description. You must answer the questions about your grant activities. You must select "yes" to make changes.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

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.

Federal Fiscal Year 2021 Annual Update: NDHP reorganized the Motor Carrier Division (MCD) structure. MCSAP is staffed through the Motor Carrier Region. The MC region is allocated 23 total sworn officers. MCD also includes (4) civilian permit staff. The NDHP's Assistant Operations Commander serves as the MCSAP Grant Coordinator in a partial assignment. The breakdown of MCD is: (1) Motor Carrier Operations Commander, (3) sergeants, (12) dedicated MCSAP troopers and (6) regional size and weight troopers. MCD also includes (4) civilian inspectors and (1) administrative assistant. Changes to our Motor Carrier Division structure were due to retirements, personnel resignation, hiring, and a "needs" analysis to add a first line supervisor (sergeant) to this division.

In addition to the dedicated MCSAP team, the MCD has six Motor Carrier Operations troopers who focus efforts on size and weight enforcement and support the safety efforts lead by the core MCSAP staff. These troopers focus their patrol time on CMV size and weight issues, and do level 2 or level 3 inspections on those CMVs stopped for size and weight violations. The MCSAP Sergeants, MCSAP inspectors, MC (size and weight) troopers have each successfully completed the North American Standard (NAS) Part A and B Courses and a majority have Advanced Level I training. These MC troopers are certified to conduct NAS Level I inspections and are provided MCSAP overtime to conduct them. In addition, 94 traffic troopers (July 13th, 2020) are certified to conduct NAS Level III inspections and participate in joint enforcement strike forces and saturation details.

Nine regional sergeants have opted to maintain their Level III certification as their work load allows. Based on MC Division records we currently have a total 119 CVSA certified employees (July 13th, 2020) in the NDHP that conduct inspections.

The MCSAP Grant Coordinator has oversight of the MCSAP program and is responsible for creation and submission of the MCSAP CVSP. The Assistant Operations Commander implements the activities in the eCVSP and submits progress reports. He is the primary liaison with FMCSA and the NDHP. The MCSAP Grant Coordinator is responsible for the overall oversight, performance of the personnel and activities in the MCSAP program. The MCSAP Grant Coordinator works to assure that adequate resources are provided to accomplish the activities in the MCSAP program.

The Motor Carrier Operations Commander is responsible for implementation of the MCSAP CVSP in the field. He plans activities, personnel schedules and coordinates the resources to accomplish stated MCSAP activities. He provides information to the MCSAP Grant Coordinator on the progress of planned activities for reporting purposes. The Motor Carrier Operations Commander supervises the three sergeants and the New Entrant Safety coordinator and auditors.

The sergeants act as the first line supervisor for the line-level personnel in the MCSAP program. They act as mentors and trainers. The sergeants review and evaluate the day to day performance of the line level personnel. They also perform inspections and assure adherence to policies, plans, schedules and planned activities. The sergeants perform 6 and 12 month performance appraisals on line level personnel. They report back to the Motor Carrier Operations Commander on inspection activities.

The troopers and civilian inspectors/auditors perform inspections, safety investigations, New Entrant safety audits, educational activities, and take enforcement action when appropriate. These are the line level personnel that are tasked with performing and accomplishing activities outlined in the MCSAP CVSP. The NDHP has formed a position called a "MCSAP Coordinator". The responsibilities of this position will be to process DATA Q's with assistance from the Operational Commander develop training curriculum, instruct on CMV topics related to MCSAP and FMCRs and to provide input to the commanders on regulations. The MCSAP coordinator will be additional duties for a trooper position.

The NDHP continues to work closely with NDDOT and our IT section to assure our Data Quality is at the highest level possible. We have overcome historical challenges and succeeded in sustaining our Overall Data Quality rating at the Green level. The recent yellow ratings are attributed to a lag in local law enforcement agency reporting for the CMV events. We continue to work with these local agencies and monitor Data Quality to identify areas that we can improve and strive to maintain a green rating.

Process: In order to monitor performance and assure that performance goals and activities are being accomplished and met, the Motor Carrier Operations Commander will review statistical performance levels of each MCSAP trooper, civilian inspector and safety auditor. Realistic, attainable, individual performance goals in regard to inspections, enforcement activities and educational presentations are discussed with each employee. First line supervisors meet with the troopers, inspectors and auditors at the beginning of each year and discuss the goals listed in the CVSP. Individual work and career goals are discussed and set with each trooper and inspector as to how they will contribute to the overall success of the CVSP goals. Periodically, or as needed, first line supervisors do a review of work performance and progress of the individual trooper, inspector and auditor activities. Strategies for successes and challenges in meeting goals are discussed. Formal performance appraisals are conducted annually with each employee to assure that standards in all areas of performance are being met.

Part 1 Section 4 - MCSAP Structure

Please review your State's MCSAP structure information. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

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:	NORTH DAKOTA STATE PATROL
Enter total number of personnel participating in MCSAP activities	134
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	119
Traffic Enforcement Activities	154
Investigations*	6
Public Education and Awareness	154
Data Collection and Reporting	17
* 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:	
Total # of MCSAP Participating Personnel:	

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 2019 - 2021 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

Please review the description of your State's crash reduction problem statement, goals, program activities and monitoring. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

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 2013 - 2017

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: Large Truck Fatal Crashes per 100M VMT

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

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
10/01/2016	09/30/2017	19	0.23	0.20
10/01/2015	09/30/2016	18	0.33	0.19
10/01/2014	09/30/2015	53	0.33	0.53
10/01/2013	09/30/2014	45	0.35	0.43
10/01/2012	09/30/2013	57	0.20	0.56

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: Large Truck Fatal Crashes per 100M VMT

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

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
10/01/2016	09/30/2017	0	0	0
10/01/2015	09/30/2016	0	0	0
10/01/2014	09/30/2015	1	0	0.01
10/01/2013	09/30/2014	0	0	0
10/01/2012	09/30/2013	1	0	0.01

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: Large Truck Fatal Crashes per 100M VMT

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

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
10/01/2016	09/30/2017	0	0	0
10/01/2015	09/30/2016	0	0	0
10/01/2014	09/30/2015	2	0	0.02
10/01/2013	09/30/2014	0	0	0
10/01/2012	09/30/2013	0	0	0

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

All CMV Crashes: NDDOT Crash Data, Annual Locked Data Query, July 2018. Motorcoach and HazMat: FMCSA's Motor Carrier Management Information System (MCMIS) data snapshot as of 6/29/2018.

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

Narrative Overview for FY 2019 - 2021**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.

By FY2021, the NDHP will strive to attain a CMV fatality rate of 0.17 or less considering traffic trends and historical incidence rates. Our long-term goal to achieve a zero fatality rate is consistent with our state partners. The NDHP will continue to promote fewer driver violations for both CMV drivers and non-CMV drivers interacting with trucks; it will also increase safety belt compliance through inspection, enforcement, and education. We have found the need to adjust the CMV fatality rate goal because CMV VMT tends to be inconsistent in a year-to-year trend line due to effects of the global energy market influence in North Dakota economic activity. The goal needs to be realistic and attainable.

Our goals for FY2017 and FY2018 were fatality rates of 0.33 and 0.23 per 100m VMT, respectively. After recent multiple years of increasing CMV-involved crashes, which can be directly attributed to the impact of the oil industry, especially in northwest North Dakota, the trend appears to be stabilizing. Truck traffic has slowed in due to drilling technology advancements, increasing pipeline capacity/geographic coverage and less intense drilling activity levels. In addition to ongoing MCSAP activities, the dramatic decline in FY2016 and FY2017 likely resulted from a combination of factors that also included, (1) decreased traffic attributed less energy exploration, (2) continued modal shift of energy sector products from truck and rail to pipeline, and (3) completion of infrastructure investments, especially in the northwest region of the state. These safety gains were sustained in FY2017 with a fatality rate of 0.15 events per 100m VMT. FY2017 had the fewest truck-involved fatal crash events since FY2010 - which was just prior to the onset of the rapid oil industry expansion.

Traffic Environment Comments:

- North Dakota produces over a 1 million barrels of oil per day. After a slightly production volume decline in 2016, oil production again expanded in 2017. The 2017 volume is 11 times greater than that produced in 2005. In addition, unlike 2005 production, a majority of the expanded production had been collected by trucks rather than pipeline (US EIA). The share moved by rail, which provided a temporary capacity solution, continues to decline as pipeline capacity continues to expand. In addition to oil transport, future truck traffic uncertainty is attributed drilling rig activity – which continues to fluctuate based on world energy prices. Most roads in the 16 of North Dakota's 53 counties, those in the western oil producing region, are rural two-lane paved and local unpaved. These roads in the core production counties are not accessible via interstate highway as illustrated in the truck traffic map below. US Highway 85 and US Highway 2 travel through the heart of the western North Dakota oil producing region and are heavily used for drilling operations and production truck traffic. These highways also border with Canada, Montana, and South Dakota as critical interregional traffic corridors in this area (see traffic map below).
- When compared with 2016 traffic levels, the 2017 VMT was 1% lower for all vehicles. Truck VMT was 1% higher in 2017 after a substantial decline in 2016.
- In addition, the continued high truck share in the traffic ratio is noted - with about 20% of the non-interstate highway DVMT attributed to trucks in 2015, compared with 12% in 2000.
- Another issue is multi-vehicle crashes involving CMVs. These crashes are more often caused by passenger vehicle driver error than CMV driver error, citing crash-related citations as a proxy for driver fault in crash events.



The driver out-of-service rates and vehicle out-of-service rates increased in 2017 compared with 2016. The HazMat OOS rate also increased compared with the previous year. The number of driver/vehicle inspections has stabilized over past years as changes were implemented in NDHP personnel staffing levels, NDHP philosophy (e.g., fixed inspection stations vs. mobile inspection capabilities), and a national emphasis (e.g., inspections vs. SAs vs. CRs).

FFY	Total Inspections	Driver Inspections	Vehicle Inspections	HazMat Inspections
2012	13,265	13,050	5,050	713
2013	13,505	13,415	4,180	937
2014	12,324	12,007	4,451	702
2015	12,637	12,501	4,538	661
2016	11,608	11,387	4,311	773
2017	12,600	12,519	4,564	639
2018	14,072	13,632	6,491	636
2019	13,998	13,703	8,276	572

*Table updated as of 7/13/2020

The number of Safety Investigations has been impacted by personnel changes, evolving philosophy and strategic emphasis. Still, the NDHP has strived to grow its Investigation Program. With fewer personnel, we allocated resources to this program, due to its proven, positive impact on CMV safety. Currently, we have 3 troopers assigned to complete investigations. We will continue to assess personnel levels to ensure appropriate resources are devoted to the program. A close working relationship with the Federal Motor Carrier Safety Administration (FMCSA) North Dakota Division has also contributed to this program's success. We completed the following investigations:

FY	Compliance Reviews (CR)/Safety Inspections (SI)	CR/SI Troopers	CR/SI Investigators
----	---	----------------	---------------------

2012	42	2	1.0
2013	30	2	0.5
2014	38	4	0.0
2015	50	4	0.0
2016	45	4	0.0
2017	36	4	0.0
2018	39	4	0
2019	26	3	0

*Table updated as of 7/13/2020

In compliance with 49 CFR 350.201(q), the NDHP will continue to train all troopers to recognize and remove drivers impaired by alcohol and controlled substances from the highways. In addition, troopers will have access to many detection tools, including the use of up to seven NDHP drug dogs. In compliance with 49 CFR 350.201(t), 49 CFR 392.9a is enforced by prohibiting the operation of (i.e., placing out of service) any vehicle discovered to be operating without the required operating authority or beyond the scope of the motor carrier's operating authority; and 49 CFR 387 is enforced during driver/vehicle inspections and CRs. First-line supervisors monitor this during special enforcement blitzes and when doing periodic performance checks. Quarterly performance checks and yearly performance appraisals are conducted by first-line supervisors to assure OOS carriers are being checked by inspectors and troopers.

The NDHP catch rate report for the most recent reporting period is May 2017 to April 2018 (Source: FMCSA ND Division Office). The report indicates that the NDHP conducted eight (8) inspections on out-of-service carriers during the stated period, and all carriers were identified as OOS. The NDHP exceeded its stated goal of 85% catch rate for North Dakota in FY2018. All MCSAP troopers and inspectors have access to Query Central and utilize it during roadside and fixed site inspections to check carrier status. North Dakota is a PRISM compliant state, and it uses Query Central, NLETS, PRISM Target File, and ISS systems to check on carrier authority.

Regarding motor coach/passenger transportation, data analysis has not identified a safety problem in North Dakota. Historically, we have not had an extensive passenger carrier inspection program given limited motor coach traffic. With the requirement to conduct inspections at destinations and terminals, we have few opportunities to do inspections on motor coaches passing through North Dakota. During FY2017, according to MCMIS data from FMCSA A&I online statistics, there were only 18 bus crashes, with no fatal crashes, and six (6) injuries. The NDHP will continue conduct motor coach inspections during two high-traffic events, the international Norsk Hostfest event and the intrastate high school track meet.

The NDHP has also not identified a specific hazardous material problem in North Dakota as it contributes to CMV crashes. The number remains low. Less exposure, with the recent decline in energy sector activity, as well as ongoing MCSAP efforts to ensure compliance reinforce safety in the hazardous material (HM) sector. To recognize the importance of addressing this component in large truck safety, an additional HM CSA focused investigation was included in the FY2017 and FY2018 carrier investigation estimates.

In past years (2013-2017), the NDHP has generated an average of 742 total HM inspections annually. Each year we set a goal of doing 900 total HM inspections. Total HM Inspections for 2017 was 639; the vehicle out-of-service rate was 17.4% (this is an overall rate; they are broken out by level of inspections); the out-of-service driver rate was 4.7%; the HM out-of-service rate was 3.3%.

Each year we complete a number of oil field strike forces in northwest North Dakota, where the bulk of the HM loads and cargo tank loads operate. In FY2017 we conducted one large oil field strike force and four small oil field strike forces. The smaller strike force events were held quarterly. We are on schedule to complete strike force events again in FY2019, FY2020 and FY2021 .

The NDHP has an active HM program and Oil Field Enforcement (OFE) Program. As of 7/13/2020, twenty-three troopers are certified to complete hazardous materials inspections; 6 are certified to conduct passenger vehicle inspections, and 18 are certified to conduct cargo tank inspections. In the HM partnership arena, we have a comprehensive HM response plan that is tied to multiple partners and the national threat level. The NDHP has 23 personnel who routinely conduct HM inspections. In the HM review arena, the NDHP has 3 officers who conduct safety investigations of HM carriers. We have a goal that all MCSAP and MC troopers in the NDHP will be HM and cargo tank certified inspectors.

