



NEBRASKA

Commercial Vehicle Safety Plan

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

**Fiscal Years 2020 - 2022
Annual Update FY 2022**

Date of Approval: August 04, 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 2020 - 2022)
- Part 2: Crash Reduction and National Program Elements (FY 2020 - 2022)
- Part 3: National Emphasis Areas and State Specific Objectives (FY 2020 - 2022)
- 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.

The mission of the Nebraska State Patrol (NSP) is to provide law enforcement of the highest quality to ensure a safe and secure Nebraska. This includes protecting the rights of all persons by respecting and preserving the dignity of all individuals. Through innovation and cooperation, we strive to promote and maintain the spirit of teamwork that is the tradition of the NSP. The NSP is committed to professional public service reflecting recognition of the inherent value of each individual in our society. Our troopers strive to earn and maintain trust, respect, and confidence by exemplifying the belief that the freedoms, rights, and dignity of all person(s) must be protected and preserved to this and we pledge ourselves to the highest standards of morality, fairness, dedication, professionalism, and courage.

Nebraska's 5 year average for fatalities per 100 Million VMT is currently at .228. Nationally, there was an 9% increase in fatalities from 2016 to 2017. (2017 Annual Truck/Bus Crash Facts). At .228, Nebraska's 2018 results were slightly below the previous year, and Nebraska seeks to further reduce fatalities to rate not above the 5 year average. To accomplish this rate, Nebraska seeks a reduction of crashes to 40 from 46 for an annual average of .191 fatalities/100M VMT, putting it below the 5 year average, and accomplished by an annual reduction of 2 fatal crashes per year. For calendar year 2018, the rate was 0.228 with 46 fatalities in 44 fatal crashes involving a commercial motor vehicle. The total miles driven for calendar year 2018 was 20,995 million vehicle miles traveled.

FY2021 Update: Nebraska VMT increased in 2019 to 21,261 million miles traveled. This represents an increase of 1.2% over the previous year. Fatal accidents involving commercial motor vehicles rose to 52 for the 2019 calendar year, with a total loss of 66 lives, due to several accidents involving multiple fatalities. This puts the fatality rate per 100 million VMT at .31, which is a rise from the previous year. Efforts to understand and mitigate these trends will follow in this Plan, with the goal of reducing fatalities to a rate that is below the 5 year trend.

FY2022 Update: Nebraska's VMT fell dramatically due to the impact of COVID-19, and lack of travel. Overall, miles fell more than 11% in 2020, to a total of 18,833 million miles traveled. There were a total of 46 fatal CMV crashes, with 53 persons losing their lives as a result. This represents a 19% decrease in fatalities and fatality rate per million miles traveled at .28, which is a 9.6% decrease. While the improvements are welcomed, it is uncertain how the dramatic shift in driving and travel practices impacted the totals. This fatality rate is better than 2019, but not as good as previous years. The goal will be to hold the rate at .28 for 2021 as miles traveled are expected to return to 2019 numbers.

The Nebraska State Patrol's goal is a reduction of an overall fatality rate involving Commercial Motor Vehicles (CMVs) by focusing on the Critical Emphasis Areas outlined in the State Highway Safety Plan. These critical emphasis areas are identified as being the primary causes of fatalities in crashes. The emphasis areas are increased seat belt use, reducing roadway departure crashes, reducing impaired driver crashes, and reducing intersection crashes. Additionally, the Nebraska State Patrol Carrier Enforcement Division will seek to impact crash causation factors such as following too close, speeding, distracted driving and right of way infringement. The Nebraska Strategic Highway Safety Plan has a stated goal of an overall fatality rate of 0.90 fatalities per 100 million VMT by calendar end 2021, inclusive of CMV crashes. The current CMV rate is below the stated goal of .90 in the State Highway Safety plan and contributes to lowering the overall rate each year.

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 Governor of the State of Nebraska has designated the Nebraska State Patrol (NSP) as the "lead agency" of the Motor Carrier Safety Assistance Program (MCSAP) since the inception of MCSAP in 1987. The Carrier Enforcement Division within NSP administers the MCSAP and has an authorized strength of 89 Troopers that conduct Roadside Inspections (fixed and portable), Compliance Reviews, and Safety Audits. At the current time, the Division has several open positions, and has a current manpower allocation of approximately 80 persons. Additionally, approximately 200 Traffic Troopers conduct Level III roadside inspections that are not funded by MCSAP however their hours are utilized as part of NSP's Maintenance of Effort. Total manpower for all divisions totals approximately 280 persons. In addition, nine civilians support the MCSAP either in a full or part-time basis.

The Safety Audit and Compliance Review section began in 1989. The task of this section is to conduct in-depth reviews of Carrier Compliance with the applicable safety regulations, to include those involving hazardous material regulations. One Lieutenant and one Sergeant oversee the three investigators assigned to the Compliance Review program and three investigators assigned to the New Entrant Safety Audit program.

The Commercial Vehicle Enforcement (CVE) team was formed in 1997 and focuses on enforcement of moving violations committed by commercial motor vehicles and performing inspections on all CMV's stopped. Work efforts are concentrated in specific high accident counties which are determined by the Nebraska Department of Roads Accident Records Data Base.

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:	NEBRASKA STATE PATROL
Enter total number of personnel participating in MCSAP activities	80
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	280
Traffic Enforcement Activities	280
Investigations*	6
Public Education and Awareness	80
Data Collection and Reporting	8
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

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

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

Part 2 - Crash Reduction and National Program Elements

Part 2 Section 1 - Overview

Part 2 allows the State to provide past performance trend analysis and specific goals for FY 2020 - 2022 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 2014 - 2018

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: Large Truck Fatal Crashes per 100M VMT

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

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2018	12/31/2018	46	0.50	0.22
01/01/2017	12/31/2017	48	0.50	0.23
01/01/2016	12/31/2016	42	0.50	0.27
01/01/2015	12/31/2015	33	0.50	0.16
01/01/2014	12/31/2014	41	0.50	0.26

MOTORCOACH/PASSENGER CARRIER CRASHES

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

Goal measurement as defined by your State: Actual # Fatal Crashes

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			
01/01/2018	12/31/2018	1	0	1
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
01/01/2014	12/31/2014	1	0	1

