



WEST VIRGINIA

Commercial Vehicle Safety Plan

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

Fiscal Years 2021 - 2023

Date of Approval: June 09, 2021

FINAL CVSP



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

Part 1 - MCSAP Overview

Part 1 Section 1 - Introduction

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

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

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

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

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

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

REMINDERS FOR FY 2021:

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

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

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

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

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

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

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

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

Part 1 Section 2 - Mission/Goal Statement**Instructions:**

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

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

The Public Service Commission of West Virginia, Transportation Division, as an organization, is concerned with reducing crashes while improving highway safety.

The Public Service Commission of West Virginia strives to assist the Federal Motor Carrier Safety Administration's goal of reducing CMV related fatalities (large truck and buses) while conducting vehicle safety inspections of commercial motor vehicles and drivers at roadside and fixed scale facilities throughout the State of West Virginia.

We aim to reduce fatalities in West Virginia by 1.66% during each of fiscal years of FY2021, FY2022 and FY2023 for a total fatality reduction of 5% or 2 individual fatalities based upon FMCSA data generated on June 10, 2020 at the A & I Website reflecting an average between 2015 and 2019 of 40 individual fatalities in West Virginia.

Part 1 Section 3 - MCSAP Structure Explanation

Instructions:

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

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

Currently, we have a total of 51 Enforcement Officers. This total includes 3 Managers, 6 Supervisors and 42 Officers. We have a Division Director, Deputy Division Director with 1 Grant Manager, 1 SafetyNet Analyst (Position to be re-filled due to retirement), 5 Office Staff/Clerical Members and 2 Garage/Vehicle Support Personnel. The Enforcement Officers, Supervisors and the three Managers are certified to conduct road-side inspections and maintain their CVSA certification. The numbers of officers above includes 3 Officers and 1 Supervisor who also perform Safety Audits with 2 Officers who conduct Compliance Reviews. The Public Service Commission of West Virginia does not conduct any Traffic Enforcement without conducting a minimum of a North American Standard Level III inspection. The Public Service Commission of West Virginia lacks jurisdiction over Non-Commercial Motor Vehicles.

Our Enforcement Officers have received Impaired Driver Training. Newly hired officers receive training. Preliminary Breath Tester's (PBT) are maintained by various Enforcement Officers for use at roadside as necessary. We continue quarterly efforts at coordinating joint DUI enforcement initiatives with the law enforcement entities throughout WV. Based upon CVSA inspection procedures and driver interviews, DIAP checks are performed during the roadside inspections.

In compliance with 49 CFR 350.201 our Enforcement Officers place 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 as well as confirming minimum financial/insurance requirements.

The Enforcement Section continues to be active in the Commercial Vehicle Safety Alliance (CVSA) roadside inspection program. Our personnel, when feasible, attend the CVSA Workshop and Annual Conference. We continue to be active in the Cooperative Hazardous Materials Enforcement Development (COHMED) organization that is concerned with the safe transportation of hazardous materials. We are committed to, and participate in the annual International Road Check. We also conduct several unannounced safety road checks in various locations throughout the State as well as routine Haz-Mat or Log-Book checks.

We continue to be a part of the Safety Management Task Force. This task force is the combination of several State and Federal agencies. Those agencies include the following: Federal Highway Administration, Federal Motor Carrier Safety Administration, National Highway Traffic Safety Administration, Governor's Highway Safety, WV State Police, Department of Transportation, Division of Motor Vehicles, Department of Health & Human Resources and PSCWV. West Virginia's Strategic Highway Safety Plan was completed, signed and placed into effect on 7-31-2017.

In conjunction with our multi-agency participation, participation with the Governor's Highway Safety program is an integral part of our program. As a result of our commitment to Click-It or Ticket campaign and the FMCSA seatbelt initiatives our Enforcement Officers noted 558 seat-belt violations between October 1, 2018 and September 30, 2019. We participate in Click-It or Ticket and Distracted Driving/Speed Enforcement activities with the Governor's Highway Safety Program.

The Level VI program was developed by the Department of Energy in conjunction with the Commercial Vehicle Safety Alliance (CVSA) as a result of a public outcry relating to the transportation of radioactive materials. As a result of the development of this program, a specialized training program was created to enable Enforcement Officers throughout the United States to properly inspect these Commercial Motor Vehicles and the packages that they carry for securement as well as radiation readings. The items that are commonly transported include the following: fuel rods, spent fuel rods, weapon grade material and naval reactors. There are three officers trained and certified for the inspection of radioactive materials. When we receive advance notice of a Highway Route Controlled Quantity, we perform a Level II or Level III inspection on these vehicles and then escort those shipments through West Virginia.

In compliance with the Electronic Logging Device (ELD) regulation we have adopted the ELD regulations which are being enforced during our enforcement activities. All enforcement officers have an eROD account and they have received training on usage of the system. To meet roadside electronic data reporting requirements we utilize telematics to transfer data.

We utilize the inspection process to make observations of all commercial vehicle drivers and their passengers to keep an awareness and mindfulness of human trafficking conditions that exist in our nation and to monitor the State of West Virginia for

any activity.

It is noted and in support of the Department's R.O.U.T.E.S. initiative that many of West Virginia's roadways meet the census definition of rural in that it is a non-urbanized area with a population of less than 50,000. Accordingly, rural road inspections are a part of our day-to-day operations and critical to our enforcement program.

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

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

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

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

Lead Agency Information	
Agency Name:	PUBLIC SERVICE COMMISSION OF WEST VIRGINIA
Enter total number of personnel participating in MCSAP activities	62
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	51
Traffic Enforcement Activities	51
Investigations *	6
Public Education and Awareness	10
Data Collection and Reporting	11
* 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:	1
Total # of MCSAP Participating Personnel:	3

Part 2 - Crash Reduction and National Program Elements

Part 2 Section 1 - Overview

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

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

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

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

Part 2 Section 2 - CMV Crash Reduction

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

Trend Analysis for 2015 - 2019

Instructions for all tables in this section:

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

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

ALL CMV CRASHES

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

Goal measurement as defined by your State: Actual # Fatalities

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			
01/01/2019	12/31/2019	36	1	14
01/01/2018	12/31/2018	60	1	38
01/01/2017	12/31/2017	54	1	32
01/01/2016	12/31/2016	26	1	4
01/01/2015	12/31/2015	22	1	2

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: Actual # Fatalities

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			
01/01/2019	12/31/2019	0	0.02	0
01/01/2018	12/31/2018	2	0.02	2
01/01/2017	12/31/2017	0	0.02	0
01/01/2016	12/31/2016	1	0.02	1
01/01/2015	12/31/2015	0	0.02	0

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: Actual # Fatalities

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			
01/01/2019	12/31/2019	0	2.50	0
01/01/2018	12/31/2018	0	2.50	0
01/01/2017	12/31/2017	0	2.50	0
01/01/2016	12/31/2016	0	2.50	0
01/01/2015	12/31/2015	0	2.50	0

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

6-10-2020 - For years 2016 to 2019 the data was obtained from CMV Crashes and MOTORCOACH/PASSENGER CARRIER CRASHES data was obtained at <https://ai.fmcsa.dot.gov/DataDashboard/CrashReduction.aspx>. 2015 was not available on the A&I site and data previously utilized in the eCVSP was maintained for that year. 6-10-2020 - Hazardous Materials (HM) CRASH INVOLVING HM RELEASE/SPILL data was obtained at <https://ai.fmcsa.dot.gov/CrashStatistics/rptHazmat.aspx?rpt=HM2.5PL>

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

On a State level and prior to FY2014 WV's goal included a planned reduction for fatal and non-fatal crashes. Beginning with FY2014 goals were established that reflected fatal crashes and non-fatal crashes independently and not as a joint reduction rate.

Crash reduction continues to define our entire enforcement program.

Based on the foregoing the goal was established as a rate equating to an actual number. Based upon A & I data generated on July 13, 2017 and during calendar year 2016 a total of 16 fatalities occurred on West Virginia's roadways. This is a decrease in one year of approximately 6 individual fatalities or 27.27%. Our previous reduction goal was a reduction of 4.5% or one individual fatality.

The chart above reflects an increase in fatalities in West Virginia. It is our belief that the increase is as a result of more accurate crash data provided by first responders.

Through outreach and education we will continue to establish open lines of communication with law enforcement entities that are first responders to crashes relating to obtaining complete and accurate crash data, both fatal and non-fatal which will enable our agency a better understanding of the crashes that are occurring.

Our greatest obstacle that affects all elements our program is the loss of manpower through retirements, officers finding opportunities with greater salaries and other departures.

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

The State must include a reasonable crash reduction goal for their State that supports FMCSA's mission to reduce the national number of crashes, injuries and fatalities involving commercial motor vehicles. The State has flexibility in setting its goal and it can be based on raw numbers (e.g., total number of fatalities or CMV crashes), based on a rate (e.g., fatalities per 100 million VMT), etc.

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

Based upon SafetyNet Data generated on May 29, 2020 between CY2015 and CY2019 there were an average of 2,111.

The crashes are identified as follows:

TOTAL CRASHES	
CY 2015	2019
CY 2016	1929
CY 2017	2041
CY 2018	2261
CY 2019	2303
Average	2111

While this data reflects an increase during the last five years it is believed that more accurate and improved completion of the West Virginia Uniform Traffic Accident Report by first responders as well as an improved West Virginia economy resulting in increased

traffic has caused an increase in crashes.

