



## **MISSISSIPPI**

### ***Commercial Vehicle Safety Plan***

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

**Fiscal Years 2021 - 2023  
Annual Update FY 2022**

**Date of Approval: August 10, 2022**

## **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 2022)
- Part 5: Certifications and Documents (FY 2022)

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 2022:

**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 2021 plans. States must carefully review and update this information to reflect FY 2022 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 2022 update). Include descriptions of the changes to your program, including how data tables were modified.
- The Trend Analysis areas in each section are only open for editing in Year 1 of a three-year plan. This data is not editable in Years 2 and 3.

**Personally Identifiable Information - PII** is information which, on its own or matched with other data, would permit identification of an individual. Examples of PII include: name, home address, social security number, driver's license number or State-issued identification number, date and/or place of birth, mother's maiden name, financial, medical, or educational

records, non-work telephone numbers, criminal or employment history, etc. PII, if disclosed to or altered by unauthorized individuals, could adversely affect the Agency's mission, personnel, or assets or expose an individual whose information is released to harm, such as identity theft.

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

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

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

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

**Instructions:**

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

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

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The primary mission of the Motor Carrier Safety Division (MCSD) of the Mississippi Department of Public Safety (MDPS), Motor Carrier Safety Division, is to reduce the number and severity of crashes, injuries, fatalities, and hazardous material (HM) spills involving commercial motor vehicles (CMV). One of the top priorities of the MCSD is to ensure the mobility of people and goods by providing a safe transportation system throughout the State of Mississippi. The goal of the MCSD is to detect and correct safety defects, driver deficiencies, and unsafe motor carrier practices before they become contributing factors to crashes. The number and severity of CMV-involved crashes and hazardous material incidents can be reduced through consistent, uniform, and effective CMV safety programs which include driver/vehicle safety inspections, post-crash inspections, strict high quality traffic enforcement, compliance reviews, and public awareness education campaigns. Through these practices the MCSD can reduce the number of the State of Mississippi's CMV fatal crashes and to achieve a national goal to reduce large truck and bus related fatalities.

### Part 1 Section 3 - MCSAP Structure Explanation

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

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

#### Instructions:

Answer the questions about your grant activities and briefly describe the State's commercial motor vehicle (CMV) enforcement program funded by the MCSAP grant. Please do not include activities or expenses associated with any other FMCSA grant program.

Complete the check boxes below if they affirmatively apply to this CVSP:

- ☒ Initiatives involving "rural roads" are specifically included in this CVSP.
- ☐ The State has voluntarily submitted an annual Training Plan to the National Training Center (NTC).

The Mississippi Department of Public Safety, Motor Carrier Safety Division (MCSD) is the designated lead agency for the Motor Carrier Safety Assistance Program (MCSAP). MCSD is a comprehensive commercial motor vehicle enforcement agency. The MCSD is comprised of thirty (30) Motor Carrier Trooper/Inspectors (28 current, 2 vacancies requested to be filled) trained to conduct Driver/Vehicle Safety Inspections in accordance with the Northern American Standard Inspection Procedures. Other MCSD staff include two Compliance Review Officers, and 17 support personnel including New Entrant staff, IT, training, and administrative support.

As of July 1, 21, the MDOT enforcement unit will now fall under the auspices of the MS Department of Public Safety. The MCSD Trooper Division and the MDPS MC Law Enforcement unit will function as separate entities, with the MCSD Trooper Division continuing to serve as the lead agency. Any changes to the structure after the ECVSP is submitted will be reported to FMCSA. Currently there are approximately 165 law enforcement agents with the MS DPS MC Enforcement Division (Formerly MDOT) who will continue assisting with roadside inspections. The MCSD trooper division and the MSDPS MC Law enforcement division will perform activities in accordance with the standards and procedures approved by the FMCSA as they relate to the performance of vehicle and driver inspections, the placement of vehicles and drivers out of service, and any other requirements imposed through law or regulations pertaining to activities funded through the MCSAP.

The MCSD uses various approaches to enforcement and compliance depending on each enforcement district's configuration, which includes the availability of fixed facilities, off-road locations, number of mobile units and personnel. Inspections are conducted at fixed facilities, off-road locations, during traffic stops, and at terminal locations. MCSD has a policy that requires all inspections be performed in a safe location. Level I inspections are not performed on the shoulder of the highway. All MCSD Troopers/Inspectors are trained and required to perform all levels of inspections including hazardous materials. Commercial Drivers Licenses (CDLs) are routinely checked as part of all safety inspections with the exception of Level V. Mississippi uses MCSAP access to CDLIS as part of our Aspen System.

The MDPS has a drug interdiction program (Criminal Patrol Unit) consisting of eighteen troopers including five canines and handlers and one supervisor who have received training from the NTC in Drug Interdiction. MCSD Trooper/Inspectors (law enforcement certified) received DUI standardized field sobriety training and drug recognition training during patrol school. Several troopers have received advanced training in drug and narcotics awareness.

MCSD will be working with the Mississippi State Tax Commission and enforcement unit to continue the CVSIN program. MCSD uses several methods to verify vehicle out-of-service violations, including re-inspection of vehicles and covert operations.

As of September 25, 2020, the Motor Carrier Safety Division has 24 certified inspectors and 6 inspector vacancies have been requested to be filled for a total of 30 inspectors. The vacancies are attributed to retirement and transfer to other departments of the Mississippi Highway Patrol. Currently there are two compliance review officers and three full time New Entrant auditors, with additional troopers trained to conduct audits.

**Part 1 Section 4 - MCSAP Structure**

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

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

**Instructions:**

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

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

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

Lead Agency Information	
Agency Name:	MS DEPARTMENT OF PUBLIC SAFETY MOTOR CARRIER SAFETY DIVISION
Enter total number of personnel participating in MCSAP activities	47
<b>National Program Elements</b>	<b>Enter # personnel below</b>
Driver and Vehicle Inspections	30
Traffic Enforcement Activities	30
Investigations*	6
Public Education and Awareness	30
Data Collection and Reporting	30
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Subrecipient Information	
Agency Name:	
Enter total number of personnel participating in MCSAP activities	0
<b>National Program Elements</b>	<b>Enter # personnel below</b>
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:	165



## 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.*

**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 most recent five fiscal years using the Activity Dashboard on the A&I Online website. The Activity Dashboard is also a resource designed to assist the State with preparing their MCSAP-related quarterly reports and is located at: <https://ai.fmcsa.dot.gov>. A user id and password are required to access this system.

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

## Part 2 Section 2 - CMV Crash Reduction

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

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

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

### Trend Analysis for 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 relate to each other and 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.
- The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable in Years 2 and 3.

### ALL CMV CRASHES

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

**Goal measurement as defined by your State:** Other

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

#large truck/bus crashes

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2019	12/31/2019	51	1657	1396
01/01/2018	12/31/2018	106	1708	1438
01/01/2017	12/31/2017	102	1720	1413
01/01/2016	12/31/2016	80	1588	1321
01/01/2015	12/31/2015	73	1563	1287

**MOTORCOACH/PASSENGER CARRIER CRASHES**

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

**Goal measurement as defined by your State:** Other

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

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2019	12/31/2019	3	123	134
01/01/2018	12/31/2018	7	129	126
01/01/2017	12/31/2017	9	120	129
01/01/2016	12/31/2016	0	109	134
01/01/2015	12/31/2015	6	103	128

## 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	0	0
01/01/2018	12/31/2018	0	0	0
01/01/2017	12/31/2017	0	0	0
01/01/2016	12/31/2016	0	0	0
01/01/2015	12/31/2015	0	0	0

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

A & I FMCSA as of June 26, 2020

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

## **NARRATIVE:**

Mississippi is located in the southeastern region of the United States, with 46,923 square miles inland area, and 63.3 persons per square mile. There are 74,887 miles of roadway, 10,958 miles of county roads and 46,923 square miles. Mississippi's population, based on the 2020 projected census number, is 2,994,029. Mississippi has 82 counties, which can be divided into the following regions: Gulf Coast, Piney Woods, Southwestern, Central, Delta, Northern Hills, and Northeastern. The Mississippi Highway Patrol covers the entire state of Mississippi and is divided into nine districts or Troops, which are located in three regions: northern, central, and southern. The Motor Carrier Safety Division covers the entire state. Several major interstates pass through the state, including I-10 and Highway 49 in the Southern Region, and I-55, I-59, and I-20 in the Central and Northern Regions. Gambling facilities are located on the Gulf Coast, Tunica, Natchez, Vicksburg, and Neshoba County.

Mississippi has eight public universities: Jackson State University in Jackson, the University of Mississippi in Oxford, Mississippi State University in Starkville, Mississippi University for Women in Columbus, University of Southern Mississippi in Hattiesburg, Alcorn State University in Port Gibson, Mississippi Valley State University in Itta Bena, and Delta State University in Cleveland.

According to the MS State Tax Commission and the Department of Public Safety, Mississippi has 2,545,707 licensed drivers, 56,406 motorcycle registrations, and 2,650,247 registered vehicles. According to Driver's Services, there are 420,236 non-CDL driver's licenses and 30,847 CDL driver's licenses issued annually. CDL licenses issued are as follows: 22,956 Class A, 7,129 Class B, and 762 Class C.

The State of Mississippi has four areas where commercial motor vehicle crashes are occurring at an alarming rate, accounting for 37% of all CMV crashes in the state. These four high crash corridors are in the following areas: the Southern Region consisting of Harrison County and Jackson County I-10, the Central Region consisting of Hinds County and Rankin County I-20, Lauderdale County I-20, and the Northern Region consisting of Desoto County I-55 and Lee County I-22. Lee County is located in the northeastern part of the state and has emerged as a problem area for CY 2021. These areas are generally under construction with several work zones and are major interstates and highways. Highway 49, a major trucking route, runs from Jackson to Gulfport. Highway 49 is a four lane highway with unlimited access from cross roads and highways, which comes with its own set of unique traffic safety problems. Casinos in the Coastal and Delta counties are tourist resort areas with a large number of tour buses from all over the U.S. Desoto County is one of the fastest growing areas in the country. As a suburb of Memphis, Tennessee, Desoto County is also a direct route to the Tunica casinos.

Last year, CMV related rollover crashes accounted for 13% of the total number of CMV crashes or 182 out of 1396 crashes. The FY 2021-2023 eCVSP will take a two pronged approach to address the state and national CMV traffic safety issues. MCSO focuses on high crash corridor enforcement in specific counties continually recording higher number of CMV crashes. Other areas of the state require a broader approach that includes public education. A tremendous number of large trucks and

buses pass through this state every day. The MCSD will strive to make Mississippi roads and highways a safer place for trucks, buses, and the motoring public.

DUE to COVID 19 in CY 2020, MCSD has seen a reduction in number of roadside inspections, compliance reviews, details, public information activities, and traffic enforcement. MCSD anticipates this reduced activity will continue into FY 2021 with COVID cases in Mississippi on the rise.

### **Narrative Overview for FY 2021 - 2023**

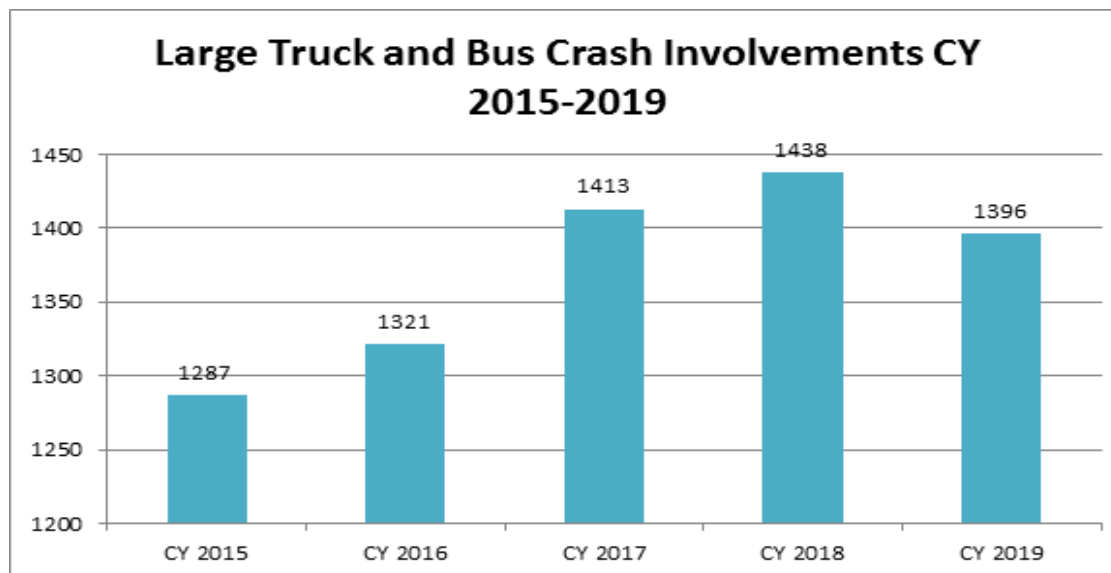
#### **Instructions:**

*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.

#### **Problem Statement:**

Mississippi has seen an increase in CMV traffic crashes with both large trucks and passenger carriers utilizing consistent high visibility enforcement and a paid media campaign. Over the past five years, CMV crashes have increased from 1287 in 2015 to 1438 in 2018. The chart below depicts a downward trend, with a 3% decrease in CMV crash involvement from CY 2018 to CY 2019.



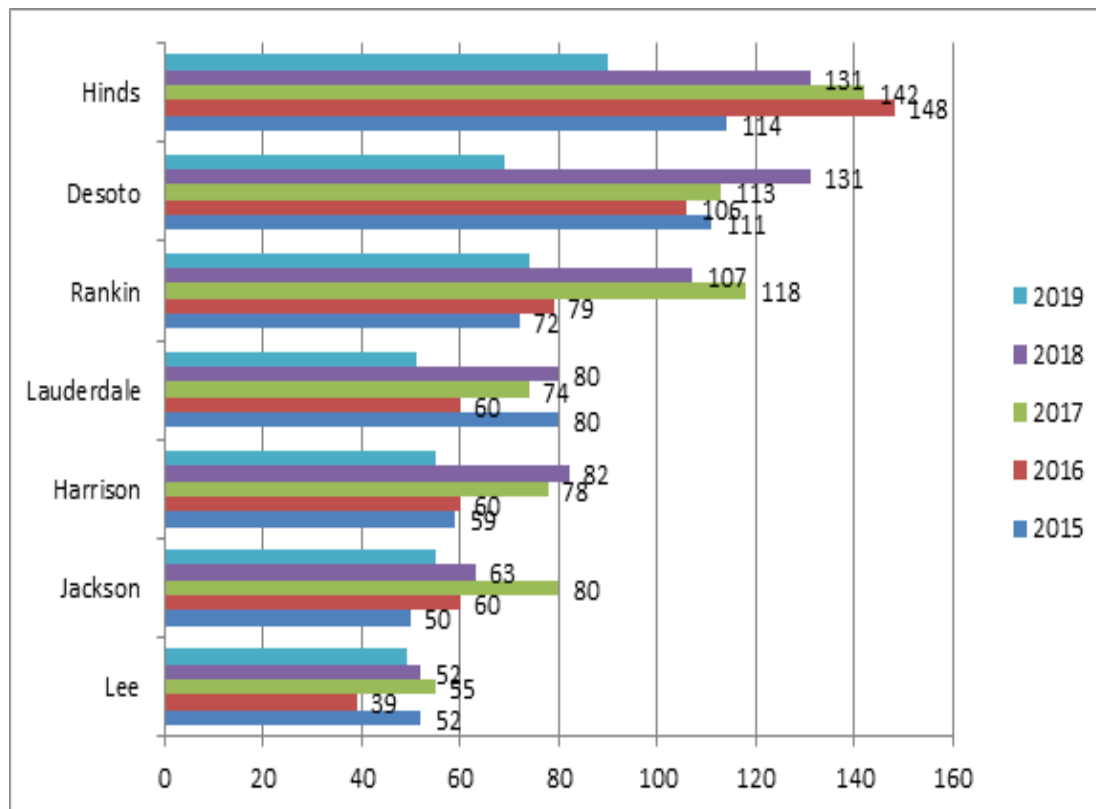
The Mississippi Commercial Motor Vehicle Crash Reduction Plan will continue with the two-pronged approach in FY 2021, FY 2022, and FY 2023, which includes high visibility and public education to address the increase in CMV crashes statewide. MCSD will continue to conduct high

visibility enforcement on the targeted counties, corridors and municipalities where the data show a high occurrence of cmv fatalities and crashes.

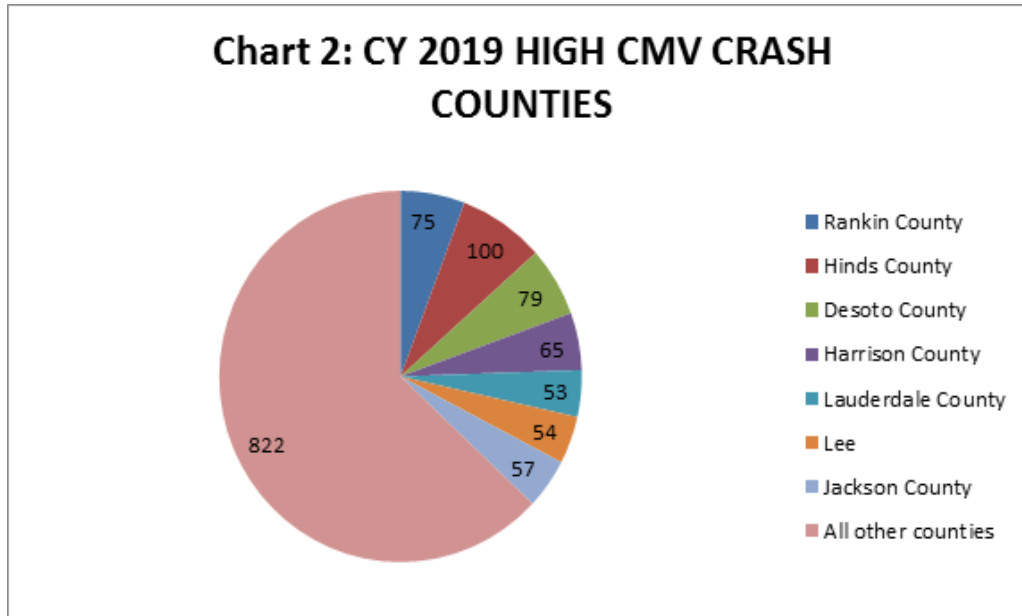
**Crash Reduction Goal: Mississippi will aim to reduce CMV crashes statewide by 9% over the next three years, from 1396 in CY 2019 to 1354 or 3% in CY 2021, 1310 or 3% in CY 2022, and 1271 or 3% in CY 2023. The MCSO will continue to focus strong enforcement efforts in the top seven CMV crash counties.**

In CY 2019, the top seven highly populated counties for large truck fatal and nonfatal crashes were Rankin, Hinds, Desoto, Harrison, Jackson, Lauderdale, and Lee. With these increased enforcement efforts specifically to these counties, Rankin County fatal and non-fatal large truck crashes decreased from 118 in 2017 to 74 in 2019. Hinds County crashes decreased as well, with 142 in 2017 to 90 in 2019. Rankin and Hinds Counties border each other with approximately 15-20 miles of Interstate I-20 in incorporated areas with extremely high CMV traffic. Lauderdale County, located on the I-20 corridor, is included as a high crash county after a steady increase in large truck crashes during the past five years, with 361 CMV crashes during this time frame. Lauderdale County, although not bordering Hinds and Rankin, is located along I-20 to the east side of the state with heavy interstate CMV traffic. Desoto County CMV large truck crash numbers decreased from 113 in 2017 to 69 in 2019, with 15 miles of Interstate I-55. Lee County along I-22 has emerged as a problem area for CMV crashes. Efforts to reduce CMV crashes in Harrison and Jackson Counties along Interstate I-10 have produced a reduction in CMV crashes. Harrison County CMV crashes decreased from 78 in 2017 to 55 in 2019, and Jackson County CMV crashes decreased from 80 in 2017 to 50 in 2019. (Data source: A & I June 5, 2020)

### 2015-2019 Number of CMV Large Truck Crashes for Top 7 Crash Counties



During CY 2021-2023 the MCSD will focus on the top seven CMV large truck and bus crash counties, which presently include Hinds, Rankin, Desoto, Harrison, Jackson, Lauderdale, and Lee. Annual reviews of the top seven counties will be conducted to determine if different counties account for the highest number of CMV fatalities. These seven counties comprise four high crash corridors: (1) Harrison and Jackson Counties I-10, (2) Hinds, Rankin, Lauderdale Counties I-20, (3) Desoto County I-55 and (4) Lee County I-22. The focus will remain on these high crash corridors for high visibility traffic enforcement in order to successfully decrease the number of large truck crashes. These seven counties accounted for approximately 37% of the 1187 total large truck crashes in the state. Mississippi has a total of 82 counties.

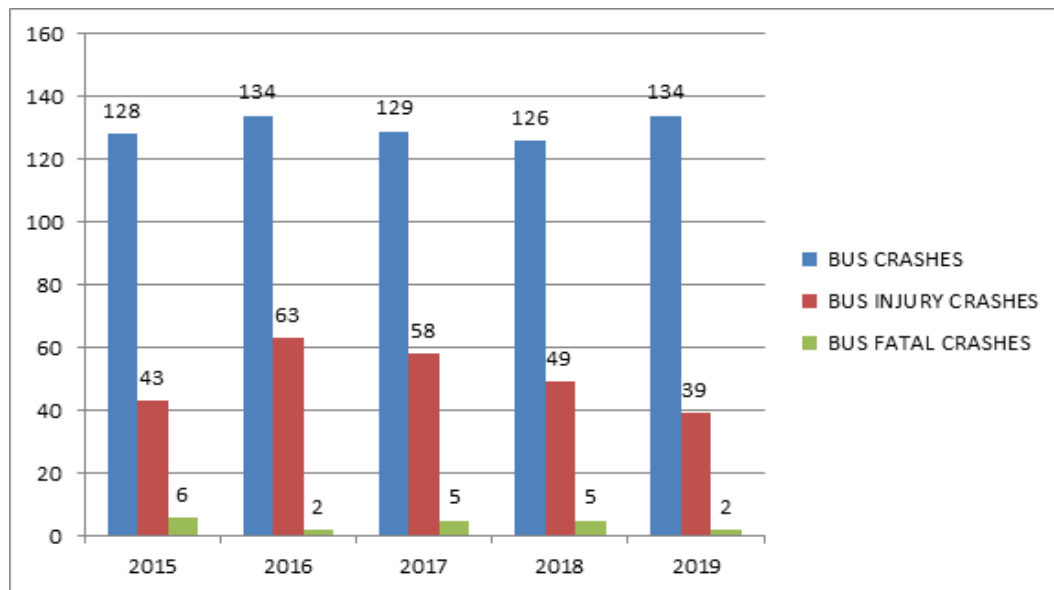


**Performance objective: MCSD will reduce the number of passenger carrier crashes by 15% over the next three years by 5% per year, from a total of 134 in CY 2019 to 127 in CY 2021, 121 in CY 2022, and 115 in CY 2023.**

CMV Passenger Carrier/Bus Safety and crash reduction will continue to be a state and national priority in FY 2021-2023. The table below depicts the trend in CMV crashes in the state. In 2015, there were 128 passenger transport crashes with 6 fatal crashes. Bus crashes increased in 2016, with 134 crashes. In 2017, there were 129 bus crashes, 126 bus crashes in 2018, and in 2019, again there is an increase in bus crashes to 134. (Data sources: 6/05/2020; A&I On-Line, MCMIS and FARS)

#### **CY 2015-2019 BUS CRASHES BY INJURY AND FATAL**





In FY 2021-2023, as in previous eCVSPs, the MCSD plans to concentrate on passenger carriers as part of the commercial vehicle safety plan. Mississippi has a large concentration of bus traffic in the northern and coastal regions of the state. Casinos in Harrison, Hancock, Neshoba, and Tunica Counties attract a large number of tour buses in the state, resulting in higher numbers of bus crashes. MCSD plans to increase inspection efforts in the high traffic areas within the state for FY 2021-2023. At least one bus inspection strike-force detail per quarter or four per year will be performed throughout FY 2021-2023. These activities will include Federal and MCSD efforts. (Data sources: Data Snapshot as of June 5, 2020, A&I On-Line, MCMIS and FARS)

#### HAZARDOUS MATERIAL INSPECTIONS FOR FY 2015- 2019

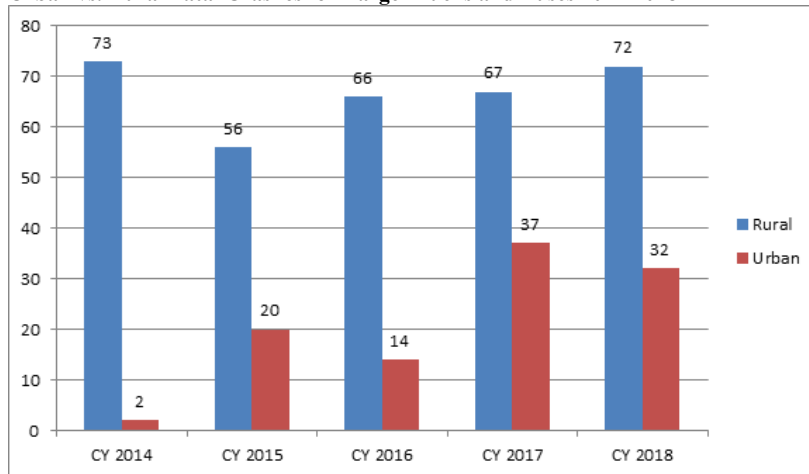
Fatalities remain at zero in 2019 for HM crashes. This low fatality rate is due to the fact that Mississippi has worked diligently to *reduce* the number of HM transport crashes by steadily *increasing* the number of HM inspections over the past five years. In FY 2019, MCSD conducted 48,365 roadside inspections, with 5453 HM vehicle inspections. To further reduce the number of HM transport crashes and maintain HM fatalities at zero, the MCSD will increase the number of HM inspections by 3% per year, for a total of 9% by 2023.

**Performance Objective: MCSD will increase HM inspections by 9% over the next three years, from 5453 in FY 2019 to 5616 in FY 2021, 5784 in FY 2022, and 5957 in FY 2023.**

#### Rural Roads:

The Mississippi Highway System consists of slightly over 74,000 miles of roads and streets. Of these miles, 64,000 miles are located in rural areas, and 10,000 miles are in urban areas. Rural road mileage accounts for 85% of total road miles and 70% of miles traveled by system in the rural and urban areas. According to a recent study, Mississippi's rural roads are ranked some of the worst in the nation. The findings by TRIP, a national transportation research group, lists Mississippi tied with New Mexico for fifth among the 50 states. The poor conditions of Mississippi roads and high numbers of traffic crashes have been associated with the heavy CMV traffic that travels through the state daily. Fatal Crashes on rural roads in Mississippi are shown on the graph below.

Urban vs. Rural Fatal Crashes for Large Trucks and Buses 2014-2018



During FY 2021- FY 2023, the MCSD will focus on roads designated as rural in the top seven CMV crash counties, which include Hinds, Rankin, Lauderdale, Lee, Desoto, Harrison, and Jackson. These seven counties comprise three high crash corridors: (1) Harrison and Jackson Counties 1-10, (2) Hinds, Rankin, and Lauderdale Counties 1-20, (3) Desoto County I-55, and (4) Lee County I-22. The focus will remain on these high crash corridors for high visibility traffic enforcement in order to successfully decrease the number of large truck crashes. These seven counties accounted for approximately 37% of the 1187 total large truck crashes in the state. Mississippi has a total of 82 counties.

**Update to Rural Roads Initiative:** During FY 22-23, the MCSD has added additional overtime and fringe to expand the MCAP Rural Roads Initiative statewide, focusing on problem areas and conducting details on rural interstates and highways as issues with high CMV crashes become apparent. Rural road details are currently being conducted in Union, Tate, Panola, Itawamba, Carroll, and Lee Counties and will continue to be expanded to other districts in the state.

Additional non motor carrier troopers will assist in these details to provide extensive expansion to CMV traffic enforcement efforts with overtime on scheduled days off, with MCSD troopers focusing on CMV violations and inspections. The Mississippi Highway Patrol plans to certify an additional 25 troopers in motor carrier in the near future to assist the MCSD unit in its efforts to reduce the continued increase in CMV crashes in the state.

### Performance Objective:

**To decrease commercial motor vehicle crashes in the high crash corridor areas of Desoto, Harrison, Hinds, Lauderdale, Lee, Jackson and Rankin Counties by 5%, from 483 during 2019 to 459 by the end of the 2021.**

**During FY 2021-23, MCAP troopers will conduct four rural roads details in high crash corridors working eight hour shifts with at least eight motor carrier units at each detail.**

**To decrease commercial motor vehicle crashes on rural roads in the northern, southern and central districts by 5% in FY 22-23.**

**During FY 22-23, the MCSD as well as the Mississippi Highway Safety Patrol will utilize extra overtime to expand the rural roads, interstates, and**

**highways initiative, conducting a minimum of an additional two details per month in high CMV crash roads, highways, and interstates throughout all nine districts utilizing at least eight motor carrier units and other troopers at each detail**

***Enter the data source and capture date:***

A & I June 26,2020

**Projected Goal for FY 2021 - 2023:**

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

Fiscal Year	Annual Crash Reduction Goals
2021	1354
2022	1310
2023	1271

Mississippi will aim to reduce CMV crashes statewide by 9% over the next three years, from 1396 in CY 2019 to 1354 or 3% in FY 2021, 1310 or 3% in FY 2022, and 1271 or 3% in FY 2023.

***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.***

**FY 2021-2023 Program Activities**

The MCSD traffic enforcement program focuses on inspections of CMVs that have been stopped due to traffic violations. The program also focuses on non-CMV vehicles that have committed traffic violations within close proximity of a CMV. MCSD will focus on rural road CMV traffic during FY 2021-23 as well.

Overall, 26 FTE MCSD troopers spend approximately 15% of their time on traffic enforcement without inspection, 80% traffic enforcement with inspection, and 5% outreach in their respective counties. There are 4 FTE MCSD Troopers who spend 10% of their time on traffic enforcement without inspection, 70% traffic enforcement with inspection, and 20% public relations and outreach. Two compliance review officers are dedicated to compliance review, and all MCSD troopers are certified in New Entrant audits.

MCSD will develop a schedule of monthly traffic enforcement details focusing on CMVs committing traffic violations. Additional details will be conducted in areas that receive complaints or public notification. These details will operate 2 to 3 days per month utilizing 3 to 4 troopers working nine hour shifts. **Extra details per month will also be scheduled utilizing the increase in overtime in high crash rural road corridors statewide, which will be manned by 9 to 10 MCSD unit troopers and**

MHSP troopers, working eight hour shifts. MHSP troopers will work extra MC details on scheduled days off.

MCSD shall schedule quarterly traffic enforcement details that focus on non-CMV drivers committing traffic violations in close proximity of a CMV. MCSD troopers will be scheduled to saturation details in high crash corridors identified through analysis of data available through A&I Online and State crash records focusing efforts on traffic enforcement and inspections. MCSD will perform quarterly traffic enforcement details focusing on non-CMV driver behaviors in identified high crash corridors. Based on the monthly inspection tracking numbers, MCSD will make needed adjustments to enforcement detail locations and/or the number of troopers participating in details. Based on the types of violations being issued, MCSD will be able to identify specific violation types to watch for and/or to focus efforts on. MCSD will analyze the data collected through enforcement details to determine the effectiveness of this strategy, adjustments to the strategy will be made as deemed necessary.