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 # Fatal Crashes

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			
01/01/2018	12/31/2018	0	0	0
01/01/2017	12/31/2017	2	0	2
01/01/2016	12/31/2016	4	0	4
01/01/2015	12/31/2015	1	0	1
01/01/2014	12/31/2014	1	0	1

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

Nebraska Office of Highway Safety (Motor Vehicles Traveled in Nebraska) and the Nebraska Department of Transportation Accidents and Records Division July 15, 2019 FMCSA A&I July 2, 2019

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

Crash prediction is difficult and involves many factors. Nebraska has generally seen an increase in million miles driven within our State, with a slight reduction in 2018. Since 2104, fatal accidents have generally crept up numerically, but have seen a slight decrease related to 100 million VMT recently. Nebraska sets a goal of not more than .50 fatalities/ 100 million VMT, and has consistently met that goal. The Nebraska State Safety Plan calls for a rate of .90 fatalities, and the goal of the Nebraska State Patrol Carrier Division help to achieve this goal.

Nebraska recognizes work zone crashes are proportionally more dangerous when CMV's are involved. Emphasis will be placed on High Accident Counties and work zone enforcement. The Nebraska State Patrol is working in cooperation with the Nebraska Department of Roads and the Nebraska Information and Analysis Center (NIAC) to leverage GIS mapping technologies that can be utilized to identify patterns of pre-accident identifiers as well as actual accident data that can be used to guide enforcement and awareness efforts.

Narrative Overview for FY 2020 - 2022**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.

Nebraska has a total of 93 counties, with an over representation of CMV crashes in identified high accident Counties (HACs). In the calendar year 2018, the top 10 HACs represented 55.6% or 831 CMV crashes compared to 44.4% or 663 CMV crashes in all other counties within the state.

NSP Carrier Enforcement has determined the top 10 High Accident Counties to monitor in FY 2019 are: Douglas, Lancaster, Sarpy, Hall, Lincoln, Seward, Buffalo, Dawson, York and Keith counties.

Less populous counties in the state that play host to large truck stops are also areas of concern due to a relatively low traffic count compared to crashes. Additional enforcement efforts will focus on Cheyenne, and Kimball counties for these reasons.

FY22 Update: HACS for 2022 will be Douglas, Lancaster, Sarpy, Buffalo, Lincoln, Hall, York, Dawson, Hamilton, and Dodge counties. Additional efforts will also be conducted, as time permits, in Keith, Seward, and Platte counties.

Nebraska: Number of Large Trucks & Buses Involved in All Crashes (MCMIS) (Calendar Year 2020)

Enter the data source and capture date:

FMCSA A&I Downloadable Crash Data, MCMIS 07/15/2019 Safetynet 7/15/2019 FMCSA A&I Downloadable Crash Data, MCMIS 07/12/2021

Projected Goal for FY 2020 - 2022:

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
2020	2
2021	2
2022	2

Nebraska's 5 year average for fatalities per 100 Million VMT is currently at .228. Nationally, there was an 9% increase in fatalities from 2016 to 2017. (2017 Annual Truck/Bus Crash Facts). At .228, Nebraska's 2018 results were slightly below the previous year, and Nebraska seeks to further reduce fatalities to rate not above the 5 year average. To accomplish this rate, Nebraska seeks a reduction of crashes to 40 from 46 for an annual average of .191 fatalities/100M VMT, putting it below the 5 year average, and accomplished by an annual reduction of 2 fatal crashes per year. For calendar year 2018, the rate was 0.228 with 46 fatalities in 44 fatal crashes involving a commercial motor vehicle. The total miles driven for calendar year 2018 was 20,995 million vehicle miles traveled. FY2022 Update: Total miles driven for 2020 was down to the impact of COVID, but the fatality rate per VMI was up slightly and above the 5 year trend. Nebraska will maintain a goal of reducing fatal crashes by 2 for the next year. The Nebraska State Patrol's goal is a reduction of an overall fatality rate involving Commercial Motor Vehicles (CMVs) by focusing on the Critical Emphasis Areas outlined in the State Highway Safety Plan. These critical emphasis areas are identified as being the primary causes of fatalities in crashes. The emphasis areas are increased seat belt use, reducing roadway departure crashes, reducing impaired driver crashes, and reducing intersection crashes. The Nebraska Strategic Highway Safety Plan has a stated goal of an overall fatality rate of 0.90 fatalities per 100 million VMT by calendar end 2021, inclusive of CMV crashes. The current CMV rate is below the stated goal of .90 in the State Highway Safety plan and contributes to lowering the overall rate each year.

Program Activities for FY 2020 - 2022: 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.

1. The Nebraska State Patrol will perform a minimum of 6800 Commercial Vehicle inspections (Level 1, 2 or 3) in 2020, a minimum of 6800 Commercial Vehicle inspections (Level 1, 2 or 3) in 2021 and a minimum of 6800 Commercial Vehicle inspections (Level 1, 2 or 3) in 2022 in HACs with emphasis on high traffic volume corridors in these localities.

2. The CVE Team will conduct at least 1 selective enforcement with Level I, II, and III inspections in each HAC in 2020, at least 1 selective enforcement with Level I, II, and III inspections in each HAC in 2021 and at least 1 selective enforcement with Level I, II, and III inspections in each HAC in 2022, with emphasis on high traffic volume corridors, including truck stops and rest areas that host large commercial vehicles in these localities.

FY2021 Update: The CVE team will be increased to 7 members for FY2021. The program will receive oversight and direction from the MCSAP Sergeant who will coordinate with the division's Analyst to identify areas of concern in near real-time review of crashes, construction zones and aggressive driving behaviors. Once identified, the team will be dispatched for saturation enforcement over a period of 2-3 days, with location changes every week or two. The projection is that the hyper-vigilance of crash trends and immediate reaction to problem areas will drive down crashes and fatalities in highly targeted geographical areas such as small corridors on individual highways, intersections, truck stops, etc.