Enter the data source and capture date:

All CMV Crashes: NDDOT Crash Data, Annual Locked Data Query, July 2018. Motorcoach and HazMat: FMCSA's Motor Carrier Management Information System (MCMIS) data snapshot as of 6/29/2018 & previous CVSP documents.

Projected Goal for FY 2019 - 2021:

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
2019	2
2020	2
2021	2

Crash Reduction Goal: 0.17 Fatal Events per 100m VMT. The goal in FY2018 is 0.23 fatal events per 100m VMT. In North Dakota; 14.3% of CMV drivers in fatal crashes were cited for a violation in FY2017. NDDOT and FMCSA data reveal that, on average, 7% of ND CMV drivers had a violation in a fatal CMV-related crash in the previous four years. This is slightly higher than the national average of 6% for the same period. The ND rates are based on very small counts of one or two citations to truck drivers per year, in truck-involved fatalities. The NDHP will work to complete inspections to have an impact on the CMV driver violation rate, striving to keep it below 5%.

Program Activities for FY 2019 - 2021: 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.

FY	North Dakota		%	National	
	CMV Drivers in Fatal Crashes	CMV Drivers in Fatal Crashes Cited for Violation		CMV Drivers in Fatal Crashes Cited for Violation	
2012	34	8	23.5%	7.4%	
2013	49	8	16.3%	7.5%	
2014	37	2	5.4%	6.6%	
2015	43	1	2.3%	5.9%	
2016	17	1	5.9%	6.1%	
2017	14	2	14.3%	5.7%	

Source: NDDOT Crash Data and FMCSA's Motor Carrier Management Information System (MCMIS) data snapshot as of 6/29/2018.

Federal Fiscal Year 2021 annual update: NDHP will strive to accomplish this goal by completing a total of 13,000 CMV inspections, dedicating 13 MCSAP troopers, one MCSAP civilian inspector, and three MCSAP sergeants to do the bulk of these inspections; with 92 traffic troopers supporting the MC safety effort by conducting level 3 inspections on traffic stops of CMVs in FY2019, FY2020 and FY2021. As stated in the in the budget section, the NDHP will dedicate on average, 80% total hours of the MCSAP sworn trooper's time, 75% total hours of the MCSAP sergeant's time, and 75% total hours of the civilian inspector's time toward MCSAP eligible activities. Sworn traffic and motor carrier troopers dedicate 3% of their time toward MCSAP activities, conducting a minimum of 32 level 1 or 3 inspections per year. The 100 hours, as stated by the NDHP, covers a wide range of activities that sworn officers are required to perform while on "road patrol." The 100 hours for MCSAP personnel encompasses eligible traffic control time, truck enforcement time related to roadside and fixed inspections, assisting with post-crash inspections of CMVs, roadside reporting requirements, and any criminal interdiction efforts while conducting inspections. There are a number of variables in a sworn officer's day that make it difficult to specifically dedicate a set number of hours to conducting inspections.

One large oil field strike force, in an oil producing area of our state, is conducted between August and October. All available MCSAP personnel will participate as determined by the MC regional operations commander. The large strike force is a multiple-day saturation event at various inspection locations in the northwest region.

Smaller strike forces, which will include hazmat carrying CMV's, will be completed annually FY2019 through FY2021. Those smaller strike forces will be completed quarterly. The staffing levels will be determined by the motor carrier regional commander. The small strike forces will be one or two days in duration.

Complete 15 out of the 30 safety investigations on carriers with high unsafe driving, fatigued driving, and/or driver fitness BASICS.

Quarterly MTE enforcement blitzes should also occur during each FY, 2019 through 2021. There will be one held in each of the four regional locations. An invitation to the traffic regional staff will be extended to participate as determined by the operations commander.

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 goal for enforcement efforts is to reduce fatal crash driver violation rate to <5.0%.

Fifteen (15) of the thirty (30) safety investigations on carriers with high driver BASICS will be completed during each fiscal year, 2019 through 2021. The MC commander will review monthly safety investigation reports, provided by FMCSA, to track unsafe driving, fatigued driving, and/or driver fitness investigations and complaint safety investigations. The commander will analyze the results of each strike force and submit this analysis to FMCSA.

The large strike force will have as many MCSAP employees assigned as the schedule allows.

The four MTE details will be monitored for activity. One MTE detail will be held each quarter in one of the regional locations. Citations and warnings issued will be forwarded to the regional commander for analysis at the end of each detail. The MC Operations Commander will share any relevant information with FMCSA. All four MTE details will be completed by September 30 of each fiscal year.

The assistant operations commander will study state traffic fatality statistics as maintained by the NDDOT on a quarterly basis to determine trends and factors in fatal crashes involving CMVs. The Motor Carrier Operations Commander will review monthly safety investigation reports, provided by FMCSA, to track unsafe driving, fatigued driving, and/or driver fitness investigations and complaint safety investigations. The Motor Carrier Operations Commander will analyze the results of each strike force and submit results to the NDHP MCSAP Grant Coordinator and FMCSA.

Part 2 Section 3 - Roadside Inspections

Please review the description of your State's overall inspection program and identify if changes are needed for the upcoming fiscal year. You must also update the projected roadside inspection goals for the upcoming fiscal year. You must select "yes" to make changes.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

In this section, provide a trend analysis, an overview of the State's roadside inspection program, and projected goals for FY 2019 - 2021.

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 2013 - 2017

Inspection Types	2013	2014	2015	2016	2017
Level 1: Full	1863	1348	1617	1551	1781
Level 2: Walk-Around	2324	1928	2038	1701	2162
Level 3: Driver-Only	9285	7442	7644	6126	7264
Level 4: Special Inspections	83	99	7	35	4
Level 5: Vehicle-Only	75	218	129	186	77
Level 6: Radioactive Materials	1	0	0	1	1
Total	13631	11035	11435	9600	11289

Narrative Overview for FY 2019 - 2021

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 NDHP has six fixed locations where inspections can be conducted on a random basis. All are outdoor facilities. In addition, there are numerous turnout location sites around North Dakota in the form of old rest areas with paved surfaces and turnouts that are parallel to highways with paved surfaces. Several of the DOT yards have areas where trucks can be inspected. We continue to work with NDDOT to identify fixed areas and turnout locations to conduct inspections. During the next year, two facilities will be equipped with electronic pre-screening technology. Implementing this technology will allow troopers to be more efficient with compliance activities while qualified carriers will benefit from less time at weigh stations.

Troopers are deployed to high CMV traffic areas such as the interstate system and US highway systems, including I-94, I-29, US 85, US 2, and US 83. North Dakota is the second largest US state for oil production. Inspection details are held routinely in northwestern North Dakota. When conducting a CMV inspection, the USDOT number will be entered into query central to verify carrier status. If the USDOT shows out of service, Query Central will alert the inspector that the carrier is currently under a federal OOS order. Query Central will indicate the date and reason the carrier was placed out of service. If the carrier is operating intrastate and is Unsat/Unfit, or is an imminent hazard, the OOS order will be enforced and contact will be made with the FMCSA ND Division for further actions. If the carrier is operating in interstate commerce and an OOS order is noted, contact will be made with the FMCSA ND Division for further actions. A carrier found to be operating under a valid OSS order will immediately be placed out of service until resolved. If an officer is unable to verify status through Query Central, they will contact FMCSA Western Service Center to verify operation status per the MCSAP comprehensive policy. Thirteen line level MCSAP assigned personnel conduct roadside and fixed-site inspections. Three MCSAP sergeants

conduct roadside and fixed-site inspections. Six regional motor carrier "size and weight" troopers conduct roadside and fixed site inspections on a limited basis. Each traffic trooper has a goal to complete 32, with a minimum of 32 Level II or III, inspections each year to remain CVSA certified.

Regarding the projected goals for FY2019 through FY 2021 are in the following tables (per the roadside inspection section), in relating the more recent figures to national inspection type encouraged percentages and the average activity level for 2004/2005, it is important to recognize the following factors:

1. It is only possible to do Level 1 inspections during about six months of the year due to inclement weather conditions. Several months of winter and sporadic occurrences of extreme heat during the summer prohibit troopers from safely conducting Level 1 inspections.
2. The NDHP does not have an inspection barn or pit facility to accommodate year-round inspections. All inspections are outdoors.
3. In addition, the NDHP has moved to a more roadside and mobile approach that allows flexibility to address traffic all traffic corridors in the state, while maintaining limited use of the traditional fixed station locations that have very limited siting across the road system.
4. The NDHP has transitioned from a mix of civilian and trooper in the MCD to strictly enlist all sworn troopers in these positions. While this does mean some increased training time, the change has allowed the NDHP MCD to improve quality in the inspection activities and permit much more latitude in their ability to issue citations, conduct arrests, and make criminal interdiction. This latitude has been especially critical during the influx of motor carrier traffic associated with the energy exploration.
5. The violation detection rate has gone up with more time and greater scrutiny in the trooper conducted inspections, evidence that a focus on quality, rather than quantity, is critical in increased CMV safety.

Federal Fiscal Year 2021 annual update: The North Dakota Highway Patrol's level 5 inspection program is as follows: During safety compliance audits, our inspectors are periodically required to do a "driverless" inspections on a number of vehicles at that carrier to make sure that carrier is in compliance. In addition, to maintain a "motor coach" certification, our inspectors that are motor coach certified have to conduct a number of those inspections annually. Level 5 inspections are also conducted at carriers place of business at the request of FMCSA while FMCSA is conducting on-site investigations.

Projected Goals for FY 2019 - 2021

Instructions for Projected Goals:

Complete the following tables in this section indicating the number of inspections that the State anticipates conducting during Fiscal Years 2019 - 2021. 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: NORTH DAKOTA STATE PATROL

Enter the total number of certified personnel in the Lead agency: 119

Projected Goals for FY 2021 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	2000	175		2175	16.73%
Level 2: Walk-Around	4318	250		4568	35.14%
Level 3: Driver-Only	5900	150	20	6070	46.69%
Level 4: Special Inspections	140	10		150	1.15%
Level 5: Vehicle-Only			35	35	0.27%
Level 6: Radioactive Materials	2			2	0.02%
Sub-Total Lead Agency	12360	585	55	13000	

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:	
Enter the total number of non-funded certified officers:	
Enter the total number of inspections projected for FY 2021:	

Summary

Projected Goals for FY 2021 - Roadside Inspections Summary

Projected Goals for FY 2021 Summary for All Agencies					
MCSAP Lead Agency: NORTH DAKOTA STATE PATROL					
# certified personnel: 119					
Subrecipient Agencies:					
# certified personnel: 0					
Number of Non-Funded Agencies:					
# certified personnel:					
# projected inspections:					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	2000	175		2175	16.73%
Level 2: Walk-Around	4318	250		4568	35.14%
Level 3: Driver-Only	5900	150	20	6070	46.69%
Level 4: Special Inspections	140	10		150	1.15%
Level 5: Vehicle-Only			35	35	0.27%
Level 6: Radioactive Materials	2			2	0.02%
Total ALL Agencies	12360	585	55	13000	

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 2020 Roadside Inspections	Lead Agency	Subrecipients	Non-Funded	Total
Enter total number of projected inspections	14557	0	0	14557
Enter total number of certified personnel	124	0	0	124
Projected Goals for FY 2021 Roadside Inspections				
Enter total number of projected inspections	14557	0	0	14557
Enter total number of certified personnel	124	0	0	124

Part 2 Section 4 - Investigations

Please review your State's investigation goals, program activities and monitoring. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

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 2013 - 2017

Investigative Types - Interstate	2013	2014	2015	2016	2017
Compliance Investigations					
Cargo Tank Facility Reviews					
Non-Rated Reviews (Excludes CSA & SCR)					
CSA Off-Site					
CSA On-Site Focused/Focused CR	21	30	41	24	30
CSA On-Site Comprehensive	14	14	12	16	10
Total Investigations	35	44	53	40	40
Total Security Contact Reviews	2	5	2	3	
Total Terminal Investigations					

Investigative Types - Intrastate	2013	2014	2015	2016	2017
Compliance Investigations					
Cargo Tank Facility Reviews					
Non-Rated Reviews (Excludes CSA & SCR)					
CSA Off-Site					
CSA On-Site Focused/Focused CR					
CSA On-Site Comprehensive					
Total Investigations	0	0	0	0	0
Total Security Contact Reviews					
Total Terminal Investigations					

Narrative Overview for FY 2019 - 2021**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 2019 - 2021

Complete the table below indicating the number of investigations that the State anticipates conducting during FY 2019 - 2021.

Projected Goals for FY 2019 - 2021 - Investigations						
Investigation Type	FY 2019		FY 2020		FY 2021	
	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	0	0	0	0	0	0
CSA On-Site Focused/Focused CR	20	0	15	0	15	0
CSA On-Site Comprehensive	20	0	15	0	15	0
Total Investigations	40	0	30	0	30	0
Total Security Contact Reviews	0	0	0	0	0	0
Total Terminal Investigations	0	0	0	0	0	0

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

The trend analysis figures for 2017 are as reported in the FY2017 Annual Monitoring Report. The other figures were from FMCSA's System (MCMIS) as of 6/30/2018.

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

Each trooper that conducts safety investigations will have a goal to complete 10 investigations each by March 31 of each fiscal year. The NDHP is committed to staying in compliance with the FAST Act. We will complete 30 investigations in each fiscal year, 2019 to 2021. **This goal will change due to the circumstances described below.

The NDHP currently has 3 sworn personnel that conduct Safety investigations for 5 months out of the year. Typically, the time period is from November 1 to March 30. ***For FY 2021, we will continue to have 3 personnel conducting safety investigations for 5 months out of the year.

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.

Metric: Number of Investigations Completed, Goal=30.

We will evaluate the investigation statistics each quarter and extend as needed to complete the necessary investigations. Between FY2013 and FY2017, the NDHP completed an annual average of 42 investigations. Turnover in staff, a competitive energy-development-driven labor market, and a transition to sworn troopers in these positions created challenges in completing investigations during 2012 and 2013. Historically, the NDHP has met or exceeded the minimum number of investigations each fiscal year. We expect to meet or exceed goals again with a fully staffed investigation team. In FY2017, the NDHP completed 40 investigations. Our goal in FFY 2021 is to complete 30 investigations. The investigations will be composed of approximately 15 interstate CSA on-site focused/focused CR and 15 interstate CSA on-site focused comprehensive.