We will seek to reduce crashes statewide by 6% or 127 individual crashes from the five year average referenced above. Specifically and given that many of West Virginia's roadways meet the census definition of a rural road given a non-urbanized area with a population of less than 50,000 - rural road enforcement is a part of our day-to-day operations and enforcement program which will aid our objectives outlined herein.

We will aim to reduce fatalities in West Virginia by 5% overall or 1.66% during FY2021, FY2022 and FY2023 for a total reduction of approximately 2 fatalities based upon the five year average referenced above of 40 averaged fatalities.

Enter the data source and capture date:

6-10-2020 - For years 2016 to 2019 the data was obtained from CMV Crashes and MOTORCOACH/PASSENGER CARRIER CRASHES data was obtained at <https://ai.fmcsa.dot.gov/DataDashboard/CrashReduction.aspx>. 2015 was not available on the A&I site and data previously utilized in the eCVSP was maintained for that year.

Projected Goal for FY 2021 - 2023:

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

Fiscal Year	Annual Crash Reduction Goals
2021	2069
2022	2027
2023	1986

We will seek to reduce crashes by 6% or 127 individual crashes between 2021 and 2023 from the three year average of 2,111 (CY2015 through CY2019) or approximately 2% each year from the beginning average.

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

In an effort to reduce crashes which will affect our efforts to reduce fatalities we will conduct high visibility enforcement aimed at increasing the number of inspections conducted.

We will conduct a minimum of 20,652 inspections in FY2021, 21,684 in FY2022 and 22,968 in FY2023 while increasing the hours devoted to CMV Traffic Enforcement, Patrolling by 2% each year as well or by an additional 114 hours above the 5,679 hours recorded and averaged for FY2015 through FY2019 for a total of 5,793 in FY2021, a total of 5,909 in FY2022 and a total of 6,027 in FY2023 .

We will also verify operating authority as well as confirming minimum financial/insurance requirements while checking the CDL status on all carriers inspected.

Aim to increase awareness of Enforcement Officers of the Data Q's program and implications of data quality on carrier ratings when completing the inspections at the road-site while continuing to timely respond to Data Q challenges/requests for data review within the required 10 days but no more than 17 days.

Given that much of WV is rural in nature and in following with FMCSA R.O.U.T.E.S. initiative we will conduct inspections on rural roadways and indicate on the inspection report if the inspection did occur on a rural roadway.

We will continue efforts at hiring additional enforcement officers between 2021 and 2023.

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.

On a quarterly basis the management team will review data to ascertain the following goals are on target for completion.

These goals include conducting 20,652 inspections in FY2021 (5,161 per quarter), 21,684 in FY2022 (5,421 per quarter) and 22,968 in FY2023 (5,742 per quarter).

We will increase the hours devoted to CMV Traffic Enforcement, Patrolling. This time will be increased by 2% each year or by an additional 114 hours in FY2021 for a total 5,793 or 1,448.25 per quarter; 5,909 in FY2022 or 1,477.25 per quarter; and 6,027 in FY2023 or 1,506.75 per quarter.

Given that much of WV is rural in nature and consistent with the Department's R.O.U.T.E.S. initiative enforcement on rural roads is an everyday activity and very much a part of our normal day-to-day operations which will continue. During the inspection process and in the state section of the report we will indicate if the inspection did occur on a rural roadway and generate quarterly inspection numbers to establish a baseline for future activities.

We will also verify operating authority as well as confirming minimum financial/insurance requirements while checking the CDL status on all carriers inspected.

Continue to increase awareness of Enforcement Officers of the Data Q's program and implications of data quality on carrier ratings when completing the inspections at the road-site while continuing to timely respond to Data Q challenges/requests for data review within the required 10 days but no more than 17 days.

We will continue efforts at hiring additional enforcement officers.

Part 2 Section 3 - Roadside Inspections

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

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

Trend Analysis for 2015 - 2019

Inspection Types	2015	2016	2017	2018	2019
Level 1: Full	2556	2683	2344	2241	2936
Level 2: Walk-Around	10377	10932	9499	8731	10722
Level 3: Driver-Only	6898	6415	5466	5051	5876
Level 4: Special Inspections	1	2	3	0	0
Level 5: Vehicle-Only	1253	1251	1206	974	929
Level 6: Radioactive Materials	0	0	0	0	0
Total	21085	21283	18518	16997	20463

Narrative Overview for FY 2021 - 2023

Overview:

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

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

The commercial vehicle inspection is the foundation of WV's MCSAP program.

As a result of our dedication to the MCSAP program we will see that 20,652 (5,161 inspections per quarter) inspections are conducted throughout FY2021 either road-side which includes rural roads or at our 8 fixed facilities that provide us with resources to conduct inspections. The number of inspections projected in FY2021 is a 5% increase over the average of inspections conducted between FY2015 through FY2019 which totaled 19,669.

The fixed locations are described as follows: I-68E Coopers Rock (Preston County), I-77 N&S Mineral Wells (Wood County), I-64 E&W Winfield (Putnam County), I-70E Wheeling (Ohio County), Bluestone Travel Plaza on the West Virginia Turnpike located on I-77 NB and the Mandatory Brake Check for all CMV's located on I-64 EB at Sandstone Mountain.

In addition, and in compliance with 49 CFR 350.201, our Enforcement Officers place 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 as well as confirming minimum financial/insurance requirements.

Through the utilization of air-cards our Enforcement Officers have the capability to check various computer programs necessary for a real-time compliance check at the roadside which includes but it not limited to CDL status, verifying operating authority and proof of insurance through the utilization of L&I and Safer on all inspections.

Our inspection numbers will increase to 21,684 (5,421 inspections per quarter) in FY2022 and 22,968 (5,742 inspections per quarter) in FY2023.

We plan to continue efforts at hiring additional enforcement officers.

In compliance with the Electronic Logging Device (ELD) regulation we have adopted the ELD regulations which are being enforced through our enforcement activities. Our enforcement officers have received training and receive updates as necessary and we use telematics to transfer data.

We utilize the inspection process to make observations of all drivers and passengers for human trafficking conditions.

It is noted that many of West Virginia's roadways meet the census definition of rural in that it is a non-urbanized area with a population of less than 50,000. Accordingly, rural road inspections are a part of our day-to-day operations. Consistent with the Department's R.O.U.T.E.S. initiative - enforcement on rural roads will continue. During the inspection process and in the state section of the report we will indicate if an inspection occurred on a rural roadway and will generate quarterly data to establish a baseline for future activities.

UPDATE - 10-14-2020: Beginning immediately refresher training will be conducted with our enforcement officers relating to ELD regulations and requirements. Our ELD transfer rate will improve to a minimum of 85%. On a quarterly basis Management will review FMCSA reports out-lining transfer rates and discuss with supervisors current rates.

Projected Goals for FY 2021 - 2023

Instructions for Projected Goals:

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

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

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

MCSAP Lead Agency

Lead Agency is: PUBLIC SERVICE COMMISSION OF WEST VIRGINIA

Enter the total number of certified personnel in the Lead agency: 51

Projected Goals for FY 2021 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	4470	600	250	5320	25.76%
Level 2: Walk-Around	5950	980	70	7000	33.90%
Level 3: Driver-Only	6300	1012	100	7412	35.89%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	720	0	180	900	4.36%
Level 6: Radioactive Materials	0	20	0	20	0.10%
Sub-Total Lead Agency	17440	2612	600	20652	

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:	1
Enter the total number of non-funded certified officers:	3
Enter the total number of inspections projected for FY 2021:	128

Summary

Projected Goals for FY 2021 - Roadside Inspections Summary

Projected Goals for FY 2021 Summary for All Agencies					
MCSAP Lead Agency: PUBLIC SERVICE COMMISSION OF WEST VIRGINIA					
# certified personnel: 51					
Subrecipient Agencies:					
# certified personnel: 0					
Number of Non-Funded Agencies: 1					
# certified personnel: 3					
# projected inspections: 128					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	4470	600	250	5320	25.76%
Level 2: Walk-Around	5950	980	70	7000	33.90%
Level 3: Driver-Only	6300	1012	100	7412	35.89%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	720	0	180	900	4.36%
Level 6: Radioactive Materials	0	20	0	20	0.10%
Total ALL Agencies	17440	2612	600	20652	

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

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

Projected Goals for FY 2022 Roadside Inspections	Lead Agency	Subrecipients	Non-Funded	Total
Enter total number of projected inspections	21684	0	96	21780
Enter total number of certified personnel	53	0	3	56
Projected Goals for FY 2023 Roadside Inspections				
Enter total number of projected inspections	22968	0	96	23064
Enter total number of certified personnel	55	0	3	58

Part 2 Section 4 - Investigations

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

☐

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

Trend Analysis for 2015 - 2019

Investigative Types - Interstate	2015	2016	2017	2018	2019
Compliance Investigations	15	10	12	9	12
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	0	0	0	0
CSA Off-Site	0	0	0	1	7
CSA On-Site Focused/Focused CR	14	7	9	5	0
CSA On-Site Comprehensive	1	3	3	3	5
Total Investigations	30	20	24	18	24
Total Security Contact Reviews	0	0	0	0	0
Total Terminal Investigations	0	0	0	0	0

Investigative Types - Intrastate	2015	2016	2017	2018	2019
Compliance Investigations	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	0	0	0	0
CSA Off-Site	0	0	0	0	0
CSA On-Site Focused/Focused CR	0	0	0	0	0
CSA On-Site Comprehensive	0	0	0	0	0
Total Investigations	0	0	0	0	0
Total Security Contact Reviews	0	0	0	0	0
Total Terminal Investigations	0	0	0	0	0

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

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

Projected Goals for FY 2021 - 2023

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

Projected Goals for FY 2021 - 2023 - Investigations						
Investigation Type	FY 2021		FY 2022		FY 2023	
	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
Compliance Investigations	8	0	8	0	8	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	6	0	6	0	6	0
CSA On-Site Focused/Focused CR	6	0	6	0	6	0
CSA On-Site Comprehensive	6	0	6	0	6	0
Total Investigations	26	0	26	0	26	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.