3. The state will continue to utilize the Metropolitan Aggressive Preventative Selective program and continue to conduct a minimum of 1 selective per High Accident Corridor, and devote additional effort to the corridors that are generating the highest crash counts for the state, for a total of 14 selectives in 2020, 14 selectives in 2021 and 14 selectives in 2022.

FY2021 Update:

4. The state plans to participate in activity to support the R.O.U.T.E.S. initiative, as defined by the United States Department of Transportation. According to data provided by USDOT, 46% of fatalities occur on rural roadways. In Nebraska, nearly twice as many miles are travelled on rural roadways as on urban roadways, and rural roadways account for 90% of fatalities in crashes involving commercial motor vehicles. In recognition of this data, Nebraska will be utilizing the CVE team as described above to actively patrol areas that can be identified as high risk areas within the state. Factors such as number of fatalities, types of collisions, seat belt usage, causation factors, time of day, and day of week are all factors which may be considered for additional patrol efforts.

FY 2022 Update:

In an effort to more fully participate in the R.O.U.T.E.S. initiative, the Nebraska State Patrol will perform 12 selective enforcement events throughout Nebraska on rural highways, emphasizing safe travel in construction zones. Field lieutenants will coordinate selectives and focus efforts on moving violations in or near workzones. Nebraska does not have a statistically significant number of fatality crashes in work zones. The 5 year average is 2.6 fatal crashes per year, involving a CMV in a work zone crash, with 4.4 fatalities. The goal will be to stay below the 5 year trend in both measurement categories.

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.

1. Perform 6,800 CMV Level I – III inspections in HACs per year. Review and reporting on High Accident Corridor activity, as identified above, will be accomplished on a quarterly basis through a query of inspections conducted in those counties.
2. Increase the number of Traffic Enforcement inspections in HACs to 3,100 per year, conducted by the CVE team in response to targeted enforcement as outlined in the activity plan. Review and reporting will be accomplished on a quarterly basis through a query of inspection activity conducted by members of the CVE team.
3. Conduct 14 MAPS selectives, including a MAPS event held in all of the top 10 HACs. Efforts will be focused on roadside inspections, traffic enforcement and identification of unsafe driving behaviors of both CMVs and passenger vehicles. Cell phone use, distracted driving and other pre-crash indicators will be the key focus issue for traffic enforcement efforts during MAPS events and enforcement activity in the High Accident Corridors per year. The MCSAP Sergeant will provide quarterly updates to the MCSAP Lieutenant on progress toward this goal which will be reported quarterly.
4. The R.O.U.T.E.S. initiative will be monitored by the MCSAP Lieutenant, with the goal of keeping CMV-involved crashes in construction zones below the 5 year running average for both number of fatality crashes (2.6) and actual fatalities (4.4). The MCSAP Lieutenant will utilize selective reporting to ensure progress toward this goal is made, which will be reported quarterly.

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 2020 - 2022. 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 2014 - 2018

Inspection Types	2014	2015	2016	2017	2018
Level 1: Full	7197	6385	6344	5928	6142
Level 2: Walk-Around	2533	2254	2156	1899	2299
Level 3: Driver-Only	20613	19562	19114	16954	21441
Level 4: Special Inspections	0	59	419	128	126
Level 5: Vehicle-Only	436	393	384	378	285
Level 6: Radioactive Materials	1	0	1	3	1
Total	30780	28653	28418	25290	30294

Narrative Overview for FY 2020 - 2022**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.

In 1987, NSP implemented the MCSAP program which implemented the conducting of roadside inspection program which examines the driver, the vehicle, and the load for 13 critical items including hazardous materials.

The NSP Carrier Division administers the roadside inspection program which operates thirty one (31) portable units and ten (10) stationary weigh stations. NSP utilized six of these sites as weigh in motion (WIM) and PrePass sites which meet the CVISN Level 1 Core Compliance requirements. These sites are located at North Platte Eastbound I-80, North Platte Westbound I-80, Waverly Eastbound I-80, Waverly Westbound I-80 and Nebraska City both Eastbound and Westbound on Route 2.

Additional scale sites include two near Hebron, one near Fremont, Highway 30 near North Platte and Highway 6 near Waverly. The North Platte and Waverly sites are utilized to monitor carriers which are bypassing the interstate scale system. All Carrier Enforcement and Traffic Troopers are issued Mobile Data Computers which are equipped with ASPEN including access to FMCSA's Portal. In addition, all Troopers record their citations in TraCs. Carrier Enforcement Troopers in the field conduct all Levels of roadside inspections. Traffic Troopers only conduct Level III inspections.

To improve the Safety Compliance and Performance of Commercial drivers and vehicles the goal of the Nebraska State Patrol is to conduct 31,116 Roadside Inspections. Of this goal approximately 6,400 Level III inspections will be conducted by Patrol Division personnel during roadside stops of commercial motor vehicles. The remaining 24,716 inspections will be completed by personnel assigned to the Carrier Enforcement Division and be inclusive of any overtime projects.

FMCSA encourages Nebraska to conduct 25% of these inspections as level 1 inspections. Due to winter weather, Troopers are not required to conduct Level 1 inspections due to extremely cold temperatures and the accumulation of snow and ice, making these inspections difficult and dangerous. Winter weather typically begins in November and lasts into March. During the winter months, crash causation is largely defined by driver activity, particularly with speeds too fast for conditions being a primary cause of crashes when the state has snow on the ground. During the winter months of 2018 and early 2019, the average number of all crashes related to "driving too fast for conditions" is 641. During the remaining months of the year, the average is 62. To help focus efforts on driver activities during inclement weather, the Nebraska State Patrol focuses inspection and enforcement effort on Level 3 inspections during this time. (2018 Monthly Crash Data, Nebraska Department of Transportation).

FY2021 Update: Previous highlighting removed to eliminate confusion.