The NDHP Operations commander will monitor the investigations for quantity and quality of work each month during the months when investigations are completed (November-April). The NDHP will review the monthly investigation report

provided to them by the ND FMCSA Division office. The operational commander will discuss any issues with ND FMCSA Division office.

Part 2 Section 5 - Traffic Enforcement

Please review the description of your State's traffic enforcement program, projected goals and monitoring. You must answer the questions about your traffic enforcement activities in the Projected Goals area. You must select "yes" to make changes.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

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 2013 - 2017
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		
01/01/2017	12/31/2017	2428	2456
01/01/2016	12/31/2016	2364	1593
01/01/2015	12/31/2015	1263	130
01/01/2014	12/31/2014	1771	1467
01/01/2013	12/31/2013	1652	1453

☐ 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		
01/01/2017	12/31/2017	3851	3851
01/01/2016	12/31/2016	1329	1329
01/01/2015	12/31/2015	394	394
01/01/2014	12/31/2014	1582	1582
01/01/2013	12/31/2013	1270	1270

☐ 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		
01/01/2017	12/31/2017	681	681
01/01/2016	12/31/2016	557	557
01/01/2015	12/31/2015	1206	1206
01/01/2014	12/31/2014	322	322
01/01/2013	12/31/2013	76	76

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

NDHP, July 2018.

Narrative Overview for FY 2019 - 2021

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 NDHP will strive to decrease three violations discovered at high rates during traffic enforcement to support the crash reduction goal. Specifically, reduce violations of failure to obey traffic control device (392.2C), speeding (392.2S), and failing to use seat belt (392.16) while operating a CMV; by one percentage point, five percentage points, and one percentage point, respectively, during FY2019.

Target CMV Violations	2017 Violation	Avg. Previous 4 years	2018 Goal (% change):
392.2C Traffic Control	337	209	-1%
392.2S Speeding	1147	602	-5%
392.16 Seat Belt	603	361	-1%

Source: FMCSA's Motor Carrier Management Information System (MCMIS) data snapshot as of 5/26/2017.

Federal Fiscal Year 2021 annual update: The NDHP currently has 154 sworn members that can do traffic enforcement, including 92 troopers dedicated to traffic enforcement. The agency has 159 FTEs authorized with 141 eligible for traffic enforcement July 1, 2020.

The assistant operations commander monitors NDDOT traffic data on a regular basis to determine trends in traffic flow, traffic volumes, causation factors, time of day and week and locations on specific roadways. The agency reviews all crash reports submitted by the troopers to assess causation factors, locations of occurrence, and time of day and week, and to monitor any developing trends. Troopers are deployed to work areas to have an impact in high traffic crash areas.

Increase traffic enforcement accompanied by an inspection through regional traffic enforcement saturations.

- Conduct one traffic enforcement saturations in each of the four regions by September 30. The Motor Carrier Operations Commander will schedule the saturations in cooperation with the four regions. Enforcement results will be reviewed and then forwarded to FMCSA. These regional strike forces have been conducted every fiscal year.
- Conduct two (MTE) traffic enforcement strike forces in the eastern half of the state, and two in western North Dakota by September 30.
- Two seat belt enforcement blitzes will take place annually.
- The NDHP department goals established 100 hours of road patrol hours per month for each sworn officer. The 100 hours are for roadside inspections, inspections at a fixed site, and for inspections and enforcement when on active roving patrol.

Projected Goals for FY 2019 - 2021

Using the radio buttons in the table below, indicate the traffic enforcement activities the State intends to conduct in FY 2019 - 2021. 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 2019	FY 2020	FY 2021
<input checked="" type="radio"/>	<input type="radio"/>	CMV with Inspection	1700	1700	2200
<input checked="" type="radio"/>	<input type="radio"/>	CMV without Inspection	1200	1200	1200
<input type="radio"/>	<input checked="" type="radio"/>	Non-CMV	1000	1000	0
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	4	4	4

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
13000	30	225	13255	17534

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 Motor Carrier Operations Commander will schedule and track the progress of each strike force. The commander will also analyze violations of 392.2C, 392.2S, and 392.16, and submit this analysis to the regional commander and FMCSA. The Motor Carrier Operations Commander will track Level 2 and Level 3 inspection progress each quarter and report this progress to FMCSA. The MC Operations Commander will also coordinate with the sergeants to make sure that Level III inspections are completed by the traffic troopers. The time is logged on the trooper's daily activity report. The area assignments are made on a weekly basis and placed on a schedule for the troopers to follow. Supervisors review NDHP

and NDDOT traffic data, crash data, and anecdotal information to determine assignments of troopers to specific work areas. Line patrol and area patrol assignments are placed on a weekly schedule by the shift sergeants. Troopers work 8- or 10-hour shifts as determined by each regional commander. Troopers assigned under the MCSAP program will conduct an inspection on every CMV stop for a traffic violation. All traffic troopers will have a goal to conduct 32 Level III inspections while on traffic patrol during valid traffic stops of CMVs for traffic violations. Work area assignments are determined with the assistance traffic data reports and crash report summaries to identify areas of concern. Each sworn officer is assigned a moving radar unit for speed enforcement. Each regional office and the MC Division have laser speed measuring devices that are assigned for special enforcement details and for routine patrol. MCSAP assigned employees and Motor Carrier troopers will log MCSAP time for all work doing inspections and during special enforcement blitzes and saturation details. Overtime may be allowed at the approval of the Motor Carrier Operations Commander in agreement with FMCSA ND Division for traffic troopers. Per the comments regarding factors in the roadside inspections (repeat), in relating the more recent figures to national inspection type encouraged percentages and the average activity level for 2004/2005, it is important to recognize several factors: 1. It is only possible to do Level 1 inspections during about six months of the year due to inclement weather conditions. Several months of winter and sporadic occurrences of extreme heat during the summer prohibit troopers from safely conducting Level 1 inspections. 2. The NDHP does not have an inspection barn or pit facility to accommodate year-round inspections. All inspections are outdoors. 3. In addition, the NDHP has moved to a more roadside and mobile approach that allows flexibility to address all traffic corridors in the state, while maintaining limited use of the traditional fixed station locations that have very limited siting across the road system. 4. The NDHP has transitioned from a mix of civilians and troopers in the MCD to strictly enlist all sworn troopers in these positions. While this does mean some increased training time, the change has allowed the NDHP MC region to improve quality in the inspection activities and permit much more latitude in their ability to issue citations, conduct arrests, and make criminal interdiction. This latitude has been especially critical during the influx of motor carrier traffic associated with the energy exploration. 5. The violation detection rate has gone up with more time and greater scrutiny in the trooper conducted inspections, evidence that a focus on quality, rather than quantity, is critical for increased CMV safety. ****Due to the requirement of the FAST act, and the direction provided to us by our local FMCSA office, the NDHP is not eligible to seek reimbursement for non-CMV traffic enforcement. Therefore, the North Dakota Highway Patrol will not seek reimbursement for "non-CMV" traffic enforcement. This includes during the annual MTE events (mixed traffic enforcement events).

Part 2 Section 6 - Safety Technology

Please verify your State's safety technology compliance levels, responsible agencies, and narrative overview. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

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	Yes
PRISM	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: North Dakota ITD

Enter the agency name responsible for PRISM in the State, if other than the Lead MCSAP Agency: North Dakota Department of Transportation

Narrative Overview for FY 2019 - 2021**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 2019 - 2021: 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

Please review the description of your State's public education and outreach activities, projected goals and monitoring. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☒ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

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 2013 - 2017

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

Public Education and Outreach Activities	2013	2014	2015	2016	2017
Carrier Safety Talks	17	23	17	16	17
CMV Safety Belt Education and Outreach	3	5	5	4	3
State Trucking Association Meetings	6	3	7	6	5
State-Sponsored Outreach Events	11	19	9	2	5
Local Educational Safety Events	5	19	9	5	12
Teen Safety Events	3	3	3	2	4

Narrative Overview for FY 2019 - 2021

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.

The NDHP will schedule and staff booths at large public events, such as the ND Motor Carriers Association Conference. We receive several requests from industry representatives to conduct regulations education at training events. We will develop and conduct educational presentations to industry or civic organizations on FMCSRs, CMV traffic safety topics, hazardous materials safety, and other related topics. The NDHP CVD will participate in statewide traffic messaging with a special focus on higher-risk traffic areas/times, such the oil region, winter driving periods, and grain harvest season.

Projected Goals for FY 2019 - 2021

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 2019	FY 2020	FY 2021
<input checked="" type="radio"/>	<input type="radio"/>	Carrier Safety Talks	16	16	16
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	4	4	4
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	6	6	6
<input checked="" type="radio"/>	<input type="radio"/>	State-Sponsored Outreach Events	2	2	2
<input checked="" type="radio"/>	<input type="radio"/>	Local Educational Safety Events	5	5	5
<input checked="" type="radio"/>	<input type="radio"/>	Teen Safety Events	2	2	2

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.

Federal Fiscal Year 2021 annual update:

The MC operations commander will track education and outreach activities each month and submit periodically (on the quarter PPRs) to FMCSA, to show that they have conducted:

- Two industry seminars coordinated with FMCSA ND Division and the ND Motor Carriers Associations.
- Two Share the Road Safely/No Zone presentations (one in the east and one in the west).
- 35 safety presentations throughout the state during the fiscal year.
- Conduct monthly paid media and outreach related to no-zone and safe driving around trucks, as described in the financials.

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

Please review your State's SSDQ compliance levels and Narrative Overview and identify if changes are needed for the upcoming fiscal year. You must select 'yes' to make changes.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

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 2019 - 2021.

SSDQ Category	Current SSDQ Rating	Goal for FY 2019	Goal for FY 2020	Goal for FY 2021
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.

FMCSA Analysis and Information Online (A & I) data quality snapshot as of 07/14/2020.

Narrative Overview for FY 2019 - 2021

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.).

All SSDQ categories are currently listed as "Good"

Program Activities FY 2019 - 2021: 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.

Federal Fiscal Year 2021 Annual Update

All SSDQ categories are currently listed as "Good". To maintain a "good" rating, the NDHP MC Operations Commander reviews the data quality rating each quarter and will host the meeting each year to discuss any data improvements and state safety data quality each quarter. The MC Operations Commander will coordinate with FMCSA ND Division and the NDDOT throughout this process.

In addition, the ND Police Basic is two times per year on average at the ND Law Enforcement Training Academy (LETA), and crash accuracy instruction will be completed during the crash investigation portion of the training. This has been coordinated with the training director. The LETA is the primary training facility for all law enforcement in North Dakota. Local agency personnel must complete this course to become a licensed peace officer in North Dakota. This topic will be addressed at the Motor Carrier Division in-service with MCSAP personnel and MC troopers.

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.

The NDHP's goal is to maintain "Good" overall ratings in all the FMCSA state data quality measures.

The NDHP achieved "Good" ratings in 100% of the inspection data quality measure months. The NDHP achieved Good in the crash data quality for months measured after non-fatal crash completeness was eliminated from the rating system.

A meeting will be held by the end of each calendar year. NDHP MC Operations Commander reviews the data quality rating each quarter and will host the meeting each year to discuss any data improvements and state safety data quality each quarter. The MC Operations Commander will coordinate with FMCSA ND Division and the NDDOT throughout this process.

The ND Police Basic is two times per year on average at the ND Law Enforcement Training Academy (LETA), and crash accuracy instruction will be completed during the crash investigation portion of the training. This has been coordinated with the training director. The LETA is the primary training facility for all law enforcement in North Dakota. Local agency personnel must complete this course to become a licensed peace officer in North Dakota. This topic will be addressed at the Motor Carrier Division in-service with MCSAP personnel and MC troopers.

Part 2 Section 9 - New Entrant Safety Audits

Please review the agency responsible for conducting New Entrant activities and the description of your State's strategies, activities and monitoring. You must complete the safety audit data questions for the current year. You must select "yes" to make changes.

- ☒ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

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 2013 - 2017

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

New Entrant Safety Audits	2013	2014	2015	2016	2017
Interstate	188	263	207	252	192
Intrastate					
Total Audits	188	263	207	252	192

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 2019 - 2021

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 2019 - 2021

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 2019 - 2021 - New Entrant Safety Audits						
	FY 2019		FY 2020		FY 2021	
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
# of Safety Audits (Onsite)	50	0	50	0	50	0
# of Safety Audits (Offsite)	169	0	174	0	174	0
# Group Audits	1	0	1	0	1	0
TOTAL Safety Audits	220	0	225	0	225	0
# of Non-Audit Resolutions	0	0	0	0	0	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.

Federal Fiscal Year 2021 Annual Update

Strategies: Include a description of the strategies that will be utilized in order to meet the program objective above. The applicant must provide any challenges or impediments you foresee that may prevent your successful completion of the objective.

Strategies:

1. Conduct at least 225 SAs of new entrant carriers annually in North Dakota. This is based on the previous 5 year average of audits completed by the NDHP. (**Due to COVID-19 restrictions in 2020, onsite safety audits are not currently allowed and may affect the number of audits that can be completed)
2. Monitor SA timeliness on an ongoing basis
3. Maintain high standard for coordinator and auditors, assuring qualifications through training
4. Assess data to identify specific safety problems during SAs
5. A minimum of one New Entrant Safety Audit blitz will be conducted in conjunction with FMCSA in an area in North Dakota that has onsite audits that need to be completed
6. Utilize the 3 new entrant employees to conduct presentations to CMV industry.

In support of these strategies, the ND Highway Patrol Motor Carrier Division will:

- Maintain a close working relationship with FMCSA to support the goal of reducing the number of crashes and fatalities involving large trucks and commercial buses
- Monitor status of all SAs quarterly to complete 100% within the first 12 months, as reasonably possible, of operation for carrier's entry date of October 1, 2013 or later
- Monitor status of all SAs quarterly to complete 100% within the first 18 months, as reasonably possible, of operation for carrier's entry prior to October 1, 2013 and 180 days for motor carriers of passengers
- Ensure the quality of all SAs
- Provide in-service training to the coordinator and auditors
- Target specific, data-based safety problems during SAs
- Assign new entrant employees to conduct presentations to CMV industry.