***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.***

Based on the monthly inspection tracking numbers, MCSD will make needed adjustments to enforcement detail locations and/or the number of troopers participating in details. Based on the types of violations being issued, MCSD will be able to identify specific violations types to watch for and focus efforts on. MCSD will analyze the data collected through enforcement details to determine the effectiveness of this strategy, adjustments to the strategy will be made as deemed necessary.

Quarterly data as reported on A & I will be examined for problems that need immediate attention. All quarterly data will be reported on the SF-PPR.

**Part 2 Section 3 - Roadside Inspections**

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

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

In this section, provide a trend analysis, an overview of the State's roadside inspection program, and projected goals for FY 2021 - 2023. The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.

**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	17941	15323	13449	14524	14114
Level 2: Walk-Around	31692	28773	31955	30785	32578
Level 3: Driver-Only	20942	17840	18292	13085	7226
Level 4: Special Inspections	254	901	64	34	11
Level 5: Vehicle-Only	229	353	316	289	84
Level 6: Radioactive Materials	0	0	0	0	0
<b>Total</b>	<b>71058</b>	<b>63190</b>	<b>64076</b>	<b>58717</b>	<b>54013</b>

**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.**

For FY 2021-2023, the MCSD (trooper division) will work with the MSDPS Motor Carrier Law Enforcement Division (Formerly MDOT) to complete driver/vehicle inspections statewide. These formerly two agencies are now operating as one Lead agency and the projected inspections have been adjusted to include all DPS motor carrier law enforcement. Some of the tables do not allow for editing and still reflect last year's inspection numbers. MCSD roadside inspectors will continue to use ISS and Query Central with CSA improvements to highlight carriers and drivers who are deficient in the BASICS and target those areas during inspections. All OOS carriers will be run through the Query and will not be allowed to proceed. To determine locations for inspections, MCSD will continue to focus on the high crash corridors as discussed in the problem statement. Extra details will be worked in the high crash counties of Rankin, Desoto, Hinds, Harrison, Jackson, Lauderdale and Lee. MCSD conducts Level 1-3 inspections in these counties, and will conduct additional Level 3 inspections in FY 2022 to ensure drivers are in compliance with all regulations and have operating authority. MCSD

has been performing, on average, 4,501 roadside inspections per month during CY 2020. MCSAP is on track to complete 55,000 inspections for FY 2021.

**Performance Goal: MCSAP plans to conduct at least 55,000 inspections for FY 2021, 56,000 for FY 2022, and 57,000 for FY 2023.** During FY 2021-2023, Level 5 inspections will be restricted to requests from FMCSA during a motor carrier strike force or during a compliance review. MCSAP inspectors may conduct Level 5 inspections during May and June in order to meet the minimum CVSA requirements of eight per inspector per year.

**Performance Measure: To conduct at least 13,750 inspections per quarter, utilizing the 30 MHP troopers and 2 Compliance Review Officers ( Total 32) dedicated to the MCSAP program and the assistance of MDOT officers.** MDOT is classified as a non-funded agency.

**DUE to COVID 19 cases in Mississippi in CY 2020 and 2021, the number of inspections were reduced. Lower activity is expected to continue into CY 2021.**

### **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 2022, 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:** MS DEPARTMENT OF PUBLIC SAFETY MOTOR CARRIER SAFETY DIVISION

**Enter the total number of certified personnel in the Lead agency:** 165

Projected Goals for FY 2022 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	18699	3900	450	23049	41.16%
Level 2: Walk-Around	9820	1300	136	11256	20.10%
Level 3: Driver-Only	18480	2149	351	20980	37.46%
Level 4: Special Inspections	422	22	27	471	0.84%
Level 5: Vehicle-Only	163	45	36	244	0.44%
Level 6: Radioactive Materials	0	0	0	0	0.00%
<b>Sub-Total Lead Agency</b>	<b>47584</b>	<b>7416</b>	<b>1000</b>	<b>56000</b>	

**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 2022 - 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	%
<b>Sub-Total Funded Agencies</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

**Non-Funded Agencies**

Total number of agencies:	1
Enter the total number of non-funded certified officers:	0
Enter the total number of inspections projected for FY 2022:	0



**Summary**

## Projected Goals for FY 2022 - Roadside Inspections Summary

Projected Goals for FY 2022 Summary for All Agencies					
<b>MCSAP Lead Agency: MS DEPARTMENT OF PUBLIC SAFETY MOTOR CARRIER SAFETY DIVISION</b>					
# certified personnel: 165					
<b>Subrecipient Agencies:</b>					
# certified personnel: 0					
<b>Number of Non-Funded Agencies: 1</b>					
# certified personnel: 0					
# projected inspections: 0					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	18699	3900	450	23049	41.16%
Level 2: Walk-Around	9820	1300	136	11256	20.10%
Level 3: Driver-Only	18480	2149	351	20980	37.46%
Level 4: Special Inspections	422	22	27	471	0.84%
Level 5: Vehicle-Only	163	45	36	244	0.44%
Level 6: Radioactive Materials	0	0	0	0	0.00%
<b>Total MCSAP Lead Agency &amp; Subrecipients</b>	<b>47584</b>	<b>7416</b>	<b>1000</b>	<b>56000</b>	

**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:** The table below is created in Year 1. It cannot be edited in Years 2 or 3 and should be used only as a reference when updating your plan in Years 2 and 3.

Projected Goals for FY 2022 Roadside Inspections	Lead Agency	Subrecipients	Non-Funded	Total
Enter total number of projected inspections	14139	0	40861	55000
Enter total number of certified personnel	30	0	134	164
Projected Goals for FY 2023 Roadside Inspections				
Enter total number of projected inspections	14139	0	40861	55000
Enter total number of certified personnel	30	0	134	164

**Part 2 Section 4 - Investigations**

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

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

Describe the State's implementation of FMCSA's interventions model for interstate carriers. Also describe any remaining or transitioning compliance review program activities for intrastate motor carriers. Include the number of personnel assigned to this effort. Data provided in this section should reflect interstate and intrastate investigation activities for each year. The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.

☐ 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	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	4	0	0	0	0
CSA Off-Site	0	0	0	0	11
CSA On-Site Focused/Focused CR	89	82	124	69	46
CSA On-Site Comprehensive	21	25	17	10	21
<b>Total Investigations</b>	<b>114</b>	<b>107</b>	<b>141</b>	<b>79</b>	<b>78</b>
Total Security Contact Reviews	1	3	2	2	0
Total Terminal Investigations	1	1	3	1	6

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	1
CSA On-Site Focused/Focused CR	0	0	13	0	0
CSA On-Site Comprehensive	0	0	0	0	0
<b>Total Investigations</b>	<b>0</b>	<b>0</b>	<b>13</b>	<b>0</b>	<b>1</b>
Total Security Contact Reviews	0	0	0	0	0
Total Terminal Investigations	0	0	0	1	1

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

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

**Projected Goals for FY 2021 - 2023**

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

Projected Goals for FY 2021 - 2023 - Investigations						
Investigation Type	FY 2021		FY 2022		FY 2023	
	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
Compliance Investigations	0	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	1	0	1	0
Non-Rated Reviews (Excludes CSA & SCR)	3	0	5	0	5	0
CSA Off-Site	0	0	0	0	0	0
CSA On-Site Focused/Focused CR	90	0	91	0	96	0
CSA On-Site Comprehensive	27	0	28	0	28	0
<b>Total Investigations</b>	<b>120</b>	<b>0</b>	<b>125</b>	<b>0</b>	<b>130</b>	<b>0</b>
Total Security Contact Reviews	5	0	6	0	6	0
Total Terminal Investigations	1	0	1	0	1	0

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

The numbers provided in the charts reflect Fiscal Year Data.

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

In order to increase the number of compliance reviews being performed, MCSD has trained two (2) compliance review investigators one @ 100% and one @50% dedicated. One compliance review position is currently vacant. These two compliance review officers work with the other 30 MCSD troopers who comprise the enforcement/inspection unit (TOTAL 32).

MCSD has implemented FMCSA's interventions model for interstate carriers. The two compliance review investigators receive assignments from the FMCSA Mississippi Division Office. When assignments are given, full compliance reviews or interventions are scheduled within one week. The MCSD staff will monitor the training progress through contact with FMCSA staff assisting with compliance review training. Investigators will be trained on a on-going basis to ensure knowledge of the most up to date intervention practices, and will use the most recent version of eFOTM. MCSD shall monitor the number and quality of the compliance reviews being performed. A&I Online data will be used to monitor the progress of the compliance review efforts. Based upon the analysis of the completed reviews, adjustments will be made to this strategy as deemed necessary.

MCSD will follow the CSA intervention protocol for communicating with carriers early, investigate safety problems and follow up for compliance. The current data gathered for traffic enforcement stops and crash statistics will be used to determine if carriers require a warning letter. Follow up investigations, either offsite or onsite focused, will be conducted for carriers who continue to have safety problems after the warning letter, and corrective action plans will be developed when necessary. The number of warning letters issued to carriers will be tracked as will the number of

inspections performed through the SMS system. The MCSD staff will monitor the evaluation and intervention process through contact with FMCSA staff assisting with compliance review. MCSD shall make use of measurement results to identify carriers for Compliance, Safety, Accountability (CSA) interventions. Utilizing the measurement results, MCSD will evaluate why safety problems are occurring, recommend remedies, encourage corrective action(s), and where corrective action is inadequate, invoke strong penalties.

The On-Road Safety Performance (BASICS) will be used to determine the number of roadside inspections incurred and number of state-reported crashes. Work products will be reviewed for errors, and interventions will be conducted in a manner consistent with standard procedures. MCSD and its MCSAP partners will conduct at least one terminal inspection per year and one special emphasis roadside inspection per quarter for a total of four to reduce passenger carrier crashes. MCSD along with our MCSAP partners will conduct on site and road side inspections on passenger carriers and drivers.

***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.***

**PERFORMANCE MEASURE: MCSD will conduct 120 interstate compliance investigations in FY 2021, 125 in 2022, and 130 in 2023.**

MCSD shall make use of measurement results to identify carriers for Compliance, Safety, Accountability (CSA) interventions. Utilizing the measurement results, MCSD will evaluate why safety problems are occurring, recommend remedies, encourage corrective action(s), and where corrective action is inadequate, invoke strong penalties. The On-Road Safety Performance (BASICS) will be used to determine the number of roadside inspections incurred and number of state-reported crashes. Work products will be reviewed for errors, and interventions will be conducted in a manner consistent with standard procedures. MCSD and its MCSAP partners will conduct at least one terminal inspection per year and one special emphasis roadside inspection per quarter for a total of four to reduce passenger carrier crashes. MCSD along with our MCSAP partners will conduct on site and road side inspections on passenger carriers and drivers.

The MCSD staff will monitor the evaluation and intervention process through contact with FMCSA staff assisting with compliance review. MCSD shall make use of measurement results to identify carriers for Compliance, Safety, Accountability (CSA) interventions. Utilizing the measurement results, MCSD will evaluate why safety problems are occurring, recommend remedies, encourage corrective action(s), and where corrective action is inadequate, invoke strong penalties. The On-Road Safety Performance (BASICS) will be used to determine the number of roadside inspections incurred and number of state-reported crashes. Work products will be reviewed for errors, and interventions will be conducted in a manner consistent with standard procedures. MCSD and its MCSAP partners will conduct at least one terminal inspection per year and one special emphasis roadside inspection per quarter for a total of four to reduce passenger carrier crashes. MCSD along with our MCSAP partners will conduct on site and road side inspections on passenger carriers and drivers.

**DUE to COVID 19, compliance review officers may have difficulty in reaching project objectives in FY 2022.**

## Part 2 Section 5 - Traffic Enforcement

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

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

*Traffic enforcement means documented enforcement activities of State or local officials. This includes the stopping of vehicles operating on highways, streets, or roads for moving violations of State or local motor vehicle or traffic laws (e.g., speeding, following too closely, reckless driving, and improper lane changes). The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.*

### 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	1334	1430
10/01/2017	09/30/2018	1411	1495
10/01/2016	09/30/2017	1691	1814
10/01/2015	09/30/2016	1360	1465
10/01/2014	09/30/2015	1388	1479

☒ 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.

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented Non-CMV Traffic Enforcement Stops	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2019	12/31/2019	550	624
01/01/2018	12/31/2018	700	750
01/01/2017	12/31/2017	1200	1150
01/01/2016	12/31/2016	1466	1466
01/01/2015	12/31/2015	1395	1395

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

June 26,2020 A & I; Daily Activity Report MHSP annual reports

### **Narrative Overview for FY 2021 - 2023**

#### **Instructions:**

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

The MCSD traffic enforcement program focuses on inspections of CMVs that have been stopped due to traffic violations. The program also focuses on non-CMV vehicles that have committed traffic violations within close proximity of a CMV. Performance Objective: Increase the total number of inspections derived from traffic enforcement activities. During FY 2015 MCSD conducted 1388 inspections in conjunction with traffic enforcement activities. There were 1,359 traffic enforcement inspections in FY 2016, 1,691 for FY 2017, 1411 for FY 18, and 1334 for FY 19 . For FY 2021-2023, MCSD proposes to increase the total number of inspections derived from traffic enforcement by 9%, or 3% each year. (Data Source: A&I 6/26/2020) These projected numbers are in keeping with those reported by the MCSD troopers only and those included in FMCSA A & I. Reporting for all officers will be submitted as they become available at a later date.

Overall, 165 FTE MCSD law enforcement spend approximately 15% of their time on traffic enforcement without inspection, 25% traffic enforcement with inspection, 55% inspections during roadside inspections, details and scale houses, and 5% outreach in their respective counties. Two compliance review officers are 100% dedicated to compliance review.

MCSD will develop a schedule of monthly traffic enforcement details focusing on CMVs committing traffic violations. Additional details will be conducted in areas that receive complaints or public notification. These details will operate 2 to 3 days per month utilizing 3 to 4 troopers working nine hour shifts. Details will also be scheduled in high crash corridors which will be manned by 9 to 10 MCSD troopers working nine hour shifts. MCSD shall schedule quarterly traffic enforcement details that focus on non-CMV drivers committing traffic violations in close proximity of a CMV.

MCSD troopers will be scheduled to saturations details in high crash corridors identified through analysis of data available through A&I Online and State crash records focusing efforts on traffic



enforcement and inspections. MCSD will perform quarterly traffic enforcement details focusing on non-CMV driver behaviors in identified high crash corridors.

Based on the monthly inspection tracking numbers, MCSD will make needed adjustments to enforcement detail locations and/or the number of troopers participating in details. Based on the types of violations being issued, MCSD will be able to identify specific violations types to watch for and/or to focus efforts on. MCSD will analyze the data collected through enforcement details to determine the effectiveness of this strategy, adjustments to the strategy will be made as deemed necessary.

### **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 2014/2015 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	1400	1442	1485
<input checked="" type="radio"/>	<input type="radio"/>	CMV without Inspection	50	50	50
<input checked="" type="radio"/>	<input type="radio"/>	Non-CMV	600	618	636
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	1000	1030	3090

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 2014 and 2015.

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 2014/2015 activities.

FY 2022 Planned Safety Activities				
Inspections	Investigations	New Entrant Safety Audits	Sum of FY 2022 Activities	Average 2014/15 Activities
56000	125	780	56905	67336

The sum of your planned FY 2022 safety activities must equal or exceed the average number of 2014/2015 activities. To be reimbursed for non-CMV traffic enforcement activities, update the number of FY 2022 roadside inspections, investigations, and/or new entrant safety audits to reflect the allowable amount.

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

Performance Objective: MCSD proposes to increase the number of CMV traffic enforcement with inspection by 9% in FY 2021-2023, 3 % each year. From 1334 in FY 19 to 1370 in FY 2021, 1411 in FY 2022, and 1453 in FY 2023. Based on the monthly inspection tracking numbers, MCSD will make needed adjustments to enforcement detail locations and to the number of troopers participating in details. Based on the types of violations being issued, MCSD will be able to identify specific violations which need extra focus and enforcement. Data from enforcement details will be used to identify the effectiveness of the enforcement strategies.

DUE TO COVID 19 Outbreak, MCSD may have difficulty in meeting planned activities for FY 2021.



## Part 2 Section 6 - Safety Technology

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

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

*Performance and Registration Information Systems Management (PRISM) is a condition for MCSAP eligibility in [49 CFR 350.207\(27\)](#). States must maintain, at a minimum, full PRISM participation. 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 Financial Information Part 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 ITD Compliant	No
PRISM	Full Participation	No

Available data sources:

- [FMCSA ITD website](#)
- [PRISM Data and Activity Safety Hub \(DASH\) website](#)

Enter the agency name responsible for ITD in the State: MS Department of Public Safety

Enter the agency name responsible for PRISM in the State: Mississippi Tax Commission

### 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.*

Mississippi's PRISM compliance is at full participation Step 6.

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

The MS Department of Public Safety Motor Carrier Safety Division is not responsible for PRISM activities. All quarterly reports will be submitted by the MS State Tax Commission as required.

***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.***

All reporting activity is completed by the MS State Tax Commission.

## Part 2 Section 7 - Public Education and Outreach

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

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

A public education and outreach program is designed to provide information on a variety of traffic safety issues related to CMVs and non-CMV's that operate around large trucks and buses. The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.

### 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	1	1	3	3	4
CMV Safety Belt Education and Outreach	1	1	1	1	1
State Trucking Association Meetings	2	2	2	2	2
State-Sponsored Outreach Events	1	1	1	1	1
Local Educational Safety Events	1	1	1	1	1
Teen Safety Events	1	1	1	1	1

### 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.

**Performance Objective:** MCSD will maintain the safety awareness of the motoring public, motor carriers, and drivers through public education and outreach activities by conducting at least 10 carrier safety talks, safety demonstrations, state and local outreach events in FY 2021, 12 in FY 2022 and 12 events in FY 2023.

The Motor Carrier Safety Division shall perform at least one public awareness program each quarter. MCSD will research public awareness opportunities with the Governor's Highway Safety Program and the MS Department of Transportation, and schedule events for each fiscal year.

Twenty-six FTE MCSD troopers spend 5% of their time conducting public outreach activities, and four FTE MCSD troopers spend 20% of their time on outreach efforts throughout the state. These 30 troopers will conduct quarterly safety talks and public education programs for the shipping industry, the passenger transport industry, civic groups, and the general public.

**MCSD will reach out to civic groups, industry and the general public on CMV traffic safety issues including passenger transport safety. MCSD will also advise local law enforcement agencies of special emphasis and offer assistance on CMV matters. MCSD will coordinate with the Governor's Office of Highway Safety to participate in teen initiatives and local safety fairs upon request. MCSD will participate in the State Prosecutors Training upon request. The Mississippi Highway Patrol's Motor Carrier Unit (MCU), with the assistance of the Department of Public Safety's Public Affairs Division (PAD), has developed an extensive outreach program entitled Troopers and Truckers, utilizing coordinated strategies to deliver a strong enforcement message to the largest number of motorists possible.**

**The number of programs conducted in FY 2021, FY 2022, and FY 2023 will be measured against the goal of one public awareness/educational program per quarter. MCSD will review state data that reflects the number of contacts made and programs presented and review quarterly to ensure that goals are met. A&I Online reports will be used to measure the overall effectiveness of the outreach programs in reducing CMV related crashes.**

***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	4	5	5
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	1	1	1
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	2	2	2
<input checked="" type="radio"/>	<input type="radio"/>	State-Sponsored Outreach Events	1	1	1
<input checked="" type="radio"/>	<input type="radio"/>	Local Educational Safety Events	1	2	2
<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.***

**Performance Measure: MCSD staff will conduct at least 10 public education events in FY 21, 12 in FY 22, and 12 in FY 2023.**

The MCSD will report in Quarterly Performance Progress Reports the number of public education events, the duration, and number of attendees at each program. MCSD will also report a description of the event including the staff member conducting the event, the location of the event, and the type of event.

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

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

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

MCSAP lead agencies are allowed 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.).

Data Quality Program	Current Compliance Level	Include O & M Costs?
SSDQ Performance	Good	No

Available data sources:

- [FMCSA SSDQ website](#)
- [FMCSA DataQs website](#)

**Enter the agency name responsible for Data Quality:**

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

Mississippi Data Quality is shown as GOOD in A & I dated July 2020..

**Narrative Overview for FY 2021 - 2023**

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

MCSAP will continue its GOOD ratings for State Safety Data Quality during FY 2021, FY 2022, and FY 2023.

**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.***

Not applicable

***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.***

Data will be monitored for any changes or flags quarterly and will be included in the Quarterly PPR reporting.

## Part 2 Section 9 - New Entrant Safety Audits

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

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

States must conduct interstate New Entrant safety audits in order to participate in the MCSAP ([49 CFR 350.207](#).) 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. The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.

For the purpose of this section:

- **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.).

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 checked="" type="radio"/>	<input type="radio"/>	Does your State conduct Group safety audits at non principal place of business locations?
<input type="radio"/>	<input checked="" type="radio"/>	Does your State intend to conduct intrastate safety audits and claim the expenses for reimbursement, state match, and/or Maintenance of Effort on the MCSAP Grant?

### Trend Analysis for 2015 - 2019

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

New Entrant Safety Audits	2015	2016	2017	2018	2019
Interstate	393	576	417	345	391
Intrastate	0	0	0	0	0
<b>Total Audits</b>	<b>393</b>	<b>576</b>	<b>417</b>	<b>345</b>	<b>391</b>

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: MS Department of Public Safety

Please complete the information below by entering data from the NEWS Dashboard regarding Safety Audits in your State. Data Source: <a href="#">New Entrant website</a>	
Date information retrieved from NEWS Dashboard to complete eCVSP	07/21/2021
Total Number of New Entrant Carriers in NEWS (Unassigned and Assigned)	1182
Current Number of Past Dues	4

**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:** Meet the statutory time limit for processing and completing interstate safety audits of 120 days for Motor Carriers of Passengers and 12 months for all other Motor Carriers.

#### **Projected Goals for FY 2021 - 2023**

Summarize projected New Entrant safety audit activities in the table below.

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)	320	0	625	0	625	0
# of Safety Audits (Offsite)	80	0	155	0	155	0
# Group Audits	0	0	0	0	0	0
<b>TOTAL Safety Audits</b>	<b>400</b>	<b>0</b>	<b>780</b>	<b>0</b>	<b>780</b>	<b>0</b>
# of Non-Audit Resolutions	200	0	400	0	400	0

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

The MCSD New Entrant Audit section will assist in accomplishing the FMCSA goal of reducing the number of crashes and fatalities involving large trucks and commercial buses by conducting at least 400 New Entrant Safety Audits with the regulated time frames. New Entrant Audits totaled 612 in FY 2021, and should continue to increase in 2022 and 2023. Using the NEWS Dashboard table, Mississippi could see a 20% increase OR greater during FY 21-FY 2023 in the number of new commercial carriers entering the industry.

In FY 2019, the MCSD troopers were cross trained and certified to allow motor carrier units to conduct new entrant safety audits to reduce overdue audit numbers. MCSD troopers will conduct on-site audits twice a month in different areas of the state focusing on regions with the highest volume.

The New Entrant Program is running at full capacity to date. Currently there are three new entrant officers working full time. In order to meet the New Entrant Program requirements, four additional troopers were trained in New Entrant audits, and will work to address the increase in audit requests as shown in the NEWS Dashboard. New entrant staff will work closely on the remaining new carriers for non-audit resolutions.

**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.

New Entrant Program auditors will conduct 780 New Entrant Safety Audits in FY 2022 and 780 in 2023 in the required time based on the increased audit requests and entry dates of new carriers into the program. Safety Auditors will conduct approximately 625 at the carrier's place of business, and 155 audits will be completed at a central location conducive for the auditor. Group audits will be



conducted where necessary. Of the approximately 1180 new entrant carriers shown on the dashboard, 780 audits or 66% will be conducted by new entrant staff and MCSD troopers, and approximately 400 or 33% will be handled by non-audit resolution.

***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.***

**Performance Measure: To complete 400 New Entrant Safety audits in FY 2021, 780 in FY 2022, and 780 in FY 2023 within 3 to 12 months of new carrier entry into the program, ensuring that all participants are in full compliance with FMCSRs and Hazardous Materials regulations.**

The supervisor of the New Entrant section will review audit reports on a monthly basis for completeness and accuracy. Monthly meetings will be held to monitor progress in completing audits and monitoring the timeline to prevent overdue carriers in the inventory. Non-audit resolutions will be counted as well to ensure all new entrants are up to date.

### 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

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

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

#### Instructions:

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

#### Check this box if:

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

#### Narrative Overview for FY 2021 - 2023

Enter your State's OOS Catch Rate percentage if below 85 percent: 67%

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

Fiscal Year	Goal (%)
2021	70
2022	75
2023	85

The Goal for OOS catch rate is 70% in 2021, 75% in 2022, and 85% in FY 2023.

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

The MCSDD will continue to conduct Level 1 inspections statewide and monthly details at scale houses in each of the three regions (Northern, Central, and Southern) across the state to provide quality assurance oversight and to prevent OOS carriers from operating.

***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.***

1. During FY 21-23, the MCSD will conduct monthly details at scale houses throughout the state to catch OOS drivers.
2. During FY 21-23, the MCSD will focus on Level 1 and Level 3 inspections to ensure that OOS drivers do not operate.

### Part 3 Section 2 - Passenger Carrier Enforcement

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

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

#### Instructions:

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

#### Check this box if:

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

#### Narrative Overview for FY 2021 - 2023

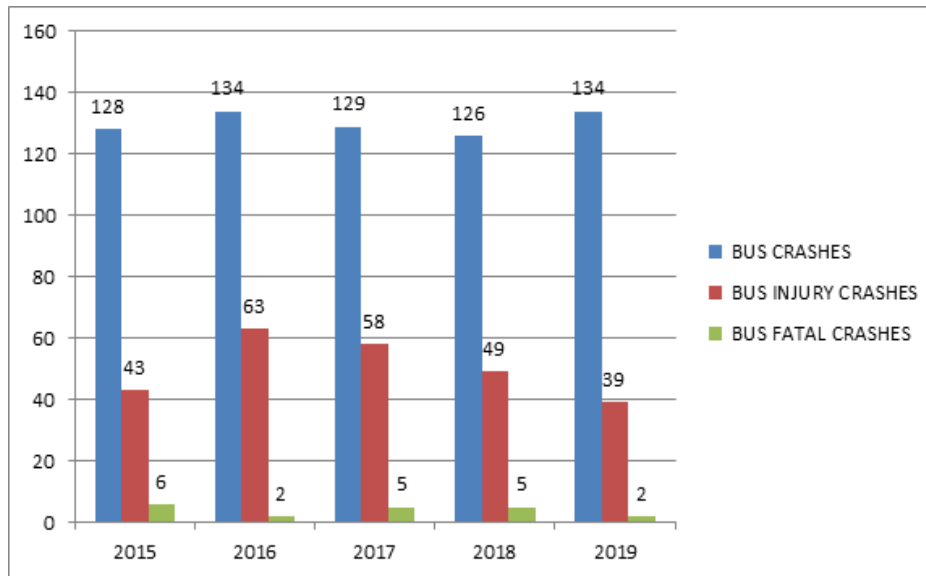
**Problem Statement Narrative:** Describe the problem as identified by performance data and include the baseline data.

#### Passenger Carrier Crashes

Passenger carrier crashes have been remaining steady each year in Mississippi, with a total of 639 crashes from 2015 to 2019. Strict enforcement with strike details and enhanced investigations and inspections with FMCSA at carrier locations must continue to reduce passenger carrier crashes in the state. There were 128 bus crashes in 2015, with one fatal crash with one fatality, and 57 injury crashes with 115 injuries. In 2016, there were 134 bus crashes resulting in 2 fatal crashes with 2 fatalities and 43 injury crashes with 104 injuries. In CY 2017, there were 129 bus crashes, with 5 fatal crashes with 9 fatalities reported, 63 injury crashes with 162 injuries. In CY 2018, there were 126 bus crashes, 5 fatal crashes with 7 fatalities, and 58 injury crashes with 145 injuries. In CY 2019, preliminary data show 134 bus crashes, with 2 fatal crashes and 7 fatalities, 39 injury crashes, and 197 injuries. ( Data Source: 6/05/2020 A & I online, MCMIS, and FARS).

In 2021-2023, the MCSD plans to concentrate on passenger carriers as part of the commercial vehicle safety plan. Mississippi has a large concentration of bus traffic in the northern and coastal regions of the state. Casinos in Harrison, Hancock, Neshoba, and Tunica Counties attract a large number of tour buses from all over the U.S. This higher volume and steady passenger carrier traffic has resulted in higher numbers of bus crashes.

MCSD plans to increase enhanced investigation and inspection efforts in the high traffic areas within the state for FY 2021-2023. At least one bus inspection strike-force detail per quarter or four per year will be performed throughout FY 2021 and will continue into FY 2022 and FY 2023. These activities will include Federal and MCSD efforts.

**CY 2015-2019 BUS CRASHES BY INJURY AND FATAL**

**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.

**Performance Goal:** In an effort to support the National and State emphasis on passenger carrier crash reduction, MCSD will reduce bus crashes in the state by 15% over the next three fiscal years, or 5% per year, decreasing crashes from 134 in 2019 to 127 in FY 2021, to 121 in FY 2022, and to 115 in FY 2023.

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

MCSD, along with FMCSA, will conduct at least one terminal inspection per year and at least four special emphasis roadside inspections to reduce passenger carrier crashes. Each detail will utilize three to four MCSD troopers working in eight hour shifts.

MCSD will continue to emphasize passenger carrier inspections in an effort to reduce bus crashes in the state. MCSD has a goal of a projected 1000 driver/vehicle inspections for passenger carrier vehicles over the next three years, with 320 in FY 2021, 330 in FY 2022, and 350 in FY 2023.

**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.

**Performance Measure:** The number of injury crashes involving passenger carrier vehicles will be reduced by 15% over FY 2021-2023, or by 5% per year. From 39 in 2019 to 37 in FY 2021; to 35 in FY 2022, and to 33 in FY 2023.

**Performance Measure:** The number of fatal bus crashes will be reduced to ZERO for FY 2021 - FY 2023.

**Performance Measure:** MCSD and its MCSAP partners will conduct at least one terminal inspection per year for FY 2021, FY 2022, and FY 2023.

**Performance Measure: MCSD and its MCSAP partners will conduct at least four special emphasis roadside inspections per year for FY 2021, FY 2022, and FY 2023.**

**Bus crashes and roadside inspections will be monitored quarterly to determine if additional strike force details need to be added to the schedules.**

### Part 3 Section 3 - State Specific Objectives – Past

No updates are required for this section.

#### Instructions:

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

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

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

#### Activity #1

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

(1) Improvement for the Safe and Secure Movement of CMV Cargo Tank Trucks By Enforcement of Traffic Laws and Safety Regulations on Cargo Tank CMVs. ( THIS OBJECTIVE WAS REVISED PER FMCSA AS SHOWN BELOW)  
Details were conducted focusing on heavy CMV trucks to reduce number of cargo tank crashes and rollovers.

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

Problem Statement: The primary mission of the MCSD is to reduce the number and severity of crashes, injuries, fatalities, and hazardous material spills involving commercial motor vehicles. To further this mission, MCAP will focus on the enforcement of traffic laws and safety regulations regarding CMVs in order to continue to reduce the number of crashes, especially rollover crashes in the state. The safe and secure transporting of cargo including gasoline, flammable gases, and crude oil are vital to protect the public and the environment. According to the MS Fatal Accident Reporting System (FARS), in CY 2015, there were 13 CMV related rollover fatalities out of a total of 73 CMV related fatalities. Rollover fatalities accounted for 18% of all CMV related fatalities. Of the 13 CMV related fatalities, nine fatalities or 12% involved the rollover of a CMV heavy truck. MCAP will conduct six details with emphasis on cargo tank trucks in high crash corridors during FY 2017. These extra details will increase the number of cargo tank inspections and hopefully reduce CMV crashes. Goals: • To decrease CMV heavy truck rollover fatalities statewide by 45% or 15% per year, from nine (9) during 2015 to eight (8) CMV rollover crashes in 2018, six (6) by 2019, and to five (5) by 2020. SEE BELOW for TO DATE PROGRESS.