Beginning in the summer of 2020, Nebraska is bringing additional prescreening technologies online at the Waverly Westbound and North Platte Eastbound scale sites, funded by an HP/ITD grant. These sites are priority locations due to their location as the first site of screening for interstate traffic in the eastbound and westbound lanes of Interstate 80. The weigh in motion and camera based system not only screens for weight and tire deficiencies, it identifies registration non-compliance and Out of Service carriers by DOT number. At the time of this writing, the systems are just being brought online, but it is expected that the new technologies will enhance identification of unsafe vehicles and Out of Service carriers, in particular. Baseline information has been established, and monthly review of data will occur to ensure the new systems and equipment are used at maximum effectiveness in several metrics, including carrier compliance with authority and registration in support of the PRISM program in Nebraska. It is also expected that this should help enhance the catch rate on Out of Service Carriers, and improve Nebraska's score to achieve a minimum of 85% as required.

Nebraska actively monitors DataQ inquiries as a daily duty of the MCSAP Sergeant, resulting from roadside inspections. Nebraska sets a goal of all DataQs receiving an initial response within 10 working days and resolving any question or concern identified in a DataQ as quickly as practical, based on circumstances involved like days off, vacation, holidays, training, etc. Outcomes of DataQ findings are routinely used as a training tool for submitting troopers.

The impact of COVID 19 protocols and precautions has had a large impact on the number of inspections we can conduct. We expect to fall short of our goals in this category of effort due to continued COVID 19 concerns and influences, and may see an impact in coming years. The goal will remain as listed in the original CVSP for now due to the uncertainty involved.

FY22 Update: New pre-screening technologies were fully deployed at 2 scale sites in the state during FY21. Violations being identified by the screening technologies are handled as manpower allows at the sites, and OOS violations are noticeably higher at locations with the equipment installed. Additional officers will be deployed, as available, to help manage the higher number of inspections this equipment generates.

Nebraska has not identified safety concerns regarding the transportation of seasonal and migrant farm workers. Therefore, special emphasis has not been instituted to develop and implement a targeted enforcement plan for recurring roadside enforcement in agricultural regions. Data shows Nebraska has 2 carriers that have selected Migrant Workers as part of their DOT registration. There have been no reported crashes involving these carriers.

Projected Goals for FY 2020 - 2022

Instructions for Projected Goals:

Complete the following tables in this section indicating the number of inspections that the State anticipates conducting during Fiscal Years 2020 - 2022. 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: NEBRASKA STATE PATROL

Enter the total number of certified personnel in the Lead agency: 80

Projected Goals for FY 2022 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	4414	850	10	5274	16.95%
Level 2: Walk-Around	1250	0	0	1250	4.02%
Level 3: Driver-Only	24382	0	0	24382	78.36%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	209	209	0.67%
Level 6: Radioactive Materials	0	1	0	1	0.00%
Sub-Total Lead Agency	30046	851	219	31116	

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	%
Sub-Total Funded Agencies	0	0	0	0	

Non-Funded Agencies

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

Summary

Projected Goals for FY 2022 - Roadside Inspections Summary

Projected Goals for FY 2022 Summary for All Agencies					
MCSAP Lead Agency: NEBRASKA STATE PATROL					
# certified personnel: 80					
Subrecipient Agencies:					
# certified personnel: 0					
Number of Non-Funded Agencies:					
# certified personnel:					
# projected inspections:					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	4414	850	10	5274	16.95%
Level 2: Walk-Around	1250	0	0	1250	4.02%
Level 3: Driver-Only	24382	0	0	24382	78.36%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	209	209	0.67%
Level 6: Radioactive Materials	0	1	0	1	0.00%
Total MCSAP Lead Agency & Subrecipients	30046	851	219	31116	

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.

Please note the FMCSA encourages Nebraska to conduct 25% of these inspections as level 1 inspections. Due to winter weather, Troopers are not required to conduct Level 1 inspections due to extremely cold temperatures and the accumulation of snow and ice, making these inspections difficult and dangerous. Winter weather typically begins in November and lasts into March.

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 2021 Roadside Inspections	Lead Agency	Subrecipients	Non-Funded	Total
Enter total number of projected inspections	31116	0	0	31116
Enter total number of certified personnel	80	0	0	80
Projected Goals for FY 2022 Roadside Inspections				
Enter total number of projected inspections	31116	0	0	31116
Enter total number of certified personnel	80	0	0	80

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 2014 - 2018

Investigative Types - Interstate	2014	2015	2016	2017	2018
Compliance Investigations	2	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	0	0	0	0
CSA Off-Site	0	0	0	0	0
CSA On-Site Focused/Focused CR	3	0	0	0	0
CSA On-Site Comprehensive	0	0	0	0	0
Total Investigations	5	0	0	0	0
Total Security Contact Reviews	0	0	0	0	0
Total Terminal Investigations	0	0	0	0	0

Investigative Types - Intrastate	2014	2015	2016	2017	2018
Compliance Investigations	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	52	9	59	45	39
CSA Off-Site	0	0	0	0	0
CSA On-Site Focused/Focused CR	20	11	0	32	51
CSA On-Site Comprehensive	0	18	2	0	0
Total Investigations	72	38	61	77	90
Total Security Contact Reviews	0	0	0	0	2
Total Terminal Investigations					

Narrative Overview for FY 2020 - 2022**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 2020 - 2022

Complete the table below indicating the number of investigations that the State anticipates conducting during FY 2020 - 2022.

Projected Goals for FY 2020 - 2022 - Investigations						
Investigation Type	FY 2020		FY 2021		FY 2022	
	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
Compliance Investigations	0	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	71	0	71	0	71
CSA Off-Site	0	0	0	0	0	0
CSA On-Site Focused/Focused CR	0	30	0	30	0	30
CSA On-Site Comprehensive	0	25	0	25	0	25
Total Investigations	0	126	0	126	0	126
Total Security Contact Reviews	0	0	0	0	0	0
Total Terminal Investigations	0	0	0	0	0	0

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

The State of Nebraska utilizes the intrastate non-HM prioritization list when making investigatory assignments and follows CSA policy/methodology for all assignments, inclusive of complaint-based investigations (internal and external) with the following exception: The State of Nebraska requires that carriers selected for review who have no prior review history have a comprehensive review conducted upon their operations. All CR personnel received training in Enhanced Investigative Techniques (EIT). EIT will be utilized to pursue, verify records with additional sources, and invest the requisite time to ensure the safe on-road performance of passenger and high-risk carriers is being investigated.