FY2019-FY2021 SA Annual Goals/Numbers

Coordinator	25

Auditor 1	100
Auditor 2	100
Total	225

Activity Plan for FY 2019 - 2021: 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.
Federal Fiscal Year 2021 Annual Update

Activity Plan:

1. Assign and complete all SAs due during FY2019 through FY2021 – at least 225 SAs annually (based on a previous 5 year average completed). The amount would be adjusted based on the previous 5 year average to use as a goal for completing the SAs.
2. Two safety audit blitzes will be conducted in conjunction with FMCSA in ND to have an impact on the high number of new carriers.
3. Require auditors to promptly (within 3 days) submit each SA to the coordinator for review.
4. Coordinate with FMCSA to develop and deliver in-service training for the coordinator and auditors as needed.
5. Evaluate program continuity plan to assess the need for training, personnel, or other resources.
6. As available, utilize new entrant employee when requests are made by CMV industry in their assigned work area for presentations.

The consolidated MSCAP program provides a new, valuable flexibility to reassign auditors, if time is available in the new entrant program, to do inspections at fixed or roadside facilities.

FY2019-2021 New Entrant Annual Roadside Inspections, Estimated	Level I	Level II	Level III	Level IV	Level V	Level VI	FY2019, FY2020, FY2021 Goal
Auditor 1	32	0	0	0	0	0	32
Auditor 2	32	0	0	0	0	0	32
Coordinator	32	0	0	0	0	0	32
Totals	96	0	0	0	0	0	96

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.

Activity Performance Metrics:

1. Number of SAs completed during each fiscal year, 2019-2021.
2. Number of SA blitzes completed during each fiscal year, 2019-2021.
3. Share of SAs submitted within three days during each fiscal year, 2019-2021.
4. Completion of in-service training for coordinator and auditors by September 30 each fiscal year.
5. Identify funding for an individual to travel for the 14-day training required for an auditor in the new entrant safety program to ensure program continuity, as the NDHP is anticipating a vacancy.
6. 32 fiscal year NAS roadside inspections; each inspector will include HazMat to maintain the HazMat certification.

The MC Operations Commander will have direct supervision of the program while helping to ensure that the program goals are accomplished. The MC Operations Commander will report any issues to the MCSAP Grant Coordinator and will also discuss program successes, failures, and progress with the FMCSA division administrator; providing quarterly progress

reports to the division administrator. A program evaluation will be submitted to the division administrator after the end of each fiscal year program period.

Part 2 Section 10 - Border Enforcement

Please review the agency responsible for conducting Border Enforcement activities and your State's objectives, goals, strategies, activities and monitoring. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

States sharing a land border with another country will conduct a border commercial motor vehicle safety program focusing on international commerce, including enforcement and related projects ([49 CFR 350.201](#)). If a State sharing a land border with another country declines to engage in border related activities, it will forfeit all border enforcement funds the State is eligible to receive.

Trend Analysis for 2013 - 2017

In the table below, provide the number of inspections conducted in the past 5 years.

Inspection Types	2015	2016	2017	2018	2019
Level 1: Full	158	277	213	309	196
Level 2: Walk-Around	270	680	523	563	347
Level 3: Driver-Only	978	332	448	1136	768
Level 4: Special Inspections					1
Level 5: Vehicle-Only					
Level 6: Radioactive Materials					1
Total	1406	1289	1184	2008	1313

Narrative Overview for FY 2019 - 2021

☐ The State chooses not to engage in border enforcement activities in FY 2019 - 2021. If this box is checked, no additional narrative is necessary in this section.

Enter the Agency name conducting Border Enforcement activities if other than the Lead Agency:

Program Objectives: In addition to the primary goal of the program as stated below, a State must identify at least one of the following priority objectives as a focus within their border enforcement program to be considered for participating within this focus area.

Program Goal: Border States should conduct a border CMV safety program. The focus is on international commerce that includes enforcement and related projects, to ensure motor carriers and drivers operating CMVs (primarily those entering the United States from a foreign country) are in compliance with U.S. CMV safety standards and regulations, financial responsibility regulations, and registration requirements. It also ensures drivers of those vehicles are qualified and properly licensed to operate a CMV in the U.S.

Check all objectives that apply (minimum of 1):

☐ **Objective 1: International Motorcoach Inspections** - Facilitate the conducting of inspections of motorcoaches engaged in international commerce at bus stations, terminals, border crossings, maintenance facilities, destination locations, or other locations where a motor carrier may make a planned stop (excluding a weigh station). FMCSA encourages States to examine their previous years of data on international motorcoach activity and use that data to establish reasonable goals that will result in an appropriate level of motorcoach-focused activities. States must justify the goals set and provide the data or data source references.



Objective 2: High Crash Corridor Enforcement Focused on International Commerce - Conduct international commerce CMV enforcement activities (inspections and traffic enforcement) within corridors where the data indicate that there are a high number of crashes involving vehicles engaged in international commerce.



Objective 3: International Commerce CMV Inspections at Remote Border Sites Away from Border Crossings - Conduct international commerce CMV safety inspections at identified sites where known international commerce activity occurs near the Canadian and Mexican borders but where there is no official border crossing facility. Site(s) must be identified in the narrative below and describe how far these locations are from the nearest official border crossing facility, if any.

Projected Goals for FY 2019 - 2021

Summarize projected border enforcement activities in the table below.

Note: An inspection is counted as international commerce regardless of whether the transportation originated within the United States (US) or outside the US. All non-international commerce inspections conducted should be included in the Driver Vehicle Inspections section of the eCVSP, and not be indicated in BEG inspections on the inspection report which is uploaded into ASPEN.

Projected Goals for FY 2019 - 2021 - Border Enforcement			
	FY 2019	FY 2020	FY 2021
Number of International Commerce Regular CMV	1880	1880	700
Number of International Commerce HM	100	100	100
Number of International Commerce Passenger	20	20	0
Total International Commerce Inspections	2000	2000	800
Number of Fixed Facility International Inspections	0	0	0
Number of Non-Fixed Facility International Inspections	0	0	0
Traffic Enforcement	0	0	0
Strike Force Activities (CMVs)	0	0	0
Strike Force Activities (Passenger CMVs)	0	0	0

Strategies: Include a description of the strategies that will be utilized to meet the program objective(s) above. The applicant must include any challenges or impediments foreseen.

STRATEGY 1: INSPECTIONS

- Activity 1.1: Coordinate with FMCSA, CBP, and local authorities to conduct inspections at ports of entry and at remote sites near the border.
 - Measure 1.1: The Motor Carrier Operations Commander will complete coordination by October 30 each fiscal year.
- Activity 1.2: Assign each of the 750 inspections to include 250 Level I, 400 Level II, 100 Level III, and incorporate 100 HM.
 - Measure 1.2: By September 30 each fiscal year, complete 750 inspections, to include 250 Level I, 400 Level II, 100 Level III, 100 HM.
- Activity 1.3: Conduct inspections at or near the 18 ports of entry and at numerous remote sites.
 - Measure 1.3: Throughout FY2019-FY2021, inspections are conducted at or near the 18 ports of entry and at numerous remote sites near the border, with the majority completed at Pembina, Portal and Dunseith ports. Assignments will be placed on the weekly schedule. Quarterly evaluations will be completed by first-line supervisors to provide feedback on work performance.
- Activity 1.4: Troopers in the northern tier, north of US Highway 2, will conduct a semi-annual blitz in that region dedicated to inspections on international carriers.
 - Measure 1.4: Four inspection blitzes focused on international carriers in the northern tier.

STRATEGY 2: ENFORCEMENT

- Activity 2.1: Conduct inspections (in conjunction with FMCSA personnel) during Roadcheck 2019, 2020 and 2021.
 - Measure 2.1: By January 31 each year, coordination is completed.
- Activity 2.2: Conduct inspections during Road Check 2019, 2020 and 2021.
 - Measure 2.2: Inspections are conducted during Roadcheck and completed by June each fiscal year.

- Activity 2.3: Conduct inspections during one Motor Coach Inspection Saturation by September 30 each fiscal year, 2019-2021.
 - Measure 2.3: Conduct motor coach saturation at Norsk Hostfest in Minot during September/October each fiscal year. Norsk Hostfest is North America's largest Scandinavian festival, typically drawing 60,000 people, and rated by the American Bus Association (ABA) as one of the top 100 events in the United States. ****This event was cancelled in FFY 2020 due to COVID-19
- Activity 2.4: Conduct a Level 3 inspection during valid traffic stops on international carriers and on passenger vehicles around international carriers along the northern border corridor (MTE). Violations will be recorded on the DVIR.
 - Measure 2.4: The assistant operations commander will review enforcement related activities on a quarterly basis to track inspection and citations issued. Inspection data from SafetyNet will be reviewed. Information will be relayed to the Motor Carrier MCSAP Grant Coordinator.

STRATEGY 3: MANAGEMENT

- Activity 3.1: Border enforcement activities are monitored on a quarterly basis.
 - Measure 3.1: Each quarter, the MCSAP administrative assistant will run the quarterly report. Those reports are submitted to the assistant operations commander, and available to the motor carrier regional commander.
- Activity 3.2: Motor Carrier Operations Commander reviews quarterly progress reports and evaluates the program and reports to the assistant operations commander.
 - Measure 3.2: At the end of the quarter, reports are reviewed and program is evaluated.
- Activity 3.3: MC Operations Commander shares relevant program information with the local FMCSA office, and the four NDHP regions.
 - Measure 3.3: At the end of the quarter, relevant program information is shared.
- Activity 3.4: NDHP Motor Carrier Operations Commander seeks and assesses program feedback from FMCSA partners and the four NDHP regions.
 - Measure 3.4: At the end of each quarter, program feedback is sought and assessed.

Activity Plan for FY 2019 - 2021: Describe the specific activities planned to reach border enforcement goals.

The Border Enforcement Program continues to be a vital part of our overall highway safety and northern border security operations. It has allowed the NDHP to increase inspections of drivers, trucks, buses (motor coaches), and HM shipments. It has enabled us to complete more CDL, operating authority, and financial responsibility checks.

Finally, it has given us the ability to establish temporary "inspection stations" at various remote locations along the northern border highways of North Dakota. For FY2019-2021, we will have activities committed to North Dakota's northern tier to conduct inspections at the port locations and remote sites. Inspections will be conducted on international carriers stopped for valid traffic violations. FMCSA informed NDHP that we would receive reduced funding in FY2017. During FY2019-2021 all MCSAP designated troopers will receive assignments to the BEG program to meet inspection goals and support other program strategies. A border enforcement inspection blitz will occur on a monthly basis targeting international carriers along the northern tier of ND (north of US highway 2).

Border enforcement inspections are completed on international passenger carriers during the bus inspection blitz held at the Norsk Hostfest in Minot. This is the one motor coach inspection blitz the NDHP does where international buses are inspected. This activity is stated in the MCSAP B&I plan. International motor coach inspections can be accomplished at this event. This is a destination location.

Inspections done on motor vehicle carrier within the US Highway 2 corridor and north are designated as Border Inspection when they occur. MCSAP troopers within the US Highway 2 corridor, north to the Canadian border to conduct BE inspections when they encounter international carriers and during border enforcement blitzes. A Border Enforcement emphasis day will be scheduled each quarter for those personnel in the corridor area to concentrate their inspection efforts on international carriers.

Sworn troopers are issued marked patrol SUV units that are properly equipped with all necessary items to conduct inspections. The NDHP MC Operations Commander will continue to evaluate the program in order to understand and determine realistic and attainable goals for the program. Due to our longer period of colder weather, conducting Level I inspections becomes challenging all year-round. We will emphasize more Level 2 inspections.

Federal Fiscal Year 2021 Annual Update:

1. Conduct 800 inspections at ports of entry and at remote sites near the border.
2. Participate in Road Check 2019, 2020 and 2021.
3. Complete one motor coach inspection saturation.

4. Conduct traffic enforcement during travel to and from inspection sites.
5. Conduct 1 Border enforcement inspection high emphasis day each quarter.
6. Review border enforcement monthly activities reports for the previous month's activities.
7. Have the Motor Carrier Operations Commander conduct ongoing program assessment through program activity report reviews and feedback from FMCSA, CBP, NDHP regions, and local authorities.

Federal Fiscal Year 2021 Annual Update: For Federal Fiscal Year 2021, the NDHP reduced the goal of inspections for border enforcement inspections for a number of reasons. Starting in March of 2019, COVID-19 travel restrictions set forth by both the United States and Canadian governments has impacted the amount of Canadian commercial vehicle carriers that are conducting business in North Dakota. A US border station reported to us that they have estimated an approximate 20% decline in Canadian CMV's entering the US via North Dakota border stations. A ND Department of transportation automatic traffic recorder (ATR) located on Interstate 29 south of the Pembina US/Canada border crossing shows an average reduction of southbound truck traffic for 2020 at -9% since March of 2020 (highest reduction was -14.4% in April 2020 and .6% was the lowest in August 2020). We cannot budget a different amount of money and resources to border enforcement activities as we cannot predict when traffic will be back to normal. In addition, a retirement of one MC trooper, and a transfer of another, put those positions south of US Hwy 2 corridor, which does impact the frequency of inspections of Canadian carriers that are automatically indicated as a border inspection. The reduction of the border enforcement goals was discussed and agreed upon with our FMCSA partners in North Dakota.

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

Activity Performance Metrics:

1. Number of inspections completed during fiscal years 2019, 2020 and 2021.
2. Number of motor coach inspection saturations completed during fiscal years 2019, 2020 and 2021.
3. Traffic enforcement stops during travel to and from inspection sites during fiscal years 2019, 2020 and 2021.

MCSAP funding enables the NDHP to launch a comprehensive border inspection program (BIP). The BIP purpose is to ensure compliance with the FMCSRs, the HMRs, and related state laws and regulations by inspecting drivers, trucks, and buses that enter North Dakota from Canada and to conduct traffic enforcement on CMVs and vehicles around CMVs along the northern corridor. No other program has this specific purpose.

The nature of the traffic flow on the North Dakota/Canada border means inspection programs are focused on regular CMV carriers involved in international commerce transport. Throughout FY2019-2021, inspections will be conducted at ports of entry and at numerous remote sites near the border, with the majority completed at Pembina, Portal, and Dunseith ports. These three ports account for approximately 85% of the truck traffic on the North Dakota/Canada border, per 2017 traffic counts reported by the US Department of Transportation Bureau of Transportation Statistics. Assignments will be placed on the weekly schedule. Monthly activity reports will be monitored by the Operations Commander. Quarterly evaluations will be completed by first-line supervisors to provide feedback on work performance.

MCSAP personnel will conduct Level 2 or Level 3 inspections during valid traffic enforcement stops on international carriers and on passenger vehicles around international carriers along the northern border corridor. The violations will be recorded on the DVIR.