We will complete activities adequate to maintain the certification of the two officers assigned to this program.

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

At the present time, we have two enforcement officer conducting reviews and as such, adequate activities will be conducted to maintain certifications and compliance.

Based upon only two officers conducting reviews we will annually strive to maintain program levels as identified above with the hope we are able to add additional activities as needed.

The projections are referenced above.

We will conduct 6 Interstate and 4 Intrastate CSA Off-Site Investigations each year between FY2021 and FY2023 and will conduct 6 Intrastate CSA On-Site Focused/Focused CR's each year between FY2021 and FY2023.

Update - September 28, 2020: WV will conduct a total of 26 Interstate investigations for each year beginning with FY 2021 and ending with FY 2023. WV will conduct 8 Interstate Compliance Investigations, 6 Interstate CSA Off-Sites investigations, 6 Interstate CSA On-Site Focused CR investigations, and 6 Interstates CSA On-Site Comprehensive investigation for each fiscal year. WV will not be conducting any Intrastate investigations. The Chart should reflect 0's in each category of Intrastate investigations with a total of 0 Intrastate investigations for FY 2021 through FY 2023.

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.

On a quarterly basis the management team will review data to ascertain the goals referenced above are on target for completion.

Part 2 Section 5 - Traffic Enforcement

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

Trend Analysis for 2015 - 2019

Instructions:

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

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

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented CMV Traffic Enforcement Stops with an Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
10/01/2018	09/30/2019	5135	6879
10/01/2017	09/30/2018	4974	5646
10/01/2016	09/30/2017	4561	7435
10/01/2015	09/30/2016	4594	9003
10/01/2014	09/30/2015	5206	11608

☒ **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.**

☒ **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.**

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

SafetyNet Inspection Reports were utilized to capture the number of CMV Traffic Stops With an Inspection. Citation is maintained in data maintained and submitted monthly by the Supervisors. The Reports were generated for the federal fiscal year on May 28, 2020.

Narrative Overview for FY 2021 - 2023

Instructions:

Describe the State's proposed level of effort (number of personnel) to implement a statewide CMV (in conjunction with and without an inspection) and/or non-CMV traffic enforcement program. If the State conducts CMV and/or non-CMV traffic

enforcement activities only in support of the overall crash reduction goal, describe how the State allocates traffic enforcement resources. Please include number of officers, times of day and days of the week, specific corridors or general activity zones, etc. Traffic enforcement activities should include officers who are not assigned to a dedicated commercial vehicle enforcement unit, but who conduct eligible commercial vehicle/driver enforcement activities. If the State conducts non-CMV traffic enforcement activities, the State must conduct these activities in accordance with the [MCSAP Comprehensive Policy](#).

Our level of effort includes all 51 of the Public Service Commission of West Virginia's MCSAP Enforcement Officers conducting Traffic Enforcement on a daily basis throughout the entire State of West Virginia and not just limited to a specific area.

Experience, data, and a number of studies have shown that maintenance of a strong enforcement presence in the form of traffic enforcement and roadside inspections is a primary force in ensuring that CMV vehicles and drivers operate safely on the nation's highways. Traffic Enforcement and inspections are the foundation of the State of West Virginia's MCSAP program, and not only help to ensure that unsafe vehicles and drivers are dealt with appropriately according to the circumstances; they provide data which helps identify new carriers and carriers that have unsafe operating practices.

Our statewide Traffic Enforcement activities play a critical role in minimizing the risks associated with the transportation of hazardous materials and passengers.

Our practice of routine Traffic Enforcement leads to inspections that can be instrumental in identifying national problems, such as fatigued drivers or specific mechanical violations which seem to occur Nationally. In addition, routine Traffic Enforcement enables our Enforcement Officers to utilize this time to keep a watchful eye for potential human trafficking conditions.

Based upon SafetyNet data generated on May 28, 2020 and between FY2015 and FY2019 an average of 4,894 Traffic Enforcement Activities were conducted in conjunction with an inspection. We will verify operating authority and proof of insurance through the utilization of L&I and Safer.

The State of West Virginia does not conduct non-CMV traffic enforcement.

In FY2021 we will strive to conduct a minimum of 5,138 (5% increase) Traffic Enforcement Activities conducted with a CMV Inspection; in FY2022 we will strive to conduct a minimum of 5,395 (5% increase) Traffic Enforcement Activities conducted with a CMV Inspection; and in FY2023 we will strive to conduct a minimum of 5,665 (5% increase) Traffic Enforcement Activities conducted with a CMV Inspection. These activities are referenced in the table.

In compliance with the Electronic Logging Device (ELD) regulation we adopted the regulations and they are being enforced during our enforcement activities. All enforcement officers have an eROD account and have received training on usage of the system. To meet roadside electronic data reporting requirements we utilize telematics to electronically transfer data

It is noted that many of West Virginia's roadways meet the census definition of rural in that it is a non-urbanized area with a population of less than 50,000. Accordingly, much of our traffic enforcement activities will occur on rural roadways.

Projected Goals for FY 2021 - 2023

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

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

			Enter Projected Goals (Number of Stops only)		
Yes	No	Traffic Enforcement Activities	FY 2021	FY 2022	FY 2023
<input checked="" type="radio"/>	<input type="radio"/>	CMV with Inspection	5138	5395	5665
<input type="radio"/>	<input checked="" type="radio"/>	CMV without Inspection	0	0	0
<input type="radio"/>	<input checked="" type="radio"/>	Non-CMV	0	0	0
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	6	6	6

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
20780	26	240	21046	16816

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

On a quarterly basis the management team will review data to ascertain the following goals are on target for completion:

In FY2021 - 5,138 Traffic Enforcement Activities conducted with a CMV Inspection (1,284.5 per quarter).

In FY2022 - 5,395 Traffic Enforcement Activities conducted with a CMV Inspection (1,348.75 per quarter).

In FY2023 - 5,665 Traffic Enforcement Activities conducted with a CMV Inspection (1,416.25 per quarter).

In addition and in conjunction with our inspection program we will strive to increase the hours devoted to CMV Traffic Enforcement, Patrolling by 2% each year or by an additional 114 above the 5,679 hours recorded and averaged for FY2015 through FY2019 for a total of 5,793 in FY2021, a total of 5,909 in FY2022 and a total of 6,027 in FY2023.

Given that much of WV is rural in nature and consistent with the Department's R.O.U.T.E.S. initiative enforcement on rural roads is an everyday activity and very much a part of our normal day-to-day operations which will continue. During the inspection process and in the state section of the report we will indicate if the inspection did occur on a rural roadway and generate quarterly inspection numbers to establish a baseline for future activities.

Part 2 Section 6 - Safety Technology

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

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

Safety Technology Compliance Status

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

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

Available data sources:

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

Enter the agency name responsible for ITD in the State, if other than the Lead MCSAP Agency: WV Department of Motor Vehicles

Enter the agency name responsible for PRISM in the State, if other than the Lead MCSAP Agency: WV Department of Motor Vehicles - IRP Division

Narrative Overview for FY 2021 - 2023**Problem Statement Narrative and Projected Goal:**

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

We are a Step 7 PRISM State. As such, section will not be completed.

West Virginia is fully participating in the PRISM project.

As stated in Section 2.7 of the MCSAP Comprehensive policy and as a subgrantee to DMV on the ITD grant the WVPSC needs O&M costs covered to allow the purchase of annual maintenance contract for our Virtual Smart Roadside Inspection System located on I-64 in Putnam County, West Virginia. This contract will enable the necessary repairs and updates to the system as needed.

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

We are a Step 7 PRISM State. As such, section will not be completed.

During FY2021 we will bid for a maintenance contract for our Virtual Smart Roadside Inspection System located at the I-64 Eastbound Weigh Station at mile marker 39 in Putnam County,

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.

We are a Step 7 PRISM State. As such, section will not be completed.

Quarterly we will make efforts to secure a maintenance contract for our ITD equipment.

Part 2 Section 7 - Public Education and Outreach

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

Trend Analysis for 2015 - 2019

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

Public Education and Outreach Activities	2015	2016	2017	2018	2019
Carrier Safety Talks	13	13	5	13	9
CMV Safety Belt Education and Outreach	0	0	0	0	0
State Trucking Association Meetings	1	1	0	1	1
State-Sponsored Outreach Events	1	0	3	2	4
Local Educational Safety Events	3	2	5	1	3
Teen Safety Events	0	0	0	0	0

Narrative Overview for FY 2021 - 2023

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

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

Public education and awareness activities are essential to increasing the awareness of the general public and specifically prospective and mature drivers of "Sharing the Road Safely" with CMV traffic while focusing on the FMCSA ban on hand-held mobile devices and utilization of seat-belts.

These activities will raise the awareness of drivers of all ages and social groups of their responsibility in sharing the road which includes MCSAP partners at all levels while directly impacting the behaviors of carriers will have a direct result on our fatality reduction goal of 5% and specifically each year during FY2021 - 1.66%, FY2022 - 1.66% and FY2023 - 1.66%.