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

Current staffing is three full-time investigators and one sergeant. A cross-trained investigator completes an additional minimum of 6 Reviews to maintain certification. Activities include the examination of a motor carrier's transportation and safety records, training requirements, controlled substance and alcohol program, commercial driver license records, financial responsibility, hours of service, and inspection and maintenance programs. The division's goal is to conduct 126 Intrastate Compliance Reviews and/or CSA Investigations with enforcement as warranted per the Field Operations Training Manual. The investigators will conduct Intrastate Compliance Reviews and/or CSA Investigations on motor carriers with BASICs above threshold and/or which have had non-frivolous complaints made against them with enforcement as warranted, per the Field Operations Training Manual.

FY2021 Update: Previous year's highlighting removed to eliminate confusion.

FY2022 - Goals will remain the same. The investigator that had been tasked with 6 CRs per year has been moved back to full time efforts as a Safety Auditor to better manage the inventory in that program. Workload will be divided among current staff.

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.

Track and evaluate the number of Compliance Reviews and/or CSA Investigations conducted inclusive of the number of critical and acute violations discovered per investigation. The Compliance Review Investigative Sergeant will review Compliance Reviews conducted by Investigators to ensure consistency among investigators and adherence to the eFOTM.

The State will conduct a total of 126 Intrastate Compliance Reviews and/or CSA Investigations as a unit per year. The State will monitor progress on a quarterly basis, with each full time investigator conducting a minimum of 10 investigations a quarter for four quarters. On a quarterly basis, the CR Sergeant will meet with each investigator to monitor progress towards this goal and the CR Sergeant will meet with the investigators as a group to monitor their overall progress towards the goal as a unit.

FY2021 Update: Previous year's highlighting removed to eliminate confusion.

The impact of COVID 19 protocols and precautions has had an impact on the number of public interactions we can participate in and will have an impact on compliance review activity, as most investigations in Nebraska involve violations that need to be observed during an on-site review. We expect to fall short of our goals in this category of effort due to continued COVID 19 concerns and influences, and may see an impact in coming years. The goal will remain as listed in the original CVSP for now due to the uncertainty involved.

FY2022 Update: Investigators moved from CAPRI to AIM in FY21, and are now adjusting to the offsite workflow and timelines. Goal will remain at 126 for the investigators.

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 2014 - 2018

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		
10/01/2017	09/30/2018	6492	6099
10/01/2016	09/30/2017	6233	5452
10/01/2015	09/30/2016	5999	6472
10/01/2014	09/30/2015	5373	8281
10/01/2013	09/30/2014	5354	5990

☒ 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		
01/01/2018	12/31/2018	758	883
01/01/2017	12/31/2017	516	628
01/01/2016	12/31/2016		
01/01/2015	12/31/2015		
01/01/2014	12/31/2014		

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

Number of CMV Traffic Enforcement Stops with an Inspection: Safetynet, July 18, 2019 Number of Citations and Warnings - CMV: TraCs query July 19, 2018 Number of Stops/Citations/Warnings Non-CMV: TraCs (e-citation) Database query 7/30/2019

Narrative Overview for FY 2020 - 2022

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 mission of the Nebraska State Patrol (NSP) shall be to provide law enforcement of the highest quality to ensure a safe and secure Nebraska. The goals of NSP are to exemplify our values by providing the highest quality of law enforcement and service to all person(s).

The NSP has approximately 80 Troopers assigned to the Carrier Enforcement Division which are certified to conduct NAS Level 1 through 4 inspections. Approximately 200 Troopers are assigned to the Traffic Division which are certified to conduct NAS Level 3 inspections. All NSP Troopers are to enforce CMV traffic enforcement in conjunction with overall highway safety goals and the reduction of highway fatalities.

In 1987 NSP implemented the MCSAP roadside inspection program which examines the driver, the vehicle, and the load for 13 critical items including hazardous materials. The NSP Carrier Division administers the roadside inspection program which operates thirty (31) portable units and ten (10) stationary weigh stations.

NSP utilized seven primary sites. Four of the primary sites include North Platte Eastbound I-80, North Platte Westbound I-80, Waverly Eastbound I-80, and Waverly Westbound I-80. Additional primary sites include Nebraska City, Hebron, and Fremont. Two (2) secondary scales located on Highway 30 near North Platte, and Highway 6 near Waverly are utilized to monitor carriers which are bypassing the interstate scale system.

All Carrier Enforcement and Traffic Troopers are issued Mobile Data Computers which are equipped with ASPEN including access to FMCSA's portal. In addition all Troopers record their citations in TraCs.

There is a need to focus on the "driver" aspects of the CMV safety program. There continue to be traffic enforcement violations discovered on both CMVs and non-CMV's that are likely to increase the likelihood of a motor vehicle crash. Concentrating on driver violations will assist in continuing to reduce the fatality rate to an ultimate State goal (all motor vehicles) of .90 fatalities per 100,000,000 vehicle miles traveled.

The NSP MCSAP Program Lieutenant will review data and provide field supervisory personnel with monthly reports as well as Quarterly Statistics on the number of Traffic Enforcement Inspections and selective being conducted. Additionally these statistics are reviewed during quarterly supervisor meetings.

All NSP Troopers enforce highway safety laws and regulations either on a full time or part time basis (traveling to and from the scale facility assigned). Additionally, the Commercial Vehicle Enforcement (CVE) team was formed in 1997 and will have six Carrier Enforcement Troopers assigned. The CVE team is trained to address traffic enforcement laws in areas designated as High Accident Counties (HAC's). Currently, the most accurate reporting of non-CMV traffic enforcement contacts comes from this subgroup of officers, because of their unique role coding. Non-CMV traffic enforcement goals are being set based on documented activity of the CVE team, and may be exceeded based on the success of newly implemented reporting mechanisms. **The CVE team was expanded to 7 members in 2021. The enforcement efforts of this team are focused on vehicles that exhibit unsafe driving behaviors including speeding, unsafe lane changes or passing, following too close, and use of cell phone when prohibited. Violations of commercial vehicle regulations are included on a roadside inspection form, and citations or warnings for violation of state law are issued to all drivers. These violations are compared to MCP 5.4.2 for inclusion as traffic enforcement.**

Safetynet is utilized to gather the number of CMV Traffic Enforcement stops with an inspection. TraCS is utilized to gather the number of citations and warnings issued, both for CMV and non-CMV stops.