Statistical data shows that North Dakota does not have a motor coach safety issue. Most of the motor coaches entering North Dakota from Canada are destined for other states. The ports of entry in North Dakota are rural in nature or are in small communities with limited facilities to provide for "reasonable accommodations for passengers" as dictated by FMCSA's policy. North Dakota has no rest areas north of US Highway 2 that could provide a reasonable location for conducting motor coach inspections. The CBP port locations do not provide for a safe area to conduct inspections or reasonable accommodations. Due to traffic and congestion issues, it would be unsafe to conduct inspections at CBP ports. We have identified the major destinations in our state, the biggest being Norsk Hostfest in Minot. However, even here, we had less motor coaches in recent years due to the economy and flooding issues. It is not possible to inspect 5% of all motor coaches that enter the state. To support FMCSA's emphasis on motor coaches, we will strive to inspect 30 motor coaches (or 2% of all motor coaches entering the state). The remainder of the motor coach inspections will be completed at the end of September at the Norsk Hostfest, North America's largest Scandinavian festival, typically drawing 60,000 people, and rated by the American Bus Association (ABA) as one of the top 100 events in the United States.

The NDHP Motor Carrier Operations Commander will have operational control of the program to ensure that the BIP program accomplishes its goals. The regional commander and Motor Carrier sergeants will directly supervise the troopers. Supervisors will monitor inspection assignments, inspection locations, and inspection activities on a routine basis. Assignments to locations and work areas will be made on a monthly and weekly schedule. With the growing oil industry in

western North Dakota, many carriers make frequent back and forth crossings of the Canadian border. It is important to have a presence in that area. We will continue to focus on eastern North Dakota crossings of international carriers as I-29 and US Highway 52 seem to be major crossing routes for international carriers. First-line supervisors will conduct a semi-annual evaluation of troopers' work performance and a yearly formal performance appraisal per NDHP policy.

Each month, the Motor Carrier Operations Commander will discuss program successes, failures, and progress with the FMCSA State Program's Specialist. Quarterly progress/activity reports, using the quarterly progress report, will be provided to the North Dakota FMCSA division administrator.

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 2019 - 2021).

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

Please review your State's Federal OOS catch rate during roadside enforcement activities, projected goals, program activities and monitoring. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

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.

Part 3 Section 2 - Passenger Carrier Enforcement

Please review your State's passenger carrier transportation goals, problem statement narrative, program activities and monitoring. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

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.

Part 3 Section 3 - State Specific Objectives – Past

No updates are required for this section.

Instructions:

Describe any State-specific CMV problems that were addressed with FY 2018 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 2018 CVSP.

Progress Report on State Specific Objectives(s) from the FY 2018 CVSP

Please enter information to describe the year-to-date progress on any State-specific objective(s) identified in the State's FY 2018 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.

CMV Increased Safety Belt Usage CMV Increased Safety Belt Usage ND crash data reveal that 83% of truck drivers were wearing safety belts during truck driver fatalities in North Dakota between 2013 and 2017 even though federal and state laws require safety belt use. The rate ranged between 78.6% in FY2017 and 91.4% in FY2016 over the past five years. For the 2017 ND statewide passenger vehicle survey, observers tracked safety belt use for 19,784 drivers and 4,822 front-seat passengers. The estimates of safety belt use were 77.0% for drivers and 82.5% for passengers. Adjusting the raw state rate for the survey design and weights resulted in a weighted state rate of 79.3%. The national average safety for belt use is over 90%. So while the use rate is good, it has been proven that people who don't wear safety belts are more likely to die in crashes, so additional gains in safety belt use will reduce crash fatal injuries. NDDOT Crash Data FY2012: 27 of 34 truck drivers wore safety belts during fatal crashes = 79% FY2013: 39 of 49 truck drivers wore safety belts during fatal crashes = 80% FY2014: 30 of 37 truck drivers wore safety belts during fatal crashes = 81% FY2015: 37 of 43 truck drivers wore safety belts during fatal crashes = 86% FY2016: 16 of 17 truck drivers wore safety belts during fatal crashes = 94% FY2017: 14 of 11 truck drivers wore safety belts during fatal crashes = 79%

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

Increase seat belt usage by truck drivers involved in fatal crashes by 2 percentage points during FY2018.

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

Seat belt use in fatalities decreased 17% or 16 percentage points, based on the limited number of truck driver injury reported as fatal FY2017. ND state crash reports show 25 truck driver fatal injuries in FY2017 compared to 49 truck drivers when the number was at its highest level in history during FY2013.

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

Complete four seat belt saturations. Be vigilant during valid traffic stops of CMVs for proper seatbelt use and take enforcement action when necessary. 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. Complete four Seat belt saturations. Be vigilant during valid traffic stops of CMVs for proper seatbelt use and take enforcement action when necessary. One saturation for each quarter with a total of four to be completed by September 30, 2018. Target safety belt use on rural roads in and around the state's oil fields. One large oil field strike force and four small strike forces are completed by September 30, 2018. Conduct inspections in conjunction with CVSA Roadcheck in June of each fiscal year and promote safety belt use during the check and while conducting safety investigations. Troopers working the seat belt saturations and inspection blitzes will have a goal to complete one inspection or enforcement contact per hour of inspection time or road patrol time worked. The Motor Carrier commander will analyze safety belt use each quarter during FY2018 to look for increases. MCSAP troopers from each respective region will participate in the saturation held in their respective region locations.

Activity #2

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

Oil Field Operations North Dakota has become the second largest producer of oil in the nation as of May 2014. We continue to see traffic related to exploration and production of oil and natural gas in our state. The traffic in the Northwest corner of ND has risen dramatically over the past decade, per the figure presented earlier. NDDOT Crash Data: 2010 = 24 ND crashes, 4 NW crashes involving CMVs = 16.7% 2011 = 43 ND crashes, 12 NW crashes involving CMVs = 27.9% 2012 = 67 ND crashes, 24 NW crashes involving CMVs = 35.8% 2013 = 62 ND crashes, 32 NW crashes involving CMVs = 51.6% 2014 = 62 ND crashes, 26 NW crashes involving CMVs = 41.9% 2015 = 47 ND crashes, 21 NW crashes involving CMVs = 44.7% 2016 = 37 ND crashes, 10 NW crashes involving CMVs = 27.0% 2017 = 34 ND crashes, 11 NW crashes involving CMVs = 32.4%

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

Oil Field Operations In FY2017 32.4% of crashes occurred in the NW region of the state. The goal is to reduce the truck involved crashes in the NW by 6% in FY2019-21. North Dakota has become the second largest producer of oil in the nation as of May 2014. We continue to see traffic related to exploration and production of oil and natural gas in our state. The traffic in the Northwest corner of ND has risen dramatically over the past decade, per the figure presented earlier. NDDOT Crash Data: 2010 = 24 ND crashes, 4 NW crashes involving CMVs = 16.7% 2011 = 43 ND crashes, 12 NW crashes involving CMVs = 27.9% 2012 = 67 ND crashes, 24 NW crashes involving CMVs = 35.8% 2013 = 62 ND crashes, 32 NW crashes involving CMVs = 51.6% 2014 = 62 ND crashes, 26 NW crashes involving CMVs = 41.9% 2015 = 47 ND crashes, 21 NW crashes involving CMVs = 44.7% 2016 = 37 ND crashes, 10 NW crashes involving CMVs = 27.0% 2017 = 34 ND crashes, 11 NW crashes involving CMVs = 32.4%

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

In FY2017 32.4% of crashes occurred in the NW region of the state. The FY2017 shows 11 crash events, compared to 10 crashes in FY2016.

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

Part 3 Section 4 - State Specific Objectives – Future

Please review your State specific objectives and narrative overview. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

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 2019 - 2021. 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.

CMV Increased Safety Belt Usage

Narrative Overview for FY 2019 - 2021

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

ND crash data reveal that 83% of truck drivers were wearing safety belts during fatal crashes in North Dakota between 2013 and 2017 even though federal and state laws require safety belt use. The rate ranged between 79% in FY 2017 to 94% in FY 2016. So while the use rate is good, it has been proven that people who do not wear safety belts are more likely to die in crashes, so additional gains in safety belt use will reduce crash fatal injuries. NDDOT Crash Data FY2013: 39 of 54 truck drivers wore safety belts during fatal crashes = 72% FY2014: 30 of 40 truck drivers wore safety belts during fatal crashes = 75% FY2015: 37 of 45 truck drivers wore safety belts during fatal crashes = 82% FY2016: 16 of 17 truck drivers wore safety belts during fatal crashes = 94% FY2017: 11 of 14 truck drivers wore safety belts during fatal crashes = 79%

Projected Goals for FY 2019 - 2021:

Enter performance goal.

Increase seat belt usage by truck drivers involved in fatal crashes by seven percentage points each year during FY 2019, FY2020 and FY2021 to achieve the 100% seat belt use rate.

Program Activities for FY 2019 - 2021: Describe the activities that will be implemented including level of effort.

To meet this goal, the State intends to conduct activities under the following strategies and will describe these activities in greater detail in the respective sections in the CMV Safety Program Objective and Commercial Vehicle Enforcement Activities parts. - Conduct driver and vehicle inspections - Conduct traffic enforcement activities - Conduct carrier investigations [CSA] - Conduct public education and awareness - Conduct effective data collection and reporting

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.

Complete four seat belt saturations. Be vigilant during valid traffic stops of CMVs for proper seat belt use and take enforcement action when necessary. Be vigilant during valid traffic stops of CMVs for proper seat belt use and take enforcement action when necessary. - One saturation each quarter with a total of four to be completed by September 30 each fiscal year. - Target safety belt use on the rural roads in and around the state's oil fields. - One large oil field strike force and four small strike forces are completed by September 30 each fiscal year. - Conduct inspections in conjunction with annual CVSA Roadcheck each June and promote safety belt use during the check and while conducting safety investigations. Troopers working the seat belt saturations and inspection blitzes will have a goal to complete one inspection or enforcement contact per hour of inspection time or road patrol time worked. The Motor Carrier Operations Commander will analyze safety belt use each quarter during to look for increases. MCSAP troopers from each respective region will participate in the saturation held in their respective region locations.

State Objective #2

Enter the title of your State-Identified Objective.

Oil Field Operations

Narrative Overview for FY 2019 - 2021

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

North Dakota has become the second largest producer of oil in the nation as of May 2014. We continue to see traffic related to exploration and production of oil and natural gas in our state. The traffic in the northwest corner of ND has risen dramatically over the past decade per the previous figure.

Projected Goals for FY 2019 - 2021:

Enter performance goal.

In FY2017 32.4% of crashes occurred in the NW region of the state. Crash reduction of 1 crash per year between FY2019 and FY2021 would result in a goal for 8 crashes at the end of the three-year planning cycle.

Program Activities for FY 2019 - 2021: Describe the activities that will be implemented including level of effort.

To meet this goal, the State intends to conduct activities under the following strategies and will describe these activities in greater detail in the respective sections in the CMV Safety Program Objective and Commercial Vehicle Enforcement Activities parts. - Conduct driver and vehicle inspections - Conduct traffic enforcement activities - Conduct carrier investigations [CSA] - Conduct public education and awareness - Conduct effective data collection and reporting

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 crash incidents reports by the will be monitored for CMV involved crashes. These crash event counts will be compared to previous years' crash levels.

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	\$2,609,479.00	\$460,460.00	\$3,069,939.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of MCSAP Award Amount):	\$460,460.00
MOE Baseline:	\$0.00

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):	\$460,460.00
---	--------------

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
New Entrant Inspectors	2	100.0000	\$59,281.00	\$118,562.00	\$100,777.70	\$17,784.30	\$0.00
New Entrant Coordinator	1	100.0000	\$64,668.00	\$64,668.00	\$54,967.80	\$9,700.20	\$0.00
Assistant Operations Commander	1	20.0000	\$104,528.76	\$20,905.75	\$17,769.88	\$3,135.87	\$0.00
Motor Carrier Regional Commander	1	95.0000	\$104,528.76	\$99,302.32	\$84,406.97	\$14,895.35	\$0.00
MCSAP Sergeants	3	75.0000	\$89,382.93	\$201,111.59	\$170,944.85	\$30,166.74	\$0.00
Accountant	1	3.0000	\$77,497.00	\$2,324.91	\$1,976.17	\$348.74	\$0.00
IT	1	1.0000	\$76,009.00	\$760.09	\$646.07	\$114.02	\$0.00
MCSAP Admin Assistant	1	100.0000	\$45,603.00	\$45,603.00	\$38,762.55	\$6,840.45	\$0.00
Civilian MCSAP inspector	1	75.0000	\$55,517.00	\$41,637.75	\$35,392.08	\$6,245.67	\$0.00
Sworn Road Troopers (non-MCSAP)	92	3.0000	\$74,423.00	\$205,407.48	\$174,596.35	\$30,811.13	\$0.00
After hours on call pay	1	100.0000	\$25,460.26	\$25,460.26	\$21,641.22	\$3,819.04	\$0.00
Sworn Road Sergeants (non-MCSAP)	9	1.0000	\$91,586.49	\$8,242.78	\$7,006.36	\$1,236.42	\$0.00
MCSAP Troopers	12	80.0000	\$76,582.00	\$735,187.20	\$624,909.12	\$110,278.08	\$0.00
Subtotal: Salary				\$1,569,173.13	\$1,333,797.12	\$235,376.01	\$0.00
Overtime Project Costs							
MCSAP OT eligible employees	1	100.0000	\$259,938.87	\$259,938.87	\$220,948.04	\$38,990.83	\$0.00
Subtotal: Overtime				\$259,938.87	\$220,948.04	\$38,990.83	\$0.00
TOTAL: Personnel				\$1,829,112.00	\$1,554,745.16	\$274,366.84	\$0.00
Accounting Method:	Accrual						

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

The North Dakota Highway Patrol will responsibly utilize funding provided by FMCSA through the MCSAP grant. We have demonstrated that we are good stewards of money and resources.

The total budget award amount was based on guidance given in the NOFO and FMCSA Policy. All eligible direct costs are – and always have been – charged to the MCSAP grant since the inception of the program. For example, NDHP troopers code their time records to show time spent on MCSAP-eligible activities. Further, employees in other State agencies who perform MCSAP-eligible activities are already working under other Federal grants. For instance, NDDOT employees who do crash data collection are already funded by NHTSA and other Federal grants.