Projected Goals for FY 2021 - 2023

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

			Performance Goals		
Yes	No	Activity Type	FY 2021	FY 2022	FY 2023
<input checked="" type="radio"/>	<input type="radio"/>	Carrier Safety Talks	11	12	13
<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	2	2	2
<input checked="" type="radio"/>	<input type="radio"/>	State-Sponsored Outreach Events	3	4	5
<input checked="" type="radio"/>	<input type="radio"/>	Local Educational Safety Events	3	4	5
<input checked="" type="radio"/>	<input type="radio"/>	Teen Safety Events	1	1	1

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

On a quarterly basis the management team will review data to ascertain the following goals are on target for completion in FY2021, FY2022 and FY2023.

Specificlaly, we will also meet with one common carrier bi-monthly to discuss highway safety, ban on hand-held mobile devices, seat-belt utilization and safety issues. Based upon the Hazardous Materials (HM) - Overview (Summary of HM Activity in West Virginia) available at <http://www.fmcsa.dot.gov/safety-security/hazmat/hm-theme.htm> we will meet with one HM carrier bi-monthly.

All safety talks with carriers will include discussions on highway safety, "Sharing the Road Safely", ban on hand-held mobile devices, seat-belt utilization and general CMV safety issues.

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

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

SSDQ Compliance Status

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

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

Available data sources:

- [FMCSA website SSDQ information](#)

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

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

SSDQ Category	Current SSDQ Rating	Goal for FY 2021	Goal for FY 2022	Goal for FY 2023
Crash Record Completeness	Good	Good	Good	Good
Crash VIN Accuracy	Good			Good
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.

7-6-2020 - <https://ai.fmcsa.dot.gov/DataQuality/StateOverall.aspx?State=WV>

Narrative Overview for FY 2021 - 2023

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

The State of West Virginia is Good in all categories and we will continue efforts at maintaining our rating as good based upon the entry of timely, complete and concise data while continuing to educate our enforcement officers on the inspection process and educate newly hired law enforcement officers on commercial motor vehicles and the corresponding federal regulations.

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

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

Between FY2021 and FY2023 the State of West Virginia will continue activities that will maintain our rating as Good in all categories.

This will include the entry of timely, complete and concise data that meets the requirements of the FMCSA.

We will continue to educate our enforcement officers on thorough completion of the inspection report.

As we are not first responders to crashes we will continue efforts at educating first responders to CMV definitions, basics of the federal regulations and the definition of an accident from part 390.

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.

We will monitor 100% of all crash data received from the West Virginia Division of Highways for complete information and ascertain the completeness and accuracy of the record prior to entry into the SafetyNet system.

We will continue working with the Division of Highways to see the establishment of a direct link from their ReportBeam system which houses all crash records in West Virginia directly into the Public Service Commission of West Virginia's SafetyNet system.

Incomplete records would be rejected by the SafetyNet program and provided to staff for review and clarification prior to re-uploading.

On a quarterly basis, as classes are scheduled/conducted at the WV State Policy Academy and through education and outreach we will continue training first responders who complete crash reports at the time of CMV accidents as to proper definitions, federal code and who to contact at the WVPSC.

Part 2 Section 9 - New Entrant Safety Audits

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

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

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

Trend Analysis for 2015 - 2019

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

New Entrant Safety Audits	2015	2016	2017	2018	2019
Interstate	261	268	249	239	239
Intrastate	0	0	0	0	0
Total Audits	261	268	249	239	239

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

Narrative Overview for FY 2021 - 2023

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

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

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

Projected Goals for FY 2021 - 2023

For the purpose of completing the table below:

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

Projected Goals for FY 2021 - 2023 - New Entrant Safety Audits						
	FY 2021		FY 2022		FY 2023	
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
# of Safety Audits (Onsite)	25	0	30	0	35	0
# of Safety Audits (Offsite)	215	0	220	0	225	0
# Group Audits	0	0	0	0	0	0
TOTAL Safety Audits	240	0	250	0	260	0
# of Non-Audit Resolutions	51	0	56	0	61	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.

Between FY2021 and FY2023 processing and completing safety audits will occur within the statutory time limits.

Entry date into the New Entrant program (as shown in FMCSA data systems) September 30, 2013 or earlier: safety audit must be completed within 18 months; Entry date into the New Entrant program (as shown in FMCSA data systems) October 1, 2013 or later: safety audit must be completed within 12 months for all motor carriers and 120 days for motor carriers of passengers.

We will maintain compliance with all Federal and program timeliness requirements during this three year span.

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

During FY2021 the WVPSC will complete 240 New Entrant Safety Audits, during FY2022 the WVPSC will complete 250 New Entrant Safety Audits and during FY2023 the WVPSC will complete 260 New Entrant Safety Audits.

All Safety Audits will occur within the statutory guidelines outlined above from when a new carrier enters the program. This completion of the Safety Audits will ensure that new carriers are in full compliance with the CMV safety and hazardous materials regulations.

Between FY2021 and FY2023, the auditors assigned to this program will annually conduct required driver/vehicle inspections to maintain certification.

During the safety audit process we will also conducting 51 Non-Audit Resolutions in FY2021; 56 Non-Audit Resolutions in FY2022; and 61 Non-Audit Resolutions in FY2023.

In FY2021 approximately 89% of these audits will be conducted off-site with the remaining 11% conducted onsite at the carrier's principal place of business.

In FY2022 approximately 88% of these audits will be conducted off-site with the remaining 12% conducted onsite at the carrier's principal place of business.

In FY2023 approximately 86% of these audits will be conducted off-site with the remaining 14% conducted onsite at the carrier's principal place of business.

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

The WVPSC's New Entrant Supervisor will review all inspection and audit reports for quality, completeness and accuracy throughout the month and will hold quarterly meetings to monitor progress toward program goals.

The Managers will use FMCSA reports to monitor timeline requirements to prevent overdue carriers appearing in the inventory.

The Managers will track the auditor's activities through the utilization of MCMIS reports on meeting goals and objectives while reviewing SafetyNet data to ascertain all inspectors maintain certification.

These activities will occur between FY2021 and FY2023.

Part 3 - National Emphasis Areas and State Specific Objectives

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

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

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

Check this box if:

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

Part 3 Section 2 - Passenger Carrier Enforcement

Instructions:

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

Check this box if:

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

Narrative Overview for FY 2021 - 2023

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

A&I MCSAP Data generated on July 7, 2020 relating to Passenger Carrier Vehicles (Buses only) for fiscal years 2016 through 2019 and generated on July 12, 2017 for FY2015 with the data marked as Summary Statistics for Buses and as reported in our previous eCVSP.

The trends relating to the number of Passenger Carrier Vehicles (buses only) involved in crashes is noted as follows:

FY2015	91
FY2016	78
FY2017	106
FY2018	94
FY2019	96

Five year average of crashes: 93

Based upon the data trends referenced herein, crashes trends referenced above that show an upward from our low-point in FY2016 of 78 crashes to our five year average of 93 or an increase of 19% as well as recent events throughout the United States involving Passenger Carriers, WV will continue indefinitely our commitment to reducing crashes involving Passenger Carrier Vehicles. Specifically between 2021 and 2023 we will reduce crashes by 3% annually for a total reduction of 9 crashes.

We will conduct inspections at points of origin and destination while complying with the MCSAP Comprehensive Policy.

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

Based upon trend analysis outlined herein between FY2015 and FY2019 there were an average of 2,111 commercial vehicle crashes in West Virginia. 4.4% of those crashes involved Passenger Carrier Vehicles (buses only).

As there is not a significant amount of motorcoach/passenger carrier fatalities, between FY2021 and FY2023 we will strive for zero fatalities with a reduction of crashes by 3% annually for a total reduction of 9 crashes.

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

Through the utilization of MCSAP funds and our 21 certified motorcoach/passenger carrier enforcement officers, we will work to increase our enforcement efforts relating to passenger carrier transportation safety.

We will participate with FMCSA in all motorcoach strike force initiatives and conducting origin/destination inspections.

We will participate in and conduct other safety initiatives focused on the motorcoach industry while raising awareness of the federal ban on the use of hand-held cellular devices.

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.

Through utilization of the 21 certified bus inspectors and while conducting motorcoach/passenger carrier inspections we will educate carriers on highway safety, hours of service, driver safety, tailgating, and ban of CMV drivers to utilize hand-held mobile devices as well as seat-belt usage.

During FY2021 we will conduct a minimum of 600 motorcoach/passenger carrier inspections (3.% of all inspections conducted in the State) with the anticipation of 150 per quarter.

During FY2022 it is anticipated that we will conduct a minimum of 650 motorcoach/passenger carrier inspections (3% of all inspections conducted in the State) with the anticipation of 162.50 per quarter.

During FY2023 it is anticipated that we will conduct a minimum of 689 motorcoach/passenger carrier inspections (3% of all inspections conducted in the State) with the anticipation of 172 per quarter.

This will be monitored on a quarterly basis by the Manager in charge of the passenger carrier program.

The regular routine passenger carrier/motor coach inspections will be performed by the 21 certified bus inspectors in conjunction with regular inspections and terminal inspections as well as continual participation with FMCSA in the targeted bus strike-forces aimed at tourist destinations throughout West Virginia including but not limited to casinos while verifying credentials and operating authority of all carriers inspected.