Projected Goals for FY 2020 - 2022

Using the radio buttons in the table below, indicate the traffic enforcement activities the State intends to conduct in FY 2020 - 2022. 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 2020	FY 2021	FY 2022
<input checked="" type="radio"/>	<input type="radio"/>	CMV with Inspection	6400	6400	6400
<input type="radio"/>	<input checked="" type="radio"/>	CMV without Inspection			
<input checked="" type="radio"/>	<input type="radio"/>	Non-CMV	500	500	500
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	48	48	48

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
31116	126	560	31802	29169

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.

The Nebraska State Patrol derives Traffic Enforcement statistics from Safetynet, TraCS (electronic citation program), and manual collection during enforcement efforts. The NSP implemented tracking code (0757) during calendar year 2017 which would be used for traffic enforcement involving both Carrier and Traffic Troopers which would enforce moving violations of CMVs and vehicles traveling in close proximity of a CMV. The outcome of this tracking code was the ability to quantify efforts toward this goal. For 2018, this activity was tracked for only the CVE Team utilizing a different query method that has successfully produced quantifiable results related to this activity. Producing this report is currently more labor intensive than desired, so additional effort will be made to streamline this reporting requirement. The State of Nebraska has documented Safetynet extractions of data from 2006 indicating a far different result than outlined for the 2004/2005 fiscal years. Our documented average from that time period shows an average of approximately 27,328 inspections each year for the 2 year period. The 2 year results are published in Nebraska's 2004 and 2005 MCSAP review documents, as sourced from Safetynet at the time. The Carrier Enforcement Commander will be kept apprised of the progress in achieving the 2004/2005 Average Activities. The Activities will be monitored and the Divisional Goals may be reviewed to prioritize inspection activity if necessary. PLAN OF ACTION: In 2019, Nebraska increased its goal by 1,000 activities to a total of 29,540. For 2020, Nebraska will again increase the activity goal, to a total of 31,656 activities to more closely align with FMCSA goals for the agency.

FY2021 Update: The impact of COVID 19 protocols and precautions has had an impact on the number of enforcement activities we conducted in 2020. We expect to fall short of our goals in this category of effort due to continued COVID 19 concerns and influences, and may see an impact in coming years. The goal will remain as listed in the original CVSP for now due to the uncertainty involved.

FY2022 Update: Manpower shortages are the primary component that will impact performance in this category. At the time of this update, the division is down more than 10%, with uncertainty about the ability to fill vacant positions. Activity will be reported in quarterly PPRs, and the goal will remain at 31656 activities for the fiscal year.

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	Exceeds 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:

Enter the agency name responsible for PRISM in the State:

Narrative Overview for FY 2020 - 2022

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.

Currently PRISM Compliant.

Program Activities for FY 2020 - 2022: Describe any actions that will be taken to implement full participation in PRISM.

Currently PRISM Compliant.

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.

Currently PRISM Compliant.

Please note Nebraska is expecting PRISM audit within the next few months (as of 07-29-2019).

FY2021 Update: Nebraska completed a PRISM audit, with a successful review and commendations for the program. The PPLC Review is attached as a reference document.

FY2022 Update: Nebraska completed an Core Compliance Review in 2021. The results of that review were favorable, with no action items required related to compliance with the ITD program. Review letter attached for reference. **Quarterly PRISM reporting will be accomplished in compliance with MCSAP program requirements.**

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 2014 - 2018

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

Public Education and Outreach Activities	2014	2015	2016	2017	2018
Carrier Safety Talks	39	61	60	76	98
CMV Safety Belt Education and Outreach					
State Trucking Association Meetings	14	14	14	14	14
State-Sponsored Outreach Events	7	14	13	1	2
Local Educational Safety Events	6	2	6	9	8
Teen Safety Events	5	1	0	0	2

Narrative Overview for FY 2020 - 2022

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.

Laws and regulations concerning the safe operation of commercial motor vehicles can be complicated and confusing to industry and allied agencies. The Nebraska State Patrol Carrier Enforcement Division serves as a resource to other agencies and industry in order to encourage voluntary compliance and promote highway safety. Community based policing is fundamental in maintaining the trust and support, as well as the confidence of those that we serve. The Division will maintain a proactive relationship with the general public and to always present an open line of communication.

The Nebraska State Patrol Carrier Enforcement Division will conduct 90 seminars annually for the Motor Carrier industry. Additionally Sworn and non-sworn personnel shall attend community functions, school events and other public gatherings while representing the Nebraska State Patrol. Engaging in interaction with community members and increasing the support, trust and confidence of the Agency. We will promote the use of the NSP Website and utilize webinars and recorded videos to educate the public on laws, regulations and safety. As a Division, the Carrier Enforcement will conduct 2,000 hours of community outreach (annually).

Trend information listed above is provided with caveats. The Nebraska State Patrol does not categorize all of our public information and awareness in the manner listed above. The actual number of total programs is accurate, but the breakdown by interaction type is somewhat subjective to determine which of the categories the activity most closely matched. CMV seat belt education is not easily separated from other Carrier Safety Talks, so that category is left blank, and totals for both criteria are combined in a single total listed on the Safety Talks line. State sponsored outreach used to involve several staff members from the Carrier Enforcement Division travelling throughout the state providing information in a "town hall" type setting. The cost effective nature of the internet and video streaming have seen these town hall outreach events converted to web based informational videos, with an apparent observed decline in activity. Current tracking systems do not provide us

an accurate way to quantify internet usage of our videos and web-based outreach, but anecdotal feedback we receive indicates that industry uses the videos and finds them more convenient for the end user due to lack of time and location constraints.