Regarding indirect costs (IDC) and maintenance of effort (MOE), the key facts are listed below:

The NDHP does not have an approved IDC rate. Based on previous guidance from FMCSA Headquarters, the NDHP had used 10 percent of direct salaries to estimate IDC. Also, based on previous guidance, the NDHP did not claim the estimated IDC; thus, it became the NDHP's MOE. Based on new guidance from FMCSA Headquarters, using 10 percent of direct salaries is no longer a valid method to estimate IDC, and should not have been allowed previously. With no approved IDC rate, and the 10 percent method eliminated, indirect costs are not – and have not – been an eligible expense. Therefore, the NDHP will not claim IDC and does not have an MOE.

The indirect cost rates for FY 2004 and FY 2005 were based on a formula approved by the Federal Highway Administration (FHWA) for those fiscal years. There has not been an approved indirect cost rate since that time. Although FY 2004 and FY 2005 are beyond the record retention period for grants, we were able to determine the indirect cost amounts claimed in FY 2004 and FY 2005.

Regarding MOE in general, the main points are listed below: The NDHP has participated in MCSAP since its inception in the 1980s. The NDHP routinely turned back or rolled over MCSAP funds during the 1990s

and early 2000s (i.e., during the "rollover era"). The NDHP has always spent MCSAP funds for one fiscal year into the succeeding fiscal year from the late 2000s through 2018 (i.e., during the "post-rollover era"). The FY 2010 MCSAP Review only found two eligible costs that created MOE: (1) NDDOT costs associated with crash data management, and (2) vehicle replacement costs included in the NDDOT's motor pool billings. The crash data management costs were eliminated when it was determined that NDDOT employees were funded by other Federal grants. The vehicle replacement costs were eliminated by an FMCSA determination that they were not eligible. All available evidence indicates that North Dakota has a zero MOE. The "Total Grant Funds Expended" includes the Federal grant funds expended and corresponding State matching funds expended on MCSAP-eligible activities during the identified fiscal year. The vast majority of the MCSAP budget is for salaries, benefits, training, fleet mileage costs, supplies and equipment needs under \$5000 to support the MCSAP eligible activities. This supports our civilian and sworn personnel as they conduct inspections and support for the inspection processes.

Salaries are figured based on an hourly rate prorated for the percentage of time personnel dedicate to the MCSAP program from time distribution reports from May 2017 to April 2018. This prorated method was discussed the ND FMCSA State Program Manager and approved. MCSAP Troopers are at 80% based on time distribution and salaries invoiced to MCSAP for the stated period. The Assistant Operations Commander's salary is adjusted for 20% time dedication to MCSAP, The Motor Carrier Regional Commander's adjusted to 95%, and MCSAP Sergeant's time is adjusted for 75% time dedicated to MCSAP. The IT specialist's time is adjusted for 1% time dedicated to MCSAP and the accountant's time is adjusted for 3% time dedicated to MCSAP. New Entrant coordinator is 100% dedicated. The MCSAP Civilian inspector is prorated to 75%. 92 sworn road troopers (non-MCSAP) conduct a minimum of 32 level 1,2 and/or 3 inspections. This is an average of approximately 3% of their total time.

All MCSAP hours doing inspections or other eligible activities are coded separately on our daily activity system and paid accordingly. Final monthly MCSAP salaries to be reimbursed are determined by taking the total actual MCSAP salaries for the month and then subtracting the Leave Salaries Reduction amount from this total to arrive at the final salaries amount to be requested for reimbursement for that month. The Leave Salaries Reduction amount is obtained by first multiplying the monthly MCSAP salaries total by the ratio of total MCSAP employee leave hours to the total MCSAP employee work hours for that month. The resulting total is then multiplied by the ratio of total state regular work hours to the total regular work hours by MCSAP employees for that month. This final resulting total is the Leave Salaries Reduction amount. For purposes of the above calculation, total MCSAP employee leave hours are the sum total of Annual Leave, Sick Leave, Family Sick Leave, and Funeral/Emergency Leave for that month.

The account technician prepares all invoices for payment of eligible MCSAP expenses, prepares quarterly financial reports, and tracks expenses.

The Information Technology Specialist performs all software updates to laptops and PC's as well as uploads Crash data and inspection data into SafetyNet.

Base Salary/Hr x 2080 hrs=Annual Base Salary

Assistant Operations Commander \$47.08/hr
 Motor Carrier Regional Commander \$47.08/hr
 MCSAP Sergeants (x3) \$42.34/hr
 MCSAP Troopers (x12) \$36.24/hr
 Civilian Inspector \$26.11/hr
 Administrative Assist. \$21.34/hr
 New Entrant Coordinator \$30.51/hr
 New Entrant Inspectors (x2) \$27.92/hr
 IT \$35.97/hr
 Accounting \$36.68/hr
 Sworn road Troopers (x92, non-MCSAP) \$35.20/hr
 Sword road Sergeants (x9, non-MCSAP) \$43.38/hr

Overtime is paid at 1.5 times the regular hourly rate. The NDHP will budget for 4,819 total hours of overtime for FY 2021 to allow each MCSAP sergeant, trooper, civilian inspector and New Entrant auditor, and regional size and weight trooper to work on average at least 12 hours of overtime per month in FY 2020 to complete MCSAP eligible activities (3,744 hours). At the discretion of the MC Operational Commander, and as hours are available, the remaining overtime may be assigned to be worked by regional traffic troopers who are certified to conduct inspections based on available funding (1,075 hours). The NDHP's personnel working overtime is on a voluntary basis. The MC Operational Commander will work with the

Regional Field Commanders in assigning available overtime. The certified employees may work overtime on a day off or as a shift extension. The NDHP will budget using an average overtime hourly rate for all positions of \$51.87/hr.

19 MCSAP personnel x \$51.87/hr. x 12 hours x 12 mos. = \$141,916 (2,736 hours)

6 Regional Size and Weight Troopers x \$51.87/hr. x 10 hours x 12 mos. = \$37,347 (720 hours)

Overtime for use by regional traffic troopers = \$58,095 (1,120 hours)

Overtime for use during special details/CMV blitzes at MCO Commander's discretion = \$5187 (100 hours)

The overtime can be done as a shift extension or work overtime on regular days off. We utilize the overtime to allow troopers, auditors and safety investigators more time during a shift to travel to the remote locations to conduct inspections complete audits and investigations.

On Call Pay is for paying for motor carrier division troopers and sergeants to be available after hours. The 2017 ND legislative session approved funding to support NDHP line level sworn personnel to be paid \$2.00 per hour to be on call. The NDHP will plan for the sworn, line level MCSAP personnel to be on call after hours for MCSAP related response as needed. The sworn NDHP operate on a 28 day schedule period. The NDHP will plan for 2 troopers and 1 sergeant within Motor Carrier Operations to be on call each day of the week. In FFY 2019, the NDHP, with similar staffing, logged 12,542 hours of "on-call MCSAP" pay from Oct 1st, 2018, to Sept 30th, 2019. We believe that the on-call pay will be very similar to FFY 2021.

12,542 hours x \$2.03 per hour = **\$25,460** total project cost (Federal + State)

****Effective July 1st, 2021, all NDHP employees will be receiving a statewide North Dakota state employee 1.5% pay increase. This pay increase is reflected in the above "salary project costs" chart (not in the detailed description)....this 1.5% change was adjusted to this eCVSP on June 8th, 2021.**

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
New Entrant Inspector x 2	49.3800	100.0000	\$116,162.00	\$57,360.79	\$48,762.41	\$8,598.38	\$0.00
New Entrant Coordinator	46.8800	100.0000	\$63,468.00	\$29,753.79	\$25,293.70	\$4,460.09	\$0.00
Assistant Operations Commander	43.7600	20.0000	\$97,920.00	\$8,569.95	\$7,285.31	\$1,284.64	\$0.00
Motor Carrier Regional Commander	43.7600	95.0000	\$97,920.00	\$40,707.30	\$34,605.28	\$6,102.02	\$0.00
MCSAP Sergeants x 3	45.7200	75.0000	\$264,186.00	\$90,589.37	\$77,010.02	\$13,579.35	\$0.00
Accountant/Finance	42.3400	3.0000	\$76,297.00	\$969.12	\$823.85	\$145.27	\$0.00
IT	42.7900	1.0000	\$74,809.00	\$320.10	\$272.12	\$47.98	\$0.00
MCSAP Admin Assistant	58.4600	100.0000	\$44,403.00	\$25,957.99	\$22,066.89	\$3,891.10	\$0.00
Sworn Road Troopers x 92	49.6600	3.0000	\$6,736,516.00	\$100,360.61	\$85,316.55	\$15,044.06	\$0.00
Sworn Road Sergeants (non-MCSAP)	45.2500	1.0000	\$812,097.00	\$3,674.73	\$3,123.89	\$550.84	\$0.00
Civilain MCSAP inspector	51.4200	75.0000	\$54,317.00	\$20,947.35	\$17,807.34	\$3,140.01	\$0.00
MCSAP Troopers (x12)	48.9900	80.0000	\$904,584.00	\$354,524.56	\$301,381.33	\$53,143.23	\$0.00
TOTAL: Fringe Benefits				\$733,735.66	\$623,748.69	\$109,986.97	\$0.00

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

Fringe benefits includes health and life insurance, retirement, Soc. Sec. Workers Comp. Medicare for the MCSAP assigned personnel.

The specific amounts will be included in the vouchers. Fringe benefits requested for reimbursement are based on actual monthly fringe benefit costs for the following salaries accounts: State Retirement, Trooper's Retirement, Hospital Insurance, Basic Life Insurance, Social Security, Medicare, Unemployment Insurance and Workers Compensation. NDHP sworn officers also receive Per Diem benefits on a monthly basis to cover meals while they're working on ND roadways and to provide for other incidental expenses. The only fringe benefit costs which are requested for reimbursement are the actual benefit expenses which are recorded each month in the ND OMB computer printouts and a copy of this printout is included with each reimbursement request voucher submitted to FMCSA. The Fringe rates for each position are listed in the table above. Fringe rates were obtained from NDHP Finance section based on information from ND OMB.

The stated fringe rates were applied to the prorated base amount from the salaries section.

Calculated as follows:

2 new entrant inspectors \$58,081 x 2 = \$116,162 (100%)= \$116,162 x fringe rate of 49.38%= \$57,360.79
 1 new entrant coordinator \$63,468 x 1 = \$63,468 (100%)= \$63,468 x fringe rate of 46.88%= \$29,753.79
 1 assistant operations commander \$97,920 x 1 = \$97,920 (20%)= \$19,584 x fringe rate of 43.76%= \$8,569.95
 1 motor carrier regional commander \$97,920 x 1 = \$97,920 (95%)= \$93,024 x fringe rate of 43.76%= \$40,707.30
 3 MCSAP sergeants \$88,062 x 3 = \$264,186 (75%)= \$198,139.50 x fringe rate of 45.72%= \$90,589.37
 1 accounting/finance \$76,297 x 1 = \$76,297 (3%)= \$2,288.91 x fringe rate of 42.34%= \$969.12
 1 I.T. \$74,809 x 1 = \$74,809 (1%)= \$748.09 x fringe rate of 42.79%= \$320.10
 1 MCSAP administrative assistant \$44,403 x 1 = \$44,403 (100%)= \$44,403 x fringe rate of 58.46%= \$25,957.99
 1 civilian MCSAP inspector \$54,317 x 1 = \$54,317 (75%)= \$40,737.75 x fringe rate of 51.42%= \$20,947.35
 92 sworn road troopers (non-MCSAP) \$73,223 x92 = \$6,736,516(3%)= \$202,095.48x fringe 49.66%= \$100,360.61
 9 sworn road sergeants (non-MCSAP) \$90,233 x 9 = \$812,097 (1%)= \$8120.97 x fringe rate of 45.25%=\$3,674.73
 12 MCSAP troopers \$75,382 x 12 = \$904,584 (80%)= \$723,667.20 x fringe rate of 48.99%= \$354,524.56

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
All out of state travel	1	1	100.0000	\$45,439.00	\$38,627.69	\$6,811.31	\$0.00
All in state travel	1	1	100.0000	\$30,250.00	\$25,712.50	\$4,537.50	\$0.00
TOTAL: Travel				\$75,689.00	\$64,340.19	\$11,348.81	\$0.00

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

In-State travel

Will be to allow routine travel for MCSAP personnel to travel to remote areas of ND to conduct inspections, complete safety investigations, complete New Entrant safety audits, attend in state training, in-service, meetings, educational and outreach presentations and special enforcement/inspection blitzes.

Commanders, Troopers, auditors and inspectors spend time out of their home assigned post to conduct MCSAP activities such as blitzes in other areas of the state, attend meetings, training and in-service. The NDHP will budget for each commander, sergeant, trooper, New entrant auditor and civilian inspector to spend on average 1 day per month on overnight stay. State Rate for lodging is \$86.40 per night plus tax. However, in the western part of ND hotels typically do not honor the state rate due to the high demand for rooms as a result of the oil boom. We follow the state limits on allowed room rates for these locations. State per diem for meals is \$35 per day. The NDHP will budget for \$100 per night for hotels on average. In addition, throughout the FFY, the NDHP budgets for numerous "In-state training" seminars and events. See table below for specific details. **The total estimated budget for all in-state travel is approximately \$30,250.**

Planned Training and Travel
for MCSAP FFY 2021

TRAINING	LOCATION	# of PERSONNEL	# of NIGHTS	REGISTRATION FEE	HOTEL	MEALS	AIR FARE *	RENTAL VEHICLE	TOTAL
*Gen Haz Mat	Bismarck ND	5	5	\$0.00	\$2,047.50	\$875.00	\$0.00	\$0.00	\$2,922.50
*Cargo Tank Insp	Bismarck ND	5	5	\$0.00	\$2,047.50	\$875.00	\$0.00	\$0.00	\$2,922.50
*Other Bulk Packaging	**cancelled	3	5	\$0.00	\$1,228.50	\$525.00	\$0.00	\$0.00	\$1,753.50

*NAS Part A	Bismarck ND	24	5	\$0.00	\$9,828.00	\$4,200.00	\$0.00	\$0.00	\$14,028.00
*NAS Part B	Bismarck ND	20	5	\$0.00	\$8,190.00	\$3,500.00	\$0.00	\$0.00	\$11,690.00
*FMCSA MCSAP Grant Workshop 2021	**changed to virtual	3	3	\$0.00	\$1,260.00	\$621.00	\$2,115.00	\$0.00	\$3,996.00
*CVSA Spring Workshop 2021	**changed to virtual	3	5	\$1,650.00	\$1,800.00	\$972.00	\$1,668.00	\$0.00	\$6090.00
CVSA Fall Conference 2021	Wilmington, DE Aug 29-Sept 2	3	5	\$1,650.00	\$1,950.00	\$918.00	\$2,172.00	\$0.00	\$6690.00
*NAIC 2021	**cancelled	2	6	\$0.00	\$1,680.00	\$756.00	\$1,182.00	\$0.00	\$3,618.00
*CVSA, FMCSA Data Management 2021	**changed to virtual	3	3	\$1,650.00	\$1,080.00	\$768.00	\$1,773.00	\$0.00	\$5,271.00
*COHMED 2021	**changed to virtual	4	5	\$2,200.00	\$2,400.00	\$1,536.00	\$2,364.00	\$0.00	\$8,500.00
Heavy Vehicle Post Crash Inspection	Bismarck, ND	27	1	\$5250.00	\$0	\$0	\$0	\$0	\$5,250.00

Out of State Travel:

Travel out of state follows the federal guidelines for reimbursement for meals. Employees submit a monthly travel expense voucher with the detailed expenses and an explanation. The expenses are reviewed by the Commander prior to approval for payment. NDHP budgets for approximately **\$45,439 for out of state travel.**

In regard to the COHMED conference:

The troopers that have attended this conference find that the Hazardous Material training offered at this venue is some of the most valuable they receive. This is the only venue where there is continuing education provided on a frequent basis in regard to Hazmat. Short of attending the NTC Hazmat course again. With the volume of oil activity in ND and the associated hazmat that accompanies this activity it is valuable for our troopers to attend this conference. The networking and knowledge obtained by our Hazmat troopers at this conference is invaluable to them as they perform hazmat inspections. Hazmat involved crashes have risen consistently in ND over the past 5 years, from 10 in 2010 to 153 in 2014. COHMED is comprised of federal, state and local agencies, and industry from the United States and Canada. COHMED works cooperatively with other federal and state agencies, enforcement personnel, emergency planning managers, responders, academic institutions, interest groups and private industry. COHMED is committed to: Improving hazardous materials transportation safety, Fostering national uniformity in regulation and enforcement, Sharing information on hazardous materials transportation issues and delivery of services, Providing technical assistance, training and education to states and local governments to enhance existing programs and develop new ones to improve hazardous materials safety.