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

Goals: • To decrease CMV heavy truck rollover fatalities statewide by 45% or 15% per year, from nine (9) during 2015 to eight (8) CMV rollover crashes in 2018, six (6) by 2019, and to five (5) by 2020. PROGRESS TO DATE: \*In CY 2018 there were 8 rollover fatalities, which was equal to the goal of 8. \*There were two rollover fatalities for CY 2019, a 75% decrease. \*To date in CY 2020, there have been 57 rollover crashes, 27 injuries, and 0 fatalities. Strike details were conducted on heavy CMV trucks aimed at reducing rollover fatalities, and to date, rollover fatalities were reduced from a high of 15 in CY 2017 to zero to date in CY 2020.

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

Objectives: • During FY 18-2020, MCAP troopers will conduct six cargo tank truck strike details in areas with high CMV traffic, working eight hour shifts with at least eight motor carrier units at each detail. MCSD conducted six heavy tank truck details as stated above during FY 18-20. There were no difficulties reaching the goals and objectives for CY18-20. (2)Program Activity Plan The Mississippi Highway Patrol Motor Carrier Division will conduct six extra details with focus on Cargo tank CMVs in the high crash corridors consisting of at least eight certified motor carrier units. The Mississippi Highway Safety Patrol, Motor Carrier Safety Division troopers are all certified in HM. These troopers will conduct CMV details in the high crash corridor areas and other areas cargo tank CMVs travel most frequently. These details will be 8 hour shifts with 10 to 30 Motor Carrier Units present. Each certified trooper will be required to conduct 3 level ones per detail. All details will be worked during peak times and days. Data will be monitored monthly and stats forward to State FMCSA. • Task 1. High and low visibility enforcement will be used with marked and unmarked enforcement vehicles in the areas of high CMV crash corridors. • Task 2. Cell phone usage, texting, seatbelt violations,

placarding, proper tanks for HM, and CMV vehicle/driver safety will be targeted. Unmarked patrol cars will be patrolling the areas in search for cell phone usage and lack of seatbelts. Spotters will be used on overpasses to detect cellphone use and no seatbelts as well. CMV inspections will be used for checking placards, proper HM tanks, and safety violations to maintain CMV safety regulations on the highway. • Task 3. Inspection data obtained on HM details, rollover data and inspections with violations will be maintained and recorded to determine the areas of the state with the most cargo tank violations. \* \*Six extra details were conducted. There were no difficulties in reaching the goals and objectives.

## Activity #2

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

Improvement for the Safe and Secure Movement of CMVs (FY 2018 State Specific Objective Revised)

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

To decrease CMV heavy truck fatalities statewide by 45% or by 15% per year, from nine (9) rollover crashes during CY 2015 to eight (8) CMV rollover crashes in 2018, six (6) in 2019, and five (5) by 2020. PLEASE See BELOW.

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

During FY 18-20, MCSO troopers conduct at least four strike details focusing on CMV heavy trucks in high CMV traffic areas, working eight hour shifts with at least eight MCSO units at each detail. All details will be worked during peak times and days. Data will be monitored quarterly and reported in the MCSAP Quarterly reports. PROGRESS TO DATE: \*\*For CY 2019, there were 182 rollover CMV crashes, with 75 injuries, and one fatality. \*\* For FY 2019 and 2020, there were four details that focused on heavy CMV trucks. \*\*For CY 2019, there were two rollover fatalities, which was an 75% decrease. Goals were met. \*\* To date for CY 2020, there have been 57 rollover crashes, 27 injuries, and 0 rollover fatalities. Heavy CMV truck details are continuing to maintain low numbers of rollover fatalities.

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

Rollover CMV crashes will be monitored each quarter using the Report Beam data and annually with completed FARS and Ecrash calendar year data. No difficulties were experienced in reaching the goals and objectives for the state objectives.



### Part 3 Section 4 - State Specific Objectives – Future

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

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

#### Instructions:

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

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

#### State Objective #1

##### **Enter the title of your State-Identified Objective.**

Improvement for the Safe and Secure Movement of CMVs

##### **Narrative Overview for FY 2021 - 2023**

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

The State-Identified Objective for 2021-2023 is decreasing CMV heavy truck rollover crashes. The primary mission of the MCSD is to reduce the number and severity of crashes, injuries, fatalities, and hazardous materials involving commercial motor vehicles. To further this mission, the MCSD will focus on the enforcement of traffic laws and safety regulations of CMVs aimed at reducing the number of rollover crashes. According to the MS Fatal Accident Reporting System (FARS), in CY 2019, there were 182 CMV related rollover crashes, with 75 injuries and one fatality, accounting for 13% of all CMV related crashes statewide.

##### **Projected Goals for FY 2021 - 2023:**

##### **Enter performance goal.**

Goals: • To decrease CMV heavy truck crashes statewide by 15% or by 5% per year, from 182 rollover crashes during CY 2019 to 173 CMV rollover crashes in 2021, 165 in FY 2022, and 157 in FY 2023.

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

Objectives: • During FY 21-23, MCSD troopers will conduct at least four strike details focusing on CMV heavy trucks in high CMV traffic areas, working eight hour shifts with at least eight MCSD units at each detail. All details will be worked during peak times and days. Data will be monitored quarterly and reported in the MCSAP Quarterly reports. To date for FY 2021, there have been 147 CMV rollover crashes according to MS Traffic Records data. .

##### **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.**

Performance Measurement Plan/Monitoring: Rollover CMV crashes will be monitored each quarter using the Report Beam data and annually with completed FARS and E Crash calendar year data. To reach the goal of 5% decrease per year in commercial motor vehicle

crashes, the evaluator will monitor and accumulate data given from the officers and crash data received from the state. Reports on CMV crash data will be reported quarterly. An evaluation will be conducted quarter by quarter to see if our efforts are successful or if there needs to be a different approach taken. The number of high corridor and passenger carrier details, number of personnel, and number of man-hours will be reported each quarter.

## State Objective #2

***Enter the title of your State-Identified Objective.***

NOT APPLICABLE

### ***Narrative Overview for FY 2021 - 2023***

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

***Projected Goals for FY 2021 - 2023:***

***Enter performance goal.***

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

***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.***

## 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 2022 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. The budget category tables use 85.01 percent in the federal share calculation.
- **State Share** means the portion of the total project costs paid by State funds. The budget category tables use 14.99 percent in the state share calculation. A State is only required to contribute 14.99 percent of the total project costs of all budget categories combined as State share. A State is NOT required to include a 14.99 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 85.01 percent Federal share and 14.99 percent State share automatically and populates

these values in each line. Federal share is the product of Total Project Costs x 85.01 percent. State share equals Total Project Costs minus Federal share. It is important to note, if Total Project Costs are updated based upon user edits to the input values, the share 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	\$5,956,875.00	\$313,520.00	\$6,270,395.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of MCSAP Award Amount):	\$940,559.00
MOE Baseline:	\$107,648.67

**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.**

Salary and Overtime project costs must be separated when reporting to FMCSA, regardless of the Lead MCSAP Agency or Subrecipient pay structure.

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):	\$940,559.00
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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
Trooper Inspectors	30	100.0000	\$57,103.80	\$1,713,114.00	\$1,627,458.30	\$85,655.70	\$0.00
Support MC/NE/CR Staff	17	100.0000	\$40,938.00	\$695,946.00	\$661,148.70	\$34,797.30	\$0.00
<b>Subtotal: Salary</b>				<b>\$2,409,060.00</b>	<b>\$2,288,607.00</b>	<b>\$120,453.00</b>	<b>\$0.00</b>

**Overtime Project Costs**

Overtime	1	100.0000	\$940,559.00	\$940,559.00	\$893,531.05	\$47,027.95	\$0.00
<b>Subtotal: Overtime</b>				<b>\$940,559.00</b>	<b>\$893,531.05</b>	<b>\$47,027.95</b>	<b>\$0.00</b>
<b>TOTAL: Personnel</b>				<b>\$3,349,619.00</b>	<b>\$3,182,138.05</b>	<b>\$167,480.95</b>	<b>\$0.00</b>

**Accounting Method: Cash**

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

The MCSD has a total of 30 FTE Troopers ( 30 Certified Inspectors) working full time (2 current vacancies to be filled in FY 2022) on MCSAP eligible enforcement/inspection activities. The salaries were calculated at 62,400 hrs. (2080 hrs. per year x 30 troopers) at average salary of \$57,103.80 x 30 for a total of \$1,713,114.

The MCSD has 17 civilian personnel working 100% in Motor Carrier, Compliance Review, Training, and New Entrant. The salaries were calculated @ 35,360 hours (2080 hrs per year x 17 staff) at an average salary of \$40,938.00 x 17 for a total of \$695,946.00.

The MCSD has 11 civilian staff working 100% on motor carrier activities including administration services, training, data entry, and information technology that support the Motor Carrier Unit. Two compliance review officers work on compliance review only.

The New Entrant staff includes three safety auditors ( five more to be trained) who perform audits and site visits, and one support staff who received and reviews the new entrant list monthly and schedules carriers for audits, The New Entrant staff dedicate 100% of their time on New Entrant duties.

Overtime is being requested for the MCSD troopers and MHSP troopers for CMV traffic enforcement in the amount of \$940,559 with \$893,531.05 federal; \$47027.95 state. Overtime will be used to conduct extra CMV inspection and traffic enforcement details in rural high crash CMV corridors across the state as described in the problem statement., including both MCSD and MHSP troopers.

**TOTAL Salary and overtime is \$3,349,619.00.**

### 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. If using an approved rate by the applicant's Federal cognizant agency for indirect costs, a copy of the indirect cost rate agreement must be provided in the "My Documents" section in eCVSP and 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 rate, rate approved by HHS Statewide Cost Allocation or cognizant agency, or an aggregated rate). Include a description of the specific benefits that are charged to a project and the benefit percentage or total benefit cost.

**Actual Fringe Rate:** a fringe rate approved by your cognizant agency or a fixed rate applied uniformly to each position.

**Aggregated Rate:** a fringe rate based on actual costs and not a fixed rate (e.g. fringe costs may vary by employee position/classification).

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 more information on this item see the [Fringe Benefits Job Aid below](#).

#### Fringe costs method: Actual Fringe Rate

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

**Fringe Benefit Rate:** 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.

**Base Amount:** The salary/wage costs within the proposed budget to which the fringe benefit rate will be applied.

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
Trooper Inspectors	68.0300	100.0000	\$1,713,114.00	\$1,165,431.45	\$1,107,159.88	\$58,271.57	\$0.00
MCSD/NE/CR Support staff	34.7000	100.0000	\$659,946.00	\$229,001.26	\$217,551.20	\$11,450.06	\$0.00
Overtime	56.7300	100.0000	\$940,559.00	\$533,579.12	\$506,900.16	\$26,678.96	\$0.00
<b>TOTAL: Fringe Benefits</b>				<b>\$1,928,011.83</b>	<b>\$1,831,611.24</b>	<b>\$96,400.59</b>	<b>\$0.00</b>

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

Annual Fringe benefits for troopers increased to 68.03% in FY 2019. The retirement percentage was increased to 49.08% in January 2018. In FY 2022, the fringe are calculated as follows: Health/Life insurance @ 11.3%, FICA @ 7.65%, Retirement @ 49.08%. The budgeted amount of fringe is for 30 troopers.

For the 17 support staff, the fringe rate is @ 34.7% and is calculated as follows: Health/Life 11.3%; FICA 7.65%, Retirement @ 15.75%. The total budgeted fringe for support staff is \$229,001.26.



In FY 2022, overtime fringe was calculated @ 49.08% retirement and 7.65 FICA for a total of 56.73% for a total of \$533,579.12.

(Fringe Total \$1,928,011.83 ,Federal: \$1,831,611.24; State: \$96,400.59)



**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
Registration	5	0	100.0000	\$9,000.00	\$8,550.00	\$450.00	\$0.00
Lodging	30	5	100.0000	\$16,500.00	\$15,675.00	\$825.00	\$0.00
Food Per Diem	30	5	100.0000	\$6,000.00	\$5,700.00	\$300.00	\$0.00
Training travel costs	30	25	100.0000	\$123,750.00	\$117,562.50	\$6,187.50	\$0.00
New Entrant Travel	5	60	100.0000	\$9,000.00	\$8,550.00	\$450.00	\$0.00
New Entrant Workshop	6	18	100.0000	\$2,970.00	\$2,821.50	\$148.50	\$0.00
Misc. Travel Costs	5	0	100.0000	\$300.00	\$285.00	\$15.00	\$0.00
<b>TOTAL: Travel</b>				<b>\$167,520.00</b>	<b>\$159,144.00</b>	<b>\$8,376.00</b>	<b>\$0.00</b>

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

MC personnel will attend inservice training and program in-state and out-of-state travel throughout the program year. Costs are calculated as follows:

Per diem/food for 30 personnel @\$40 per day for 5 days =\$6000.

Lodging for 30 personnel @\$110 per night for 5 nights=\$16,500.

Registration for 5 staff to attend three CVSA conferences and other events@ \$600.00 x 3 x 5 = \$9,000.

Miscellaneous costs include meal and baggage tips and taxis/car service @ \$60 x 5 staff for a total of \$300.00.

New Entrant Travel for five auditors is calculated @ \$70 per night for 60 nights (\$4200) and per diem for two days per month @\$40 per day (\$4800) Total \$9000.

Six New Entrant staff will attend the NE Safety Audit Workshop for 3 days @ \$165 per day (\$2970)

Travel for Training related costs for 30 MCSAP Inspectors in various levels of certification is calculated as follows:

Daily training course costs are calculated at \$165 per day, which includes \$99 for lodging, \$40 for meals, and \$26 for miscellaneous.

- Level 1 A & B course is 10 days for cost of \$49,500;
- General HAZMAT for 5 days @ \$24,750;
- Cargo Tank Inspection for 5 days @ 24,750.
- Other Bulk Packaging Training for 5 days @ 24,750.00
- Total of 30 troopers X \$165 per day x 25 days = \$123,750.00.

**TOTAL TRAVEL = \$167,520.00.**

**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
Docking stations	10	\$600.00	100	\$6,000.00	\$5,700.00	\$300.00	\$0.00
Desk top Computers	6	\$600.00	100	\$3,600.00	\$3,420.00	\$180.00	\$0.00
Police Package Vehicles	15	\$31,500.00	100	\$472,500.00	\$448,875.00	\$23,625.00	\$0.00
Laptop Computers	10	\$1,600.00	100	\$16,000.00	\$15,200.00	\$800.00	\$0.00
<b>TOTAL: Equipment</b>				<b>\$498,100.00</b>	<b>\$473,195.00</b>	<b>\$24,905.00</b>	<b>\$0.00</b>
<b>Equipment threshold is \$500</b>							

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

The MCSAP Unit has a fleet of 37 enforcement vehicles that are 100% dedicated to the MCSAP program. Each of the enforcement vehicles are equipped with computer laptops for the immediate uploading of safety inspections. Fifteen (15) of the enforcement vehicles have reached high mileage (75,000 miles or three years) and have outlasted the useful life of a MS Highway Patrol vehicle. MS DPS has determined that trooper vehicles should be replaced at this low mileage due to excessive high speed pursuit. State policy is 150,000 miles or 7 years. However, DPS has determined, per state policy, that circumstances for law enforcement vehicles allow the vehicles to be replaced sooner. For more information, the Fleet Management Manual is attached under ecvsp documents. These 15 vehicles will be replaced at a cost of approximately \$31,500 each for a total of \$472,500.

Due to the demands places on vehicle based computers and equipment, ten (10) laptops will be purchased to replace older versions. Laptops cost \$1600 for a total of \$16,000. Ten (10) docking stations are being requested for the laptops @600 each for a total of \$6000. Six (6) desk top computers for administration and IT personnel are requested to replace outdated equipment @\$600 each for a total of \$3600. The total budgeted amount for equipment is \$498,100.

The Equipment threshold amount for the MS Department of Public Safety is \$500.

**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
Uniforms & related supplies	30 each	\$550.00	100.0000	\$16,500.00	\$15,675.00	\$825.00	\$0.00
General Office Supplies	12 month	\$238.71	100.0000	\$2,864.52	\$2,721.29	\$143.23	\$0.00
Printer	5 each	\$357.50	100.0000	\$1,787.50	\$1,698.12	\$89.38	\$0.00
<b>TOTAL: Supplies</b>				<b>\$21,152.02</b>	<b>\$20,094.41</b>	<b>\$1,057.61</b>	<b>\$0.00</b>

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

Five mobile printers are requested to replace those that are outdated in MCSD patrol vehicles @\$357.50 each. Total \$1787.50

General Office Supplies (paper clips, paper, toner, etc) @ \$238.71 per month for a total of \$2,864.52 per year.

Uniforms and related supplies for 30 MCSAP personnel cost on average \$550.00 per person for a total of \$16,500.00

**Total Supplies budgeted are \$21,152.02.**

## 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
<b>TOTAL: Contractual and Subaward</b>				<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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

No contractual costs have been added.

## 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
MOE - Maintenance, Utilities	1	\$120,350.70	0.0000	\$0.00	\$0.00	\$0.00	\$115,417.08
Copiers/ Fax, etc	12 month	\$250.00	100.0000	\$3,000.00	\$2,850.00	\$150.00	\$0.00
Communications inc. cell phones, air cards	45 each	\$100.00	100.0000	\$4,500.00	\$4,275.00	\$225.00	\$0.00
Fuel Cost	12 month	\$23,987.59	100.0000	\$287,851.08	\$273,458.53	\$14,392.55	\$0.00
CVSA Decals	38000 each	\$0.28	100.0000	\$10,640.00	\$10,108.00	\$532.00	\$0.00
<b>TOTAL: Other Costs</b>				<b>\$305,991.08</b>	<b>\$290,691.53</b>	<b>\$15,299.55</b>	<b>\$115,417.08</b>

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

Communications include cell phones and computer air cards for 45 staff @\$100 each for a total of \$4500. ( Federal: \$3825.45; State \$674.55)

Copiers and Fax machine leases average \$250 a month x 12 months for a totla of \$3000 per year. (Federal: 2550; State: 450)

Due to continued rise in costs for fuel, additional funds were added to annual fuel costs for motor carrier unit. Fuel Costs average 23,987.59 per month for 12 months for all MCSAP staff = \$287,851.08. (Federal: 273,458.53; State: 14,392.55)

CVSA decals are \$.28 each x 38,000 = \$10,640 per year. (Federal; 9045; State: 1595)

### **Maintenance of Effort:**

Office Space: These costs will be covered in building square footage as follows: 37,975 x \$12.00 Per Department of Finance and Administration. The Headquarters building cost for the DPS is \$455,700 TOTAL. Office Space for Motor Carrier Division, located on the basement level of ths Headquarters building, has been measured to be 6958 Sq. Ft x 12 = \$83,496.00. In FY 2020, additional office space for Motor Carrier was allocated, with some Motor Carrier staff being relocated to the basement level.

### **Cell Phone Usage:**

Cell phone usage for FY 2020 MOE documentation for the MCSAP division was \$31,921.08.

**TOTAL MOE for FY2020 = \$115,417.08**

**TOTAL COSTS = \$305,991.08**



**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	\$5,956,875.00	\$313,520.00	\$6,270,395.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of MCSAP Award Amount):	\$940,559.00
MOE Baseline:	\$107,648.67

Estimated Expenditures				
Personnel				
	Federal Share	State Share	Total Project Costs (Federal + Share)	MOE
Trooper Inspectors	\$1,627,458.30	\$85,655.70	\$1,713,114.00	\$0.00
Support MC/NE/CR Staff	\$661,148.70	\$34,797.30	\$695,946.00	\$0.00
<b>Salary Subtotal</b>	<b>\$2,288,607.00</b>	<b>\$120,453.00</b>	<b>\$2,409,060.00</b>	<b>\$0.00</b>
Overtime	\$893,531.05	\$47,027.95	\$940,559.00	\$0.00
<b>Overtime subtotal</b>	<b>\$893,531.05</b>	<b>\$47,027.95</b>	<b>\$940,559.00</b>	<b>\$0.00</b>
<b>Personnel total</b>	<b>\$3,182,138.05</b>	<b>\$167,480.95</b>	<b>\$3,349,619.00</b>	<b>\$0.00</b>

Fringe Benefits				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Trooper Inspectors	\$1,107,159.88	\$58,271.57	\$1,165,431.45	\$0.00
MCSD/NE/CR Support staff	\$217,551.20	\$11,450.06	\$229,001.26	\$0.00
Overtime	\$506,900.16	\$26,678.96	\$533,579.12	\$0.00
<b>Fringe Benefits total</b>	<b>\$1,831,611.24</b>	<b>\$96,400.59</b>	<b>\$1,928,011.83</b>	<b>\$0.00</b>

Travel				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Registration	\$8,550.00	\$450.00	\$9,000.00	\$0.00
Lodging	\$15,675.00	\$825.00	\$16,500.00	\$0.00
Food Per Diem	\$5,700.00	\$300.00	\$6,000.00	\$0.00
Training travel costs	\$117,562.50	\$6,187.50	\$123,750.00	\$0.00
New Entrant Travel	\$8,550.00	\$450.00	\$9,000.00	\$0.00
New Entrant Workshop	\$2,821.50	\$148.50	\$2,970.00	\$0.00
Misc. Travel Costs	\$285.00	\$15.00	\$300.00	\$0.00
<b>Travel total</b>	<b>\$159,144.00</b>	<b>\$8,376.00</b>	<b>\$167,520.00</b>	<b>\$0.00</b>

Equipment				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Docking stations	\$5,700.00	\$300.00	\$6,000.00	\$0.00
Desk top Computers	\$3,420.00	\$180.00	\$3,600.00	\$0.00
Police Package Vehicles	\$448,875.00	\$23,625.00	\$472,500.00	\$0.00
Laptop Computers	\$15,200.00	\$800.00	\$16,000.00	\$0.00
<b>Equipment total</b>	<b>\$473,195.00</b>	<b>\$24,905.00</b>	<b>\$498,100.00</b>	<b>\$0.00</b>

Supplies				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Uniforms & related supplies	\$15,675.00	\$825.00	\$16,500.00	\$0.00
General Office Supplies	\$2,721.29	\$143.23	\$2,864.52	\$0.00
Printer	\$1,698.12	\$89.38	\$1,787.50	\$0.00
<b>Supplies total</b>	<b>\$20,094.41</b>	<b>\$1,057.61</b>	<b>\$21,152.02</b>	<b>\$0.00</b>

Contractual and Subaward				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
<b>Contractual and Subaward total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

Other Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
MOE - Maintenance, Utilities	\$0.00	\$0.00	\$0.00	\$115,417.08
Copiers/ Fax, etc	\$2,850.00	\$150.00	\$3,000.00	\$0.00
Communications inc. cell phones, air cards	\$4,275.00	\$225.00	\$4,500.00	\$0.00
Fuel Cost	\$273,458.53	\$14,392.55	\$287,851.08	\$0.00
CVSA Decals	\$10,108.00	\$532.00	\$10,640.00	\$0.00
<b>Other Costs total</b>	<b>\$290,691.53</b>	<b>\$15,299.55</b>	<b>\$305,991.08</b>	<b>\$115,417.08</b>

Total Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
<b>Subtotal for Direct Costs</b>	<b>\$5,956,874.23</b>	<b>\$313,519.70</b>	<b>\$6,270,393.93</b>	<b>\$115,417.08</b>
<b>Total Costs Budgeted</b>	<b>\$5,956,874.23</b>	<b>\$313,519.70</b>	<b>\$6,270,393.93</b>	<b>\$115,417.08</b>

## 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	\$5,956,875.00	\$313,520.00	\$6,270,395.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of MCSAP Award Amount):	\$940,559.00
MOE Baseline:	\$107,648.67

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Salary Subtotal	\$2,288,607.00	\$120,453.00	\$2,409,060.00	\$0.00
Overtime Subtotal	\$893,531.05	\$47,027.95	\$940,559.00	\$0.00
Personnel Total	\$3,182,138.05	\$167,480.95	\$3,349,619.00	\$0.00
Fringe Benefits Total	\$1,831,611.24	\$96,400.59	\$1,928,011.83	\$0.00
Travel Total	\$159,144.00	\$8,376.00	\$167,520.00	\$0.00
Equipment Total	\$473,195.00	\$24,905.00	\$498,100.00	\$0.00
Supplies Total	\$20,094.41	\$1,057.61	\$21,152.02	\$0.00
Contractual and Subaward Total	\$0.00	\$0.00	\$0.00	\$0.00
Other Costs Total	\$290,691.53	\$15,299.55	\$305,991.08	\$115,417.08
	85.01% Federal Share	14.99% State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Subtotal for Direct Costs	\$5,956,874.23	\$313,519.70	\$6,270,393.93	\$115,417.08
Indirect Costs	\$0.00	\$0.00	\$0.00	NA
<b>Total Costs Budgeted</b>	<b>\$5,956,874.23</b>	<b>\$313,519.70</b>	<b>\$6,270,393.93</b>	<b>\$115,417.08</b>

## 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? Captain Dennis Stevenson
2. What is this person's title? Director of Motor Carrier Safety Division
3. Who is your Governor's highway safety representative? Ray Sims
4. What is this person's title? Executive Director of Public Safety Planning

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

- ☐ Yes
- ☒ Yes, uploaded certification document
- ☐ No

#### State Certification declaration:

I, Captain Dennis Stevenson, Director of Motor Carrier Safety Division, on behalf of the State of MISSISSIPPI, 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](#).

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

**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? Captain Dennis Stevenson
2. What is the title of your certifying State official? Director of Motor Carrier Safety Division
3. What are the phone # and email address of your State official? dstevenson@dps.ms.gov 601-987-1454

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

- ☐ Yes
- ☒ Yes, uploaded certification document
- ☐ No

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

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

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

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

☒ Yes ☐ No

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

Legislative Adoption			
Bill Number	Effective Date	Code Section Changed	Summary of Changes
SB2825	07/01/2021	MS Code Section 77-1	AN ACT TO TRANSFER, ON JULY 1, 2021, LAW ENFORCEMENT 1PERSONNEL AND LAW ENFORCEMENT DUTIES OF THE MISSISSIPPI 2TRANSPORTATION COMMISSION AND MISSISSIPPI DEPARTMENT OF 3TRANSPORTATION RELATED TO THE MOTOR CARRIER REGULATORY LAW OF 1938 4TO THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION WITHIN THE 5DEPARTMENT OF PUBLIC SAFETY;

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

☐ Yes ☒ No

## **FY 2022 Annual Review of Laws, Regulations, Policies, and Compatibility Certification**

I, Captain Dennis Stevenson, on behalf of the State of Mississippi, 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 safety and that the State's safety laws, regulations, standard, and orders on CMV Safety are compatible with the Federal Motor Carrier Safety Regulations ( 49 C.F.R. parts 107 subparts F and G only, 171,173, 177, 178 and 180) Except as many be determined by the Administrator to be inapplicable to a state enforcement program.

For the Purpose of this certification, compatible means the 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, to 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 eh same effect as the FMCSRs, or;
  - (ii) Fall within the limited variance from the FMCSRs allowed under the 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.

**Signature of Certifying Official:** \_\_\_\_\_



**Title of Certifying Official:** Captain Dennis Stevenson, Director of the Motor Carrier Safety Division

**Date of Certification:** \_\_\_\_\_



## FY 2022 Certification of MCSAP Conformance Mississippi Certification

I, Captain Dennis Stevenson, on behalf of the State of Mississippi 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 of Mississippi has designated the Mississippi Department of Public Safety as the Lead State Agency to administer the Commercial Vehicle Safety Plan (CVSP) throughout the State for the grant sought and the Motor Carrier Safety Division to perform functions under the CVSP.
2. The State has assumed the responsibility for and adopted commercial motor carrier and highway hazardous material safety regulations, standard and orders that are compatible with the FMCRs and HMRs, and the standards and orders of the Federal Government.
3. The State will cooperate in the enforcement of financial responsibility requirement under the 49 C.F.R. part 387.
4. The State will enforce registration ( Operations authority) requirement under 49 U.S.C. 13902 and 31134 by prohibiting the operation of any vehicle discovered to be operation without the required registration or beyond the scope of the motor carrier's registration.
5. The laws of the State provide the State 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 law, regulation, standard 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' commercial motor carrier safety, driver, and hazardous materials laws, regulations, standards, and order 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 prescribe.
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 willfully participates 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

7/21/2021

Signature

OST

By: Senator(s) Branning, Whaley, Sojourner,  
Parks, Younger, Suber, McCaughn, Chassaniol,  
Chism, Fillingane, Tate, Caughman, McMahan,  
Moran, McLendon

To: Highways and  
Transportation

SENATE BILL NO. 2825  
(As Sent to Governor)

1 AN ACT TO TRANSFER, ON JULY 1, 2021, LAW ENFORCEMENT  
2 PERSONNEL AND LAW ENFORCEMENT DUTIES OF THE MISSISSIPPI  
3 TRANSPORTATION COMMISSION AND MISSISSIPPI DEPARTMENT OF  
4 TRANSPORTATION RELATED TO THE MOTOR CARRIER REGULATORY LAW OF 1938  
5 TO THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION WITHIN THE  
6 DEPARTMENT OF PUBLIC SAFETY; TO CREATE THE DPS MOTOR CARRIER  
7 ENFORCEMENT FUND AS A SPECIAL FUND IN THE STATE TREASURY TO DEFRAY  
8 EXPENSES FOR OFFICERS' SALARIES AND OTHER COSTS TO IMPLEMENT AND  
9 ENFORCE THIS ACT; TO AMEND SECTIONS 77-7-7, 77-7-11, 77-7-13,  
10 77-7-15, 77-7-16, 77-7-17, 77-7-21, 77-7-127, 77-7-311, 77-7-331,  
11 77-7-333, 77-7-335, 77-7-337, 77-7-339, 77-7-341 AND 45-3-21,  
12 MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 27-19-89,  
13 MISSISSIPPI CODE OF 1972, TO ADJUST THE PENALTIES FOR HARVEST  
14 PERMIT HOLDERS FOR WEIGHT LIMIT VIOLATIONS; TO CONFORM TO AN  
15 INCREASE IN THE WEIGHT TOLERANCE FOR HARVEST PERMITS, BEGINNING  
16 JULY 1, 2023, FROM 84,000 POUNDS TO 88,000 POUNDS; TO AMEND  
17 SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO EXEMPT, FROM JULY  
18 1, 2021, THROUGH JUNE 30, 2023, PROJECTS RECEIVING MONIES FROM THE  
19 EMERGENCY ROAD AND BRIDGE REPAIR FUND FROM LIMITATIONS ON CERTAIN  
20 EXPENDITURES FOR THE LAST YEAR OF THE TERM OF A COUNTY BOARD OF  
21 SUPERVISORS; TO AMEND SECTION 63-5-33, MISSISSIPPI CODE OF 1972,  
22 TO INCREASE, BEGINNING JULY 1, 2023, THE MAXIMUM GROSS VEHICLE  
23 WEIGHT TOLERANCE, FROM 84,000 POUNDS TO 88,000 POUNDS, WHICH IS  
24 FROM 5% TO 10% OF THE AUTHORIZED 80,000 POUNDS, FOR A VEHICLE  
25 OPERATING UNDER A HARVEST PERMIT; TO AMEND SECTION 65-1-46,  
26 MISSISSIPPI CODE OF 1972, TO TRANSFER THE APPEALS BOARD OF THE  
27 MISSISSIPPI TRANSPORTATION COMMISSION TO THE COMMERCIAL  
28 TRANSPORTATION ENFORCEMENT DIVISION OF THE DEPARTMENT OF PUBLIC  
29 SAFETY; TO ESTABLISH THE HARVEST PERMIT TRANSPORTATION STEWARDSHIP  
30 COUNCIL TO ADVISE THE LEGISLATURE ON POLICY AND TO MAKE BEST  
31 PRACTICES RECOMMENDATIONS TO HARVEST PERMIT HOLDERS AND RECEIVING  
32 FACILITIES FOR THE PURPOSE OF DETERRING OVERWEIGHT HAULING AND  
33 PROTECTING THE STATE'S INFRASTRUCTURE SYSTEM; TO PROVIDE THAT THE  
34 COUNCIL SHALL BE DISSOLVED ON JULY 1, 2023; TO TRANSFER



35 \$89,000,000.00 OF HIGHWAY INFRASTRUCTURE PROGRAM FUNDS RECEIVED BY  
36 THE STATE PURSUANT TO THE CORONAVIRUS RESPONSE AND RELIEF  
37 SUPPLEMENTAL APPROPRIATIONS ACT OF 2021 TO THE EMERGENCY ROAD AND  
38 BRIDGE REPAIR FUND; AND FOR RELATED PURPOSES.