Part 3 Section 3 - State Specific Objectives – Past**Instructions:**

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

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

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

Part 3 Section 4 - State Specific Objectives – Future**Instructions:**

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

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

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	\$2,366,811.00	\$417,640.00	\$2,784,451.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of MCSAP Award Amount):	\$417,640.00
MOE Baseline:	\$359,621.50

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):	\$417,640.00
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Personnel: Salary and Overtime Project Costs**Salary Project Costs**

Position(s)	# of Staff	% of Time on MCSAP Grant	Salary	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Supervisors	6	50.0000	\$53,577.16	\$160,731.48	\$136,637.83	\$24,093.65	\$25,721.00
Enforcement Officers	42	50.0000	\$43,860.54	\$921,071.34	\$783,002.75	\$138,068.59	\$102,200.50
Support Staff	9	50.0000	\$46,212.83	\$207,957.73	\$176,784.87	\$31,172.86	\$40,000.00
Division Director	1	50.0000	\$84,320.60	\$42,160.30	\$35,840.47	\$6,319.83	\$25,000.00
Managers	3	50.0000	\$68,929.47	\$103,394.20	\$87,895.41	\$15,498.79	\$20,000.00
Division Deputy Director	1	50.0000	\$89,143.60	\$44,571.80	\$37,890.49	\$6,681.31	\$3,000.00
Subtotal: Salary				\$1,479,886.85	\$1,258,051.82	\$221,835.03	\$215,921.50

Overtime Project Costs

Employee overtime	51	7.8000	\$55,455.72	\$220,602.85	\$187,534.48	\$33,068.37	\$19,000.00
Subtotal: Overtime				\$220,602.85	\$187,534.48	\$33,068.37	\$19,000.00
TOTAL: Personnel				\$1,700,489.70	\$1,445,586.30	\$254,903.40	\$234,921.50

Accounting Method: Cash

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

Update - 5-3-2021: Based upon the increase in the award the overtime allotment was increased from 4% to 8% increasing the overtime expense from \$113,129.66 to \$220,602.85.

In an effort to balance the anticipated funds for FY2021 as outlined in the Notice of Funding dated May 22, 2020 with salaries and all aspects of the budget that are included in this eCVSP and given all MCSAP Officers, Supervisors and Office Staff dedicate 100% of their time to the Motor Carrier Safety Assistance Program - percentages of time had to be reduced to meet budget limitations. Had this not been done we would have exceeded the anticipated funds for the entire grant in this line-item alone.

The Division Director and Division Deputy Director who record approximately 50% of their time as MCSAP will record their actual time on their weekly time reports.

This budget takes into account 42 Enforcement Officers, 6 Supervisors, 1 Division Director, 1 Division Deputy Director, 3 Managers and 9 Support Staff that are necessary to maintain the day-to-day operations of the State of West Virginia's MCSAP program outlined in this Multiyear CVSP.

The hourly rates referenced above are averages of all respective position classifications included here.

All staff record MCSAP eligible time on their time-sheet by a code and actual hours are billed to the grant.

All Enforcement Officers assigned to the MCSAP program dedicate 100% of their time to said program and the grant is charged based upon actual recorded time. Percentage of time calculated on the personnel spending chart reflects only the amount of personnel cost for the MCSAP budget. The Division Director and the Division Deputy Director devote approximately 50% of their time to the MCSAP Program.

The rest of the personnel cost will be reflected in the MOE expenditures.

All employees work 1,820 hours annually.

All **personnel** are 100% dedicated to the MCSAP activities. The percentages reflected in the table are actual costs that are billed to the grant. Any remaining, unbilled, costs of salaries are MOE.

The overtime expense is \$113,129.66 which is 4% of the averaged annual salary of the enforcement officers, supervisors and managers based on the annual hours worked of 1,820 per year. This will be to enhance and effectuate the details outlined in this CVSP at an average approximate averaged salary of \$55,455.72.

We reserve the right to adjust the budget based upon the hiring of additional Enforcement Officers to include them herein.

All MCSAP eligible activities with the exception of weight enforcement without an inspection are billed to the grant.

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
Supervisors	35.8000	50.0000	\$321,342.96	\$57,520.38	\$48,898.08	\$8,622.30	\$11,000.00
Enforcement Officers	35.8000	50.0000	\$1,842,120.00	\$329,739.48	\$280,311.53	\$49,427.95	\$37,000.00
Support Staff	35.8000	50.0000	\$462,128.30	\$82,720.96	\$70,321.09	\$12,399.87	\$7,000.00
Division Director	35.8000	50.0000	\$84,320.60	\$15,093.38	\$12,830.88	\$2,262.50	\$4,300.00
Managers	35.8000	50.0000	\$206,788.41	\$37,015.12	\$31,466.55	\$5,548.57	\$5,000.00
Division Deputy Director	35.8000	50.0000	\$89,143.60	\$15,956.70	\$13,564.79	\$2,391.91	\$4,000.00
Overtime	35.8000	7.8000	\$2,828,241.72	\$78,975.82	\$67,137.34	\$11,838.48	\$0.00
TOTAL: Fringe Benefits				\$617,021.84	\$524,530.26	\$92,491.58	\$68,300.00

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

Update - 5-3-2021: Based upon the increase in the award the line item for overtime was increased which resulted in an increase of the fringe for overtime from \$40,500.42 to \$78,975.82.

The fringe benefits expense of \$578,546.44 is necessary to maintain WV's MCSAP program and support the personnel (payroll costs) allocated in the budget described here.

This expense provides for 42 Enforcement Officers, 6 Supervisors, 3 Managers, 1 Division Director, 1 Division Deputy Director and 9 Support Staff supported by this budget.

The items included as part of the fringe rate of 35.8% across the board include the following items:

1. Retirement Match.
2. Health Premium Match.
3. Basic Life Insurance Match.
4. FICA Match.
5. Medicare Match.

The overtime fringe above is based upon the average salary rate for the officers working the program.

All PSC personnel are 100% dedicated to the MCSAP Program except for the Division Director and the Division Deputy Director. The percentage reduction in the chart above is based upon needing to include all items in our grant application and to make the projected figures total.

All MCSAP eligible activities with the exception of weight enforcement without an inspection are billed to the grant. MCSAP grant equipment, uniforms and computers are 100% dedicated to the MCSAP program.

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
Tolls for Travel on WV Turnpike	62	365	100.0000	\$1,200.00	\$1,015.00	\$185.00	\$200.00
Conference Travel-Determined During FY2020	7	28	100.0000	\$10,000.00	\$8,490.00	\$1,510.00	\$4,200.00
Routine MCSAP Travel	62	248	100.0000	\$29,419.00	\$25,000.00	\$4,419.00	\$2,000.00
TOTAL: Travel				\$40,619.00	\$34,505.00	\$6,114.00	\$6,400.00

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

All travel billed to the grant regardless of percentage of time assigned to the program will be 100% MCSAP related and will be evidenced on the travel reimbursement forms.

The estimated expense of \$1,200.00 is for the various Enforcement Officers and various staff utilizing vehicles that find themselves needing to utilize the toll booths on the West Virginia Turnpike without the necessity of personal payment which would require reimbursement. The transponders are used as necessary by the various officers and staff who are stationed throughout the State of West Virginia. This allows for approximately \$100.00 per month to be utilized as necessary.

The estimated Conference Travel expense not including the Maintenance of Effort in the amount of \$10,000 allows for routine travel expenses associated with the grant coordinator's annual attendance at the annual MCSAP planning and related conferences, session as well as management attendance at the semi-annual and the annual CVSA conferences, HAZMAT conference or other MCSAP/CVSA conferences scheduled by FMCSA or CVSA during FY2021. This figure will also include any required updates/conferences for the New Entrant program staff. The estimated cost includes lodging, meal allowance and travel expenses including but not limited to air-fare, rental car, parking or other expenses.

The estimated routine MCSAP-related Travel Expense (Lodging/M meal Allowance) is noted to be \$29,419.00. This estimated expense allows for approximately \$474.50 to be utilized for routine travel by each of the 42 Enforcement Officers, 6 Supervisors, 3 Managers, Division Director, Division Deputy Director, Grant Manager and Support Staff (total of 62 individuals) during special operations in targeted enforcement areas that require additional saturation from officers from other regions that necessitates travel, routine road-checks that necessitates travel to other regions as well as outreach efforts throughout the State and training, as necessary. Enforcement officers and others may travel monthly to perform his or her duties, as needed and necessary.

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
Vehicle Emergency Equipment	5	\$2,500.00	100	\$12,500.00	\$10,624.12	\$1,875.88	\$0.00
Mobile and Portable Radios	8	\$5,220.54	100	\$41,764.32	\$35,499.05	\$6,265.27	\$0.00
TOTAL: Equipment				\$54,264.32	\$46,123.17	\$8,141.15	\$0.00
Equipment threshold is \$1,000							

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

Update - 5-4-2021: Based upon the increase in the award we will be able to purchase additional mobile and portable radios. We initially had funds to purchase four at a total cost of \$20,882.16. The increase in the award will enable a purchase of eight at a total cost of \$41,764.32.

Vehicle Emergency Equipment: With replacing older vehicles with new vehicles per the state's acquisition process it is anticipated 5 vehicles will be replaced in FY2021 and the equipment and accessories necessary will cost approximately \$12,500.00. This will result in a need to update outdated safety equipment with new equipment on said vehicles. It is anticipated that this equipment will include exterior lighting, bar lights, speakers and mounts, siren and light controller, cb radios, consoles, laptop mounts, dashlights, rear directional mounts and other accessories as necessary to complete the package.