In regard to NAIC:

The North American Inspectors Challenge NAIC Each year, CVSA recognizes the best of the best by inviting member jurisdictions throughout North America to participate in the North American Inspectors Championship (NAIC), the only event dedicated to recognizing and awarding commercial vehicle inspector excellence.

In addition to the competitive events, each inspector receives training on the latest safety information, technology, standards and inspection procedures while sharing ideas, techniques and experiences with other inspectors. Although participating inspectors compete for honors in several categories, each inspector leaves NAIC as a winner.

NAIC contestants are evaluated in the following six categories:

North American Standard Level I Inspection

North American Standard Level I Inspection Procedures

North American Standard Hazmat/Dangerous Goods Inspection

North American Standard Cargo Tank/Other Bulk Packagings Inspection

North American Standard Level V Passenger Carrier Vehicle (Motor coach) Inspection

North American Standard Out-of-Service Criteria Exam

All of the inspection categories are timed events and the compilation of scores for these categories result in a Grand Champion. In addition to a Grand Champion, awards are given for first, second and third place for selected inspection events. Also, an award is given to each inspector who scores the most points representing each of the three participating countries: Canada, the United States and Mexico. And a special award, the John Youngblood Award of Excellence, is an honor NAIC contestants bestow upon a fellow NAIC inspector who exemplifies the high standards and unwavering dedication to the profession.

The CVSA Data Workshop offers training for users of federal data bases such as SafetyNet, NEWS, MCMIS. It is usually held at the same location as NAIC.

*In regards to the travel plan chart above, any of the training that is marked with an asterisk, or a double asterisk, had significant changes or cancellations due to the COVID-19 pandemic. All of these changes or cancellations had significant financial impact as everything cost less, or had no cost at all due to cancellation.

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
"SIRN" Radio upgrade for one dedicated MCSAP patrol vehicle to test	1	\$14,000.00	100	\$14,000.00	\$11,901.40	\$2,098.60	\$0.00
TOTAL: Equipment				\$14,000.00	\$11,901.40	\$2,098.60	\$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.

The radio upgrades are in response to North Dakota's mandatory radio switchover with the implementation of the "SIRN" system. The "SIRN" system refers to a new statewide radio system that will be used by all emergency personnel within the state of North Dakota in the next few years (fire, LE, EMS, etc). Participation is mandatory. Costs of "SIRN" upgrades would be significant. Approximate costs per officer are \$14,000 (this includes the patrol car radio and a portable radio). The approximate cost (at this time) of each portable radio is \$6400. The approximate cost (at this time) of each patrol car radio is \$6700. \$14,000 is an estimate that allows for fluctuation in cost. ***In the table below, the radio's costs have already been pro-rated for each of the different positions, that is why in the above equipment project costs, it is charged as %100 MCSAP.

With current staffing, approximate total project cost for the SIRN system for our agency is:

92 sworn non-MCSAP troopers: \$38,640

13 MCSAP troopers: \$134,400

9 sworn non-MCSAP sergeants: \$1260

Assistant operations commander: \$2800

Motor carrier commander: \$13,300

3 MCSAP sergeants: \$31,500

TOTAL ESTIMATED PROJECT COSTS FOR "SIRN" RADIOS: \$221,900

****On December 3rd, 2020, the North Dakota Highway Patrol was advised that the SIRN project outlined above was not supported by the North Dakota Governor's Office, and would not be funded. This occurred during the executive budget recommendations to the 67th North Dakota Legislative Assembly. The NDHP Motor Carrier Division will equip one patrol vehicle with a SIRN upgraded radio system for a test. It is possible that funding during the 68th North**

Dakota Legislative Assembly (for years 2023-2024) revisits the SIRN upgrade for all state agencies. The cost will be approximately \$14,000 to equip one patrol vehicle with a SIRN upgrade.

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
General Supplies	21 per year	\$3,000.00	100.0000	\$63,000.00	\$53,556.30	\$9,443.70	\$0.00
Shed Ramps	5 1 ramp per shed	\$1,000.00	100.0000	\$5,000.00	\$4,250.50	\$749.50	\$0.00
Additional geiger counter for Level 6 inspections	1 1	\$1,900.40	100.0000	\$1,900.40	\$1,529.94	\$370.46	\$0.00
TOTAL: Supplies				\$69,900.40	\$59,336.74	\$10,563.66	\$0.00

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

Supplies include all general office, inspection and general supply items to support the MCSAP program. These are the general supplies for the 21 assigned office and field MCSAP, BE and New Entrant personnel. Paper products for CSA investigators, New Entrant auditors, commanders, sergeants, troopers, inspectors and office personnel etc. and ink products for printers and copiers. The NDHP supplies all uniforms, and BDU's for officers, auditors and inspectors to conduct inspections, investigations and New Entrant Safety Audits, in addition to all foot wear and headgear, and winter gear for conducting inspections during the cold weather in ND.

The NDHP has 2 motor coach inspection units that have our bus ramps and a performance based brake testing unit that require periodic maintenance. In addition to the listed equipment the NDHP provides all inspection equipment and supplies necessary to conduct inspections. This includes eye protection, gloves, bump hats, road side inspection signage, rulers, soap stones, caps, hand cleaner and wipes, flashlights, batteries, break chamber devices, headlamps. Inspection, audit and investigation related equipment and supplies will be invoiced at 100%.

Any shared uniform, small equipment items and supply items that may be used outside of the MCSAP program will be prorated based on the approved method for the time dedicated to the MCSAP program per the labor distribution reports for the time period of May 2017 through April 2018. Small equipment items may include but not limited to AED's, Bar code scanners, Tasers, computers, printers, monitors etc. and other equipment necessary to carry out the duties of their positions.

Also included in supplies is the cost of publications for the officers to do inspections such as Manuals, regulation books, periodical publications that are cmv and inspection related, educational handout material.

The NDHP will be replacing almost all of its computers soon under the national COVID-19/Coronavirus "CARES Act". *The Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act, is a \$2.2 trillion economic stimulus bill passed by the 116th U.S. Congress and signed into law by President Donald Trump in March 2020 in response to the economic fallout of the COVID-19 pandemic in the United States. There is non-match CARES funding available now to cover costs which normally would have been partially MCSAP funded, but there will likely be a request for laptops in 4-5 years when this batch reaches end of life.*

The NDHP will be purchasing 5 ramps for the storage sheds that were built. These ramps allow for MCSAP equipment to be more easily rolled up into and out of the sheds. The approximate cost per ramp is \$1000.00

The NDHP will be purchasing an additional geiger counter to use while conducting level 6 radioactive inspections. The approximate cost of a geiger counter is \$1788.81.

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
Upper Great Plains Transportation Institute (NDSU)	EIN 456002439	Contract	100.0000	\$10,680.00	\$9,078.00	\$1,602.00	\$0.00
Description of Services: MCSAP CVSP development							
ND Department of Transportation	EIN 450309764	Contract	100.0000	\$1,102.00	\$936.70	\$165.30	\$0.00
Description of Services: Dickinson MCSAP Office Space							
Kosciolek Rental	EIN 200983321	Contract	100.0000	\$3,124.00	\$2,655.40	\$468.60	\$0.00
Description of Services: Fargo Motor Carrier Office Space							
Stutsman County, ND	EIN 456002244	Contract	100.0000	\$1,296.00	\$1,101.60	\$194.40	\$0.00
Description of Services: Jamestown MCSAP Office Space							
Farm Bureau	EIN 450227026	Contract	100.0000	\$810.00	\$688.50	\$121.50	\$0.00
Description of Services: Minot MCSAP office space							
New Vision Properties	EIN 462541487	Contract	100.0000	\$6,633.00	\$5,638.05	\$994.95	\$0.00
Description of Services: Bismarck MCSAP office space lease (per month)							
Vehicle Inspection Systems Inc.	EIN 431652552	Contract	100.0000	\$12,825.00	\$10,902.53	\$1,922.47	\$0.00
Description of Services: 3-year warranty extension for the PBBT (Performance-Based Brake Tester)							
TOTAL: Contractual and Subaward				\$36,470.00	\$31,000.78	\$5,469.22	\$0.00

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

The NDHP will budget for office space utilized to support the MCSAP program. MCSAP employees utilize office space at our regional office locations in Bismarck, Dickinson, Fargo, Jamestown and Minot. This is for assigned office space to conduct MCSAP eligible activities, New Entrant Audits, and safety investigations.

The below table details the employees, square footage for each office, current cost per square foot, and the estimated prorated amounts of each employee's labor distribution towards the MCSAP program from FY2019. The entered amounts above in the table include the prorated totals for each office location for each employee. There are 11 office spaces as listed below that are used for MCSAP eligible activities.

OFFICE RENT

Location	Cost/Sq. Foot
Bismarck Regional	\$15.69
Dickinson	\$7.65
Fargo	\$13.25
Jamestown	\$12.00
Minot	\$6.00

Bismarck Headquarters	\$14.38
Williston	\$7.80

ESTIMATED COST PER MONTH-
MCSAP FY2020

Employee	Location	Square Ft.	Cost/Sq. Ft.	Sub-Total	Federal Time	Pro-rated	85%
Assistant Operations Commander	Bismarck	100	\$14.38	\$1438	20%	\$288	\$245
MC Trooper	Bismarck	115	15.69	\$ 1804	80%	\$1443	\$1227
MC Sergeant	Bismarck	121	15.69	\$ 1899	75%	\$1424	\$1211
MC Sergeant	Williston	100	\$7.80	\$780	75%	\$585	\$497
MC Admin Assistant	Bismarck	240	15.69	\$ 3766	100.00%	\$3766	\$3201
MC Trooper	Jamestown	20	12	\$240	80%	\$192	\$163
New Entrant Inspector	Dickinson	144	7.65	\$ 1102	100.00%	\$1102	\$937
New Entrant Coordinator	Fargo	130	13	\$ 1723	100.00%	\$1723	\$1465
MC Sergeant	Fargo	141	13	\$ 1868	75%	\$1401	\$1191
MC Trooper	Jamestown	88	12	\$ 1056	80%	\$845	\$718
MC Trooper	Minot	135	6	\$ 810	80%	\$648	\$551

TOTAL	\$11,406
--------------	-----------------

The NDHP plans to once again utilize the services of Upper Great Plains Transportation Institute to assist in gathering data, analyzing trend data as it applies to CMV safety to provide solid background information to support performance objectives and identify issues and to assist in preparing and yearly review of the CVSP document. The NDHP does not have the necessary staff to provide adequate data gathering and analysis required to be submitted with the MCSAP CVSP. This partnership with UGPTI will allow the NDHP to provide better information and a product to FMCSA. This work agreement is one that has proven successful and approved by FMCSA in

other jurisdictions. It has been successful for the NDHP in past years. UGPTI will assist in drafting and reviewing the CVSP document in FY 2019--21.

The NDHP plans on purchasing a 3-year warranty extension for the Performance-Based Brake Testing (PBBT) machine. That machine is valued at approximately \$145,000 and we would like to extend the warranty for 3 more years for approximately \$12,825.

Upper Great Plains Transportation Institute is a state agency with in North Dakota State University and as such, under ND state procurement rules this is an exemption to competitive procurement. The NDHP is following the state rules on procurement in regard to this contract. State procurement language under North Dakota Century Code 54-44.4-05 states:

"The office of management and budget shall adopt rules specifying the circumstances under which competition may be waived or limited, when negotiation may be used, and specifying the required justifications and procedures for using those methods of purchasing. The office of management and budget shall adopt rules related to sending notice of intent to make limited competitive, noncompetitive, and negotiated purchases in accordance with this chapter. The notice must describe the needed commodity or service and the intended procurement method and must state that vendors are permitted to submit bids or proposals for contracts to be awarded under this section. **The circumstances that may permit limited competitive, noncompetitive, or negotiated purchases include:** a. The commodity or service is available from only one source. b. The commodity or service is to be purchased for experimentation or trial. c. No acceptable bid or proposal was received pursuant to a competitive bidding or competitive proposal process. d. Commodities are being purchased for over-the-counter resale. **e. Acceptable commodities or services are produced or provided by correctional institutions or other government agencies or a work activity center as defined in section 25-16.2-01.** f. The anticipated cost of purchasing specified commodities or services is less than an amount determined by the office of management and budget which would justify the expense of a competitive bidding or competitive proposal process. g. A used commodity is advantageous to the state and the commodity is available only on short notice. h. The commodity is a component or replacement part for which there is no commercially available substitute and which can be obtained only from the manufacturer. i. Compatibility with equipment currently owned by the state is essential to the proper functioning of that equipment. j. The agency provides documentation indicating that the services or the circumstances are of such a nature that deviation from the procurement procedure is appropriate."