Projected Goals for FY 2020 - 2022

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 2020	FY 2021	FY 2022
<input checked="" type="radio"/>	<input type="radio"/>	Carrier Safety Talks	64	66	68
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	0		
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	14	14	14
<input checked="" type="radio"/>	<input type="radio"/>	State-Sponsored Outreach Events	2	2	2
<input checked="" type="radio"/>	<input type="radio"/>	Local Educational Safety Events	8	9	10
<input checked="" type="radio"/>	<input type="radio"/>	Teen Safety Events	2	2	2

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

1. Maintain the number of seminars at 64, which is inclusive of Safety Talks and Seat Belt Education and Outreach. Distribute Nebraska Truck Information Guide Books and educational materials regarding general compliance issues, ELDs, and hazardous materials.
2. Utilize seat belt convincer / rollover machine at State Fair and Husker Harvest days
3. A representative or representatives from the Carrier Division will be in attendance at the monthly Trucking Association Meetings in addition to other meetings as needed based on current events and issues.
4. Conduct two online educational webinars which will replace the Town Hall meetings. **These are anticipated to be hosted on YouTube, which will provide information about the number of views.**
5. Troopers will attend local public education safety events as requested. (i.e. schools).
6. Cooperate with local schools to enhance CMV awareness through events like "Teens in the Driver's Seat" as modeled in Texas.

2021 Performance Update

7. Nebraska does not currently have a specific mechanism in place for mature driver education through the Carrier Enforcement Division. Efforts will be made to identify training environments that could help fulfill the need in this special emphasis area.

FY2021 Update: The impact of COVID 19 protocols and precautions has had an impact on the number of public meetings we can participate in. We expect to fall short of our goals in this category of effort due to continued COVID 19 concerns and influences, and may see an impact in coming years. The goal will remain as listed in the original CVSP for now due to the uncertainty involved.

FY2022 Update: Nebraska is hopeful the impacts of COVID protocols will subside in 2022 and allow us to meet all goals in this category. **Nebraska currently reports the number of programs/attendees and will be adding a field to the reporting mechanism to attempt to gather information about the duration of these events, which will also be reported quarterly in the state's PPRs. Many programs provided by the state cover multiple topics to varied audiences, and may not cleanly divide into the categories above. The state will identify these programs as specifically as possible, but it remains a somewhat subjectively reported metric.**

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 2020 - 2022.

SSDQ Measure	Current SSDQ Rating	Goal for FY 2020	Goal for FY 2021	Goal for FY 2022
Crash Record Completeness	Good	Good	Good	Good
Crash VIN Accuracy	Good	Good	Good	Good
Fatal Crash Completeness	Good	Good	Good	Good
Crash Timeliness	Good	Good	Good	Good
Crash Accuracy	Good	Good	Good	Good
Crash Consistency	No Flag	No Flag	No Flag	No Flag
Inspection Record Completeness	Good	Good	Good	Good
Inspection VIN Accuracy	Good	Good	Good	Good
Inspection Timeliness	Good	Good	Good	Good
Inspection Accuracy	Good	Good	Good	Good

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

Data current as of July 15, 2019

Narrative Overview for FY 2020 - 2022

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.).

Per the SSDQ Report:

"Your rating is 'no flag', which indicates that the estimated number of non-fatal crash records reported is greater than or equal to 50%. The crashes evaluated occurred between 03/01/2018 and 02/28/2019 and were compared to the previous three year reporting average. Your 124% value indicates that your State is consistently reporting non-fatal crash records."

FY2022 Update: Your rating is 'no flag', which indicates that the estimated number of non-fatal crash records reported is greater than or equal to 50%. The crashes evaluated were first uploaded between 04/01/2020 and 03/31/2021 and were compared to the previous three year reporting average. Your 78% value indicates that your State is consistently reporting non-fatal crash records.

Program Activities FY 2020 - 2022: 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.

According to the SSDQ report, "No flag" indicates that our performance is at an approved performance level.

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

The Nebraska State Patrol reviews SSDQ information on a monthly basis in an effort to identify deficiencies that may appear after monthly updates. The Nebraska State Patrol utilizes resources available from FMCSA, including the State Data Quality Specialist as well as data analysis within individual rating categories, to pinpoint problem areas and work cooperatively with FMCSA to assure improvements as necessary.

FY 2022 Update: A software upgrade issue is having an impact on crash timeliness at the time of this update. Nebraska believes that our score may dip in this category during the fiscal year, but will self correct as remedies are implemented to address the upload issues. Quarterly PPRs will reflect the most current status of this area.

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

Trend Analysis for 2014 - 2018

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

New Entrant Safety Audits	2014	2015	2016	2017	2018
Interstate	614	582	590	504	332
Intrastate	0	0	0	0	0
Total Audits	614	582	590	504	332

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 2020 - 2022

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

Please complete the information below by entering data from the NEWS Dashboard regarding Safety Audits in your State. Data Source: New Entrant website	
Date information retrieved from NEWS Dashboard to complete eCVSP	07/16/2021
Total Number of New Entrant Carriers in NEWS (Unassigned and Assigned)	739
Current Number of Past Dues	61

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 2020 - 2022

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

Projected Goals for FY 2020 - 2022 - New Entrant Safety Audits						
	FY 2020		FY 2021		FY 2022	
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
# of Safety Audits (Onsite)	20	0	20	0	30	0
# of Safety Audits (Offsite)	400	0	400	0	530	0
# Group Audits	0	0	0	0	0	0
TOTAL Safety Audits	420	0	420	0	560	0
# of Non-Audit Resolutions	160	0	160	0	160	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.

New motor carriers / New Entrant carriers are required to complete a safety monitoring period of 18 months with an allowance of 12 months to complete / pass a safety audit. FMCSA request the safety audit be completed after 90 days of operation but within 6 months of operation and not to exceed 12 months.

Investigators provide New Entrant motor carriers with the knowledge and resources to reduce the number and severity of crashes, injuries and fatalities within the statutory limits. New Entrant Investigators utilize the safety audit program to provide a setting for the motor carrier to understand and implement safety regulations, pinpoint safety management needs and review other areas that need improvement.

Federal programs will be utilized to ensure that all safety audits are completed within the 12 month period (120 days for passenger carriers). FMCSA resources are monitored on a weekly basis to ensure all New Entrant Carriers are accounted for by running reports in MCMIS and A & I on line then creating assignments for the investigators. The MCSAP Staff Assistant utilizes MCMIS, A & I on line and GOTHAM to monitor approaching dates along with obtaining driver, vehicle, company profiles and inspection information.