Mobile and Portable Radios: With obtaining new vehicles obtaining new mobile and portable radios is a must as they will be more compatible with new equipment but will also enable us to provide our officers with safety through communications. The estimated cost is \$5,220.54 per radio for a total purchase price of \$20,882.16.

All PSC personnel are 100% dedicated to the MCSAP Program except for the Division Director and the Division Deputy Director. All MCSAP eligible activities with the exception of weight enforcement without an inspection are billed to the grant. MCSAP grant equipment, uniforms and computers are 100% dedicated to the MCSAP program.

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
Supplies & Materials: Postage and Freight	12 Monthly	\$150.00	100.0000	\$1,800.00	\$1,520.00	\$280.00	\$0.00
Supplies & Materials: General Office Supplies	12 Monthly	\$1,000.00	100.0000	\$12,000.00	\$10,180.00	\$1,820.00	\$0.00
Uniforms	51 Per Officer	\$400.00	100.0000	\$20,400.00	\$17,330.18	\$3,069.82	\$0.00
Supplies & Materials: Computers and Replacements	12 Monthly Expense	\$450.00	100.0000	\$5,400.00	\$4,588.05	\$811.95	\$0.00
IT Equipment for Safety Auditors and Investigators	6 Per Officer	\$350.00	100.0000	\$2,100.00	\$1,785.02	\$314.98	\$0.00
Laptops and Accessories for Support Staff	5 Per Person	\$500.00	100.0000	\$2,500.00	\$2,125.02	\$374.98	\$0.00
Laptops and Accessories for Division Director and Deputy Division Director	2 Per Person	\$500.00	50.0000	\$500.00	\$430.00	\$70.00	\$0.00
Portable Printer for Division Director and Deputy Division Director	2 Per Person	\$150.00	50.0000	\$150.00	\$120.00	\$30.00	\$0.00
Portable Printers for Support Staff and Grant Manager	6 Per Person	\$150.00	100.0000	\$900.00	\$765.01	\$134.99	\$0.00
Tablet Technology (i.e. IPAD/Samsung Galaxy Tablet)	5 Per Person	\$500.00	100.0000	\$2,500.00	\$2,125.02	\$374.98	\$0.00
Supplies and Materials-Printing Expense	12 Monthly Expense	\$150.00	100.0000	\$1,800.00	\$1,530.02	\$269.98	\$0.00
IT Equipment for Remote Training & FMCSA Updates	12 Monthly	\$166.66	100.0000	\$1,999.92	\$1,699.95	\$299.97	\$0.00
TOTAL: Supplies				\$52,049.92	\$44,198.27	\$7,851.65	\$0.00

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

Update - 5-3-2021: Based upon the increase in the award the amount allotted for uniforms was increased from \$200 per officer to \$400 per officer for a total of \$20,400. The amount allotted for general office supplies was increased from \$833.33 per month to \$1,000 per month for a total expense of \$12,000 and may include items listed below as well as miscellaneous office supplies. The amount allotted for computers and replacements was increased from \$308.33 monthly to \$450 monthly for a total anticipated expense of \$5,400.

Supplies and Materials - Printing Expense: This line item will be utilized for external copying and printing of items necessary in the day-to-day operations of the WVPSC Enforcement/MCSAP program including but not limited to exhibits, business cards, training materials, duplicating materials, binding of printed documents, contractual fees for printing of necessary items, etc. It is estimated that this expense will be approximately \$1,800 annually. Supplies and Materials are for use by all individuals assigned to the MCSAP program. The expense is estimated at \$1,800 annually.

Supplies and Materials - General Office Supplies: This line item will support the day-to-day operations of the MCSAP program by providing items necessary that will include but not be limited to paper, ink, letterhead, copy machine paper, toner typewriter cartridges, calculator ribbons, staplers, staples, shredders, tape, tape dispensers, microfilming supplies, photographic film, cameras, thumb-drives, file folders, notebooks, labels, tabs, pens, pencils, highlighters, envelopes, packings supplies, small office type machines that could include label-makers, adding machines, calculators and other items needed or identified. This line item may also include telephones, safe deposit boxes, fees for usage/rental of portable comfort stations (i.e. port-a-pot), etc. Supplies and Materials are for use by all individuals assigned to the MCSAP program. It is estimated that this will be an expense of approximately \$9,999.96 annually.

Supplies and Materials - Postage and Freight: This line item will be utilized for postage, box rent, postage meter or any charges connected with the United States Postal System or charges by Central Mail. Freight will include any charges for shipping or receiving material. This will include but not be limited to courier service charges, motor freight, air freight and any other express mail charges which may include a fuel surcharge. United Parcel Service, Federal Express and similar type companies charges are to be considered freight charges. Supplies and Materials are for use by all individuals assigned to the MCSAP program. It is estimated that this expense will be approximately \$1,800 annually.

Supplies and Materials - Computers and Replacements: This line item will be utilized to purchase or replace any computers or computer related equipment. This line item is necessary based upon changes in staffing as a result of hiring new employees/officers, retirements and other departures. This could include but not be limited to lap-tops, desk-tops, word processors, cell phones, printers, etc. This line item will also cover any necessary repairs or replacements due to failure and/or breakage. Supplies and Materials are for use by all individuals assigned to the MCSAP program. It is an estimated expense of \$3,699.96 annually.

IT Equipment for Safety Auditors and Investigators: As a result of COVID19 our Auditors are performing more of the day-to-day operations from remote locations including their homes. In an effort to remain productive and efficient the following items are needed: external monitor, external keyboard, external mouse, desktop scanner/printer and external HDMI connector. It is estimated this equipment will cost approximately \$350 per auditor for a total of \$2,100.00.

Laptops and Accessories for Support Staff: As a result of COVID19 our Support Staff who perform duties in support of the MCSAP program have been required to perform day-to-day operations from remote locations including their homes. In an effort to remain productive and maintain an efficient program in West Virginia the Support Staff require laptops and appropriate accessories to enable them to perform their duties remotely. It is estimated that the laptops and accessories will cost approximately \$500 per person for a total cost of \$2,500.00.

Laptops and Accessories for Division Director and Division Deputy Director: As a result of COVID19 our Division Director and Division Deputy Director have been required to perform MCSAP related activities remotely. In an effort to maintain continuity of operations and an effective program laptops and appropriate accessories are necessary. These two individuals perform MCSAP related activities approximately 50% of their time. As such it is estimated that equipping these two individuals with the necessary equipment will cost approximately \$1,000 of which 50% will be billed to MCSAP.

Portable Printers for Division Director and Division Deputy Director: As a result of COVID19 our Division Director and Division Deputy Director have been required to perform duties and responsibilities remotely. As such and in obtaining laptops for these two individuals they will also need access to a portable printer to enable them to effectively work remotely. It is estimated that each printer will cost approximately \$150. The Division Director and Division Deputy Director perform MCSAP related activities 50% of the time. Therefore \$150 of the total charge of \$300 will be charged toward the grant.

Portable Printers for Support Staff and Grant Manager: As a result of COVID19 our Support Staff and Grant Manager who already has the use of a laptop have been required to perform duties remotely. As such and in obtaining laptops for their use these individuals will also need access to portable printers to enable them to adequately perform duties remotely. It is estimated that these printers will cost approximately \$150 each for a total expense of \$900.00.

Tablet Technology (i.e. IPAD/Samsung Galaxy Tablet): As a result of COVID19 and moving forward we will obtain five tablets to assign to various regions throughout our enforcement program. These tablets will be testing for training and enforcement capabilities for a determination of future purchase if they are effective for training and enforcement needs. It is estimated that each tablet will cost approximately \$500 for a total expense of \$2,500.00.

Uniforms and Other Related Items: The estimated expense of \$10,200.00 for Uniforms and Other Related Items will provide for approximately \$200.00 for each of the 42 Enforcement Officers, 6 Supervisors or 3 Managers (total of 51 individuals) for such items that includes the uniform required for wear each day of work. The Public Service Commission of West Virginia has a winter uniform and a summer uniform and will include upkeep of the uniform through dry-cleaning services. This will also include the purchase of bullet proof vests. This figure will be adjusted per officer based upon additional officers hired throughout the year and in an effort to equip those officers with necessary uniforms.

IT Equipment for Remote Training & FMCSA Updates: COVID19 made us aware of our lack of adequate remote training capabilities. This estimated expense will enable us to add necessary equipment throughout the State and in our weigh stations which have adequate space to enable our required and necessary FMCSA training and updates as well as allowing us the technology to allow real-time virtual communications and meetings with our enforcement officers throughout the State. Items that may be included in this expense are as follows: large monitors, projectors, meeting software, etc.

All PSC personnel are 100% dedicated to the MCSAP Program except for the Division Director and the Division Deputy Director. All MCSAP eligible activities with the exception of weight enforcement without an inspection are billed to the grant. MCSAP grant equipment, supplies, uniforms and computers are 100% dedicated to the MCSAP program.