39 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

40 **SECTION 1.** (1) From and after July 1, 2021, the department,  
41 through the division, shall have jurisdiction over all matters of  
42 enforcement of the provisions of this chapter on the roads,  
43 streets and highways of this state and shall prescribe such rules  
44 and regulations as are necessary therefor. The jurisdiction and  
45 authority of the department under this section shall be in  
46 addition to any other jurisdiction and authority provided to the  
47 department under any other law. The powers and duties related to  
48 the administration of this chapter which do not concern  
49 enforcement on the roads, streets and highways of this state shall  
50 remain with the commission.

51 (2) On July 1, 2021, the Mississippi Department of  
52 Transportation and/or the commission shall transfer to the  
53 department the employees, equipment, inventory, size and weights,  
54 computer systems, IFTA, grants, stationary and portable weigh  
55 stations, support staff, weigh-in-motion scales and vehicles,  
56 state and federal funding, and resources used to enforce the  
57 provisions of this chapter on the roads, streets and highways of  
58 this state. The department shall consult and work with the Bureau  
59 of Building, Grounds and Real Property of the Department of  
60 Finance and Administration for the effective transfer to the  
61 department of any office space that was assigned for the use of



the enforcement of the provisions of this chapter on the roads, streets and highways of this state, except the office space used by the Enforcement Division of the Department of Transportation located within the Billy McCoy Office Building in Jackson, Mississippi.

(3) Any reference in any statute, rule or regulation to law enforcement duties being performed by the commission or the Mississippi Department of Transportation requiring the use of vehicles to enforce shall be construed to mean law enforcement duties being performed by the division.

(4) The Mississippi State Personnel Board PIN numbers the Mississippi Department of Transportation has assigned to persons in law enforcement and support of enforcement of this chapter at the time of the transfer shall be transferred over to the department. The transfer of personnel shall be commensurate with the number and classification of positions allocated to that law enforcement. All salaries and benefits shall remain the same until further agreement. Rank and structure shall be revised through the division as is practical for proper supervision. All transferred personnel shall possess the same state service protections with the Mississippi State Personnel Board that they possessed before the transfer.

(5) All accrued personal leave earned pursuant to Section 25-3-93, accrued major medical leave earned pursuant to Section 25-3-95, accrued state compensatory leave balances earned pursuant



87 to Section 25-3-92, and compensatory leave earned pursuant to the  
88 Fair Labor Standards Act (FLSA) shall transfer from the  
89 Mississippi Department of Transportation to the Department of  
90 Public Safety for all employees transferred to the department  
91 under this act.

92 **SECTION 2.** There is hereby created a special fund in the  
93 State Treasury, to be known as the "DPS Motor Carrier Enforcement  
94 Fund." The fund shall consist of monies appropriated by act of  
95 the Legislature and monies transferred from the Mississippi  
96 Department of Transportation. Money in the fund shall only be  
97 utilized by the Department of Public Safety's Commercial  
98 Transportation Enforcement Division to defray expenses for  
99 officers' salaries and other costs to implement and enforce the  
100 provisions of this act. Unexpended amounts remaining in the fund  
101 at the end of a fiscal year shall not lapse into the State General  
102 Fund, and any interest earned or investment earnings on amounts in  
103 the fund shall be deposited to the credit of the fund.

104 **SECTION 3.** Section 77-7-7, Mississippi Code of 1972, is  
105 amended as follows:

106 77-7-7. Whenever used in this chapter unless expressly  
107 stated otherwise:

108 (a) The term "person" means individual, firm,  
109 copartnership, corporation, company, association or joint-stock  
110 association, and includes any trustee, receiver, assignee or  
111 personal representative thereof.



(b) The term "commission" means the Mississippi Transportation Commission.

(c) The term "highway" means every public highway or place of whatever nature open to the use of the public for purposes of vehicle travel in this state, including the streets and alleys in towns and cities.

(d) The term "motor vehicle" and "vehicle" means any vehicle, machine, tractor, trailer or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property; such term, however, does not include any vehicle, locomotive or car operated exclusively on a rail or rails.

(e) The term "common carrier by motor vehicle" means any person who or which undertakes, whether directly or by a lease or any other arrangement, to transport passengers or household goods.

(f) The term "contract carrier by motor vehicle" means any person, not included under \* \* \* paragraph (e) of this section, who or which, under special and individual contracts or agreements, and whether directly or by a lease or any other arrangement, transports passengers or household goods.

(g) The term "restricted motor carrier" means all carriers of property, except household goods, by motor vehicle for compensation.



136           (h) The "services" and "transportation" to which this  
137 chapter applies include all vehicles operated by, for or in the  
138 interest of any motor carrier irrespective of ownership or  
139 contract, express or implied, together with all facilities and  
140 property operated or controlled by any such carrier or carriers  
141 and used in the transportation of passengers or property or in the  
142 performance of any service in connection therewith.

143           (i) The term "certificate" means a certificate of  
144 public convenience and necessity issued by the commission to  
145 common carriers by motor vehicle and restricted common carriers by  
146 motor vehicle under this chapter.

147           (j) The term "permit" means a permit issued by the  
148 commission to contract carriers by motor vehicle under this  
149 chapter.

150           (k) The term "interstate permit" means a permit issued  
151 under the terms of this chapter to the holder of a certificate of  
152 public convenience and necessity, a permit, or other operating  
153 authority from the U.S. Department of Transportation.

154           (l) The term "owner" or "operator" and "owner and  
155 operator" means any individual, firm, copartnership, corporation,  
156 company, association or joint-stock association, and includes any  
157 trustee, receiver, assignee or personal representative thereof, to  
158 whom or to which a certificate of convenience and necessity or  
159 permit or interstate permit has been issued by the commission.





(m) The term "vanpooling" means a nonprofit arrangement entered into to provide for the transportation of persons to and from their places of employment utilizing a motor vehicle manufactured primarily for the transporting of not less than eight (8) nor more than fifteen (15) people, and where the costs of operating said vehicle, including reasonable vehicle depreciation costs, are paid for by those people utilizing such arrangement.

(n) The term "gross vehicle weight rating (GVWR)" means the value specified by the manufacturer as the loaded weight of a single motor vehicle.

(o) The term "gross combination weight rating (GCWR)" means the value specified by the manufacturer as the loaded weight of a combination (articulated) motor vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon.

(p) The term "department" means the Department of Public Safety.

(q) The term "division" means the Commercial Transportation Enforcement Division within the department.

**SECTION 4.** Section 77-7-11, Mississippi Code of 1972, is amended as follows:

77-7-11. No motor carrier shall operate any motor vehicle for the transportation of passengers or property for compensation on any highway in this state, except in accordance with the



provisions of this chapter, and every such motor carrier is hereby declared to be subject to control, supervision and regulation by the commission for permitting purposes and by the department, through the division, for enforcement purposes. Nothing in this chapter shall confer any proprietary or property rights in the use of the public highways.

**SECTION 5.** Section 77-7-13, Mississippi Code of 1972, is amended as follows:

77-7-13. (1) It shall be the duty of the commission and the commission shall have the power:

(a) To regulate common carriers by motor vehicle and contract carriers by motor vehicle not exempted in this chapter, doing business in this state, and to that end, the commission may establish reasonable requirements with respect to continuous and adequate service, transportation of baggage and express, uniform system of accounts, records and reports, preservation of records, and safety of operation and equipment, including maximum hours of service of employees.

\* \* \*

( \* \* \*b) To administer \* \* \* the provisions of this chapter concerning certificates of public convenience and necessity, permits, performance bond, insurance, statutorily prescribed fees, identification plates and trip permits, and carrier service, rates and charges, to make necessary orders in connection therewith, and to prescribe rules, regulations and



210 procedure for such administration; however, the enforcement of the  
211 provisions of this chapter on the roads, streets and highways of  
212 this state shall fall under the jurisdiction of the department,  
213 through the division.

214 ( \* \* \*c) To inquire into the organization of motor  
215 carriers, and into the management of their businesses, to keep  
216 itself informed as to the manner and method in which the same is  
217 conducted, and to transmit to the Legislature, from time to time,  
218 such recommendations as to additional legislation relating to such  
219 carriers as the commission may deem necessary.

220 (2) The commission may from time to time establish such just  
221 and reasonable classifications of groups of carriers included in  
222 the terms "common carrier by motor vehicle" and "contract carrier  
223 by motor vehicle," as the special nature of the services performed  
224 by such carriers shall require, and the commission may from time  
225 to time establish such just and reasonable rules, regulations and  
226 requirements, consistent with the provisions of this chapter, to  
227 be observed by the carriers so classified or grouped, as the  
228 commission deems necessary or desirable in the public interest.

229 (3) The commission may from time to time enter into joint  
230 and cooperative agreements with other governmental agencies in  
231 regard to safety, forms, operating procedures and regulatory  
232 jurisdiction.

233 (4) The rules, regulations, requirements and classifications  
234 adopted in pursuance to the power and duty of the commission by



235 this section granted and imposed shall conform as nearly as  
236 practicable to the rules, regulations, requirements and  
237 classifications promulgated by the Interstate Commerce Commission,  
238 the United States Department of Transportation, or any other  
239 appropriate governmental agency.

240 (5) The commission shall not have the duty nor the power to  
241 regulate the rates of common carriers by motor vehicle which  
242 undertake, whether directly or by a lease or any other  
243 arrangement, to transport household goods.

244 (6) The commission shall not have the duty nor the power to  
245 regulate the rates of contract carriers by motor vehicle, who or  
246 which, under special and individual contract or agreements, and  
247 whether directly or by a lease or any other arrangement, transport  
248 household goods.

249 **SECTION 6.** Section 77-7-15, Mississippi Code of 1972, is  
250 amended as follows:

251 77-7-15. The commission shall prescribe, issue, amend and  
252 rescind such reasonable rules and regulations as may be reasonably  
253 necessary or appropriate to carry out the provisions of this  
254 chapter concerning certificates of public convenience and  
255 necessity, permits, performance bond, insurance, statutorily  
256 prescribed fees, identification plates and trip permits, and  
257 carrier duties, service, rates and charges; however, the  
258 prescription, issuance, amendment and rescission of reasonable  
259 rules and regulations concerning the enforcement of the provisions



of this chapter on the roads, streets and highways of this state shall fall under the jurisdiction of the department, through the division, and shall not be subject to this section.

No rule or regulation shall be effective until thirty (30) days after copies of the proposed rule or regulation have been mailed to intrastate motor carriers affected thereby and until a notice, setting forth the terms or substance thereof and the time and place of a hearing thereon, has been published in a newspaper or newspapers of general circulation in the state and filed with the Secretary of State pursuant to the Mississippi Administrative Procedures Law. Such hearing may be held at any time after twenty (20) days following the date of publication of such notice, but such rules or regulations shall not become effective until a hearing thereon. The commission may make its initial set of rules and regulations effective at the end of such thirty-day period, subject to review thereof. All rules and regulations of the commission shall be filed with its secretary and shall be readily available for public inspection and examination during reasonable business hours. Any interested person shall have the right to petition the commission for issuance, amendment or repeal of a rule or regulation.

**SECTION 7.** Section 77-7-16, Mississippi Code of 1972, is amended as follows:

77-7-16. (1) Supervision and inspection of the safe operation and the safe use of equipment of motor vehicles



285 operating in the state shall be a specified duty of \* \* \* the  
286 Mississippi Department of Public Safety. \* \* \* The Mississippi  
287 Transportation Commission shall promulgate as its own the rules,  
288 regulations, requirements and classifications of the United States  
289 Department of Transportation or any successor federal agency  
290 thereof charged with the regulation of motor vehicle safety \* \* \*.  
291 The \* \* \* department shall enforce such rules, regulations,  
292 requirements and classifications. \* \* \* The Mississippi  
293 Transportation Commission shall establish a system of reciprocity  
294 with other states to facilitate the inspection of motor vehicles  
295 provided for in this subsection.

296 (2) The \* \* \* Mississippi Department of Public Safety shall  
297 have the authority to inspect for safe operation and safe use of  
298 equipment the following motor vehicles:

299 (a) Each holder of a certificate of convenience and  
300 necessity, a permit to operate as a contract carrier or interstate  
301 permit;

302 (b) Any individual, corporation or partnership engaged  
303 in a commercial enterprise operating a single motor vehicle or  
304 those in combination with a manufacturer's gross vehicle rating of  
305 more than ten thousand (10,000) pounds; and

306 (c) Any individual, corporation or partnership  
307 operating a motor vehicle of any gross weight transporting  
308 hazardous material that requires placarding under the Federal  
309 Hazardous Material Regulations.



(3) This section shall not apply to the following:

(a) Motor vehicles employed to transport school children and teachers;

(b) Motor vehicles owned and operated by the United States, District of Columbia or any state or any municipality or any other political subdivision of this state;

(c) Motor vehicles engaged in the occasional transportation of personal property without compensation by individuals which is not in the furtherance of a commercial enterprise;

(d) Motor vehicles engaged in the transportation of human corpses or sick or injured persons;

(e) Motor vehicles engaged in emergency or related operations;

(f) Motor vehicles engaged in the private transportation of passengers;

(g) Motor vehicles, including pickup trucks, that have a GVWR or GCWR of twenty-six thousand (26,000) pounds or less, operating intrastate only, provided that such vehicle does not:

(i) Transport hazardous material requiring a placard; or

(ii) Transport sixteen (16) or more passengers, including the driver.

(h) Motor vehicles owned and operated by any farmer who:



335                   (i) Is using the vehicle to transport agricultural  
336 products from a farm owned by the farmer, or to transport farm  
337 machinery or farm supplies to or from a farm owned by the farmer;

338                   (ii) Is not using the vehicle to transport  
339 hazardous materials of a type or quantity that requires the  
340 vehicle to be placarded in accordance with the Federal Hazardous  
341 Material Regulations in CFR 49 part 177.823; and

342                   (iii) Is using the vehicle within one hundred  
343 fifty (150) air miles of the farmer's farm, and the vehicle is a  
344 private motor carrier of property.

345                   (i) Motor vehicles engaged in the transportation of  
346 logs and pulpwood between the point of harvest and the first point  
347 of processing the harvested product;

348                   (j) Motor vehicles engaged exclusively in hauling  
349 gravel, soil or other unmanufactured road building materials;

350                   (k) As to hours of service only, utility service  
351 vehicles owned or operated by public utilities subject to  
352 regulation by the commission, while in intrastate commerce within  
353 this state, with a manufacturer's gross vehicle rating of less  
354 than twenty-six thousand one (26,001) pounds, unless the vehicle:

355                   (i) Transports hazardous materials requiring a  
356 placard; or

357                   (ii) Is designed or used to transport sixteen (16)  
358 or more people, including the driver.





(4) Anyone who violates or fails to comply with this section shall be subject to the penalties as provided for in Section 77-7-311, Mississippi Code of 1972.

**SECTION 8.** Section 77-7-17, Mississippi Code of 1972, is amended as follows:

77-7-17. No member of the commission or the department, and no employee of the commission or the department appointed or employed in the administration of this chapter, shall in any manner have pecuniary interest in, own any securities of, or hold any position with any motor carrier.

**SECTION 9.** Section 77-7-21, Mississippi Code of 1972, is amended as follows:

77-7-21. No restricted motor carrier not exempted in this chapter shall engage in intrastate operation on any highway within the state unless such carrier is in compliance with the requirements of the laws and regulations of the commission and the department.

**SECTION 10.** Section 77-7-127, Mississippi Code of 1972, is amended as follows:

77-7-127. All funds collected by the commission under the provisions of this chapter shall be deposited in the State Treasury to the credit of the commission's regulation fund for use by the commission for the administration \* \* \* of the laws of this state relative to the inspection, control and supervision of the



business, \* \* \* service or accounts of motor carriers subject to this chapter.

From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

**SECTION 11.** Section 77-7-311, Mississippi Code of 1972, is amended as follows:

77-7-311. (1) Any person violating any provisions of this chapter, or any rule, regulation, requirement or order thereunder, or any term or condition of any certificate or permit, for which a penalty is not otherwise provided in this chapter, shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined not less than Twenty-five Dollars (\$25.00) and not more than Five Hundred Dollars (\$500.00) for the first offense and not less than Five Hundred Dollars (\$500.00) and not more than One Thousand Dollars (\$1,000.00) for each subsequent offense. Each day of violation shall constitute a separate offense.

(2) Any person, whether carrier, shipper, consignee, or any officer, employee, agent or representative thereof, who shall knowingly offer, grant or give, or solicit, accept or receive any rebate, concession or discrimination in violation of any provision



of this chapter, or who by means of any false statement or representation, or by the use of any false or fictitious bill, bill of lading, receipt, voucher, roll, account, claim, certificate, affidavit, deposition, lease or bill of sale, or by any other means or device, shall knowingly and willfully assist, suffer or permit any person or persons, natural or artificial, to obtain transportation of passengers or property subject to this chapter for less than the applicable rate, fare or charge, or who shall knowingly and willfully, by any such means or otherwise, fraudulently seek to evade or defeat regulation as in this chapter provided for motor carriers, shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) for the first offense and not less than Five Hundred Dollars (\$500.00) and not more than One Thousand Dollars (\$1,000.00) for any subsequent offense.

(3) Any owner, operator or driver of any vehicle, who is required by any law or by any rule or regulation of the commission or the department to stop at any inspection station or submit to an inspection, who willfully fails or refuses to do so, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than One Hundred Dollars (\$100.00), or more than One Thousand Dollars (\$1000.00), or by confinement in the county jail for not more than thirty (30) days, or by both fine and jail sentence.



(4) Any individual, corporation or partnership operating a motor vehicle transporting hazardous material that is found to be in violation of any rule, regulation or requirement as provided by Section 77-7-16 shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than Two Hundred Dollars (\$200.00) or more than Five Hundred Dollars (\$500.00) for the first offense, and not less than Five Hundred Dollars (\$500.00) and not more than One Thousand Dollars (\$1,000.00) for each subsequent offense. Each day of violation shall constitute a separate offense.

(5) Any person operating or attempting to operate a motor vehicle which has been placed out of service by a motor carrier inspector shall be fined One Thousand Dollars (\$1,000.00).

**SECTION 12.** Section 77-7-331, Mississippi Code of 1972, is amended as follows:

77-7-331. The chief enforcement officer and the inspectors, employed pursuant to the authority granted in Section 77-1-21, shall be responsible for enforcing and investigating all alleged violations of this chapter, and the rules, regulations and general orders of the commission promulgated thereunder; however, beginning July 1, 2021, the enforcement and investigation of alleged violations of this chapter, and the rules, regulations and general orders promulgated thereunder, shall fall under the jurisdiction of the department, through the division. In the performance of their duties such employees shall give particular



attention to the enforcement of the commission's or the  
department's safety rules and regulations; the provisions of this  
chapter applicable to rates, charges and practices of motor  
carriers; the provisions prohibiting unlawful preference,  
concession, rebate, or discrimination; the adequacy of service,  
equipment and facilities of motor carriers; and the requirements  
respecting certificate of public convenience and necessity or  
permits as set forth in this chapter.

**SECTION 13.** Section 77-7-333, Mississippi Code of 1972, is  
amended as follows:

77-7-333. After selection, the \* \* \* enforcement officers  
and the inspectors of the division shall go through thirty (30)  
days of intensive instruction of the laws of this state pertaining  
to the Mississippi Department of Transportation and the Department  
of Public Safety, together with the rules and regulations of \* \* \*  
both of these \* \* \* agencies, and the laws of this state  
pertaining to arrest. The expenses of attending such school shall  
be paid out of the \* \* \* monies appropriated by the Legislature to  
the department.

From and after July 1, 2016, the expenses of this agency  
shall be defrayed by appropriation from the State General Fund and  
all user charges and fees authorized under this section shall be  
deposited into the State General Fund as authorized by law.



From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

**SECTION 14.** Section 77-7-335, Mississippi Code of 1972, is amended as follows:

77-7-335. (1) All division inspectors on duty shall wear uniforms, shall have the right to bear arms, and shall have the authority to make arrests and hold and impound any vehicle and the contents thereof which is being operated in violation of this chapter or the commission's or the department's rules, regulations or general orders promulgated thereunder.

(2) All inspectors shall have the authority to enforce all of the laws, rules and regulations of the commission and the department under this chapter upon all highways in the state and the rights-of-way of such highways and other properties as defined in Section 77-7-261; except that if any person commits an offense in violation of this chapter or the rules and regulations of \* \* \* the commission or the department upon a highway in the state and be pursued by \* \* \* an enforcement officer or inspector of the \* \* \* division, such \* \* \* enforcement officer or inspector may pursue and apprehend such offender upon any of the highways in this state, or to any other place to which such offender may flee.

(3) All inspectors shall have the authority to aid and assist any law enforcement officer whose life or safety is in jeopardy and may arrest without warrant any fugitive from justice



who has escaped or who is using the highways in the state in an attempt to flee. \* \* \* Inspectors of the \* \* \* division may assist other law enforcement agencies in searching for convicted felons who have escaped or for alleged felons where there is probable cause to believe that the person being sought committed the felony and a felony had actually been committed.

(4) Upon request of \* \* \* a sheriff of any county or the chief of police of any community \* \* \*, all division inspectors have the authority to assist in traffic control during time of natural disasters, such as hurricanes, tornados or floods.

\* \* \*

**SECTION 15.** Section 77-7-337, Mississippi Code of 1972, is amended as follows:

77-7-337. The \* \* \* division is hereby authorized and empowered to purchase all necessary equipment to enforce the provisions of this chapter \* \* \*.

From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

**SECTION 16.** Section 77-7-339, Mississippi Code of 1972, is amended as follows:



531           77-7-339. The \* \* \* reasonable and necessary expenses  
532 of \* \* \* the administration of the duties imposed on the  
533 commission by this chapter, shall be paid out of the special fund  
534 in the State Treasury designated as the commission's regulation  
535 fund, upon requisition and warrants in the same manner provided by  
536 law for the disbursements of appropriations for the commission.  
537 An itemized account shall be kept of all receipts and expenditures  
538 and shall be reported to the Legislature by the commission.

539           From and after July 1, 2016, the expenses of this agency  
540 shall be defrayed by appropriation from the State General Fund and  
541 all user charges and fees authorized under this section shall be  
542 deposited into the State General Fund as authorized by law.

543           From and after July 1, 2016, no state agency shall charge  
544 another state agency a fee, assessment, rent or other charge for  
545 services or resources received by authority of this section.

546           **SECTION 17.** Section 77-7-341, Mississippi Code of 1972, is  
547 amended as follows:

548           77-7-341. For the purpose of administering \* \* \* the  
549 provisions of this chapter, the commission \* \* \* is directed to  
550 cooperate with and use the services of the \* \* \* enforcement  
551 officers and inspectors of the \* \* \* department, and the  
552 commission shall utilize the facilities and equipment of the  
553 inspection stations maintained by the \* \* \* division. However, in  
554 utilizing these personnel and facilities, the commission shall not





interfere with or impede the performance by the personnel of the duties and responsibilities otherwise assigned to them.

**SECTION 18.** Section 45-3-21, Mississippi Code of 1972, is amended as follows:

45-3-21. (1) The powers and duties of the Highway Safety Patrol shall be, in addition to all others prescribed by law, as follows:

(a) To enforce all of the traffic laws, rules and regulations of the State of Mississippi upon all highways of the state highway system and the rights-of-way of such highways; provided, however, that if any person commits an offense upon the state highway system and be pursued by a member of the Highway Safety Patrol, such patrol officer may pursue and apprehend such offender upon any of the highways or public roads of this state, or to any other place to which such offender may flee.

(b) To enforce all rules and regulations of the commissioner promulgated pursuant to legal authority.

(c) When so directed by the Governor, to enforce any of the laws of this state upon any of the highways or public roads thereof.

(d) Upon the request of the \* \* \* Department of Revenue, and with the approval of the Governor, to enforce all of the provisions of law with reference to the registration, license and taxation of vehicles using the highways of this state, and relative to the sizes, weights and load limits of such vehicles,



and to enforce the provisions of all other laws administered by the \* \* \* Department of Revenue upon any of the highways or public roads of this state; and for such purpose the Highway Safety Patrol shall have the authority to collect and receive all taxes which may be due under any of such laws, and to report and remit same to the \* \* \* Department of Revenue in the manner required by law, or the rules and regulations of the \* \* \* Department of Revenue.

(e) \* \* \* Upon request of the Commercial Transportation Enforcement Division within the Department of Public Safety, and when so instructed by the commissioner, to enforce \* \* \* the Mississippi Motor Carrier Regulatory Law of 1938 and rules and regulations promulgated thereunder.

(f) To arrest without warrant any person or persons committing or attempting to commit any misdemeanor, felony or breach of the peace within their presence or view, and to pursue and so arrest any person committing such an offense to and at any place in the State of Mississippi where he may go or be. Nothing herein shall be construed as granting the Mississippi Highway Safety Patrol general police powers.

(g) To aid and assist any law enforcement officer whose life or safety is in jeopardy. Additionally, officers of the Highway Safety Patrol may arrest without warrant any fugitive from justice who has escaped or who is using the highways of the state in an attempt to flee. With the approval of the commissioner or



605 his designee, officers of the Highway Safety Patrol may assist  
606 other law enforcement agencies in manhunts for convicted felons  
607 who have escaped and/or for alleged felons where there is probable  
608 cause to believe that the person being sought committed the felony  
609 and a felony had actually been committed.

610 (h) To cooperate with the State Forest Service by  
611 reporting all forest fires.

612 (i) Upon request of the sheriff or his designee, or  
613 board of supervisors of any county or the chief of police or mayor  
614 of any municipality, and when so instructed by the commissioner or  
615 his designee, to respond to calls for assistance in a law  
616 enforcement incident; such request and action shall be noted and  
617 clearly reflected on the radio logs of both the Mississippi  
618 Highway Safety Patrol district substation and that of the  
619 requesting agency, entered on the local NCIC terminal, if  
620 available, and a request in writing shall follow within  
621 forty-eight (48) hours. Additionally, the time of commencement  
622 and termination of the specific law enforcement incident shall be  
623 clearly noted on the radio logs of both law enforcement agencies.

624 (2) The Legislature declares that the primary law  
625 enforcement officer in any county in the State of Mississippi is  
626 the duly qualified and elected sheriff thereof, but for the  
627 purposes of this subsection there is hereby vested in the  
628 Department of Public Safety, in addition to the powers hereinabove  
629 mentioned and the other provisions of this section under the terms



630 and limitations hereinafter mentioned and for the purpose of  
631 insuring domestic tranquility and for the purpose of preventing or  
632 suppressing, or both, crimes of violence, acts and conduct  
633 calculated to, or which may, provoke or lead to violence and/or  
634 incite riots, mobs, mob violence, a breach of the peace, and acts  
635 of intimidation or terror, the powers and duties to include the  
636 enforcement of all the laws of the State of Mississippi relating  
637 to such purposes, to investigate any violation of the laws of the  
638 State of Mississippi and to aid in the arrest and prosecution of  
639 persons charged with violating the laws of the State of  
640 Mississippi which relate to such purposes. Investigators of the  
641 Bureau of Investigation of the Department of Public Safety shall  
642 have general police powers to enforce all the laws of the State of  
643 Mississippi. All officers of the Department of Public Safety  
644 charged with the enforcement of the laws administered by that  
645 agency, for the purposes herein set forth, shall have full power  
646 to investigate, prevent, apprehend and arrest law violators  
647 anywhere in the state, and shall be vested with the power of  
648 general police officers in the performance of their duties. The  
649 officers of the Department of Public Safety are authorized and  
650 empowered to carry and use firearms and other weapons deemed  
651 necessary in the discharge of their duties as such and are also  
652 empowered to serve warrants and subpoenas issued under the  
653 authority of the State of Mississippi. The Governor shall be  
654 authorized to offer and pay suitable rewards to persons aiding in



the investigation, apprehension and conviction of persons charged with acts of violence, or threats of violence or intimidation or acts of terrorism. The additional powers herein granted to or vested in the Department of Public Safety or any of its officers or employees by this section, excepting investigating powers, and those powers of investigators who shall have general police power, being the investigators in the Bureau of Investigation of the Department of Public Safety, shall not be exercised by the Department of Public Safety, or any of its officers or employees, except upon authority and direction of the Governor or Acting Governor, by proclamation duly signed, in the following instances, to wit:

(a) When requested by the sheriff or board of supervisors of any county or the mayor of any municipality on the grounds that mob violence, crimes of violence, acts and conduct of terrorism, riots or acts of intimidation, or either, calculated to or which may provoke violence or incite riots, mobs, mob violence, violence, or lead to any breach of the peace, or either, and acts of intimidation or terror are anticipated, and when such acts or conduct in the opinion of the Governor or Acting Governor would provoke violence or any of the foregoing acts or conduct set out in this subsection, and the sheriff or mayor, as the case may be, lacks adequate police force to prevent or suppress the same.

(b) Acting upon evidence submitted to him by the Department of Public Safety, or other investigating agency



680 authorized by the Governor or Acting Governor to make such  
681 investigations, because of the failure or refusal of the sheriff  
682 of any county or mayor of any municipality to take action or  
683 employ such means at his disposal, to prevent or suppress the  
684 acts, conduct or offenses provided for in subsection (1) of this  
685 section, the Governor or Acting Governor deems it necessary to  
686 invoke the powers and authority vested in the Department of Public  
687 Safety.

688           (c) The Governor or Acting Governor is hereby  
689 authorized and empowered to issue his proclamation invoking the  
690 powers and authority vested by this paragraph, as provided in  
691 paragraphs (a) and (b) of this subsection, and when the Governor  
692 or Acting Governor issues said proclamation in accordance  
693 herewith, said proclamation shall become effective upon the  
694 signing thereof and shall continue in full force and effect for a  
695 period of ninety (90) days, or for a shorter period if otherwise  
696 ordered by the Governor or Acting Governor. At the signing of the  
697 proclamation by the Governor or Acting Governor, the Department of  
698 Public Safety and its officers and employees shall thereupon be  
699 authorized to exercise the additional power and authority vested  
700 in them by this paragraph. The Governor and Acting Governor may  
701 issue additional proclamations for periods of ninety (90) days  
702 each under the authority of paragraphs (a) and (b) of this  
703 subsection (2).