The attached proposal and contract has all of the background information.

The NDHP follows state procurement procedures that *comply with the standards described in 2 CFR §200 Procurement Standards*.

2 CFR 200.318e states: To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.

Upper Great Plains Transportation Institute is an inter-entity state governmental agency and is within the University of North Dakota, a state government agency.

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 not claim reimbursement for Indirect Costs.

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
MCSAP motor pool (mileage)	1 per year	\$250,000.00	100.0000	\$250,000.00	\$212,525.00	\$37,475.00	\$0.00
Computer Operations and Maintenance	12 per year	\$2,000.00	77.0000	\$18,480.00	\$15,709.85	\$2,770.15	\$0.00
Paid media for public education & outreach	12 per year	\$1,500.00	100.0000	\$18,000.00	\$15,301.80	\$2,698.20	\$0.00
CVSA decals	8700 1 per year	\$0.28	100.0000	\$2,436.00	\$2,070.84	\$365.16	\$0.00
Communications	1 per year	\$28,722.00	77.0000	\$22,115.94	\$18,798.55	\$3,317.39	\$0.00
TOTAL: Other Costs				\$311,031.94	\$264,406.04	\$46,625.90	\$0.00

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

CVSA decals are purchased from the Commercial Vehicle Safety Alliance at a fixed rate placed by them. The amount is from a published email from CVSA that indicated the cost of .28 cents per decal. Decals are issued by troopers and inspectors to power units and trailers after completing violation free Level 1 inspections.

Communications are for cell phones for our MCSAP personnel. 22 personnel are issued a cell phone and a laptop for use on a daily basis. Cell phones are used to communicate with carriers, owners and industry as well as NDHP supervisors and coworkers to conduct day to day business associated with inspections, New Entrant Audits and safety investigations. All NDHP personnel are issued cell phones for work purposes. Each cell phone costs \$52.97/mo. The fees vary slightly each month due to data usage. \$70 for a new phone case and screen protector was added for each of the 22 phone upgrades in June of 2021 for MCSAP (22 x \$70 = \$1540).

$$22 \times \$52.97 \times 12 = \$13,984.08$$

22 laptops utilize air cards to complete roadside inspections, New Entrant safety audits, safety investigations NCIC queries, case reports, issue citations and warnings, OOS inquiries and CSA investigations on issued laptop computers. Each air card costs \$49.99/mo.

$$22 \times \$49.99 \times 12 = \$13,197.36$$

$$\$13,984.08 + \$13,197.36 = \$27,181.44 + \$1540.00 \text{ (upgraded cases and screen protectors)} = \$28,721.44$$

For budgeting purposes, communication costs will be prorated based on the aggregate total of the labor distribution used for salaries. The overall proration amount is 88% rounded to the nearest percentage.

- 13 MCSAP troopers= 80%
- 1 MCSAP Civilian = 75%
- 1 Assistant Operation Commander = 20%
- 1 MC Regional Commander=95%
- 3 MCSAP Sergeants=75%
- 1 New Entrant Coord.=100%
- 2 New Entrant Auditors = 100%

Average Proration= 77%

The NDHP has a fixed **fleet cost** for our vehicles. The NDHP pays a mileage rate to ND Fleet Services, which includes services and any repairs required for our vehicles. The estimated, average mileage rate for FFY 2020 based on budget guidelines from NDDOT Fleet Services is .74 to .78 (average .76) cents per mile for the NDHP sworn and civilian fleet vehicles. It is based on the mileage rate as set by ND Fleet Services who provide guidance to state agencies on mileage rates for budgeting purposes. This rate does not include vehicle replacement costs.

The NDHP budgeted for 526,316 miles to conduct MCSAP eligible activities on regular time and overtime for sworn and civilian personnel in FY 2020. Each trooper, inspector or auditor has either a marked patrol vehicle or assigned state fleet vehicle that is operated to conduct inspections and safety audits or to travel to fixed or roadside locations to do inspections. The vehicles have all the inspection equipment located in the vehicle. Civilian inspectors and New Entrant Auditors are issued a state fleet car for use when doing inspections and safety

audits away from the fixed sites or their home locations. Personnel are able to separate out mileage on the daily activity report for miles traveled related to MCSAP eligible activities vs. non-eligible activities.

Public Outreach and Education, the NDHP will plan paid media for public outreach and education through advertising of CMV safety messages. The NDHP will budget \$1,500 per month for this advertising at local truck stops and restaurants around the state. Messaging would include NO-Zone awareness, human trafficking and seatbelt use in CMVs as examples.

Computer operation and maintenance costs for MCSAP related software and hardware items in the previous 12 month period have averaged approximately \$2000 per month (NDHP finance). This is for routine maintenance and operation of federal and state software systems for completing enforcement, inspections, investigations and audits and other duty related tasks. This line item also includes all software maintenance and computer maintenance needs. Each commander, sergeant, trooper, auditor and inspector (22) are issued a Panasonic Toughbook laptop and associated software in order to complete inspection and investigations. The office administrative assistant, and two commanders have an office computer. There are maintenance costs for the hardware and software. Aspen, ISS, Guard, Capri, UFA, ProVu, Case Rite and EFOTM are the software used by inspectors and troopers that do inspections and/or safety investigations. Computer hardware and software operation and maintenance costs that are shared will be prorated based on the time dedicated to MCSAP. This is determined by the labor distribution report. The NDHP will utilize the time period of May 2017 to April 2018 as the reference period for labor distribution for officer to determine the proration amount.

\$2,000.00 x 12 months x 77% = \$18,480.00

*****For federal fiscal year 2020, the North Dakota Highway Patrol does not wish to budget the entire estimated fiscal year funding amount.**

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	\$2,609,479.00	\$460,460.00	\$3,069,939.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of Basic Award Amount):	\$460,460.00
MOE Baseline:	\$0.00

Estimated Expenditures				
Personnel				
	Federal Share	State Share	Total Project Costs (Federal + Share)	MOE
New Entrant Inspectors	\$100,777.70	\$17,784.30	\$118,562.00	\$0.00
New Entrant Coordinator	\$54,967.80	\$9,700.20	\$64,668.00	\$0.00
Assistant Operations Commander	\$17,769.88	\$3,135.87	\$20,905.75	\$0.00
Motor Carrier Regional Commander	\$84,406.97	\$14,895.35	\$99,302.32	\$0.00
MCSAP Sergeants	\$170,944.85	\$30,166.74	\$201,111.59	\$0.00
Accountant	\$1,976.17	\$348.74	\$2,324.91	\$0.00
IT	\$646.07	\$114.02	\$760.09	\$0.00
MCSAP Admin Assistant	\$38,762.55	\$6,840.45	\$45,603.00	\$0.00
Civilian MCSAP inspector	\$35,392.08	\$6,245.67	\$41,637.75	\$0.00
Sworn Road Troopers (non-MCSAP)	\$174,596.35	\$30,811.13	\$205,407.48	\$0.00
After hours on call pay	\$21,641.22	\$3,819.04	\$25,460.26	\$0.00
Sworn Road Sergeants (non-MCSAP)	\$7,006.36	\$1,236.42	\$8,242.78	\$0.00
MCSAP Troopers	\$624,909.12	\$110,278.08	\$735,187.20	\$0.00
Salary Subtotal	\$1,333,797.12	\$235,376.01	\$1,569,173.13	\$0.00
MCSAP OT eligible employees	\$220,948.04	\$38,990.83	\$259,938.87	\$0.00
Overtime subtotal	\$220,948.04	\$38,990.83	\$259,938.87	\$0.00
Personnel total	\$1,554,745.16	\$274,366.84	\$1,829,112.00	\$0.00

Fringe Benefits				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
New Entrant Inspector x 2	\$48,762.41	\$8,598.38	\$57,360.79	\$0.00
New Entrant Coordinator	\$25,293.70	\$4,460.09	\$29,753.79	\$0.00
Assistant Operations Commander	\$7,285.31	\$1,284.64	\$8,569.95	\$0.00
Motor Carrier Regional Commander	\$34,605.28	\$6,102.02	\$40,707.30	\$0.00
MCSAP Sergeants x 3	\$77,010.02	\$13,579.35	\$90,589.37	\$0.00
Accountant/Finance	\$823.85	\$145.27	\$969.12	\$0.00
IT	\$272.12	\$47.98	\$320.10	\$0.00
MCSAP Admin Assistant	\$22,066.89	\$3,891.10	\$25,957.99	\$0.00
Sworn Road Troopers x 92	\$85,316.55	\$15,044.06	\$100,360.61	\$0.00
Sworn Road Sergeants (non-MCSAP	\$3,123.89	\$550.84	\$3,674.73	\$0.00
Civilain MCSAP inspector	\$17,807.34	\$3,140.01	\$20,947.35	\$0.00
MCSAP Troopers (x12)	\$301,381.33	\$53,143.23	\$354,524.56	\$0.00
Fringe Benefits total	\$623,748.69	\$109,986.97	\$733,735.66	\$0.00

Travel				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
All out of state travel	\$38,627.69	\$6,811.31	\$45,439.00	\$0.00
All in state travel	\$25,712.50	\$4,537.50	\$30,250.00	\$0.00
Travel total	\$64,340.19	\$11,348.81	\$75,689.00	\$0.00

Equipment				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
"SIRN" Radio upgrade for one dedicated MCSAP patrol vehicle to test	\$11,901.40	\$2,098.60	\$14,000.00	\$0.00
Equipment total	\$11,901.40	\$2,098.60	\$14,000.00	\$0.00

Supplies				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
General Supplies	\$53,556.30	\$9,443.70	\$63,000.00	\$0.00
Shed Ramps	\$4,250.50	\$749.50	\$5,000.00	\$0.00
Additional geiger counter for Level 6 inspections	\$1,529.94	\$370.46	\$1,900.40	\$0.00
Supplies total	\$59,336.74	\$10,563.66	\$69,900.40	\$0.00

Contractual and Subaward				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Upper Great Plains Transportation Institute (NDSU)	\$9,078.00	\$1,602.00	\$10,680.00	\$0.00
ND Department of Transportation	\$936.70	\$165.30	\$1,102.00	\$0.00
Kosciolek Rental	\$2,655.40	\$468.60	\$3,124.00	\$0.00
Stutsman County, ND	\$1,101.60	\$194.40	\$1,296.00	\$0.00
Farm Bureau	\$688.50	\$121.50	\$810.00	\$0.00
New Vision Properties	\$5,638.05	\$994.95	\$6,633.00	\$0.00
Vehicle Inspection Systems Inc.	\$10,902.53	\$1,922.47	\$12,825.00	\$0.00
Contractual and Subaward total	\$31,000.78	\$5,469.22	\$36,470.00	\$0.00

Other Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
MCSAP motor pool (mileage)	\$212,525.00	\$37,475.00	\$250,000.00	\$0.00
Computer Operations and Maintenance	\$15,709.85	\$2,770.15	\$18,480.00	\$0.00
Paid media for public education & outreach	\$15,301.80	\$2,698.20	\$18,000.00	\$0.00
CVSA decals	\$2,070.84	\$365.16	\$2,436.00	\$0.00
Communications	\$18,798.55	\$3,317.39	\$22,115.94	\$0.00
Other Costs total	\$264,406.04	\$46,625.90	\$311,031.94	\$0.00

Total Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Subtotal for Direct Costs	\$2,609,479.00	\$460,460.00	\$3,069,939.00	\$0.00
Total Costs Budgeted	\$2,609,479.00	\$460,460.00	\$3,069,939.00	\$0.00

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	\$2,609,479.00	\$460,460.00	\$3,069,939.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of Basic Award Amount):	\$460,460.00
MOE Baseline:	\$0.00

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Salary Subtotal	\$1,333,797.12	\$235,376.01	\$1,569,173.13	\$0.00
Overtime Subtotal	\$220,948.04	\$38,990.83	\$259,938.87	\$0.00
Personnel Total	\$1,554,745.16	\$274,366.84	\$1,829,112.00	\$0.00
Fringe Benefits Total	\$623,748.69	\$109,986.97	\$733,735.66	\$0.00
Travel Total	\$64,340.19	\$11,348.81	\$75,689.00	\$0.00
Equipment Total	\$11,901.40	\$2,098.60	\$14,000.00	\$0.00
Supplies Total	\$59,336.74	\$10,563.66	\$69,900.40	\$0.00
Contractual and Subaward Total	\$31,000.78	\$5,469.22	\$36,470.00	\$0.00
Other Costs Total	\$264,406.04	\$46,625.90	\$311,031.94	\$0.00
	85.01% Federal Share	14.99% State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Subtotal for Direct Costs	\$2,609,479.00	\$460,460.00	\$3,069,939.00	\$0.00
Indirect Costs	\$0.00	\$0.00	\$0.00	NA
Total Costs Budgeted	\$2,609,479.00	\$460,460.00	\$3,069,939.00	\$0.00

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? Colonel Brandon Solberg
2. What is this person's title? North Dakota Highway Patrol Superintendent
3. Who is your Governor's highway safety representative? Karen Mongeon
4. What is this person's title? NDDOT Safety Division Director

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

- ☒ Yes
- ☐ No

State Certification declaration:

I, Colonel Brandon Solberg, North Dakota Highway Patrol Superintendent, on behalf of the State of NORTH DAKOTA, 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? Colonel Brandon Solberg
2. What is the title of your certifying State official? North Dakota Highway Patrol Superintendent
3. What are the phone # and email address of your State official? (701) 328-2455 bjsolberg@nd.gov

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

- ☒ Yes
- ☐ No

I, Colonel Brandon Solberg, 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
By reference	09/29/2020	39-21-46(3)	ND adopts new FMCSA hours of service regulations by reference for part 395

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

☐ Yes ☒ No

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? Brandon Solberg
2. What is the title of your certifying State official? Superintendent
3. What are the phone # and email address of your State official? 701-328-2455,
bjsolberg@nd.gov

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

~~Yes~~

Yes, uploaded certification document

~~No~~

State Compatibility Review of Laws, Regulations, Standards, and Orders on CMV Safety Certification

I, Brandon Solberg, on behalf of the State of North Dakota 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.

FY 2021 Certification of MCSAP Conformance (State Certification)

I, Brandon Solberg, Superintendent, on behalf of the State of North Dakota, 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 North Dakota Highway Patrol as the Lead State Agency to administer the Commercial Vehicle Safety Plan (CVSP) throughout the State for the grant sought and the North Dakota Highway 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 10/23/20

Signature 