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
Lease Cost of Enforcement Vehicles	DUNS 926944976	Contract	100.0000	\$65,000.00	\$55,250.54	\$9,749.46	\$50,000.00
Description of Services: Lease Cost of Enforcement Vehicles							
O&M: ITD Maintenance	DUNS 926944976	Contract	100.0000	\$83,800.00	\$71,210.80	\$12,589.20	\$0.00
Description of Services: Maintenance for Virtual Smart Roadside Inspection System							
TOTAL: Contractual and Subaward				\$148,800.00	\$126,461.34	\$22,338.66	\$50,000.00

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

Update - 5-3-2021: Based upon the increase in the award the amount targeted for O&M: ITD Maintenance was increased from \$40,000 to \$83,800 to allow for the purchase of maintenance contract/agreement to provide routine maintenance (e.g. server host fees, inspection, cleaning, servicing), standard operation (e.g. renewal of software license), preventative care and servicing to maintain current functional levels of systems, and to avoid failures before they develop into major defects. In addition, we will utilize funds to identify and correct

faults that once addressed will allow the item to be restored to an operational condition and other associated costs.

Lease Cost of Enforcement Vehicles: Enforcement Officers, Supervisors and Managers are 100% dedicated to the MCSAP Program. The Division Director and the Division Deputy Director are assigned to the program 50% dedicated to the program. Approximately 51 vehicles are billed 100% to the grant. Two vehicles are billed to the grant at 50% of their lease cost. \$65,000 is estimated as the expense of for Lease Cost of MCSAP Vehicles which will be utilized to pay the monthly lease amounts on the following vehicles currently assigned to the MCSAP fleet.

The vehicles provided for through MCSAP funding include vehicles for the 42 Enforcement Officers, 6 Supervisors, 3 Managers, 1 Division Director and 1 Division Deputy Director.

A total of 53 vehicles will be charged against MCSAP funding with that number increasing as additional staff are hired. These vehicles are necessary for Enforcement Officers to effectuate the CVSP on a regional basis which will result in reducing fatalities. Approximately 53 vehicles are wholly and partially maintained by the MCSAP program. It is noted that vehicles are assigned as necessary and available. Adjustments to the above-described vehicles is changed based upon availability and need. The budget described herein allows for an approximate average annual expense of \$1,226.42 per vehicle.

It is further noted that the for the award of a contract they are subjected to the competitive bid process via the WV Department of Administration and awarded to the most cost effective bidder. In addition, the lease agreements depreciate on a monthly basis and as such, the monthly payment amount is never the same. The vehicles currently in our fleet are described as follows:

5	2017	Ford Explorers
3	2016	Ford Explorers
2	2017	Chevrolet Tahoes
13	2015	Ford Interceptors
1	2014	Ford Expedition
1	2014	Ford Taurus
		Interceptor
5	2013	Ford Expedition
1	2012	Ford Expedition
2	2013	Ford Taurus
		Ford Crown
4	2011	Victorias
1	2010	Ford Taurus
1	2010	Ford Explorer
		Ford Crown
6	2010	Victorias
8	2020	Ford Explorer

The fleet described above is subject to change based upon issues, accidents and mechanics.

With the exception of the Division Director and the Division Deputy Director all PSC personnel are 100% dedicated to the MCSAP Program. All MCSAP eligible activities with the exception of weight enforcement without an inspection are billed to the grant. MCSAP grant equipment, uniforms and computers are 100% dedicated to the MCSAP program.

O&M: ITD Maintenance: This will provide support of the ITD grant to which the Public Service Commission of West Virginia was a subgrantee - a maintenance contract is needed relating to the Virtual Smart Roadside Inspection System installed at the I-64 Eastbound Weigh Station located at mile marker 39 in Putnam County. This maintenance contract will enable our equipment to receive timely updates as well as service in the event of sytem malfunction. This maintenance contract will be bid out once the FY2021 CVSP is awarded and the contract will be awarded to the lowest bidder.

As stated in Section 2.7 of the MCSAP Comprehensive Policy at section 2.7 - Innovative Technology Deployment - The FMCSA expects MCSAP lead agencies to use MCSAP formula funds to support ITD operations and maintenance costs even if the program is administered by a non-MCSAP lead agency.

UPDATE - 10-14-2020: MCSAP grant equipment, vehicles, uniforms, supplies, computers, etc. are 100% deducted to the MCSAP program.

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
Annual CVSA Membership	1 Annual	\$10,300.00	100.0000	\$10,300.00	\$8,745.00	\$1,555.00	\$0.00
CVSA Decals	4 Quarterly	\$275.00	100.0000	\$1,100.00	\$926.00	\$174.00	\$0.00
Communications (Air Cards and Cell Phones)	62 Per Person	\$516.13	100.0000	\$32,000.06	\$27,176.00	\$4,824.06	\$0.00
Maintenance for Leased Vehicles	53 Per Vehicle	\$900.00	100.0000	\$47,700.00	\$40,490.00	\$7,210.00	\$0.00
Fuel for Leased Vehicles	53 Per Vehicle	\$1,400.00	100.0000	\$74,200.00	\$63,060.00	\$11,140.00	\$0.00
Training Costs (Tuition Fees, Materials and Other Expenses - As Needed)	1 As Needed	\$5,910.00	100.0000	\$5,910.00	\$5,011.00	\$899.00	\$0.00
TOTAL: Other Costs				\$171,210.06	\$145,408.00	\$25,802.06	\$0.00

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

Update - 5-4-2021 - Based upon the increase in the award the training costs was increased from \$500 to \$5,910 to allow additional training opportunities that includes annual in-service, training at the WV State Police Academy for certification, re-certification and other training opportunities, NTC certification training and other training opportunities that arise and deemed necessary.

Communications: The estimated expense of \$32,000.06 will provide air cards and/or mobile phones on an annual basis to the Enforcement Officers, Supervisors, Managers, Division Director, grant manager, radio shop staff and support staff depending on COVID related needs. These communicational devices will allow our staff the ability to communicate remotely in real-time at an expense of approximately \$516.13 for each of the 62 individuals referenced above and identified herein.

CVSA Membership Dues: The Public Service Commission of West Virginia is a member of the Commercial Vehicle Safety Alliance. The annual membership is \$10,300.

CVSA Decals: On a quarterly basis the Public Service Commission of West Virginia purchases CVSA decals. The budgeted amount of \$1,100 would enable us purchase of these decals which are provided during the inspection process. The quarterly cost of these decals is approximately \$275.00.

Training Costs: The estimated expense of \$500 will be used to provide training opportunities to our Enforcement Officers throughout the State of West Virginia. These training items identified herein include, but are not limited to, the following:

1. Annual In-Service that all officers are required to attend;
2. Certification and recertification at the WV State Police Academy;
3. Certification through Part A, Part B, HazMat, MotorCoach and Bulk Packaging.

This budget allows approximately \$500.00 to be used as needed by the 42 Enforcement Officers, 6 Supervisors, 3 Managers, the Division Director, the Division Deputy Director, Grant Manager and Office staff which will be utilized for the purposes of training as needed, justified and referenced above and may include fees for instructors.

Maintenance of Leased MCSAP Vehicles: The estimated expense of \$47,700.00 will be used to provide routine maintenance and repair of the 53 vehicles currently identified in our fleet. This will allow approximately \$900.00 per vehicle for the fiscal year to perform necessary maintenance which includes, but is not limited to tire replacement, oil changes, wipers, fluids, car washes, repairs on an as needed basis, etc.

Fuel Costs: The budgeted amount of \$74,200.00 will be used to supply the 53 vehicles currently assigned in our fleet with \$1,400.00 in fuel annually to enable us to promote the State Program Objectives and National Program Elements which will enable the State of West Virginia to reduce fatalities.

UPDATE - 10-14-2020: MCSAP grant equipment, vehicles, uniforms, computers, supplies, etc. are 100% dedicated to the MCSAP program.

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	\$2,366,811.00	\$417,640.00	\$2,784,451.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of Basic Award Amount):	\$417,640.00
MOE Baseline:	\$359,621.50

Estimated Expenditures				
Personnel				
	Federal Share	State Share	Total Project Costs (Federal + Share)	MOE
Supervisors	\$136,637.83	\$24,093.65	\$160,731.48	\$25,721.00
Enforcement Officers	\$783,002.75	\$138,068.59	\$921,071.34	\$102,200.50
Support Staff	\$176,784.87	\$31,172.86	\$207,957.73	\$40,000.00
Division Director	\$35,840.47	\$6,319.83	\$42,160.30	\$25,000.00
Managers	\$87,895.41	\$15,498.79	\$103,394.20	\$20,000.00
Division Deputy Director	\$37,890.49	\$6,681.31	\$44,571.80	\$3,000.00
Salary Subtotal	\$1,258,051.82	\$221,835.03	\$1,479,886.85	\$215,921.50
Employee overtime	\$187,534.48	\$33,068.37	\$220,602.85	\$19,000.00
Overtime subtotal	\$187,534.48	\$33,068.37	\$220,602.85	\$19,000.00
Personnel total	\$1,445,586.30	\$254,903.40	\$1,700,489.70	\$234,921.50

Fringe Benefits				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Supervisors	\$48,898.08	\$8,622.30	\$57,520.38	\$11,000.00
Enforcement Officers	\$280,311.53	\$49,427.95	\$329,739.48	\$37,000.00
Support Staff	\$70,321.09	\$12,399.87	\$82,720.96	\$7,000.00
Division Director	\$12,830.88	\$2,262.50	\$15,093.38	\$4,300.00
Managers	\$31,466.55	\$5,548.57	\$37,015.12	\$5,000.00
Division Deputy Director	\$13,564.79	\$2,391.91	\$15,956.70	\$4,000.00
Overtime	\$67,137.34	\$11,838.48	\$78,975.82	\$0.00
Fringe Benefits total	\$524,530.26	\$92,491.58	\$617,021.84	\$68,300.00