(3) All proclamations issued by the Governor or Acting Governor shall be filed in the Office of the Secretary of State on the next succeeding business day.

(4) It is not the intention of this section to vest the wide powers and authority herein provided for, as general powers of the Department of Public Safety, and the same are not hereby so vested, but to limit these general powers to cases and incidents wherein it is deemed necessary to prevent or suppress the offenses and conditions herein mentioned in this and other subsections of this section, and under the terms and conditions hereinabove enumerated, it being the sense of the Legislature that the prime duties of the Department of Public Safety are to patrol the highways of this state and enforce the highway safety laws.

(5) Patrol officers shall have no interest in any costs in the prosecution of any case through any court; nor shall any patrol officer receive any fee as a witness in any court held in this state, whether a state or federal court.

(6) Provided, however, that the general police power vested by virtue of the terms of subsection (2) of this section is solely for the purposes set out in said subsection.

**SECTION 19.** Section 27-19-89, Mississippi Code of 1972, is amended as follows:

**[Through June 30, 2023, this section shall read as follows:]**

27-19-89. (a) If any nonresident owner or operator or other nonresident person eligible for a temporary permit as provided in



729 Section 27-19-79, who has not elected to register and pay the  
730 annual privilege taxes prescribed, shall enter or go upon the  
731 public highways of the state and shall fail or refuse to obtain  
732 the permit required by Section 27-19-79, such person shall be  
733 liable, for the first such offense, for the full amount of the  
734 permit fee required, plus a penalty thereon of five hundred  
735 percent (500%). For the second and all subsequent offenses, such  
736 person who fails or refuses to obtain such permits shall be liable  
737 for the pro rata part of the annual tax for the balance of the tag  
738 year for the maximum legal gross weight of the vehicle plus a  
739 penalty thereon of twenty-five percent (25%). Any weight in  
740 excess of the maximum legal gross weight of the vehicle, or in  
741 excess of the maximum highway weight limit, shall be penalized  
742 according to subsection (c) of this section. In either case the  
743 excess weight shall be removed by the operator before the vehicle  
744 can be allowed to proceed. In order to constitute a "second or  
745 subsequent offense" under the provisions hereof, it shall not be  
746 necessary that the same or identical vehicle be involved, it being  
747 the declared purpose hereof to provide that such penalties shall  
748 run against the owner or operator rather than against the  
749 specified vehicle. It is further provided that, in order for such  
750 owner or operator to become liable for the penalties herein  
751 provided, it shall not be necessary to show that such owner or  
752 operator was guilty of willfulness, gross negligence or





wantonness, but the offense shall be complete upon the failure or refusal to obtain the required permit.

(b) If any person who has registered his vehicle in Mississippi shall operate such vehicle upon the public highways, having a gross weight greater than the licensed gross weight of such vehicle, and shall fail or refuse to obtain a permit therefor as required by Section 27-19-79, or if any person shall operate any such registered vehicle upon the public highways in a higher classification than that for which it is registered, and shall fail or refuse to obtain a permit therefor as required by Section 27-19-79, then such person shall be liable for the pro rata part of the annual tax for the balance of the tag year for the legal gross weight of such vehicle and in the classification in which same is being operated, plus a penalty thereon of twenty-five percent (25%), after having been given credit for the unexpired part of the privilege tax paid, as provided in Section 27-19-75. In order that such owner or operator shall become liable for the penalties herein provided, it shall not be necessary to show that such owner or operator was guilty of willfulness, gross negligence or wantonness, but the offense shall be complete upon the failure or refusal to obtain the required permit.

(c) If any person shall operate upon a highway of this state a vehicle which has a greater vehicle gross weight than the maximum gross weight limit established by law for that highway and shall have failed to obtain an overload permit as required by



778 Section 27-19-81, or if any person shall operate a vehicle with a  
779 greater load on any axle or axle grouping than allowed by law,  
780 then such person, owner or operator shall be assessed a penalty on  
781 such axle load weight or vehicle gross weight as exceeds the legal  
782 limit in accordance with the following schedule:

783 AMOUNT IN EXCESS OF  
784 LEGAL HIGHWAY WEIGHT

785	LIMITS IN POUNDS	PENALTY
786	1 to 999	\$10.00 minimum penalty
787	1,000 to 1,999	1¢ per pound in excess of legal limit
788	2,000 to 2,999	2¢ per pound in excess of legal limit
789	3,000 to 3,999	3¢ per pound in excess of legal limit
790	4,000 to 4,999	4¢ per pound in excess of legal limit
791	5,000 to 5,999	5¢ per pound in excess of legal limit
792	6,000 to 6,999	6¢ per pound in excess of legal limit
793	7,000 to 7,999	7¢ per pound in excess of legal limit
794	8,000 to 8,999	8¢ per pound in excess of legal limit
795	9,000 to 9,999	9¢ per pound in excess of legal limit
796	10,000 to 10,999	10¢ per pound in excess of legal limit
797	11,000 or more	11¢ per pound in excess of legal limit

798 Any vehicle in violation of the tolerance allowed pursuant to  
799 Section 63-5-33(3) shall be fined pursuant to this subsection (c)  
800 for all weight in excess of the legal highway gross weight limit  
801 authorized for such vehicle or for all weight in excess of the  
802 legal tandem axle load weight limit of forty thousand (40,000)



pounds and the legal single axle load limit of twenty thousand (20,000) pounds, whichever the case may be.

The penalty to be assessed for operations of a vehicle with a greater load on any axle or axle grouping than the legal axle load weight limits shall be one-half (1/2) the penalty for operation in excess of the legal gross weight limit.

In instances where both the legal highway gross weight limit and the legal axle load weight limit(s) are exceeded, the fine that shall be levied shall be either the penalty amount for the excess vehicle gross weight or the total of the penalty amounts of all overloaded axles, whichever is the larger amount.

Notwithstanding any other provisions of this section to the contrary, the fine assessed against the holder of a harvest permit for exceeding a gross vehicle weight of eighty-four thousand (84,000) pounds, but not exceeding a gross vehicle weight of ninety thousand (90,000) pounds, shall be Five Cents (5¢) per pound \* \* \*. The fine for exceeding a gross vehicle weight of ninety thousand (90,000) pounds, but not exceeding a gross vehicle weight of one hundred thousand (100,000) pounds, shall be One Thousand Five Hundred Dollars (\$1,500.00). The fine for exceeding a gross vehicle weight of one hundred thousand (100,000) pounds shall be Two Thousand Five Hundred Dollars (\$2,500.00) for a first violation during any twelve-month period and Three Thousand Five Hundred Dollars (\$3,500.00) for a second violation during any twelve-month period. Any subsequent violation of exceeding a



828 gross vehicle weight of one hundred thousand (100,000) pounds  
829 during any twelve-month period shall result in the suspension of  
830 the permit holder's harvest permit for thirty (30) days from the  
831 date of violation.

832       Notwithstanding any other provision of this subsection (c) to  
833 the contrary, upon an appeal to the Appeals Board of the \* \* \*  
834 Commercial Transportation Enforcement Division of the Department  
835 of Public Safety by an owner or operator of a vehicle hauling  
836 without a harvest permit any of the products or materials  
837 described in subsection (3) of Section 63-5-33 and upon whom a  
838 penalty has been assessed under this subsection (c) for exceeding  
839 the legal weight limit(s) on a highway having a legal weight limit  
840 of eighty thousand (80,000) pounds or less, the appeals board  
841 shall reduce the penalty assessed against such owner/operator to  
842 an amount not to exceed ten percent (10%) of the amount which  
843 would otherwise be due without the reduction authorized under this  
844 paragraph. A reduction shall not be authorized under this  
845 paragraph if the gross weight of the vehicle for which an  
846 owner/operator has been charged with a violation of this section  
847 exceeds eighty-four thousand (84,000) pounds; and, in any event,  
848 no reduction shall be authorized under this paragraph unless a  
849 penalty assessed under this section is appealed to the appeals  
850 board and unless the board determines, based upon its records,  
851 that such owner/operator has not been granted a penalty reduction  
852 under this paragraph within a period of twelve (12) months



853 immediately preceding the date of filing an appeal with the board  
854 for a penalty reduction under this paragraph.

855 (d) If any nonresident owner or operator who has not  
856 registered his vehicle and paid the annual privilege taxes  
857 prescribed shall operate his vehicle upon the highways of this  
858 state when such vehicle has a greater gross weight than permitted  
859 by law for the highway traveled upon, and for which such excess  
860 gross weight a permit was not or could not be procured from the  
861 transportation department as required by Section 27-19-81, such  
862 person shall be liable upon his second and all subsequent offenses  
863 for the pro rata part of the annual tax for the balance of the tag  
864 year for the legal gross weight of the vehicle, and in addition  
865 thereto the penalty fee on the excess weight as specified in  
866 subsection (c) of this section. In order that such owner or  
867 operator shall become liable for the penalties herein provided, it  
868 shall not be necessary that the same or identical vehicle be  
869 involved, it being the declared purpose hereof to provide that  
870 such penalties shall run against the owner or operator rather than  
871 against the specific vehicle.

872 (e) All fines and penalties imposed and collected by the  
873 Mississippi Department of \* \* \* Public Safety for violations of  
874 the maximum legal vehicle weight limits authorized on the highways  
875 of this state shall be deposited into a special fund that is  
876 created in the State Treasury. Monies in the fund shall be  
877 allocated and distributed quarterly, beginning September 30, 1994,



to each county of the state based on the amount of such fines and penalties imposed and collected in the county during the immediately preceding three (3) months. Monies distributed to the counties under this subsection shall be deposited in each county's road and bridge fund and may be expended, upon approval of the board of supervisors, for any purpose for which county road and bridge fund monies lawfully may be expended.

**[From and after July 1, 2023, this section shall read as follows:]**

27-19-89. (a) If any nonresident owner or operator or other nonresident person eligible for a temporary permit as provided in Section 27-19-79, who has not elected to register and pay the annual privilege taxes prescribed, shall enter or go upon the public highways of the state and shall fail or refuse to obtain the permit required by Section 27-19-79, such person shall be liable, for the first such offense, for the full amount of the permit fee required, plus a penalty thereon of five hundred percent (500%). For the second and all subsequent offenses, such person who fails or refuses to obtain such permits shall be liable for the pro rata part of the annual tax for the balance of the tag year for the maximum legal gross weight of the vehicle plus a penalty thereon of twenty-five percent (25%). Any weight in excess of the maximum legal gross weight of the vehicle, or in excess of the maximum highway weight limit, shall be penalized according to subsection (c) of this section. In either case the



903 excess weight shall be removed by the operator before the vehicle  
904 can be allowed to proceed. In order to constitute a "second or  
905 subsequent offense" under the provisions hereof, it shall not be  
906 necessary that the same or identical vehicle be involved, it being  
907 the declared purpose hereof to provide that such penalties shall  
908 run against the owner or operator rather than against the  
909 specified vehicle. It is further provided that, in order for such  
910 owner or operator to become liable for the penalties herein  
911 provided, it shall not be necessary to show that such owner or  
912 operator was guilty of willfulness, gross negligence or  
913 wantonness, but the offense shall be complete upon the failure or  
914 refusal to obtain the required permit.

915 (b) If any person who has registered his vehicle in  
916 Mississippi shall operate such vehicle upon the public highways,  
917 having a gross weight greater than the licensed gross weight of  
918 such vehicle, and shall fail or refuse to obtain a permit therefor  
919 as required by Section 27-19-79, or if any person shall operate  
920 any such registered vehicle upon the public highways in a higher  
921 classification than that for which it is registered, and shall  
922 fail or refuse to obtain a permit therefor as required by Section  
923 27-19-79, then such person shall be liable for the pro rata part  
924 of the annual tax for the balance of the tag year for the legal  
925 gross weight of such vehicle and in the classification in which  
926 same is being operated, plus a penalty thereon of twenty-five  
927 percent (25%), after having been given credit for the unexpired



928 part of the privilege tax paid, as provided in Section 27-19-75.  
929 In order that such owner or operator shall become liable for the  
930 penalties herein provided, it shall not be necessary to show that  
931 such owner or operator was guilty of willfulness, gross negligence  
932 or wantonness, but the offense shall be complete upon the failure  
933 or refusal to obtain the required permit.

934 (c) If any person shall operate upon a highway of this state  
935 a vehicle which has a greater vehicle gross weight than the  
936 maximum gross weight limit established by law for that highway and  
937 shall have failed to obtain an overload permit as required by  
938 Section 27-19-81, or if any person shall operate a vehicle with a  
939 greater load on any axle or axle grouping than allowed by law,  
940 then such person, owner or operator shall be assessed a penalty on  
941 such axle load weight or vehicle gross weight as exceeds the legal  
942 limit in accordance with the following schedule:

943	AMOUNT IN EXCESS OF	
944	LEGAL HIGHWAY WEIGHT	
945	LIMITS IN POUNDS	PENALTY
946	1 to 999	\$10.00 minimum penalty
947	1,000 to 1,999	1¢ per pound in excess of legal limit
948	2,000 to 2,999	2¢ per pound in excess of legal limit
949	3,000 to 3,999	3¢ per pound in excess of legal limit
950	4,000 to 4,999	4¢ per pound in excess of legal limit
951	5,000 to 5,999	5¢ per pound in excess of legal limit
952	6,000 to 6,999	6¢ per pound in excess of legal limit





953           7,000 to 7,999           7¢ per pound in excess of legal limit  
954           8,000 to 8,999           8¢ per pound in excess of legal limit  
955           9,000 to 9,999           9¢ per pound in excess of legal limit  
956           10,000 to 10,999       10¢ per pound in excess of legal limit  
957           11,000 or more       11¢ per pound in excess of legal limit

958           Any vehicle in violation of the tolerance allowed pursuant to  
959 Section 63-5-33(3) shall be fined pursuant to this subsection (c)  
960 for all weight in excess of the legal highway gross weight limit  
961 authorized for such vehicle or for all weight in excess of the  
962 legal tandem axle load weight limit of forty thousand (40,000)  
963 pounds and the legal single axle load limit of twenty thousand  
964 (20,000) pounds, whichever the case may be.

965           The penalty to be assessed for operations of a vehicle with a  
966 greater load on any axle or axle grouping than the legal axle load  
967 weight limits shall be one-half (1/2) the penalty for operation in  
968 excess of the legal gross weight limit.

969           In instances where both the legal highway gross weight limit  
970 and the legal axle load weight limit(s) are exceeded, the fine  
971 that shall be levied shall be either the penalty amount for the  
972 excess vehicle gross weight or the total of the penalty amounts of  
973 all overloaded axles, whichever is the larger amount.

974           Notwithstanding any other provisions of this section to the  
975 contrary, the fine assessed against the holder of a harvest permit  
976 for exceeding a gross vehicle weight of \* \* \* eighty-eight  
977 thousand (88,000) pounds \* \* \* shall be broken down as follows:



978	<u>WEIGHT IN POUNDS</u>	<u>PENALTY</u>
979	<u>88,001 to 89,999</u>	<u>5¢ per pound</u>
980	<u>90,000 to 90,999</u>	<u>\$ 500.00</u>
981	<u>91,000 to 91,999</u>	<u>\$1,000.00</u>
982	<u>92,000 to 100,000</u>	<u>\$1,500.00</u>
983	<u>For a weight of over one hundred thousand (100,000) pounds,</u>	
984	<u>the penalty shall be Two Thousand Five Hundred Dollars (\$2,500.00)</u>	
985	<u>for a first violation within any twelve-month period, Three</u>	
986	<u>Thousand Five Hundred Dollars (\$3,500.00) for a second violation</u>	
987	<u>within any twelve-month period, and the loss of the harvest permit</u>	
988	<u>for a period of thirty (30) days from the date of the violation</u>	
989	<u>for a third violation within any twelve-month period.</u>	

990       Notwithstanding any other provision of this subsection (c) to  
 991 the contrary, upon an appeal to the Appeals Board of the  
 992 Commercial Transportation Enforcement Division of the Department  
 993 of Public Safety, by an owner or operator of a vehicle hauling  
 994 without a harvest permit any of the products or materials  
 995 described in subsection (3) of Section 63-5-33 and upon whom a  
 996 penalty has been assessed under this subsection (c) for exceeding  
 997 the legal weight limit(s) on a highway having a legal weight limit  
 998 of eighty thousand (80,000) pounds or less, the appeals board  
 999 shall reduce the penalty assessed against such owner/operator to  
 1000 an amount not to exceed ten percent (10%) of the amount which  
 1001 would otherwise be due without the reduction authorized under this  
 1002 paragraph. A reduction shall not be authorized under this



1003 paragraph if the gross weight of the vehicle for which an  
1004 owner/operator has been charged with a violation of this section  
1005 exceeds \* \* \* eighty-eight thousand (88,000) pounds; and, in any  
1006 event, no reduction shall be authorized under this paragraph  
1007 unless a penalty assessed under this section is appealed to the  
1008 appeals board and unless the board determines, based upon its  
1009 records, that such owner/operator has not been granted a penalty  
1010 reduction under this paragraph within a period of twelve (12)  
1011 months immediately preceding the date of filing an appeal with the  
1012 board for a penalty reduction under this paragraph.

1013       (d) If any nonresident owner or operator who has not  
1014 registered his vehicle and paid the annual privilege taxes  
1015 prescribed shall operate his vehicle upon the highways of this  
1016 state when such vehicle has a greater gross weight than permitted  
1017 by law for the highway traveled upon, and for which such excess  
1018 gross weight a permit was not or could not be procured from the  
1019 transportation department as required by Section 27-19-81, such  
1020 person shall be liable upon his second and all subsequent offenses  
1021 for the pro rata part of the annual tax for the balance of the tag  
1022 year for the legal gross weight of the vehicle, and in addition  
1023 thereto the penalty fee on the excess weight as specified in  
1024 subsection (c) of this section. In order that such owner or  
1025 operator shall become liable for the penalties herein provided, it  
1026 shall not be necessary that the same or identical vehicle be  
1027 involved, it being the declared purpose hereof to provide that



1028 such penalties shall run against the owner or operator rather than  
1029 against the specific vehicle.

1030 (e) All fines and penalties imposed and collected by the  
1031 Mississippi Department of Public Safety, for violations of the  
1032 maximum legal vehicle weight limits authorized on the highways of  
1033 this state shall be deposited into a special fund that is created  
1034 in the State Treasury. Monies in the fund shall be allocated and  
1035 distributed quarterly, beginning September 30, 1994, to each  
1036 county of the state based on the amount of such fines and  
1037 penalties imposed and collected in the county during the  
1038 immediately preceding three (3) months. Monies distributed to the  
1039 counties under this subsection shall be deposited in each county's  
1040 road and bridge fund and may be expended, upon approval of the  
1041 board of supervisors, for any purpose for which county road and  
1042 bridge fund monies lawfully may be expended.

1043 **SECTION 20.** Section 19-11-27, Mississippi Code of 1972, is  
1044 amended as follows:

1045 19-11-27. No board of supervisors of any county shall expend  
1046 from, or contract an obligation against, the budget estimates for  
1047 road and bridge construction, maintenance and equipment, made and  
1048 published by it during the last year of the term of office of such  
1049 board, between the first day of October and the first day of the  
1050 following January, a sum exceeding one-fourth (1/4) of such item  
1051 of the budget made and published by it, except in cases of  
1052 emergency. The clerk of any county is prohibited from issuing any



warrant contrary to the provisions of this section. No board of supervisors nor any member thereof shall buy any machinery or equipment in the last six (6) months of their or his term unless or until he has been elected at the general election of that year. The provisions of this section shall not apply to (i) until January 1, 2020, projects of any type that receive monies from the Local System Bridge Replacement and Rehabilitation Program, the Emergency Road and Bridge Repair Fund, the 2018 Transportation and Infrastructure Improvement Fund or the Gulf Coast Restoration Fund and (ii) to expenditures during calendar year 2019 on deficient bridges in the State Aid Road System or the Local System Road Program that have a sufficiency rating of less than fifty (50) or to a contract, lease or lease-purchase contract executed pursuant to the bidding requirements in Section 31-7-13 and approved by a unanimous vote of the board. Such unanimous vote shall include a statement indicating the board's proclamation that the award of the contract is essential to the efficiency and economy of the operation of the county government. On and after July 1, 2021, through June 30, 2023, the provisions of this section shall not apply to projects of any type that receive monies from the Emergency Road and Bridge Repair Fund.

**SECTION 21.** Section 63-5-33, Mississippi Code of 1972, is amended as follows:

63-5-33. (1) Subject to the limitations imposed on wheel and axle loads by Section 63-5-27, and to the further limitations



1078 hereinafter specified, the total combined weight (vehicles plus  
1079 load) on any group of axles of a vehicle or a combination of  
1080 vehicles shall not exceed the value given in the following table  
1081 (Table III) corresponding to the distance in feet between the  
1082 extreme axles of the group, measured longitudinally to the nearest  
1083 foot, on those highways or parts of highways designated by the  
1084 Mississippi Transportation Commission as being capable of carrying  
1085 the maximum load limits and, in addition thereto, such other  
1086 highways or parts of highways found by the commission to be  
1087 suitable to carry the maximum load limits from an engineering  
1088 standpoint, and so designated as such by order of the commission  
1089 entered upon its minutes and published once each week for three  
1090 (3) consecutive weeks in a daily newspaper published in this state  
1091 and having a general circulation therein. The maximum total  
1092 combined weight carried on any group of two (2) or more  
1093 consecutive axles shall be determined by the formula contained in  
1094 the Federal Weight Law enacted January 4, 1975, as follows:  $W=500$   
1095  $(LN/N-1+12N+36)$  where  $W$ =maximum weight in pounds carried on any  
1096 group of two (2) or more axles computed to the nearest five  
1097 hundred (500) pounds,  $L$ =distance in feet between the extremes of  
1098 any group of two (2) or more consecutive axles, and  $N$ =number of  
1099 axles in any group under consideration.

1100 TABLE III

1101 DISTANCE

1102 IN FEET



1103	BETWEEN THE						
1104	EXTREMES OF						
1105	ANY GROUP						
1106	OF 2 OR MORE						
1107	CONSECUTIVE	MAXIMUM LOAD IN POUNDS CARRIED ON ANY					
1108	AXLES	GROUP OF 2 OR MORE CONSECUTIVE AXLES					
1109		2 axles	3 axles	4 axles	5 axles	6 axles	7 axles
1110	4	34,000					
1111	5	34,000					
1112	6	34,000		Axle groups in			
1113	7	34,000					
1114	8 and						
1115	less	34,000	34,000	these spacings			
1116	More						
1117	than						
1118	8	38,000	42,000				
1119	9	39,000	42,500				
1120	10	40,000	43,500	impractical			
1121	11		44,000				
1122	12		45,000	50,000			
1123	13		45,500	50,500			
1124	14		46,500	51,500			
1125	15		47,000	52,000			
1126	16		48,000	52,500	58,000		
1127	17		48,500	53,500	58,500		



1128	18	49,500	54,000	59,000		
1129	19	50,000	54,500	60,000		
1130	20	51,000	55,500	60,500	66,000	
1131	21	51,500	56,000	61,000	66,500	
1132	22	52,500	56,500	61,500	67,000	
1133	23	53,000	57,500	62,500	68,000	
1134	24	54,000	58,000	63,000	68,500	74,000
1135	25	54,500	58,500	63,500	69,000	74,500
1136	26	55,500	59,500	64,000	69,500	75,000
1137	27	56,000	60,000	65,000	70,000	75,500
1138	28	57,000	60,500	65,500	71,000	76,500
1139	29	57,500	61,500	66,000	71,500	77,000
1140	30	58,500	62,000	66,500	72,000	77,500
1141	31	59,000	62,500	67,500	72,500	78,000
1142	32	60,000	63,500	68,000	73,000	78,500
1143	33		64,000	68,500	74,000	79,000
1144	34		64,500	69,000	74,500	80,000
1145	35		65,500	70,000	75,000	80,000
1146	36		66,000	70,500	75,500	80,000
1147	37		66,500	71,000	76,000	80,000
1148	38		67,500	71,500	77,000	80,000
1149	39		68,000	72,500	77,500	80,000
1150	40		68,500	73,000	78,000	80,000
1151	41		69,500	73,500	78,500	80,000
1152	42		70,000	74,000	79,000	80,000





1153	43	70,500	75,000	80,000	80,000
1154	44	71,500	75,500	80,000	80,000
1155	45	72,000	76,000	80,000	80,000
1156	46	72,500	76,500	80,000	80,000
1157	47	73,500	77,500	80,000	80,000
1158	48	74,000	78,000	80,000	80,000
1159	49	74,500	78,500	80,000	80,000
1160	50	75,500	79,000	80,000	80,000
1161	51	76,000	80,000	80,000	80,000
1162	52	76,500	80,000	80,000	80,000
1163	53	77,500	80,000	80,000	80,000
1164	54	78,000	80,000	80,000	80,000
1165	55	78,500	80,000	80,000	80,000
1166	56	79,500	80,000	80,000	80,000
1167	57	80,000	80,000	80,000	80,000

1168           (2) Moreover, in addition to the per axle weight limitations  
 1169 specified by Section 63-5-27, two (2) consecutive sets of tandem  
 1170 axles may carry a gross load of thirty-four thousand (34,000)  
 1171 pounds each, providing that the overall distance between the first  
 1172 and last axles of such consecutive sets of tandem axles is  
 1173 thirty-six (36) feet or more, except that, until September 1,  
 1174 1989, the axle distance for tank trailers, dump trailers and ocean  
 1175 transport container haulers may be thirty (30) feet or more. Such  
 1176 overall gross weight may not exceed eighty thousand (80,000)  
 1177 pounds, except as provided by this section.



1178           (3) Notwithstanding the provisions of Section 63-5-27 and/or  
1179 Section 63-5-29 to the contrary, vehicles hauling products in the  
1180 manner set forth in this subsection, whether or not such vehicles  
1181 are operating with a harvest permit, shall be allowed a gross  
1182 weight of not to exceed forty thousand (40,000) pounds on any  
1183 tandem. Vehicles operating without a harvest permit shall be  
1184 allowed a tolerance not to exceed five percent (5%) above their  
1185 authorized gross vehicle weight, tandem or axle weight; except  
1186 that the maximum gross vehicle weight of any such vehicle shall  
1187 not exceed eighty thousand (80,000) pounds plus a tolerance  
1188 thereon of not more than two percent (2%). Vehicles operating  
1189 without a harvest permit loading at a point of origin having  
1190 scales available for weighing the vehicle shall not be eligible  
1191 for any tolerance over the gross weight limit of eighty thousand  
1192 (80,000) pounds. Vehicles operating with a harvest permit shall  
1193 be allowed a tolerance not to exceed ten percent (10%) above their  
1194 authorized gross vehicle weight, tandem or axle weight, but the  
1195 maximum gross vehicle weight of any such vehicle shall not  
1196 exceed \* \* \* eighty-eight thousand (88,000) pounds. However,  
1197 neither the increased weights in this subsection nor any tolerance  
1198 shall be allowed on federal interstate highways or on other  
1199 highways where a tolerance is specifically prohibited by the  
1200 Transportation Commission, the county board of supervisors or the  
1201 municipal governing authorities as provided for in Section  
1202 63-5-27. The tolerance allowed by this subsection shall only



1203 apply to the operation of vehicles from the point of loading to  
1204 the point of unloading for processing, and to the operation of  
1205 vehicles hauling sand, gravel, woodchips, wood shavings, sawdust,  
1206 fill dirt, and agricultural products, and products for recycling  
1207 or materials for the construction or repair of highways. The  
1208 range of such operation shall not exceed a radius of one hundred  
1209 (100) miles except where the products are being transported for  
1210 processing within this state.

1211 (4) Notwithstanding the provisions of Section 63-5-27 and/or  
1212 Section 63-5-29 to the contrary, vehicles hauling prepackaged  
1213 products, unloaded at a state port or to be loaded at a state  
1214 port, which are containerized in such a manner as to make  
1215 subdivision thereof impractical shall be allowed a gross weight of  
1216 not to exceed forty thousand (40,000) pounds on any tandem, and a  
1217 tolerance not to exceed ten percent (10%) above their authorized  
1218 gross weight, tandem or axle weight; except that the maximum  
1219 weight of any vehicle shall not exceed eighty thousand (80,000)  
1220 pounds plus a tolerance thereon of not more than two percent (2%);  
1221 however, neither the increased weights in this subsection nor any  
1222 tolerance shall be allowed on federal interstate highways or on  
1223 other highways where a tolerance is specifically prohibited by the  
1224 Transportation Commission, the county board of supervisors or the  
1225 municipal governing authorities as provided for in Section  
1226 63-5-27.



1227           (5)   (a)   Vehicles for which a harvest permit has been issued  
1228 pursuant to Section 27-19-81(4) shall be allowed a gross vehicle  
1229 weight tolerance of ten percent (10%), not to exceed \* \* \*  
1230 eighty-eight thousand (88,000) pounds. However, the board of  
1231 supervisors of any county and the governing authorities of any  
1232 municipality may designate the roads, streets and highways under  
1233 their respective jurisdiction on and along which vehicles for  
1234 which a harvest permit has been issued may travel. This  
1235 subsection shall not apply to the federal interstate system.

1236           (b)   Any owner or operator who has been issued a harvest  
1237 permit and who wishes to operate a vehicle on the roads, streets  
1238 or highways under the jurisdiction of a county or municipality at  
1239 a gross vehicle weight greater than the weight allowed by law or  
1240 greater than the maximum weight established for such roads,  
1241 streets or highways by the board of supervisors or municipal  
1242 governing authorities, shall notify, in writing, the board of  
1243 supervisors or the governing authorities, as the case may be,  
1244 before operating such vehicle on the roads, streets or highways of  
1245 such county or municipality. In his notice, the permit holder  
1246 shall identify the routes over which he intends to operate  
1247 vehicles for which the permit has been issued and the dates or  
1248 time period during which he will be operating such vehicles. The  
1249 board of supervisors or the governing authorities, as the case may  
1250 be, shall have two (2) working days to respond in writing to the  
1251 permit holder to notify the permit holder of the routes on and



1252 along which the permit holder may operate vehicles for which a  
1253 harvest permit has been issued. Failure of the board of  
1254 supervisors or the governing authorities timely to notify the  
1255 permit holder and to designate the routes on and along which the  
1256 permit holder may operate shall be considered as authorizing the  
1257 permit holder to operate on any of the roads, streets or highways  
1258 of the county or municipality in accordance with the authority  
1259 granted to the permit holder by the harvest permit.

1260 (c) Any time a timber deed is filed with the chancery  
1261 clerk, the grantee, at that time, may make a written request of  
1262 the board of supervisors of the county or the governing  
1263 authorities of the municipality, as the case may be, for the  
1264 purpose of providing to the grantee, within three (3) working days  
1265 of the filing of the request, a designated and approved route over  
1266 the roads, streets or highways under the jurisdiction of the  
1267 county or city, as the case may be, that the grantee may travel  
1268 for the purpose of transporting harvested timber. Upon providing  
1269 such route designation, the county or city, as the case may be,  
1270 shall also provide to the grantee a map designating the approved  
1271 route. An approved route designation provided to a grantee under  
1272 the provisions of this paragraph shall be valid for a period of  
1273 six (6) months from its date of issue. The permit authorized to  
1274 be issued under paragraph (b) of this subsection shall not be  
1275 required for any person who obtains a permit issued under this  
1276 paragraph.



(d) This subsection (5) shall stand repealed from and after July 1, 2022.

(6) Nothing in this section or subsections (1) through (4) of Section 63-5-27 shall be construed to deny the operation of any vehicle or combination of vehicles that could be lawfully operated upon the interstate highway system of this state on January 4, 1975.

(7) (a) Notwithstanding any provisions of Section 63-5-27 to the contrary, a vehicle that is operated by an engine fueled primarily by compressed or liquefied natural gas may exceed the gross vehicle weight limits by an amount, not to exceed a maximum of two thousand (2,000) pounds, that is equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by the vehicle and the weight of a comparable diesel tank and fueling system.

(b) The weight exception provided in this subsection shall apply to all interstate highways per the exemption expressly permitted by 23 USC Section 127.

**SECTION 22.** Section 65-1-46, Mississippi Code of 1972, is amended as follows:

**[Through June 30, 2023, this section shall read as follows:]**

65-1-46. (1) There is created an Appeals Board of the Mississippi Transportation Commission. If any person feels aggrieved by a penalty for excess weight assessed against him by an agent or employee of the Mississippi Department of



Transportation pursuant to Section 27-19-89, he may apply to the appeals board. Beginning July 1, 2021, the Appeals Board shall be administratively located within the Commercial Transportation Enforcement Division of the Mississippi Department of Public Safety and shall receive appeals with respect to penalties for excess weight assessed by agents or employees of the Commercial Transportation Enforcement Division.

(2) The members serving on the appeals board on April 7, 1995, shall continue to serve until July 1, 1995. On July 1, 1995, the appeals board shall be reconstituted to be composed of five (5) qualified people. The initial appointments to the reconstituted board shall be made no later than June 30, 1995, for terms to begin July 1, 1995, as follows: One (1) member shall be appointed by the Governor for a term ending on June 30, 1996, one (1) member shall be appointed by the Lieutenant Governor for a term ending on June 30, 1997, one (1) member shall be appointed by the Attorney General for a term ending on June 30, 1998, one (1) member shall be appointed by the Chairman of the State Tax Commission for a term ending on June 30, 1999, and one (1) member shall be appointed by the Executive Director of the Mississippi Department of Transportation for a term ending on June 30, 2000. After the expiration of the initial terms of the members of the reconstituted board, all subsequent appointments shall be made for terms of four (4) years from the expiration date of the previous term. Any member serving on the appeals board before July 1,



1327 1995, may be reappointed to the reconstituted appeals board.  
1328 Appointments to the board shall be with the advice and consent of  
1329 the Senate; however, the advice and consent of the Senate shall  
1330 not be required for the appointment of a person to the  
1331 reconstituted appeals board for a term beginning on July 1, 1995,  
1332 if such person was serving as a member of the appeals board on  
1333 June 30, 1995, and such person received the advice and consent of  
1334 the Senate for that appointment. The term of the member appointed  
1335 by the Executive Director of the Mississippi Department of  
1336 Transportation shall end on June 30, 2021, and the vacancy shall  
1337 be filled by a member appointed by the Commissioner of Public  
1338 Safety for a term ending on June 30, 2024, after which the  
1339 position shall be for a four-year term.

1340 (3) There shall be a chairman and vice chairman of the board  
1341 who shall be elected by and from the membership of the board. Any  
1342 member who fails to attend three (3) consecutive regular meetings  
1343 of the board shall be subject to removal by a majority vote of the  
1344 board. A majority of the members of the board shall constitute a  
1345 quorum. The chairman, or a majority of the members of the board,  
1346 may call meetings as may be required for the proper discharge of  
1347 the board's duties. Members of the board, except a member who is  
1348 an officer or employee of the Mississippi Department of  
1349 Transportation or, beginning July 1, 2021, is an officer or  
1350 employee of the Department of Public Safety, shall receive per  
1351 diem in the amount authorized by Section 25-3-69, for each day





1352 spent in the actual discharge of their duties and shall be  
1353 reimbursed for mileage and actual expenses incurred in the  
1354 performance of their duties in accordance with the provisions of  
1355 Section 25-3-41.

1356       Application shall be made by petition in writing, within  
1357 thirty (30) days after assessment of the penalty, for a hearing  
1358 and a review of the amount of the assessment. At the hearing the  
1359 appeals board shall try the issues presented according to the law  
1360 and the facts and within guidelines set by the Transportation  
1361 Commission or, beginning July 1, 2021, by the Department of Public  
1362 Safety. Upon due consideration of all the facts relating to the  
1363 assessment of the penalty, the appeals board, except as otherwise  
1364 provided under this section or under Section 27-19-89, may require  
1365 payment of the full amount of the assessment, may reduce the  
1366 amount of the assessment or may dismiss imposition of the penalty  
1367 entirely. The appeals board shall dismiss in its entirety the  
1368 imposition of any penalty imposed against the holder of a harvest  
1369 permit if the permittee proves to the appeals board, by clear and  
1370 convincing evidence, that the average load transported by the  
1371 permittee during the permittee's last five (5) haul days  
1372 immediately preceding the day upon which the penalty appealed from  
1373 was assessed did not exceed eighty thousand (80,000) pounds. The  
1374 appeals board shall reduce the penalty assessed against the holder  
1375 of a harvest permit to a maximum of Two Cents (2¢) per pound of  
1376 overweight if the permittee proves to the appeals board, by clear



1377 and convincing evidence, that the average load transported by the  
1378 permittee during the permittee's last five (5) haul days  
1379 immediately preceding the day upon which the penalty appealed from  
1380 was assessed exceeded seventy-nine thousand nine hundred  
1381 ninety-nine (79,999) pounds but did not exceed eighty-four  
1382 thousand (84,000) pounds. The board shall make such orders in the  
1383 matter as appear to it just and lawful and shall furnish copies  
1384 thereof to the petitioner. If the appeals board orders the  
1385 payment of the penalty, the petitioner shall pay the penalty,  
1386 damages and interest, if any, within ten (10) days after the order  
1387 is issued unless there is an application for appeal from the  
1388 decision of the board as provided in the succeeding paragraph.  
1389 Interest shall accrue on the penalty at the rate of one percent  
1390 (1%) per month, or part of a month, beginning immediately after  
1391 the expiration of the ten-day period.

1392 If any person feels aggrieved by the decision of the appeals  
1393 board, he may appeal the decision to the Chancery Court of the  
1394 First Judicial District of Hinds County.

1395 **[From and after July 1, 2023, this section shall read as**  
1396 **follows:]**

1397 65-1-46. (1) There is created an Appeals Board of the  
1398 Mississippi Transportation Commission. If any person feels  
1399 aggrieved by a penalty for excess weight assessed against him by  
1400 an agent or employee of the Mississippi Department of  
1401 Transportation pursuant to Section 27-19-89, he may apply to the



1402 appeals board. Beginning July 1, 2021, the Appeals Board shall be  
1403 administratively located within the Commercial Transportation  
1404 Enforcement Division of the Mississippi Department of Public  
1405 Safety and shall receive appeals with respect to penalties for  
1406 excess weight assessed by agents or employees of the Commercial  
1407 Transportation Enforcement Division.

1408 (2) The members serving on the appeals board on April 7,  
1409 1995, shall continue to serve until July 1, 1995. On July 1,  
1410 1995, the appeals board shall be reconstituted to be composed of  
1411 five (5) qualified people. The initial appointments to the  
1412 reconstituted board shall be made no later than June 30, 1995, for  
1413 terms to begin July 1, 1995, as follows: One (1) member shall be  
1414 appointed by the Governor for a term ending on June 30, 1996, one  
1415 (1) member shall be appointed by the Lieutenant Governor for a  
1416 term ending on June 30, 1997, one (1) member shall be appointed by  
1417 the Attorney General for a term ending on June 30, 1998, one (1)  
1418 member shall be appointed by the Chairman of the State Tax  
1419 Commission for a term ending on June 30, 1999, and one (1) member  
1420 shall be appointed by the Executive Director of the Mississippi  
1421 Department of Transportation for a term ending on June 30, 2000.  
1422 After the expiration of the initial terms of the members of the  
1423 reconstituted board, all subsequent appointments shall be made for  
1424 terms of four (4) years from the expiration date of the previous  
1425 term. Any member serving on the appeals board before July 1,  
1426 1995, may be reappointed to the reconstituted appeals board.



1427 Appointments to the board shall be with the advice and consent of  
1428 the Senate; however, the advice and consent of the Senate shall  
1429 not be required for the appointment of a person to the  
1430 reconstituted appeals board for a term beginning on July 1, 1995,  
1431 if such person was serving as a member of the appeals board on  
1432 June 30, 1995, and such person received the advice and consent of  
1433 the Senate for that appointment. The term of the member appointed  
1434 by the Executive Director of the Mississippi Department of  
1435 Transportation shall end on June 30, 2021, and the vacancy shall  
1436 be filled by a member appointed by the Commissioner of Public  
1437 Safety for a term ending on June 30, 2024, after which the  
1438 position shall be for a four-year term.

1439 (3) There shall be a chairman and vice chairman of the board  
1440 who shall be elected by and from the membership of the board. Any  
1441 member who fails to attend three (3) consecutive regular meetings  
1442 of the board shall be subject to removal by a majority vote of the  
1443 board. A majority of the members of the board shall constitute a  
1444 quorum. The chairman, or a majority of the members of the board,  
1445 may call meetings as may be required for the proper discharge of  
1446 the board's duties. Members of the board, except a member who is  
1447 an officer or employee of the Mississippi Department of  
1448 Transportation or, beginning July 1, 2021, is an officer or  
1449 employee of the Department of Public Safety, shall receive per  
1450 diem in the amount authorized by Section 25-3-69, for each day  
1451 spent in the actual discharge of their duties and shall be



1452 reimbursed for mileage and actual expenses incurred in the  
1453 performance of their duties in accordance with the provisions of  
1454 Section 25-3-41.

1455       Application shall be made by petition in writing, within  
1456 thirty (30) days after assessment of the penalty, for a hearing  
1457 and a review of the amount of the assessment. At the hearing the  
1458 appeals board shall try the issues presented according to the law  
1459 and the facts and within guidelines set by the Transportation  
1460 Commission or, beginning July 1, 2021, by the Department of Public  
1461 Safety. Upon due consideration of all the facts relating to the  
1462 assessment of the penalty, the appeals board, except as otherwise  
1463 provided under this section or under Section 27-19-89, may require  
1464 payment of the full amount of the assessment, may reduce the  
1465 amount of the assessment or may dismiss imposition of the penalty  
1466 entirely. The appeals board shall dismiss in its entirety the  
1467 imposition of any penalty imposed against the holder of a harvest  
1468 permit if the permittee proves to the appeals board, by clear and  
1469 convincing evidence, that the average load transported by the  
1470 permittee during the permittee's last five (5) haul days  
1471 immediately preceding the day upon which the penalty appealed from  
1472 was assessed did not exceed eighty thousand (80,000) pounds. The  
1473 appeals board shall reduce the penalty assessed against the holder  
1474 of a harvest permit to a maximum of Two Cents (2¢) per pound of  
1475 overweight if the permittee proves to the appeals board, by clear  
1476 and convincing evidence, that the average load transported by the



1477 permittee during the permittee's last five (5) haul days  
1478 immediately preceding the day upon which the penalty appealed from  
1479 was assessed exceeded seventy-nine thousand nine hundred  
1480 ninety-nine (79,999) pounds but did not exceed \* \* \* a gross  
1481 vehicle weight tolerance of ten percent (10%), not to exceed  
1482 eighty-eight thousand (88,000) pounds. The board shall make such  
1483 orders in the matter as appear to it just and lawful and shall  
1484 furnish copies thereof to the petitioner. If the appeals board  
1485 orders the payment of the penalty, the petitioner shall pay the  
1486 penalty, damages and interest, if any, within ten (10) days after  
1487 the order is issued unless there is an application for appeal from  
1488 the decision of the board as provided in the succeeding paragraph.  
1489 Interest shall accrue on the penalty at the rate of one percent  
1490 (1%) per month, or part of a month, beginning immediately after  
1491 the expiration of the ten-day period.

1492       If any person feels aggrieved by the decision of the appeals  
1493 board, he may appeal the decision to the Chancery Court of the  
1494 First Judicial District of Hinds County.

1495       **SECTION 23.** (1) There is established the Harvest Permit  
1496 Transportation Stewardship Council to advise the Legislature on  
1497 policy and to make best practices recommendations to harvest  
1498 permit holders and receiving facilities for the purpose of  
1499 deterring overweight hauling and protecting the state's  
1500 infrastructure system.



1501           (2) The council shall meet annually with the chairs of the  
1502 Senate Agriculture Committee, the House Agriculture Committee, the  
1503 Senate Forestry Committee, the House Forestry Committee, the  
1504 Senate Highways and Transportation Committee, and the House  
1505 Transportation Committee. In addition, the council shall provide  
1506 reports and testimony to the Legislature upon request, which shall  
1507 include, but not necessarily be limited to, baseline estimates of  
1508 average weights hauled, content of commodities hauled, and  
1509 estimated delivery period of the same.

1510           (3) The council shall be composed of the following members:

1511                   (a) The Lieutenant Governor, or his designee;

1512                   (b) The Speaker of the House of Representatives, or his  
1513 designee;

1514                   (c) The Commissioner of Public Safety, or his designee;

1515                   (d) The Executive Director of the Mississippi  
1516 Department of Transportation, or her designee;

1517                   (e) The State Aid Engineer;

1518                   (f) The Commissioner of Agriculture and Commerce, or  
1519 his designee;

1520                   (g) The President of the Mississippi Forestry  
1521 Association, or his designee;

1522                   (h) The President of the Mississippi Poultry  
1523 Association, or his designee;

1524                   (i) The President of the Mississippi Farm Bureau, or  
1525 his designee;



1526                   (j) The President of the Mississippi Cattlemen's  
1527 Association, or his designee;  
1528                   (k) The President of the Mississippi Loggers  
1529 Association, or his designee;  
1530                   (l) The President of the Mississippi Feed and Grain  
1531 Association, or his designee;  
1532                   (m) The Chairman of the Mississippi Trucking  
1533 Association Board of Directors, or his designee;  
1534                   (n) The President of the Delta Council, or his  
1535 designee;  
1536                   (o) The President of the Mississippi Association of  
1537 Supervisors, or his designee;  
1538                   (p) The President of the Mississippi Municipal League,  
1539 or his designee;  
1540                   (q) The Chairs of the Senate Highways and  
1541 Transportation Committee and of the House Transportation  
1542 Committee; and  
1543                   (r) Two at-large members, one appointed by the  
1544 Lieutenant Governor and one appointed by the Speaker of the House.  
1545                   (4) Appointments to the council shall be made by August 1,  
1546 2021. At the first meeting, the council shall elect from among  
1547 its membership a chairman, a vice chairman and any other officers  
1548 determined to be necessary, and shall adopt rules for transacting  
1549 business and keeping records.





1550           (5) A majority of the members of the council shall  
1551 constitute a quorum. In the adoption of rules, resolutions and  
1552 reports, and in the election of a chairman, vice chairman and any  
1553 other officers determined to be necessary, an affirmative vote of  
1554 a majority of the members present shall be required.

1555           (6) The Department of Public Safety shall provide the staff  
1556 and other support necessary for the council to perform its duties.

1557           (7) To effectuate the purposes of this section, any  
1558 department, division, board, bureau, committee, institution or  
1559 agency of the state, or any political subdivision thereof, shall,  
1560 at the request of the chairman of the council, provide the  
1561 facilities, assistance, information and data needed to enable the  
1562 council to carry out its duties.

1563           (8) The council shall be dissolved on July 1, 2023.

1564           **SECTION 24.** On July 1, 2021, Eighty-nine Million Dollars  
1565 (\$89,000,000.00) of Highway Infrastructure Program funds received  
1566 by the state pursuant to the Coronavirus Response and Relief  
1567 Supplemental Appropriations Act of 2021 shall be transferred to  
1568 the Emergency Road and Bridge Repair Fund created in Section  
1569 65-1-179.

1570           **SECTION 25.** Section 1 of this act shall be codified in Title  
1571 77, Chapter 7, Mississippi Code of 1972.

1572           **SECTION 26.** Section 21 of this act shall take effect and be  
1573 in force from and after July 1, 2023, and the remaining sections



1574 of this act shall take effect and be in force from and after July  
1575 1, 2021.



**State of Mississippi**

**Department of Finance and Administration**

**Office of Purchasing, Travel and Fleet Management**

**OCTOBER 2018**



**Rules and Regulations  
Fleet Manual**

**THIS MANUAL IS ESTABLISHED IN ACCORDANCE WITH SECTION 25-1-77 OF THE MISSISSIPPI CODE OF 1972, AS AMENDED, AND GOVERNS FLEET MANAGEMENT PRACTICES FOR STATE AGENCIES. THE POLICIES AND PROCEDURES IN THIS MANUAL ARE EFFECTIVE IMMEDIATELY, AND REPLACE ALL PREVIOUSLY DATED POLICIES. THIS MANUAL IS SUBJECT TO REVISION AS NECESSARY BY THE DFA BUREAU OF FLEET MANAGEMENT. THIS MANUAL IS INTENDED SOLELY AS GUIDANCE FOR AUTHORIZED USERS. IT IS NOT INTENDED TO CREATE A RIGHT, BENEFIT, OR ENTITLEMENT.**

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## **CHAPTER I GENERAL PROVISIONS**

### **1.101.1**

#### **Purpose of the Fleet Manual**

The Bureau of Fleet Management ("BFM" or "Bureau") was established within the Office of Purchasing, Travel and Fleet Management ("OPTFM"), Department of Finance and Administration ("DFA"), pursuant to Senate Bill 2398, Regular Legislative Session, Laws of 2006, which amended Section 25-1-77 of the Mississippi Code of 1972, as amended ("Code"). The purpose of the State Fleet Manual is to set forth rules, policies, procedures, and regulations (collectively referred to hereafter as "regulations") along with any other pertinent information that shall be in effect with the implementation of Title 25, Chapter 1 of the Code. The regulations set forth in this manual apply to the coordinating and promoting of efficiency and economy in the purchase, lease, rental, acquisition, use, maintenance and disposal of vehicles by state agencies. This manual is intended to be a presentation of procedures relative to fleet practices by all state agencies and to serve as a source of information for instructing agencies as to the proper procedures that must be followed in all fleet activities. This manual contains cross-references to the State Procurement Manual to assist state agencies, state employees, and other users, and to avoid unnecessary duplication of information. The provisions of this statute and these regulations shall not apply to any state institution of higher learning. Further, the provisions of this statute and these regulations do not govern the fleet practices of any governing authorities (as defined by Section 31-7-1(b) of the Code), but may be adopted for use by these entities.

### **1.102**

#### **Interpretation, Purposes and Policies**

- (1) Interpretation. These regulations shall be construed and applied to promote their underlying purposes and policies.
- (2) Purposes and Policies. The underlying purpose of these procedures/regulations are:
  - (a) to simplify, clarify, and modernize the regulations governing vehicle use by agencies of the State of Mississippi;
  - (b) to permit the continued development of vehicle policies and practices;
  - (c) to provide for increased public confidence in the procedures followed in vehicle procurement;
  - (d) to ensure the fair and equitable treatment of all persons who deal with the fleet system of the State;
  - (e) to provide increased economy in State of Mississippi fleet activities and to maximize, to the fullest extent practicable, the purchasing value of public funds of the State; and
  - (f) to provide safeguards for the maintenance of a fleet system of quality and integrity.

### **1.103**

#### **Purpose and Implementation of these Regulations**

These regulations are designed to achieve maximum practicable uniformity throughout the State. Hence, implementation by and within agencies shall be consistent with these regulations.

#### **1.104**      **Requirement of Good Faith**

These regulations require all parties involved in the negotiation, performance or administration of the State's fleet to act in good faith.

#### **1.105**      **Severability**

If any provision of these regulations or any application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of these regulations which can be given effect without the invalid provision or application, and to this end the provisions of these regulations are declared to be severable.

#### **1.106**      **Duration**

These regulations, when approved as authorized by Section 25-1-77 of the Code, shall be in effect as written until amended or repealed by the Department of Finance and Administration.

#### **1.107**      **Definitions**

The words defined in this section shall have the meanings set forth below whenever they appear in the regulations, unless:

- (a) the context in which they are used clearly requires a different meaning; or
- (b) a different definition is prescribed for a particular chapter or provision.
  - 1. Agency - shall be defined as is found in Section 31-7-1(a) of the Code.
  - 2. Auction - a sale of property to the highest bidder.
  - 3. Authorized User – shall be an employee, contract worker, or elected or appointed official of the State of Mississippi. Independent contractors may be authorized, on a case by case basis pursuant to Section 5.201.3, to use state-owned vehicles when it is in the best interest of the State. "Employee" as used herein shall mean a state employee, contract worker, or elected or appointed official, but not an independent contractor.
  - 4. BFM – the Mississippi Department of Finance and Administration, Office of Purchasing, Travel and Fleet Management, Bureau of Fleet Management.
  - 5. Bio-diesel - a cleaner burning diesel replacement fuel made from natural, renewable sources.
  - 6. Commuting Assignment – a state-owned vehicle assigned to be driven from an employee's official duty station or other temporary place of work to an employee's residence as needed.
  - 7. Contract - all types of Mississippi agreements, regardless of what they may be called, for the procurement or disposal of commodities, equipment, services, or construction.
  - 8. Department - Mississippi Department of Finance and Administration.
  - 9. Ethanol - an alcohol-based alternative fuel.



10. Fleet – a group of vehicles which are donated, seized, purchased, leased, rented, used, or maintained by state agencies, regardless of funding source.
11. Governing Authority shall be defined as found in Section 31-7-1(b) of the Code.
12. Law Enforcement – a state-owned vehicle assigned to a sworn law enforcement officer, as defined in Section 45-6-3 of the Code, or a law enforcement trainee as defined in Section 45-6-3(e) of the Code, to be driven in the daily performance of the duties of a sworn law enforcement officer or trainee.
13. May - the permissive.
14. Motor Pool Vehicle (MPV) - any vehicle or group of vehicles not permanently assigned to a single individual and are available at the official duty station for use by an authorized user of the agency.
15. Motor Vehicle - any vehicle for which a License Tag is required.
16. Non-Commuting Assignment - a state-owned vehicle assigned to be driven to and from an employee's official duty station to any temporary place of work and returned to the official duty station on a daily basis. This vehicle must not be driven to and from the employee's residence.
17. Official Duty Station - The city, town, or other location where the authorized user's regular place of work is located, or the city, town or location where the authorized user's primary work is performed on a permanent basis. If the authorized user regularly works in two or more areas, his official duty station shall be determined by the agency head or authorized designee based on total time ordinarily spent working in each area and the degree of business activity in each area.
18. OPTFM – Mississippi Department of Finance and Administration, Office of Purchasing, Travel and Fleet Management.
19. Passenger Vehicle (PV) - a vehicle used primarily in transporting agency personnel and the agency's equipment from one location to another. (Only vehicles for which a license plate or tag is required under Chapter 19, Title 27 of the Code).
20. Personal Use - the use of a state-owned vehicle to conduct an authorized user's personal affairs, not within the user's scope of employment, and anything which is not official business of the State of Mississippi.
21. Preventive Maintenance (PM) - vehicle services that are conducted at regular time intervals to prolong vehicle life and resale value, including, but not limited to, lube, oil and filter changes.
22. Purchase - buying, renting, leasing or otherwise acquiring.
23. Regulation - a governmental body's statement, having general or particular applicability and future effect, designed to implement, interpret, or prescribe law or policy, or describing organization, procedure, or practice requirements, which has been promulgated in accordance with the Code.

- 24. Sealed bid – bids received through a sealed competitive process.
- 25. Shall - the imperative.
- 26. State of Mississippi Fuel Card - a fuel access card issued to vehicles by the fuel network program, to be used when purchasing fuel or automotive services.
- 27. Vehicle Identification Number (VIN) - the number issued by the vehicle manufacturer to identify the vehicle; this number can be found on the driver's side of the dashboard below the windshield.
- 28. Work Vehicle (WV) - a vehicle used primarily to perform a work assignment or task while incidentally transporting agency personnel and agency equipment from one location to another (only vehicles for which a license plate or tag is required under Chapter 19, Title 27 of the Code).

## **CHAPTER II**

### **OFFICE OF FLEET MANAGEMENT ORGANIZATION**

#### **2.101      Organization**

The State of Mississippi Bureau of Fleet Management (BFM) operates as part of the Mississippi Department of Finance and Administration (DFA) within the Office of Purchasing, Travel and Fleet Management (OPTFM). The BFM has the power and duty to coordinate and promote efficiency and economy in the purchase, lease, rental, acquisition, use, maintenance and disposal of all state-owned vehicles (which require a license plate or tag under Chapter 19, Title 27 of the Code) by state agencies. This program was implemented to reduce the overall state fleet costs, as well as, assist agencies in making solid fleet business decisions.

#### **2.101.01      Mission**

The mission of the BFM is to provide a consistent, efficient, and cost effective fleet management program for all vehicles owned and operated by the State of Mississippi.

#### **2.102      Location**

The BFM is located in the Woolfolk State Office Building. The address is 701 Woolfolk Building, Suite A, 501 North West Street, Jackson, Mississippi 39201. Offices are located on the 7<sup>th</sup> floor. For more information or directions, call (601) 359-3409.

#### **2.102.01      The Bureau of Fleet Management Contact Information**

Office: (601) 359-3409

Fax (601) 359-3910

Website: [www.dfa.ms.gov](http://www.dfa.ms.gov)

#### **2.103      Responsibility of the Bureau of Fleet Management**

The BFM has the responsibility to serve the State objectively, economically and efficiently; to provide effective service to the state agencies; and to follow fair and ethical practices in fleet management. The BFM regulates the purchase, lease, rental, acquisition, use, maintenance and disposal of vehicles by state agencies. The BFM provides guidance to all state entities.

#### **2.104      Fleet/Asset System Requirements**

The BFM shall require all agencies to provide necessary information for the BFM to properly monitor the size, use, assignment, maintenance and disposal of the State's fleet of vehicles. Each agency shall be responsible for entering and maintaining accurate data monthly about each motor vehicle that it owns, operates, or otherwise controls into the State of Mississippi Fleet/Asset reporting system. The BFM shall provide each agency with program access, system reports, user manuals, help-desk access, and user training necessary to maintain and operate the State fleet/asset reporting system to track state-owned vehicles. All "tagged" state-owned vehicles shall be tracked in the fleet/asset reporting system. The system will also track betterments added to state-owned vehicles. Fleet/asset reporting system is required to be used by all state agencies.

## CHAPTER III PURCHASING STATE-OWNED VEHICLES

### 3.101

#### **Regulations Pertaining to the Purchase of Motor Vehicles**

In accordance with Section 25-1-77 of the Code, the BFM shall promulgate rules and regulations governing the purchase of any motor vehicle by a state department, institution or agency with regard to the appropriateness of the vehicle to intended use. No state department, institution or agency shall purchase, rent, lease or acquire any motor vehicle, regardless of the source of funds from which the motor vehicle is to be purchased, except under authority granted by the BFM. The BFM shall only grant authority to purchase, rent, lease or acquire a motor vehicle which is the lowest cost vehicle to carry out its intended use. The Bureau of Fleet Management shall require each agency to submit to the bureau a vehicle acquisition/use/disposal plan on an annual basis. From the plans received, the bureau shall evaluate the proposed plans and shall submit a recommendation to the Legislature prior to January 1 of each year. The provisions of this statute and these regulations shall not apply to any state institution of higher learning. Further, the provisions of this statute and these regulations do not govern the fleet practices of any governing authorities (as defined by Section 31-7-1(b) of the Code), but may be adopted for use by these entities.

### 3.101.01

#### **Purchase Decision**

The decision to purchase a vehicle should be carefully considered. The BFM does not intend to stop any agency from purchasing a required vehicle; but the BFM must approve vehicle purchase and will not approve purchase if it believes the decision to purchase may not be the best use of public funds. Additionally, no vehicles shall be purchased from the Department of Finance and Administration, Office of Surplus Property, dealer auctions, donated or transferred to any agency without prior approval from the BFM.

In most instances, if an individual is traveling less than 15,000 miles per year for official state business; it is likely more economical for the agency to have the employee drive his/her personal vehicle and have the agency reimburse the individual for mileage at the current mileage rate. In many instances where transportation of dignitaries or other officials is required on a non-regular basis, it may be better to rent a full size vehicle or large passenger van for those specific occurrences, rather than purchasing the vehicle and not fully utilizing its capabilities.

In situations where the agency's justification is not sufficient for the requested vehicle, the BFM will make a recommendation for the most appropriate vehicle that will perform the functions for which they are responsible. The BFM requires that requests for all vehicles withstand scrutiny; and the BFM shall only grant authority to purchase a motor vehicle which is the lowest cost vehicle to carry out its intended use.

**The following are "general" guidelines. Exceptions may be justified and it will be the practice of the BFM to work closely with the requesting entities to ensure that state government is not impeded by these processes, while ensuring the best use of public funds.**

- (1) A full size vehicle is not typically the most fuel efficient choice, and has a higher cost when compared to a mid size or intermediate size vehicle. Therefore, full size vehicles would not be the appropriate vehicle to purchase if the intended use is to transport a driver only and occasionally three or fewer passengers to and from appointments, meetings, etc. Requests for full size vehicles must include a detailed explanation of the need for the increased size.
- (2) Sport Utility Vehicles (SUVs) are not typically the most fuel efficient choice, and have

much higher costs when compared to other passenger type vehicles. Therefore, there are very few situations where an SUV would be the most appropriate vehicle. Transportation of passengers and equipment can normally be accomplished with a passenger van or sedan. Requests for SUVs must include a detailed explanation of the need for this type of vehicle.

- (3) Large pick-up trucks (3/4 ton and 1 ton) have much higher purchase and maintenance costs (fuel, etc) and are not appropriate when a smaller vehicle will meet the needs of the agency. Requests for larger trucks should include adequate explanation of the need for the increased size. Crew cab trucks should only be requested when crews of three or more passengers will be transported on a weekly basis

### **3.101.02**

#### **Approval**

No department or agency of the State of Mississippi may purchase any motor vehicle without first obtaining approval from the BFM. Agencies will receive approval/rejection to purchase vehicles by BFM once the Vehicle Request Form (Form VR-1)(See Appendix A) and Commuter Mileage Calculator (Appendix I) where applicable, have been reviewed. If approval to purchase a vehicle is granted, agencies may proceed with the procurement of the vehicle. If denied by the BFM, payment will not be approved by the Department of Finance and Administration, Office of Fiscal Management.

State Contract: If purchasing a vehicle from the state contract, agencies should submit an electronic P-1 through the current e-procurement process and include the approved VR-1 Form and Commuter Mileage Calculator where applicable, prior to purchase.

Other Procurement Methods: If purchasing through a sealed bid process, dealer auction, advertised bid, trade, or transfer, prior approval must be received from the BFM. If a vehicle is purchased by any of these methods, agencies must submit a completed VR-1 Form (by fax, e-mail or mail).

Federal Funds: If the purchase is being made with federal grant funds a copy of the Grant Agreement shall be included with the request for approval to the BFM.

Included with the electronic P-1, the requesting entity shall attach and submit an electronic completed and approved copy of the VR-1 and Commuter Mileage Calculator, where applicable. The requesting entity shall maintain a copy (paper or electronic) of the original VR-1 and Commuter Mileage Calculator (where applicable) and all revisions in the file established for the vehicle in question. If the vehicle being requested is a replacement, give the state asset number, year, make, model, mileage and vehicle identification number (VIN), and a reason why the vehicle being replaced is no longer of use by the agency. When completing the section pertaining to the intended use of the vehicle, the agency should include a detailed explanation of why this vehicle is needed. The agency should also give a detailed justification for the additional options being requested. Attach additional page(s) if needed.