Travel				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Tolls for Travel on WV Turnpike	\$1,015.00	\$185.00	\$1,200.00	\$200.00
Conference Travel-Determined During FY2020	\$8,490.00	\$1,510.00	\$10,000.00	\$4,200.00
Routine MCSAP Travel	\$25,000.00	\$4,419.00	\$29,419.00	\$2,000.00
Travel total	\$34,505.00	\$6,114.00	\$40,619.00	\$6,400.00

Equipment				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Vehicle Emergency Equipment	\$10,624.12	\$1,875.88	\$12,500.00	\$0.00
Mobile and Portable Radios	\$35,499.05	\$6,265.27	\$41,764.32	\$0.00
Equipment total	\$46,123.17	\$8,141.15	\$54,264.32	\$0.00

Supplies				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Supplies & Materials: Postage and Freight	\$1,520.00	\$280.00	\$1,800.00	\$0.00
Supplies & Materials: General Office Supplies	\$10,180.00	\$1,820.00	\$12,000.00	\$0.00
Uniforms	\$17,330.18	\$3,069.82	\$20,400.00	\$0.00
Supplies & Materials: Computers and Replacements	\$4,588.05	\$811.95	\$5,400.00	\$0.00
IT Equipment for Safety Auditors and Investigators	\$1,785.02	\$314.98	\$2,100.00	\$0.00
Laptops and Accessories for Support Staff	\$2,125.02	\$374.98	\$2,500.00	\$0.00
Laptops and Accessories for Division Director and Deputy Division Director	\$430.00	\$70.00	\$500.00	\$0.00
Portable Printer for Division Director and Deputy Division Director	\$120.00	\$30.00	\$150.00	\$0.00
Portable Printers for Support Staff and Grant Manager	\$765.01	\$134.99	\$900.00	\$0.00
Tablet Technology (i.e. IPAD/Samsung Galaxy Tablet)	\$2,125.02	\$374.98	\$2,500.00	\$0.00
Supplies and Materials-Printing Expense	\$1,530.02	\$269.98	\$1,800.00	\$0.00
IT Equipment for Remote Training & FMCSA Updates	\$1,699.95	\$299.97	\$1,999.92	\$0.00
Supplies total	\$44,198.27	\$7,851.65	\$52,049.92	\$0.00

Contractual and Subaward				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Lease Cost of Enforcement Vehicles	\$55,250.54	\$9,749.46	\$65,000.00	\$50,000.00
O&M: ITD Maintenance	\$71,210.80	\$12,589.20	\$83,800.00	\$0.00
Contractual and Subaward total	\$126,461.34	\$22,338.66	\$148,800.00	\$50,000.00

Other Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Annual CVSA Membership	\$8,745.00	\$1,555.00	\$10,300.00	\$0.00
CVSA Decals	\$926.00	\$174.00	\$1,100.00	\$0.00
Communications (Air Cards and Cell Phones)	\$27,176.00	\$4,824.06	\$32,000.06	\$0.00
Maintenance for Leased Vehicles	\$40,490.00	\$7,210.00	\$47,700.00	\$0.00
Fuel for Leased Vehicles	\$63,060.00	\$11,140.00	\$74,200.00	\$0.00
Training Costs (Tuition Fees, Materials and Other Expenses - As Needed)	\$5,011.00	\$899.00	\$5,910.00	\$0.00
Other Costs total	\$145,408.00	\$25,802.06	\$171,210.06	\$0.00

Total Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Subtotal for Direct Costs	\$2,366,812.34	\$417,642.50	\$2,784,454.84	\$359,621.50
Total Costs Budgeted	\$2,366,812.34	\$417,642.50	\$2,784,454.84	\$359,621.50

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	\$2,366,811.00	\$417,640.00	\$2,784,451.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of Basic Award Amount):	\$417,640.00
MOE Baseline:	\$359,621.50

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Salary Subtotal	\$1,258,051.82	\$221,835.03	\$1,479,886.85	\$215,921.50
Overtime Subtotal	\$187,534.48	\$33,068.37	\$220,602.85	\$19,000.00
Personnel Total	\$1,445,586.30	\$254,903.40	\$1,700,489.70	\$234,921.50
Fringe Benefits Total	\$524,530.26	\$92,491.58	\$617,021.84	\$68,300.00
Travel Total	\$34,505.00	\$6,114.00	\$40,619.00	\$6,400.00
Equipment Total	\$46,123.17	\$8,141.15	\$54,264.32	\$0.00
Supplies Total	\$44,198.27	\$7,851.65	\$52,049.92	\$0.00
Contractual and Subaward Total	\$126,461.34	\$22,338.66	\$148,800.00	\$50,000.00
Other Costs Total	\$145,408.00	\$25,802.06	\$171,210.06	\$0.00
	85.01% Federal Share	14.99% State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Subtotal for Direct Costs	\$2,366,812.34	\$417,642.50	\$2,784,454.84	\$359,621.50
Indirect Costs	\$0.00	\$0.00	\$0.00	NA
Total Costs Budgeted	\$2,366,812.34	\$417,642.50	\$2,784,454.84	\$359,621.50

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? Robert D. Blankenship
2. What is this person's title? Director
3. Who is your Governor's highway safety representative? Everett Frazier
4. What is this person's title? Commission of WV Department of Motor Vehicles

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

- ☒ Yes
- ☐ No

State Certification declaration:

I, Robert D. Blankenship, Director, on behalf of the State of WEST VIRGINIA, 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? Robert D. BLankenship
2. What is the title of your certifying State official? Director
3. What are the phone # and email address of your State official? 304-340-0472 rblankenship@psc.state.wv.us

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

- ☒ Yes
- ☐ No

I, Robert D. BLankenship, 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

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

☐ Yes ☒ No

FY2021 – TRAINING PLAN

Public Service Commission of West Virginia
P. O. Box 812
Charleston, WV 25323-0812

It is stated that we follow NTC policy on training and use the NTC Intake Scheduler for training courses.

WV typically uses our in-house NTC instructors for the following classes:

NAS Part A
NAS Part B
GHM
CTI
OBP.

Utilizing in-house instructors allows us to meet the 45 day advanced notice window.

When an out-of-state instructor is needed we meet the 90 day advanced notice window.

FY2021 Tentative Schedule:

NAS Part A	March, 2021
NAS Part B	April, 2021
GHM	May, 2021
CTI	June, 2021
OBP	September, 2021

CONTACTS

Division Director: Robert Blankenship
Office Phone: 304-340-0484

Training Manager: Reggie Bunner
Office Phone: 304-561-4637

Grant Manager: Robin Lassak
Office Phone: 304-340-0472

Lassak, Robin

From: Jackson, Belinda
Sent: Friday, July 24, 2020 1:54 PM
To: Lassak, Robin; Blankenship, Robert; Lane, Charlotte
Subject: FW: FMCSA Approval Of PSC's Title VI Program Compliance Plan For FY 2021

From: Finkle, Lester (FMCSA) [<mailto:Lester.Finkle@dot.gov>]
Sent: Friday, July 24, 2020 1:50 PM
To: Jackson, Belinda <bjackson@psc.state.wv.us>
Subject: FMCSA Approval Of PSC's Title VI Program Compliance Plan For FY 2021

Great! Thanks, Belinda. I have reviewed PSC's final Plan for FY 2021 and find all elements identified in the FY 2021 FMCSA Title VI Program Compliance Plan Checklist. This e-mail will serve as the Plan approval. Therefore, the PSC's final Plan for FY 2021 is hereby approved.

Thanks again for your efforts to update the Plan for FY 2021. I hope you continue to be well during this uncertain time we are living-in.

Lester

Lester Finkle
FMCSA National Title VI Program Manager
202-366-4474

From: Jackson, Belinda [<mailto:bjackson@psc.state.wv.us>]
Sent: Friday, July 24, 2020 1:43 PM
To: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Subject: FY 2021 Title VI Plan

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Lester, attached is the Public Service Commission of West Virginia 2021 Title VI Plan. Please let me know if you need any additional information. I look forward to receiving DOT's approval and acceptance of the Plan.

Thank you!

Belinda B. Jackson
Counsel for Human Resources
Public Service Commission of West Virginia
201 Brooks Street
P.O. Box 812
Charleston, WV 25323
(304) 340-0497

FY 2021 Certification of MCSAP Conformance (State Certification)

I Robert D. Blankenship, Director, on behalf of the State of West Virginia, 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 Public Service Commission of West Virginia as the Lead State Agency to administer the Commercial Vehicle Safety Plan (CVSP) throughout the State for the grant sought and (names of agencies) 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 10-14-2020

Signature Robert D. Blankenship

Annual Review of Laws, Regulations, Policies and Compatibility Certification

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

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

(1) As applicable to interstate commerce not involving the movement of hazardous materials:

(i) Are identical to or have the same effect as the FMCSRs; or

(ii) If in addition to or more stringent than the FMCSRs, have a safety benefit, do not unreasonably frustrate the Federal goal of uniformity, and do not cause an unreasonable burden on interstate commerce when enforced;

(2) As applicable to intrastate commerce not involving the movement of hazardous materials:

(i) Are identical to or have the same effect as the FMCSRs; or

(ii) Fall within the limited variances from the FMCSRs allowed under 49 C.F.R. sections 350.305 or 350.307; and

(3) As applicable to interstate and intrastate commerce involving the movement of hazardous materials, are identical to the HMRs.

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

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

Signature of Certifying Official:

Robert D. Blankenship

Title of Certifying Official:

Director

Date of Certification:

10-14-2020