No requests authorized under this section shall be approved by the Bureau of Fleet Management if the requesting agency has not properly maintained in the fleet/asset reporting system all information required by the Bureau of Fleet Management. Agencies shall correct any inadequacies or discrepancies in the system noted by the Bureau of Fleet Management before the bureau may approve any requests.

The Bureau of Fleet Management shall require each agency to submit to the bureau a vehicle acquisition/use/disposal plan on an annual basis. From the plans received, the bureau shall evaluate the proposed plans and shall submit a recommendation to the Legislature prior to January 1 of each year.

### **3.101.03      Justification**

The BFM makes individual vehicle approval decisions based on the justification information provided by the agency. The requesting agency should ensure that the intended use and justification of need is as specific and detailed as possible the **first time** it is submitted.

The justification should include an explanation as to why other vehicles would not be appropriate (For example: why the agency is requesting a “3/4 ton pick-up” rather than a “mid-size pick-up” or why a utility vehicle is being requested rather than a pick-up or van). [The justification should be as specific and detailed as possible regarding the intended use of the vehicle by the agency in carrying out the functions for which they are responsible.] The agency should complete a VR-1 form. The VR-1 must include the vehicle base contract price with each additional option and price listed separately.

The BFM will reject any VR-1s which do not provide adequate explanation and justification for the specific vehicle and option purchases. Notice of this rejection will be sent by letter or electronically to the requesting agency. Agencies are encouraged to contact the BFM with any additional justification to warrant the purchase.

When making requests for authority to purchase, rent, lease or acquire vehicles, agencies shall submit the lowest cost vehicle possible to carry out its intended use. Any such request shall be in writing from the agency head, certifying the vehicle requested is the lowest cost option available and acknowledging that any request contrary to this provision shall subject the agency head to penalties as provided in Sections 25-1-91, 31-7-55 and 31-7-57, where applicable. The Bureau of Fleet Management shall only approve the lowest cost vehicle, which in its estimation, will carry out the intended use. No agency may purchase any vehicle that the Bureau of Fleet Management has disapproved as being a higher cost option.

### **3.101.04      Vehicle Replacement**

If the vehicle being purchased is a replacement for an existing state-owned vehicle, the agency will be required to dispose of a vehicle in its fleet once the new vehicle is in the possession of the agency. Agencies should identify vehicles to be replaced, and must submit the original title of the vehicle being replaced with the information required by Section 3.101.03.

When “vehicle replacement” is the justification for a new purchase, the vehicle being replaced must be disposed of within sixty (60) days of the delivery of the new vehicle. Failure to comply with this Section is vehicle misuse and is subject to penalties set forth herein.

**3.101.05****Vehicle Purchase Records**

The department or agency shall maintain proper purchase documentation (paper or electronic) which provides the intended use of the vehicle and the basis for choosing the vehicle. Such documentation shall show that the department, institution or agency made a diligent effort to purchase, rent, lease or acquire a vehicle that is the lowest cost vehicle for its intended use. For each vehicle purchased, the purchasing entity shall establish and maintain a file (paper or electronic) which shall include all pertinent information concerning the vehicle purchase documentation, including VR-1 form, CR-1 form where applicable, Commuter Mileage Calculator where applicable, and supplemented with fuel, maintenance and repair records and daily vehicle trip and usage logs. Such documentation shall be updated, as needed, when the intended use of the vehicle or any other facts concerning the vehicle are changed. All such documentation shall be approved by the BFM prior to purchase, rental, lease or acquisition or change in use of any vehicle and shall be maintained and made available for review by the State Auditor, any other reviewing agency, and the State Legislature.

**3.101.06****Responsibility for Acceptance and Delivery of Vehicles (New)**

Agencies shall carefully inspect vehicles prior to accepting delivery to insure that the vehicle meets all specifications. The agency shall verify that all equipment, both standard and optional, is on the vehicle prior to accepting delivery of the vehicle. Upon inspection, if the vehicle does not meet specifications or equipment that was ordered is not on the vehicle, please contact the BFM prior to accepting delivery of the vehicle.

**Once an agency accepts a nonconforming vehicle, the agency is liable for payment of the vehicle as accepted.**

### 3.201

#### **Title Process**

Vehicle titles shall be titled as follows: **State of Mississippi/Department of Finance and Administration – Agency Number (see Appendix H)**, for all new and used vehicle purchases, transfers and donated state-owned vehicles. The DFA, or its designee, shall have sole authority to sign vehicle titles. The BFM has the authority to exempt any agency or agency vehicle(s) if the BFM determines that state or federal law requires that title be vested only in the agency's name. Title applications shall reflect the requesting agency's current address as the mailing address on the title with the titles being retained on file at the Agency. State contract awarded vehicle vendors shall be notified that all new state contract vehicle purchases shall be titled in the name of the State of Mississippi/Department of Finance and Administration and to submit to the current agency's mailing address. If state-owned vehicles are purchased through any other process other than from the vehicle state contract, it is the agency's responsibility to complete all paperwork to obtain the title appropriately in the name of the State of Mississippi/Department of Finance and Administration.

Example:

**State of Mississippi/Department of Finance and Administration Agency #**  
**Agency's mailing address**  
**City, State Zip**

### 3.301

#### **Marking of State-Owned Vehicles**

In accordance with Section 25-1-87 of the Code, all state vehicles, owned or leased by the State of Mississippi shall have a permanent decal or be painted on both sides of the vehicle in letters at least three (3) inches in height and on the rear in letters not less than one-half (1½) inches in height, stating the name of the state agency. The marking must be in a color which is in contrast with the color of the vehicle. The provisions of this paragraph shall not apply to those vehicles exempted by Section 25-1-87 of the Code.

### 3.401

#### **Annual Data Integrity Audit**

Executive Directors of agencies that are operating vehicles must submit to the Bureau of Fleet Management a yearly data integrity audit that certifies the accuracy of the data in MAGIC. The BFM will provide each agency with a fleet data audit on an annual basis that must be verified and certified by the Executive Director of the agency. These audits will be completed in March of each year, beginning in 2019.



## **CHAPTER IV VEHICLE USE POLICY**

### **4.101**

#### **State-Owned Vehicle Official Use Policy**

State-owned vehicles are authorized for use in the performance of all travel or tasks necessary to accomplish official state business that is within the rated design capability of the vehicle. Use is not authorized for unofficial travel or tasks, the transport of unauthorized persons or items, or the performance of tasks outside the rated capacity of the vehicle. State-owned vehicles shall be driven only by authorized users and used for official state business only. Some examples of unauthorized use include, but are not limited to:

- (1) Sightseeing or trips for pleasure unless the trip is part of the official agenda for a business conference.
- (2) Transporting family members, dependants or friends to school, daycare, medical appointments, social events or other personal activities.
- (3) Conducting other personal business outside the authorized user's scope of employment.

Only authorized passengers are permitted to accompany authorized users in state vehicles. Non-state individuals such as volunteers, spouses, and children should not be passengers in a state vehicle unless they are involved in the conduct of business which is in the scope of employment of the authorized user operating the state-owned vehicle.

### **4.101.01**

#### **Operating a State-Owned Vehicle**

**Authorized users must have a valid driver's license (Mississippi residents must have a Mississippi Driver's License), acceptable driving record (see UA – 1 Form), and be authorized by their agency to operate a state-owned vehicle. Authorized users include state employees, state contract workers, elected or appointed officials, and independent contractors (where approved on a case by case basis).**

All drivers will be required, on an annual basis (due January 15 of each calendar year), to sign a Vehicle Use Agreement, Form UA – 1 (See Appendix B). Agencies shall determine if a user's driving record is acceptable before allowing that user to operate a state-owned vehicle. Agencies may review authorized users' driving records, as necessary.

The Agreement contains a provision signifying that the driver has been given a copy of the fleet policies and procedures and that he/she understands and agrees to them. The Vehicle Use Agreement also contains space for the driver's license number and it informs the driver of his/her obligation to reveal changes in the status of that license. This form should be updated on a yearly basis or if the driver's information changes, whichever comes first. It is the responsibility of the user to immediately notify his/her supervisor should the information on his/her UA - 1 form change. Failure to report such changes is vehicle misuse and subject to the penalties herein.

Agencies must retain copies of the current UA – 1 form electronic or paper for each authorized user. These forms are subject to audit by the BFM and the Office of the State Auditor.

**At no time can authorized users operate a state-owned vehicle with a revoked, restricted, or suspended license.**

#### **4.101.02      Logs**

A daily log of all trips must be recorded for each state-owned vehicle. (See Appendix G for Sample Daily Trip Log.) Each daily trip log shall contain: the operator of the vehicle, date of vehicle use, beginning and ending odometer reading, total miles traveled, purpose of each trip, and the business locations visited each day. Agencies with law enforcement drivers should contact the BFM for guidance on compliance with this section.

Agencies must maintain all daily log files for each agency's vehicle for at least three years. Logs are subject to audit by the BFM and the Office of the State Auditor.

#### **4.102            State-Owned Vehicles; Misuse or Inappropriate Activities**

State-owned vehicles are highly visible to the public. Vehicle operators should exercise prudence and courtesy, as poor driving manners and inappropriate use of state-owned vehicles reflect on all state employees. An authorized user should not engage in any activity that would violate the obligation of trust given with the privilege of operating a state-owned vehicle. Inappropriate activities or misuse include, but are not limited to:

- (1) Using the vehicle for personal use outside of the employees' scope of employment;
- (2) Failure to maintain accurate daily trip log (Appendix D);
- (3) Use of alcohol in state-owned vehicles;
- (4) Use of drugs in state-owned vehicles;
- (5) Use of tobacco products in state owned vehicles;
- (6) Violation of vehicle replacement policy;
- (7) Improper vehicle assignment;
- (8) Failure to report changes in driving status;
- (9) Falsification of documents;
- (10) Failure to comply with vehicle safety laws (ex: speeding and /or reckless driving);
- (11) Failure to take proper care of the vehicle;
- (12) Failure to comply with any policy or procedure otherwise set forth herein.

**Misuse of state-owned vehicles may be reported by authorized users, other employees, or members of the public. Misuse should immediately be reported to the BFM, using the Vehicle Misuse Incident Report (VMR – 1). This form may be found at <http://www.dfa.state.ms.us/Purchasing/Fleet/FormVMR1.pdf>.**

The BFM will notify the agency head of any reports of alleged misuse. The agency head shall investigate all alleged misuse. The agency head must report to the BFM in writing within thirty (30) days from the date a report was made. This report shall contain at a minimum:

1. Name, address and telephone number of individual making the report, if known;
2. Summary of report;
3. Name and address of driver;
4. Investigative findings;
5. Remedial action taken, if warranted;
6. Response to individual making the report, if warranted.

The willful neglect or misuse of any state-owned motor vehicle may constitute grounds for disciplinary action at the discretion of the agency head, as well as, forfeiture of ability to operate a state-owned vehicle. If there is no response within thirty (30) days, the matter will be turned over to the State Auditor's office.

#### **4.102.01.1 Penalties for Misuse of State-Owned Vehicles**

These rules and regulations are promulgated in accordance with Section 25-1-77 of the Code. Any violations of these regulations may expose users and agency heads to criminal liability. Additionally, vehicles may be seized by the BFM.

- Pursuant to Section 25-1-79 of the Code, it is unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.
- Pursuant to Section 25-1-91 of the Code, if any person shall knowingly and willfully violate any of the provisions of Sections 25-1-77 through 25-1-93, such person shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than two hundred fifty dollars and, in addition, shall be removed from the office or position which he holds.
- Pursuant to Section 25-1-77(4), the BFM shall immediately notify the department head of any agency when it has determined that a vehicle is in violation of the BFM's rules and regulations. At the same time, the BFM shall notify the Speaker of the House of Representatives and the Lieutenant Governor of its findings regarding any such vehicle. If the violation is not rectified within five (5) days of the notice, then the BFM may seize the vehicle and dispose of it as the BFM deems to be in the best interest of the State.
- Additionally, Section 31-7-51 of the Code provides for individual liability for unlawful expenditures of public funds.

#### **4.102.02      Tobacco Use in State-Owned Vehicles**

The use of tobacco products is prohibited in all state-owned vehicles.

#### **4.102.03      Animals**

Transportation of animals in state-owned vehicles is prohibited unless necessary to accomplish official state business or to accommodate a disabled authorized user or authorized passenger.

#### **4.102.04      Decals**

The application of decals (except parking decals), bumper stickers, commercial or political advertisements on state-owned vehicles is prohibited unless approved by the BFM.

#### **4.102.05      Firearms**

Firearms are prohibited in state-owned vehicles unless they are required for the performance of official job duties.

#### **4.102.06      Seat Belts**

In accordance with Section 63-2-1 of the Code, drivers operating state-owned vehicles are required by law to wear seat belts.

#### **4.102.07      Personal Property**

Personal property in state-owned vehicles is not insured for loss or damage by the State. Coverage for these items may be provided by the authorized user's personal insurance. Drivers are encouraged to discuss such issues with their own insurance representative and should consider the addition of a "rider" on their own policy.

#### **4.103          Vehicle Assignments**

Every state-owned vehicle must have an active assignment. All state-owned vehicles shall be assigned as one of three categories: law enforcement, commute, and non-commute.

Vehicle assignments are designated on the VR-1 form by agency heads when requesting to purchase the vehicle. Documentation supporting assignments must be submitted electronically with the VR-1 form using the P-1 process. Purchases and assignments are approved or denied by the BFM when the VR-1 is submitted. Supporting documentation needs to be included with the VR-1 using the Appendix D, when the vehicle is to be assigned as law enforcement or commute.

Any changes to vehicle assignments must be entered into the State of Mississippi fleet/asset reporting system, and should include the following: the original approved VR-1 form, a written justification from the agency head indicating the need for the assignment change, and any supporting documentation for the change.

If at any time it is determined by the BFM that a vehicle's utilization is an inappropriate assignment, the BFM will notify the department head of any agency. The agency must correct the assignment within the time period prescribed by the BFM. Failure to take corrective action is vehicle misuse and is subject to the penalties described herein (see Section 4.102.01).

#### **4.103.01**

##### **Law Enforcement**

An employee who is a sworn law enforcement officer as defined in Section 45-6-3 of the Code or a law enforcement trainee as defined in Section 45-6-3(e) of the Code, and whose position requires him or her to daily perform the duties of a sworn law enforcement officer may drive a vehicle if use of the vehicle is essential for the employee to carry out their daily job duties.

Agencies must complete Appendix D – Commuting Authorization Request Form and electronically transmit a copy of the completed Appendix D, along with the completed and approved VR-1 Form, which was used to purchase the law enforcement vehicle, to the BFM. With Appendix D, agencies must supply a copy of the official certification from the Mississippi Board on Law Enforcement Officer Standards and Training (BLEOST) issued to the employee for whom the agency is requesting a Law Enforcement assignment. If the assignment is for a law enforcement trainee, agencies must submit with Appendix D official documentation from the BLEOST indicating the employee is an active trainee and when the trainee's two (2) year period of training will end.

#### **4.103.02**

##### **Commute**

Commute assignment is defined as a state-owned vehicle assigned to be driven from an employee's official duty station or other temporary place of work to an employee's residence as needed.

A commute assignment is only authorized when it is the most cost effective or practical alternative. State-owned vehicles may not be used in a commuting capacity solely by virtue of an authorized user's job title or position. A commute vehicle cannot be part of a compensation or administrative package.

Before any commuting assignment is made, an agency must clearly demonstrate to the BFM that providing the user a vehicle would be a cost savings to the agency and the State.

Agencies must complete Appendix D (Commuting Authorization Request Form), the VR-1 Form and the Commuter Mileage Calculator and electronically transmit a copy of each to the BFM.

Below is a link to the Commuter Mileage Calculator. The data necessary to utilize this formula will be taken from completed daily trip logs. If using the Commuter Mileage Calculator for a new commute assignment, enter a reasonable estimate for the annual business miles.

<http://www.dfa.state.ms.us/Purchasing/Fleet/CommuterMileageCalculator2011.xls>

#### **4.103.03**

##### **Non-Commute**

Non-Commute assignment is defined as a state-owned vehicle assigned to be driven to and from an employee's official duty station to any temporary place of work and returned to the official duty station on a daily basis. This vehicle must not be driven to and from the employee's residence unless the employee has been authorized by his or her agency to utilize the vehicle in "travel status." Non-commute may include motor pool and individual non-commute vehicles.

1. Motor Pool vehicles are not assigned to a single individual. They are available at the official duty station for use by an authorized user of the agency.

2. Individual Non-Commute vehicles are assigned to a single individual for use in the performance of their job duties during their scheduled work hours.

#### **4.104**

##### **Internal Revenue Service Reporting**

Personal use of state-owned vehicles is not permissible (Section 4.101). Further, unauthorized personal use of a state-owned vehicle can subject the employee to tax liability. The IRS guidelines define personal use as "any use of the vehicle other than use in your trade or business." The only exception is "de minimis personal use" such as an authorized commuter's stop for a personal errand on the way between a business delivery and the employee's home.

Commuters should be advised that certain authorized users who are approved by their agency head to commute to and from work and their residence on a regular basis are considered by the Internal Revenue Service (IRS) to have derived gross income from such use of their vehicle. Commute use, with limited exceptions, is considered a taxable fringe benefit.

For employees with commute use privileges, the employing agency's accounting personnel shall review and follow the procedures as set forth in the DFA MAAPP manual sub-section 15.20.30 and the Internal Revenue Service Employer's Tax Guide to Fringe Benefits to determine the taxable value of the commuting assignment.

#### **4.201**

##### **Use of Privately Owned Vehicles**

The BFM does not encourage the use of privately owned vehicles to conduct state business unless the state agency does not have access to a state-owned vehicle or the employee does not drive enough miles to warrant a state-owned vehicle. If there is a state-owned vehicle available for use and an authorized user makes a decision to use their privately owned vehicle, the user will receive mileage reimbursement at a reduced rate in accordance with the State of Mississippi Travel Policy Rules and Regulations.

If there is not a state-owned vehicle that can be used for official state business, employees may be reimbursed up to the state approved mileage reimbursement rate. The current reimbursement rate is listed in the revised mileage reimbursement rate memo <http://www.dfa.state.ms.us/purchasing/travel/mileagerate.pdf>. This rate shall not exceed the maximum amount to be reimbursed.

It is the agency's responsibility to maintain all documentation for audit purposes supporting rates reimbursed and the documentation must be available to the DFA or the Office of the State Auditor if requested. Employees using their privately owned vehicle for official state business should have current proof of insurance in accordance with state law.

#### **4.301**

##### **Investigating and Auditing of Agency Vehicle Usage and Purchasing**

The BFM has the authority to investigate, at any time, the vehicle usage of any state agency. The BFM will report any investigative findings to the State Auditor's Office. Further, on or before September 1 of each year, the BFM shall prepare and deliver to the Senate and House Appropriations Committees and the Joint Legislative Budget Committee a report containing any irregularities that it finds concerning purchases of state-owned vehicles.

#### **4.401 Certified Fleet Manager Program**

The Bureau of Fleet Management has established a mandatory Certified Fleet Manager program. This is a competency-based training program in which users responsible for vehicle management will demonstrate that they have the knowledge and ability to use MAGIC correctly. Users will be required to demonstrate competency through training simulations in MAGIC. Effective July 1, 2019 all agencies will be required to have at least one (1) Certified Fleet Manager on staff in order to purchase new vehicles for their respective agency.

## **CHAPTER V**

### **STATE VEHICLE SAFETY OPERATION POLICIES**

#### **5.101      State Vehicle Safety Operation Policies**

All operators of state-owned vehicles, or privately owned vehicles on official state business, are responsible for operating vehicles in accordance with all applicable state and federal laws. The operator should avoid activity that may hinder safe operations such as inappropriate use of a cell phone (including texting); eating or reading while driving; and any other activity that may hinder the driver's attentiveness. Driving privileges may be reduced or revoked depending upon the severity and number of the violations.

Violations of safety operation policies constitute vehicle misuse and are subject to the penalties described herein.

#### **5.101.01      Distractions**

Operators of state-owned vehicles must attempt to minimize distractions that may interfere with the driver's ability to focus. Distractions include, but are not limited to:

- a.) Cell phone use should be minimal. Hands free equipment is recommended when cell phone use is necessary. Texting while driving is prohibited.
- b.) PDA/Laptop computer use is prohibited while operating a vehicle.
- c.) Portable two-way radio use should be minimal.
- d.) Eating/Drinking should be minimal.
- e.) Reading/writing is prohibited while operating a vehicle.
- f.) Personal grooming (shaving, applying makeup, etc.) while driving is prohibited.

#### **5.101.02      Impaired Driving**

Operators of state-owned vehicles are prohibited from the operation of a motor vehicle while mentally or physically impaired. Violations may lead to revocation of driving privileges. Examples of impaired driving may include, but are not limited to:

- a) The use of alcohol.
- b) The use of illegal drugs.
- c) The use of prescription/non-prescription medicine which may impair driving.
- d) Driver fatigue.
- e) Medical condition or illness which may impair driving.
- f) Emotional state which may impair driving.



### **5.101.03      Fines**

Operators of state-owned vehicles must report any citations for parking violations, moving violations, violations resulting in a threat to life, violations resulting in a collision, etc. All fines incurred while operating a state-owned vehicle will be the responsibility of the driver and must be paid immediately.

### **5.101.04      Seat Belts**

All employees of the State of Mississippi and other occupants are required by law to wear a safety belt at all times when operating or being transported as a passenger in a state-owned vehicle. Both lap belts and shoulder harness must be utilized, where provided. It shall be each occupant's responsibility to ensure compliance with the State's safety belt policy. It is unlawful to remove any seat belt or render it inoperative. Loose material inside passenger compartments should be kept to a minimum. Additionally, where provided, the number of seatbelts in a vehicle establishes the maximum number of passengers a vehicle can carry.

### **5.101.05      Reporting Emergencies**

If a vehicle emergency situation arises, vehicle operators should contact their supervisors and dial 911 for assistance.

## **5.201      Liability Insurance for State-Owned Vehicles**

The policy of the State of Mississippi is that state-owned vehicles are to be used for official state business only. The driver is covered for liability purposes only by the MS Tort Claims Board (TORT) provided that the vehicle is being used within the course and scope of the employment. Drivers should be aware that any accidents, damage, etc. that occur outside the course and scope of employment are not covered under the rules and regulations set forth by the MS Tort Claims Board. If an accident is not covered by TORT, the driver may be responsible for all repairs to the state-owned vehicle, as well as, any damages to other individuals or their property. It is recommended that the driver have adequate insurance, including a business vehicle endorsement.

### **5.201.01      Liability Insurance for Personal Vehicles**

Authorized users who operate their personal vehicles to conduct state business for an agency are covered by TORT for liability purposes only, provided that the vehicle is being used within the course and scope of employment. However, operators should be aware that in such a case, the employee will be responsible for all repairs to their personal vehicle. TORT may cover damages to other individuals or their property for which it may be liable.

Employees should be aware that any accidents, damage, etc. that occur outside the course and scope of employment are not covered by TORT. The employee shall be responsible for all repairs to their personal vehicle as well as any damages to other individuals or their property. Employees are advised to consider talking to their personal insurance agent to ensure they have adequate insurance coverage.

### **5.201.02      Liability Insurance for Rental Vehicles**

When a rental car is used in lieu of a personal automobile for official state business, the driver is covered for liability purposes by TORT provided that the vehicle is being used within the course and scope of the employment. The State contract for rental vehicles includes Collision Damage Waiver/Loss Damage Waiver (CDW/LDW) insurance. If an employee goes outside a state contract vendor, he or she will need to ensure the rental contract

includes CDW/LDW insurance. Drivers should be aware that any accidents, damage, etc. that occur outside the course and scope of employment are not covered by TORT. If an accident is not covered by TORT, the driver may be responsible for all repairs to the rental vehicle as well as any damages to other individuals or their property.

#### **5.201.03      Contract Workers**

Contract Workers who operate their personal vehicles to conduct state business for an agency are covered by TORT for purposes of liability only, provided that the vehicle is being used within the course and scope of employment. However, operators should be aware that in such a case, the contract worker will be responsible for all repairs to their personal vehicle, but TORT may cover damages to other individuals or their property for which it may be liable.

If the accidents, damage, etc. occur outside the course and scope of employment, damages are not covered by TORT. The contract worker will be responsible for all repairs to their personal vehicle as well as any damages to other individuals or their property. Employers are advised to request proof of insurance during the hiring process for a contract worker.

#### **5.201.04      Independent Contractors**

Independent contractors are not covered under TORT.

The Bureau of Fleet Management is authorized to amend its regulations to authorize waivers or consent, on a case by case basis, for persons other than state officers or employees, to use state vehicles, including specialized equipment, on official State business.

The BFM shall require the agency to require the Independent contractor, as a condition prerequisite to receiving the waiver, to provide proof of liability insurance with a "drive other vehicles" endorsement at coverage levels equal to or exceeding tort claims limits and also requiring the independent contractor to indemnify the State from any and all liability related to the use of the state-owned vehicle.

The limits are equal to tort claims limits for liability coverage and the current replacement value of the state-owned vehicle operated by the independent contractor. The BFM reserves the right on a case by case basis, to require greater coverage than these minimums when to do so is in the best interest of the State.

#### **5.201.05      Reporting Accidents**

If an operator of a state-owned vehicle or a personal vehicle approved for state use is involved in an automobile accident, the following steps should be taken:

- 1.) Call an ambulance if anyone is injured;
- 2.) Immediately notify the city police, sheriff's office or highway patrol;
- 3.) Do not move either vehicle until an officer of the law advises you to do so;
- 4.) The Proof of Insurance number that should be entered on the police report is 11-46-15;
- 5.) Do not make any statement of guilt to any party;
- 6.) Notify your immediate supervisor as soon as possible;

- 7.) Complete a State of Mississippi Liability Claim Reporting Form, available online at [www.dfa.state.ms.us/tort/LiabilityClaimForm.pdf](http://www.dfa.state.ms.us/tort/LiabilityClaimForm.pdf); and
- 8.) Submit the form, along with police report and any other applicable information to TORT.

**5.201.06**

**Defensive Driving Training**

The Loss Control Department of TORT offers Defensive Driving Classes to all state agencies. State employees involved in preventable accidents must attend a defensive driving training session. It is the responsibility of the individual state agency to contact the State Loss Control Manager at 601-359-6691 for scheduling.

## **CHAPTER VI**

### **MAINTENANCE AND CARE OF VEHICLES**

#### **6.101      Maintenance and Care of Vehicles**

Maintenance of state property is a vital responsibility when considering the best use of public funds. All agencies are urged to establish a written policy which shall describe the planned maintenance program for its fleet. This policy shall include mechanisms to assure proper, timely preventive maintenance (oil changes, lubrication, etc) as well as mechanisms to track costs to allow management to make proper decisions concerning the continued operation of the vehicle. At a minimum, agencies should follow the manufacturer's recommended maintenance schedule for each vehicle.

The BFM has incorporated minimum scheduled maintenance recommendations into the current State of Mississippi Fleet/Asset reporting system that can be used as a guide. All maintenance and repairs performed on state-owned vehicles must be documented and retained for the life of the vehicle. All maintenance and repair information and costs should be entered into the Fleet/Asset reporting system on a monthly basis. The maintenance and upkeep of fleet vehicles is the responsibility of the individual and agency to which the vehicle is assigned. The agency shall enforce the policies and schedules to ensure routine service is completed as scheduled.

Failure to properly maintain state-owned vehicles is vehicle misuse and is subject to the penalties described herein.

#### **6.101.01      Vehicle Warranty Tracking**

Agencies should track vehicle and parts warranties to achieve maximum savings on maintenance and repairs. A good warranty tracking system can prevent you from paying for repairs or parts that are covered under manufacturer warranties.

#### **6.101.02      Monthly Vehicle Maintenance**

Refer to Appendix E of this manual for a state-owned vehicle monthly maintenance check list. This form should be completed by all employees assigned a state-owned vehicle on a monthly basis as a means to be proactive on maintenance and to help keep a safe fleet of vehicles for employee use. The Fleet manager or employee supervisor should monitor and sign off on this process. Agency pool vehicles should be under the same monthly maintenance check list.

#### **6.101.03      Routine Washing**

It is the agencies' responsibility to ensure fleet vehicles represent the State of Mississippi appropriately. Vehicles should be cleaned inside and out as appropriate for the intended use of the vehicle.

#### **6.101.04      Annual Safety Inspection**

It is the responsibility of each agency to schedule and complete the annual state inspection at a licensed maintenance facility for each vehicle assigned to their agency. The State of Mississippi Fleet/Asset Reporting System provides annual reminders that can be used by agencies.

**Fuel Purchases**

Gasoline purchases shall be obtained using the state-approved fuel access cards from vendor facilities that accept the state-approved Fuel Access Cards. Only regular unleaded gasoline or diesel from self-service pumps should be used. No higher-octane gas is to be purchased.

Each vehicle shall be issued a state-approved Fuel Access Card that must remain in the vehicle at all times. Employees, who are assigned vehicles, shall be issued a personal identification number (PIN) that is to be kept separate from the card. When using this card, always key in the current exact odometer reading. If a state-approved Fuel Access Card is stolen or lost, notify the appropriate agency contact, and the card should be canceled. A replacement card should be issued if needed.

The state-approved Fuel Access Card is to be used to purchase fuel and vehicle-related services only (Repair/Maintenance). All fuel transactions must be entered into the State of Mississippi Fleet/Asset Reporting System on a monthly basis.

Operators should be advised that if they use any form of payment other than the state-approved Fuel Access Card to purchase fuel while traveling on official state business, they will only be reimbursed at the weekly state-approved Fuel Access Card rate at the time of purchase, unless proper justification is provided.

Bulk fuel purchases must be made using either the state-approved Fuel Access Card fuel provider or the method prescribed by Section 31-7-13(h) of the Code. Agencies must monitor the disbursement of fuel from the agencies' tanks and keep this documentation available for review by the BFM or the State Auditor.

**6.102.01****Alternative Fuels**

Pursuant to Section 25-1-77(1), the BFM shall encourage the use of alternative fuels, including, but not limited to, ethanol or bio-diesel. Each agency is encouraged to purchase alternative fuel vehicles and use alternative fuels when it is determined that it would be cost effective and would not cause harm to the state-owned vehicle. Purchases of alternative fuels are one hundred percent reimbursable, where pre-approved by the operators' agency.

## **CHAPTER VII**

### **VEHICLE REPLACEMENT AND DISPOSITION**

#### **7.101**

##### **Replacement Criteria**

The following guidelines provide minimum replacement criteria for routine vehicle replacement. Most vehicles should be replaced when they reach 7 years (84 months) of service and 150,000 miles. However, there may be circumstances in which vehicles may be replaced sooner (such as excessive maintenance or repair costs) or retained longer (such as unusually low maintenance costs or low yearly mileage). Agencies may make this determination on a case-by-case basis, using these guidelines.

Before disposal or sale of any vehicle, the BFM shall make a determination that the lifetime use and mileage of the vehicle has been maximized and it would not be feasible for another state agency to use this vehicle. All disposals shall be approved by the BFM prior to disposal (pursuant to the policies set forth herein for disposal procedures).

#### **7.201**

##### **Procedures for Selling or Transferring State-Owned Vehicles**

Before disposing of any vehicles, agencies must send a list of vehicles to the BFM for prior disposal approval. These vehicles will be checked to make sure they meet replacement criteria set forth above. Agencies shall ensure that the highest mile and/or highest maintenance cost vehicles are the vehicles chosen for disposal. The BFM will assist agencies in determining the most appropriate vehicles upon request. With BFM approval, agencies can proceed with their disposal process.

After vehicles have been disposed of, a completed Vehicle Deletion Form (Appendix F) should be submitted to the BFM including the bill of sale, invoice, bid or quote documentation, check copies, cash receipts and signed title copies with buyer and seller signatures. Once the Vehicle Deletion Form and supporting documentation have been received and approved by the BFM, a copy will be forwarded to the Office of the State Auditor.

#### **7.201.01**

##### **Methods**

State-owned vehicles which become surplus to the needs of a state agency may be disposed of in any of the following ways:

- (1) Sold
- (2) Traded
- (3) Transferred

#### **7.201.01.1**

##### **Sold**

Sale of state-owned vehicle(s) may be accomplished by public auction, sealed bid, or private treaty negotiated sale.

#### **7.201.01.2**

##### **Trades**

State-owned vehicles which no longer meet the needs of an agency or become obsolete or inoperable and still have a residual value may be traded as a part of the transaction to acquire new vehicles. This method of disposal may not be used when acquiring any vehicle

from a state contract. The request for pricing, which includes a trade-in, must be made a part of the specification for the vehicle being purchased. The specification shall contain all pertinent information about the vehicle being traded (i.e., make, model, year, mileage, the location where it may be seen, etc). If a vehicle is to be disposed of by trade-in, the Vehicle Deletion Form shall be completed to include all information applicable to the trade-in. However, the agency must at the same time submit the P-1 for approval to purchase the item to which the trade-in applies. The Vehicle Deletion Form may not serve as the purchase request. The Vehicle Deletion Form is to be considered as an inventory deletion form only. Approval of both documents by the BFM must be obtained prior to the issuance of a purchase order.

### **7.201.01.3     Transfers**

State-owned vehicles may be transferred from one state agency to another state agency (including transfers to the Office of Surplus Property). Transfer or sale of vehicles from one state agency to another or transfer from a state agency to a governing authority does require approval from the BFM. Agencies requesting a vehicle to be transferred to them must submit to the BFM a VR-1 (See Appendix B) with a detailed justification of why the requested vehicle is needed. If approval is granted, the agency receiving the reassigned vehicle shall pay to the previous agency's special fund, or if no special fund exists to the state general fund, the National Automobile Dealers Association (NADA) wholesale value for the vehicle or the estimated amount for which the vehicle would have sold at auction, as shall be determined by the BFM, whichever is less. The agency transferring the vehicle must submit the completed Vehicle Deletion Form to BFM. Once received and approved by the BFM, the Vehicle Deletion Form will be forwarded to the Office of the State Auditor. No transfers of state agency vehicles shall take place without prior approval from the BFM.

### **7.201.02     Sale of State Property**

**7.201.02.1     Sealed Bid** When disposing of state-owned vehicles by sealed bid, agencies will be required to advertise the sale in the same manner as set forth in Section 31-7-13(c) of the Code. The opening of sealed bids for the sale of state-owned vehicles shall be in compliance with Section 3.202.12 of the State Procurement Manual (Receipt, Opening and Recording of Bids).

No vehicles sold by sealed bid shall be released to the successful bidder until the Vehicle Deletion Form has been approved by the BFM and Property Control within the Office of the State Auditor. The Vehicle Deletion form submitted to the BFM must include the bill of sale, invoice, bid or quote documentation, check copies, cash receipts and signed title copies with buyer and seller signatures.

**7.201.02.2     Scrap** Agencies must submit requests for authorizations to the BFM prior to disposing of vehicles deemed "scrap." Once these vehicles have been approved for disposal by the BFM the agency can proceed with the disposal process. If the vehicle(s) is valued at \$100 up to \$5000, two quotes are required. If the vehicle is valued at more than \$5,000, it must be advertised to be sold.

**7.201.02.3     State-Owned Vehicle Disposal Specifications** The specifications or instructions to prospective buyers should provide a listing of all items being offered and such listing shall provide, at a minimum, the following:

- (1)     Make – Model (Dodge B150 -ton pickup)
- (2)     Year of manufacture
- (3)     Mileage

- (4) Location – (Where the vehicle may be inspected.)
- (5) Date and time when vehicle may be inspected
- (6) Address of location to which the bids shall be delivered
- (7) Time and date set for the bid opening
- (8) Name of person (including telephone number) to be contacted if additional information is necessary

**7.201.03** **Auction.** Agencies should be advised that an auction is the preferred method of disposing of vehicles and the BFM has consistently found auctions to be the most profitable method of disposal. Agencies may see Section 8.101.03 of the State Procurement Manual for guidance.

**7.201.03.1** **Dealer Auctions.** There are several dealer auction facilities located throughout the State where vehicles may be sold. To use the services of any of these facilities, the company must agree that the sale will be open to the public for state-owned vehicles and must agree that the fee charged the seller of state-owned vehicles shall be not more than \$50 per vehicle.

The vehicles need to be thoroughly cleaned, and have all decals and lettering removed prior to sending them to auction. A representative of the BFM may view these vehicles prior to the sale and has the authority to have any vehicle pulled from sale to be cleaned or de-identified by the auction's reconditioning facility. Any additional costs incurred at the auction's reconditioning facility due to the agency's failure to properly prepare the vehicle for auction may be assessed against the agency at an allowable fee rate. A list of all maximum allowable fees is posted on the Department of Finance and Administration's website under the BFM. Pulled vehicles will be put in the next month's sale.

The BFM will sell all state-owned vehicles under a "red light" ("as is where is" at auction). The BFM reserves the right to attend all auctions to ensure that best practices and sale prices are being administered. It is recommended that agencies represent their vehicles on sale day. Both agency representatives and the BFM have full authority to reject any bid if it is not in the best interest of the State of Mississippi.

Vehicles that are delivered and set for sale at the state auction must cross the auction block at least one time before they can be sold. When vehicles have sold, the auction company will be responsible for collecting proceeds from buyers and will provide, to the agency, all documentation (bills of sale, mileage certifications, etc.). The auction company will deliver, within 10 working days, a check for the net proceeds to the selling agency.

Any auction company handling vehicles owned by state agencies shall be bonded as required by law. After vehicles have been sold, a Vehicle Deletion Form must be submitted to the BFM including the bills of sale, invoices, bid or quote documentation, check copies, cash receipts and signed title copies with buyer and seller signatures. Once the BFM reviews and approves the disposal form, it will be forwarded to the Office of the State Auditor.

**7.201.03.2** **Public Auction.** When vehicles are sold at public auction, the BFM shall be notified in writing not less than 30 days prior to the auction. This notification shall include:

- (a) a detailed list of the vehicles being sold, including the asset numbers,

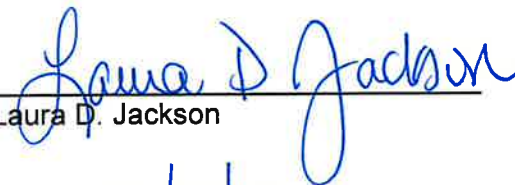


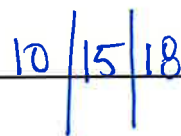
- (b) the time, date, and place where the auction will be held,
- (c) a copy of the auctioneer's contract,
- (d) copies of specifications and bids for auctioneer's services (if applicable),
- (e) a list of potential buyers who are being sent a notification of the auction; and
- (f) a copy of, or a draft of a legal advertisement to notify potential bidders of the day, time and place of auction. The advertisement should run in a newspaper of general circulation in the county in which the auction will be held and should appear in the paper not less than twice. The second appearance of the advertisement shall be not less than 7 working days prior to the auction.

If a copy of an advertisement is submitted, it should include the days in which it appeared in the newspaper. If a draft of an advertisement is submitted, the agency should indicate the days it will appear in the newspaper. Included with this information should be a request for authority to proceed with the auction. After vehicles are disposed, a Vehicle Deletion form must be submitted to the BFM including the bill of sale, invoice, bid or quote documentation, check copies, cash receipts and signed title copies with buyer and seller signatures for each vehicle.

# AUTHORIZATION OF POLICY AND PROCEDURE MANUAL FOR THE UTILIZATION OF STATE-OWNED VEHICLES

As Executive Director of the Department of Finance and Administration and by the authority empowered to me, I authorize the implementation of this policy and procedure manual on this date.

  
\_\_\_\_\_  
Laura D. Jackson

  
\_\_\_\_\_  
Date

## Appendix A – Vehicle Request Form (Page 1)

<b>Name of Agency</b>		<b>Agency Contact Name</b>	
<b>Agency Contact Phone</b>		<b>Agency Contact Fax</b>	
<b>SECTION A</b>			
<b>Addition/Replacement</b>	<input type="checkbox"/> Addition <input type="checkbox"/> Replacement <i>(Complete Section D for Addition Requests)</i>	<b>Purchase Price \$</b>	
<b>Purchase From:</b>	<input type="checkbox"/> State Contract <input type="checkbox"/> Surplus <input type="checkbox"/> Auction	<b>Purchase Option (check all that apply)</b> <input type="checkbox"/> Purchase <input type="checkbox"/> Master Lease	
<b>Vehicle Requested</b> <input type="checkbox"/> New <input type="checkbox"/> Used (Check One)  Requested Options			
<b>VEHICLE DATA</b>	<b>VEHICLE TO BE REPLACED</b>	<b>REQUESTED VEHICLE</b>	
<b>Year</b>			
<b>Make</b>			
<b>Model</b>			
<b>VIN</b>		N/A	
<b>License Number</b>		N/A	
<b>Asset Number</b>		N/A	
<b>Current Odometer</b>		<i>(leave blank for new vehicles)</i>	
<b>Annual Miles Driven</b>	<i>Prior FY Actual</i>	<i>Estimated Annual Mileage</i>	
<b>Vehicle Category</b>	Pick One	Pick One	
<b>Check all that apply</b>	<input type="checkbox"/> 4WD <input type="checkbox"/> Police Equipped	<input type="checkbox"/> 4WD <input type="checkbox"/> Police Equipped	
<b>Primary Assignment</b>	<input type="checkbox"/> Commute <input type="checkbox"/> Non Commute <input type="checkbox"/> Law Enforcement	<input type="checkbox"/> Commute <input type="checkbox"/> Non Commute <input type="checkbox"/> Law Enforcement	
<b>Assignment Name Designated Operator</b>			
<b>Vehicle Purpose Primary Use: Check one box &amp; briefly describe intended use of vehicle by agency.</b>	<input type="checkbox"/> Passenger <input type="checkbox"/> Work	<input type="checkbox"/> Passenger <input type="checkbox"/> Work	
<b>Reason for Replacement</b>	<input type="checkbox"/> Routine (Over 120,000 miles) <input type="checkbox"/> Other <i>(Complete Section E)</i>	<b>Actual Disposal Date/Miles BFM (USE)</b>	
<b>Estimated Disposal Date</b>			
<b>SECTION B: SIGNATURES</b>			
<b>Agency Head or Executive Director</b>  _____  Date: _____		I understand that signing this form means that this purchase and the subsequent use of this vehicle must comply with all policies of the Bureau of Fleet Management. Violation of these policies is a misdemeanor criminal offense and may subject the Executive Director or the authorized user of the vehicle to criminal prosecution. By my signature, I certify that the vehicle requested is the lowest cost option available to carry out its intended use, and acknowledge that any request contrary to this provision shall subject me, as agency head, to penalties as provided in Sections 25-1-91, 31-7-55, and 31-7-57, where applicable. (HB 938)	

**VEHICLE REQUEST FORM (Page 2)**

**SECTION C: ADDITIONAL JUSTIFICATION FOR CERTAIN VEHICLE TYPES**

This section must be completed if a SUV, four wheel drive vehicle, full size sedan or a police equipped vehicle is requested.

Special Requirements: Check all that apply and then describe in detail in the space provided below.

- ☐ Regularly driven off road or on unimproved roads
- ☐ Equipment/Tool Storage ( Specialized Equipment)
- ☐ Passenger Occupancy (3 or more passengers weekly)
- ☐ Utility Features
- ☐ Other

Please describe the specific need here. Include justification describing why a lower cost; more fuel-efficient vehicle is not sufficient to meet agency needs.

**SECTION D: JUSTIFICATION FOR ADDITION OF VEHICLES**

This section must be completed for additional vehicle requests.

Reason for Addition: Check all that apply and then describe in detail in the space provided below:

- ☐ New Statutory Requirements
- ☐ Fleet Increase Approved by State Legislature
- ☐ Program Changes
- ☐ Other

Describe the need to expand the fleet here.

**SECTION E: REASON FOR REPLACEMENT**

If "Other" was selected as the reason for replacement on page one please provide additional information below.

**ADDITIONAL INFORMATION (optional)**

## **VEHICLE APPROVAL FORM INSTRUCTIONS & INFORMATION**

All new or used vehicle purchases must be approved in accordance with Senate Bill 2398 (Regular Session 2006) and the State of Mississippi Rules and Regulations Fleet Manual. This includes vehicles purchased directly from other state agencies or State Surplus Property.

### **STEP-BY-STEP INSTRUCTIONS TO COMPLETE THE APPROVAL FORM**

1. Complete Section A with information on the vehicle to be purchased and the vehicle to be replaced (if applicable).
2. Complete Section C ( page 2) if the request is to purchase an SUV, four wheel drive pickup, full size sedan or a police equipped vehicle to be operated by individuals other than certified law enforcement officers.
3. Complete Section D if you are requesting an addition to the size of your fleet.
4. Obtain signature of agency head or designee in Section B.
5. Agencies are not required to submit page two of this form if Sections C-E are not required.
6. Complete Appendix D and submit with the VR-1 if this vehicle is to be used as law enforcement or commute.
7. Submit the signed form to the State Fleet Management Office. Address and fax numbers are displayed at the top of this page. Interagency Mail: 701 Woolfolk Building Suite A Jackson, Ms. 39201
8. The signed approval form will be faxed (e-mailed) back to the contact indicated on the top of page one.

**QUESTIONS:** Contact Bureau of Fleet Management at 601-359-3409.

## Appendix B

Form UA – 1, 10/18

### STATE OF MISSISSIPPI VEHICLE USE AGREEMENT

I (*print name*) being age 18 or older, understand and agree that my use of any State of Mississippi vehicle from \_\_\_\_\_ to \_\_\_\_\_ (maximum one year) shall be exclusively for official business of the State of Mississippi. I understand and agree that personal use of the State-owned vehicle is prohibited. I agree to operate this vehicle in a safe, prudent and lawful manner at all times. Seat belts shall be worn by all vehicle occupants when the vehicle is in motion. I will not permit any other person to operate the vehicle while it is in my control, unless the person is an authorized user of state vehicles. I will not drive this vehicle out of the State of Mississippi without prior approval. I do truthfully state that I have a valid, non-conditional driver's license and that my privilege to drive is not currently under suspension. I grant permission to the Agency to verify my license information and motor vehicle driving record and willingly offer the following license information:

Date of Birth \_\_\_\_\_ License No. (If SSN list last 4 digits) \_\_\_\_\_

One of the following **MUST** be checked:

- (1) I do truthfully state that in the past three years: my license has not been suspended, I have not been convicted of any alcohol related driving violations, nor have I been convicted of any offense related to the use or operation of a motor vehicle.
- (2) I do truthfully state that in the past three years I have been issued a ticket or citation for the following violations related to the use or operation of a motor vehicle (list):

Type of violation: _____	Date: _____
Type of violation: _____	Date: _____
Type of violation: _____	Date: _____

**I UNDERSTAND THAT FALSE STATEMENTS OR THE USE OF A STATE-OWNED VEHICLE NOT PERMITTED BY THIS AGREEMENT WILL RESULT IN DISCIPLINARY ACTION AND REQUIRE ME TO ASSUME THE FULL LEGAL AND FINANCIAL CONSEQUENCES OF MY ACTIONS. I HAVE BEEN GIVEN A COPY OF THE STATE RULES AND REGULATIONS FLEET MANUAL AND HAVE READ AND UNDERSTAND ITS CONTENTS. IMPORTANT NOTICE TO DRIVER: DO NOT SIGN BELOW UNLESS YOU HAVE READ AND UNDERSTAND THIS DOCUMENT.**

**Agency Name:** \_\_\_\_\_ **Agency No.:** \_\_\_\_\_

**Driver Signature:** \_\_\_\_\_ **Date Signed:** \_\_\_\_\_

**Signature of Executive Director:** \_\_\_\_\_ **Date Signed:** \_\_\_\_\_

**PROCESSING DIRECTIONS:** It is the employing agency's responsibility to require potential drivers of state-owned vehicles to complete this form, and update it annually. Based on the information given, the agency will need to approve or disapprove the potential driver's use of a state-owned vehicle. For further information regarding approval or disapproval of the use of a state-owned vehicle based upon driving record, please see section 4.101.01 of the State of Mississippi Rules and Regulations Fleet Manual. The BFM reserves the right to deny use of state-owned vehicles to any user at any time based on the above information given when it is in the best interest of the State. This form must be updated annually and is due by **January 15** of each year. If you have any questions, call 601-359-3409.

## Appendix C

Form VMR – 1, 07/11

### VEHICLE MISUSE INCIDENT REPORT FORM

State of Mississippi  
Department of Finance and Administration  
Bureau of Fleet Management

To: Bureau of Fleet Management  
701 Woolfolk Building, Suite A  
501 North West Street  
Jackson, MS 39201

The State of Mississippi requires its employees to operate state-owned vehicles in a safe and courteous fashion, obeying all transportation laws. Citizens or State Employees who observe a state-owned vehicle being operated improperly are asked to notify the BFM of such incidents.

Notify our office by completing the form below and sending it to the address listed at the top of this page. We will forward a copy of the complaint to the appropriate agency for an investigation of the incident to determine if action is required.

We at State Fleet management sincerely appreciate your interest and concern for the proper operation of the vehicles belonging to the State, and we thank you for your time and effort.

Date of observation    Date: \_\_\_\_\_ Time: \_\_\_\_\_ AM / PM

Vehicle Identification (if known)

Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_

Driver Identification (if Known)    Name: \_\_\_\_\_

Approximate Age: \_\_\_\_\_ Sex: \_\_\_\_\_ Description: \_\_\_\_\_

Location of Incident (such as street, highway, intersection, direction of travel)

\_\_\_\_\_

Brief Description of Incident (Be specific; attach additional pages as necessary)

\_\_\_\_\_

Agency Name: \_\_\_\_\_ Agency No.: \_\_\_\_\_

Signature: \_\_\_\_\_ Telephone: \_\_\_\_\_

Name (print) \_\_\_\_\_ Fax: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

## Appendix D

Form CR – 07/11

### COMMUTING AUTHORIZATION REQUEST FORM

State of Mississippi  
Department of Finance and Administration  
Bureau of Fleet Management

To: Bureau of Fleet Management  
501 North West Street  
701 Woolfolk Building, Suite A  
Jackson, MS 39201

#### Instructions:

Agencies are required to submit this form to the BFM for all commuting assignments as defined by section 4.103 of the State Fleet Manual. The Agency Director's signature is required. Submit completed form to the address listed above.

<b>Employee Information</b>	
<input type="checkbox"/> Add <input type="checkbox"/> Change	
Assignment: <input type="checkbox"/> Commute <input type="checkbox"/> Law Enforcement	
Asset Number	
Employee Name & Job Title	
Agency/Department	
Employee Residence (Home Address)	
Projected Annual Business Miles	
Projected Annual Commute Miles	

---

#### Agency Director Signature

On letterhead of the agency or institution, describe the compelling benefit to the State justifying this commuting assignment. This justification must include a cost analysis showing savings benefits to the State. See Commuter Mileage Calculator (Appendix I), available at <http://www.dfa.state.ms.us/Purchasing/Fleet/CommuterMileageCalculator2011.xls>. If this assignment is for Law Enforcement, provide the supporting documentation (Law Enforcement Certificate) evidencing the intended user is a law enforcement agent as defined in Section 45-6-3 of the Code.



**Appendix E****STATE VEHICLE MONTHLY MAINTENANCE  
CHECK LIST**

The following checklist is designed for drivers with little mechanical knowledge or background. Elements included enhance safety and prevent breakdown. This inspection should only take a few minutes for a typical automobile. Completion will increase the likelihood of a successful trip. Unsatisfactory elements should be corrected prior to operation of vehicle.

Agency Name: \_\_\_\_\_ Asset No.: \_\_\_\_\_

<b>ELEMENT</b>	<b>SATISFACTORY (X)</b>	<b>UNSATISFACTORY (X)</b>
1. Brakes – Do service brakes and parking brake operate?		
2. Lights – Check headlights, high beams, blinkers, tail lights, brake lights, back-up light, parking lights and side markers. Are all working?		
3. Tires – Check Pressure against P.S.I. noted on tire. Check for defects such as unusual wear pattern, bubbles or deformed sidewalls. Is spare tire ok?		
4. Belts/hoses – Are they quiet with engine running? Any hose leaks?		
5. Windshield wipers/Fluid – Do they operate and remove washer fluid when tested? Is reservoir full, does it pump when operated?		
6. Engine oil – Check oil fluid level on oil stick. Is the oil line above the full mark on the stick? Are there any leaks?		
7. Coolant – Is Fluid to full mark on reservoir?		
8. Transmission - Check transmission fluid level on oil stick. Is the oil line above the full mark on the stick? Are there any leaks? Does it shift properly?		
9. Steering – Does steering react when steering wheel is turned? Any noise? Is power steering fluid reservoir full?		
10. Battery – Do vehicle lights appear dim? Are posts clear of corrosion?		
11. Air Filter – Is air filter discolored?		
12. Inspection Sticker – Is a current inspection Sticker in lower driver's side corner of windshield?		
13. Seat belts – Are all seat belts and airbags present. Do seatbelts operate properly?		

Comments: \_\_\_\_\_

Vehicle Assigned Driver: \_\_\_\_\_ Vehicle Tag Number: \_\_\_\_\_

Supervisors Signature: \_\_\_\_\_ Date of Inspection: \_\_\_\_\_

Prepared By:

Agency/Institution

\_\_\_\_\_  
Name

\_\_\_\_\_  
Agency Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
State, zip code

Disposal Code: \_\_\_\_\_ (populate with disposal code) (use large font and bold) (need new page for each disposal code)

Reason for Disposal: \_\_\_\_\_  
( include P1 number if trade-in transaction ) \_\_\_\_\_

Asset Num	Location	Class Description	Serial Num.	Make	Disp. Date	Total Cost	Proceeds
-----------	----------	-------------------	-------------	------	------------	------------	----------

Total Cost:

Total Number of Assets:

This is to certify that this is a true report of inventory deletions and/or changes.

Agency Signature \_\_\_\_\_

Specify below the names and addresses of recipients of the state-owned equipment items being disposed: (in Protégé, all documents required for the disposal method chosen must be attached to each asset being disposed)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Salvage Committee: (if applicable)

\_\_\_\_\_  
Name Date

\_\_\_\_\_  
Name Date

\_\_\_\_\_  
Name Date

\_\_\_\_\_  
Office of Purchasing, Travel and Fleet Management Date

\_\_\_\_\_  
State Property Office Date

Appendix G		Daily Trip Log					
A Daily Trip Log must be recorded for each state-owned vehicle. Agencies must maintain all daily log files for at least three (3) years. Failure to complete this log is vehicle misuse and subject to penalties set forth in the manual.							
Vehicle Asset Number	Current Month	Current Year	Agency Number	Monthly Starting Miles	Monthly Ending Miles	Monthly Commuting Miles	Monthly Business Miles

Date	Driver's Name	Daily Odometer Reading		Daily Travel		Duties Performed	Daily Commute Miles	Daily Business Miles
		Beginning	Ending	From	To			

## Appendix H

### Agency Names and Numbers

Agency No.	Agency Name
001	SENATE
002	HOUSE OF REPRESENTATIVES
021	PEER COMMITTEE
025	JOINT LEGISLATIVE BUDGET COMM.
028	JOINT LEGISLATIVE REAPPORT. COMM.
051	SUPREME COURT JUDGES
071	ATTORNEY GENERAL
091	OFFICE OF STATE PUBLIC DEFENDER
095	ETHICS COMMISSION
096	JUDICIAL PERFORMANCE COMM.
098	CAPITAL POST-CONVICTION COUNSEL
101	GOVERNOR'S OFFICE
102	GOVERNOR'S MANSION
111	SECRETARY OF STATE
130	DEPARTMENT OF FINANCE & ADMINISTRATION
135	DIV OF GENERAL SERVICES
136	OFFICE OF SURPLUS PROPERTY
155	DEPARTMENT OF AUDIT
161	DEPARTMENT OF FINANCE & ADMINISTRATION - RISK MANAGEMENT
171	TREASURY DEPARTMENT
181	TAX COMMISSION
184	BOARD OF TAX APPEALS
185	GAMING COMMISSION
201	STATE DEPARTMENT OF EDUCATION
210	MS SCHOOL MATH & SCIENCE
235	REHABILITATION SERVICES DIVISION

245	LIBRARY COMMISSION
247	MS ETV
249	UNIVERSITY PRESS
251	IHL
277	COMMISSION ON VOLUNTEER SERVICES
291	COMMUNITY & JUNIOR COLLEGES BOARD
301	STATE BOARD OF HEALTH
328	DIVISION OF MEDICAID
331	NURSING HOME ADMINISTRATION
371	DEPARTMENT OF MENTAL HEALTH
372	EAST MS STATE HOSPITAL
373	ELLISVILLE STATE SCHOOL
374	MS STATE HOSPITAL
382	BOSWELL REGIONAL CENTER
384	NORTH MS STATE HOSPITAL
385	NORTH MS REGIONAL CENTER
386	HUDSPETH CENTER
387	SOUTH MS REGIONAL CENTER
389	CENTRAL MS RESIDENTIAL CENTER
391	SOUTH MS STATE HOSPITAL
392	JUVENILE REHABILITATION CENTER
393	SPECIALIZED TREATMENT FACILITY
401	DEPARTMENT OF AGRICULTURE
405	DIVISION OF PLANT INDUSTRY
407	MDAG AVIATION MUSEUM
411	ECO & COMM DEVELOPMENT
412	MDA - NISSAN
428	BOARD OF ANIMAL HEALTH
431	FAIR COMMISSION
450	DEPARTMENT OF MARINE RESOURCES
451	FORESTRY COMMISSION

454	MS INSTITUTE FOR FOREST INVENTORY
464	DEPARTMENT WILDLIFE FISHERIES & PARKS
470	DEPARTMENT OF ENVIRONMENTAL QUALITY
472	GRAND GULF MILITARY MONUMENT
475	DEPARTMENT OF ARCHIVES & HISTORY
483	TENN-TOM WATER DEVELOPMENT
484	PAT HARRISON WATERWAY DISTRICT
486	SOIL & WATER CONSERVATION COMM.
487	PEARL RIVER VALLEY WATER SUPPLY
488	TOMBIGBEE WATER MANAGEMENT DIST
489	PEARL RIVER BASIN DEVELOPMENT
491	OIL & GAS BOARD
501	DEPARTMENT OF INSURANCE
502	FIRE ACADEMY
511	DEPARTMENT OF BANKING
521	WORKMEN'S COMPENSATION
531	PUBLIC EMPLOYEE RETIREMENT SYSTEM
551	DEPARTMENT OF CORRECTIONS
555	MAGNOLIA STATE ENTERPRISES
600	ITS COMPUTER CENTER
614	STATE PERSONNEL BOARD
651	MS DEPARTMENT OF HUMAN SERVICES
657	MS INDUSTRIES FOR THE BLIND
671	EMPLOYMENT SECURITY COMMISSION
701	MILITARY DEPARTMENT
711	DEPARTMENT OF PUBLIC SAFETY
718	NARCOTICS BUREAU
721	EMERGENCY MANAGEMENT AGENCY
731	VETERANS AFFAIRS BOARD
734	VETERANS HOME PURCHASE BOARD
811	PUBLIC SERVICE COMMISSION
820	AUCTIONEERS COMMISSION

822	COSMETOLOGY BOARD
823	PSYCHOLOGICAL EXAMINERS BOARD
824	DENTAL EXAMINERS BOARD
827	BOARD OF VETERINARY MEDICINE
828	BOARD OF PHYSICAL THERAPY
829	MEDICAL LICENSURE BOARD
832	REAL ESTATE COMMISSION
833	FUNERAL SERVICES BOARD
834	PUBLIC CONTRACTORS BOARD
836	MS APPR. & LICENSING CERTIFICATION BOARD
838	BOARD OF NURSING
839	MOTOR VEHICLE COMMISSION
840	BARBER EXAMINERS BOARD
841	ENGINEERS & LAND SURVEYORS BOARD
843	ATHLETIC COMMISSION
845	PUBLIC ACCOUNTANCY BOARD
846	PHARMACY BOARD
848	BOARD OF ARCHITECTURE
849	CHIROPRACTIC EXAM. BOARD
857	BOARD OF MASSAGE THERAPISTS
858	BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS
859	BOARD OF EXAMINERS FOR SOCIAL WORK ETC.
861	MEMORIAL STADIUM
865	MS ARTS COMMISSION
936	PORT AUTHORITY AT GULFPORT
939	YELLOW CREEK INLAND PORT
941	DEPARTMENT OF TRANSPORTATION
946	STATE AID ROAD CONSTRUCTION



## Bureau of Fleet Management

### Appendix I - Commuter Mileage Calculator

FILL IN THE YELLOW HIGHLIGHTED BOXES ONLY

Asset #		# Miles	# Miles	Cost/Mile	Total Cost
Daily Commuting Miles (Roundtrip)	(a)	-	-		
Business Miles (Annual)	(b)	-	-		
Total Miles (for commute status)			-	\$0.43	\$ -
Business miles (reimbursement)			-	\$0.575	\$ -
Add'l Cost or (Savings) to Tax Payers				\$	-

Commuter Name (Print) \_\_\_\_\_

Signature/Commuter \_\_\_\_\_

Date \_\_\_\_\_

Approved/Immediate Supervising Director \_\_\_\_\_

**Falsification of this document or related vehicle mileage logs is a misdemeanor and could result in prosecution and removal from the office or position you hold. (Section 25-1-91, Mississippi Code of 1972, annotated.) A completed, signed copy of this calculator must be attached and submitted electronically with the VR-1 in accordance with Section 3.101.02 of the manual for new commute assignments. Further, a completed, signed copy of this calculator should be maintained in the agency's file for all commute reassignments.**

#### Instructions

- (a)** Enter one day's round trip commuting distance (home to the office and return).
- (b)** If this is a new commute assignment, enter a reasonable estimate for the annual business miles. If this is a commute reassignment, the annual business miles must be taken from the daily logs maintained by that employee.

The daily round trip commute is multiplied by 249 which represents the total number of business days within a year. The commuter rate estimate is based on a 2018 survey conducted by BFM to determine the cost of owning and operating a state vehicle. The commuter rate, \$.43, is a conservative estimate based on a sampling of over 620 state-owned vehicles. The reimbursement rate of \$.575 per mile is based on the state reimbursement rate as determined by the Office of Purchasing & Travel.

This form is intended to be a guide to determine the cost feasibility of providing an employee with a state-owned vehicle as opposed to using the employee's vehicle and reimbursing the employee on a cost per mile traveled basis. The fact that this example assumes that the employee will be allowed to commute in the state-owned vehicle does not indicate the intent to allow or the legality to do so in any future situation. Each submittal will stand on its own merits and a request to allow an employee to commute in a state-owned vehicle will have to be submitted with a compelling business reason allowing the employee to do so.

Also, it should be noted that the fact that this form indicates a savings to taxpayers does not in and of itself insure approval from the BFM for an agency to purchase or provide a state-owned vehicle to its employee. Further, an employee who commutes from home to his/her duty station on a daily basis should not be placed in a commuting assignment. This employee should drive his/her personal vehicle to the duty station daily and utilize one of the agency's pool vehicles to perform work duties.

In most cases, it is not financially wise to purchase a vehicle for an agency that does not expect to use the vehicle 15,000 miles or more annually for agency business purposes.