State and Federal programs are utilized to gather information before/after the investigator meets for a safety audit. CDLIS, CJIS, MCMIS, A & I on line, GOTHAM are utilized to obtain driver, vehicle and inspection information.

According to A & I (07/26/2019) Nebraska currently has an inventory of 483 in the New Entrant pool with 10 past due carriers which have been addressed since the report was generated.

In addition to safety audits, the Investigators will conduct at a minimum, 36 vehicle inspections with at least 18 inspections being hazardous material carrier inspections.

FY2021 Update: As of 7/10/2020, the current inventory of New Entrant Carriers stands at 456, which is part of an increasing trend seen during the first half of 2020.

FY2022 Update: Increasing inventory in our carrier pool has been the result of having a vacancy for most of 2021. Nebraska is now fully staffed and will endeavor to have Past Dues caught up and being impacting the growing pool by the first quarter of FY2022. Upon final approval, the state plans to add a 4th New Entrant Auditor position to impact the growing pool of carriers, with immediate focus on past due or nearly past due carriers. It is anticipated that the workload will outpace available resources for the near future. Efforts will be made to creatively impact this metric. Additionally, overtime funds will be used to fund investigators who choose to complete additional New Entrant Audits on an overtime basis. It is estimated that each audit will require approximately 2 hours of overtime.

Activity Plan for FY 2020 - 2022: 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.

The New Entrant program will utilize 3 full-time investigators to conduct approximately 420 new entrant safety audits and 160 non-audit resolutions for new entrant interstate motor carriers. Priority will be given to carriers of passengers to ensure safety audits are conducted within 120 days. Approximately 95 percent (95%) of the safety audits will be conducted offsite reducing travel time and cost. Approximately 5 percent (5%) of the safety audits will be conducted onsite at the carrier's principal place of business. If a backlog is created due to a sudden or unexpected influx of onsite carriers, group audits will be conducted at a central or alternate locations to reduce cost, maximize efficiency, and reduce or eliminate travel time. Currently no group audits have been required.

To maximize efficiency of the program, offsite eligible carriers will be contacted as soon as possible after the required documents are uploaded to the NEWS website. Auditors will adhere to the New Entrant Safety Audit Process Document for procedures and timelines when conducting offsite safety audits. Assistance with uploading documents will be provided only as needed.

The New Entrant office will monitor the number of safety audits completed to ensure requirements are met. The MCSAP Staff Assistant will complete weekly reports to reflect any carriers within 90 days of the due date to send to the New Entrant Investigators and New Entrant Sergeant. The MCSAP Staff Assistant will compile data monthly to track safety audits completed, passed, or failed. The data compiled will be placed on a tracking documents to be utilized for monthly, quarterly, and annual reports.

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

The New Entrant Sergeant will review all safety audits for quality, completeness, and accuracy. The New Entrant Sergeant will monitor activity throughout the quarter to guide the program to the established goals. The New Entrant Sergeant will ensure the MCSAP Staff Assistant is assigning and scheduling passenger carrier's audits as soon as practical. Scheduling and assignments will be given/monitored to ensure the most efficient use of time and travel.

The MCSAP Staff Assistant will review the new entrant inventory on a monthly basis and make assignments based on due dates. Priority will be given to past due carriers, passenger carriers, and hazardous material carriers. Assignments will be planned to maximize audit completion for onsite audits when travel is required to ensure program efficiency. The New Entrant office will strive to have all safety audits completed within 9 months of the company's entry date. Investigators and the MCSAP Staff Assistant will work together to ensure all attempts are exhausted before the 12 month due date or the carrier will be placed out of service for non-compliance.

FY 2022 Update: Each investigator is charged with completion of 140 audits per year. Nebraska believes the inventory of carriers requiring an audit can be maintained at this work load. If the pool continues to grow, Nebraska will consider temporary solutions to bring the number back in line, which may include additional workload per investigator or a temporary assignment within the division to assist.

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 2020 - 2022).

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 2020 - 2022

Enter your State's OOS Catch Rate percentage if below 85 percent: 25%

Projected Goals for FY 2020 - 2022: Enter a description of the State's performance goals.

Fiscal Year	Goal (%)
2020	85
2021	85
2022	85

*FY 2019 YTD includes data from October 01, 2018 through May 31, 2019. An email provided by FMCSA in July, identifying this measurement period, stated that this report would be the reference document for the 2020 CVSP. The document identified a catch rate of 50% for Imminent Hazard OOS Carriers, and a 67% catch rate for all OOS carriers. FMCSA Motor Carrier Management Information System (MCMIS) and the Safer and Fitness Electronic Records (SAFER) as of 06/21/2019. The data presented above are accurate as of this date, but are subject to update as new or additional information may be reported to MCMIS following this date.

Remedial efforts have been implemented to verify missed carriers, retrain officers who miss Out of Service Carriers, and manage information from officers and the public about possible Out of Service Carriers still in operation and proactively seek them out for verification roadside

It will be the goal of Nebraska to attain a catch rate of at least 85% for each fiscal year in the plan. A relatively low number of OOS Carriers encountered makes it difficult to overcome a single miss, however counseling is utilized in every case of a missed OOS carrier.

FY 2021 Update: Beginning in the summer of 2020, Nebraska is bringing additional prescreening technologies online at the Waverly Westbound and North Platte Eastbound scale sites, funded by an HP/ITD grant. These sites are priority locations due to their location as the first site of screening for interstate traffic in the eastbound and westbound lanes of Interstate 80. The weigh in motion and camera based system not only screens for weight and tire deficiencies, it identifies registration non-compliance and Out of Service carriers by DOT number. At the time of this writing, the systems are just being brought online, but it is expected that the new technologies will enhance identification of unsafe vehicles and Out of Service carriers, in particular. Baseline information has been established, and monthly review of data will occur to ensure the new systems and equipment are used at maximum effectiveness in several metrics, including carrier compliance with authority and registration in support of the PRISM program in Nebraska. It is also expected that this should help enhance the catch rate and improve Nebraska's score to achieve a minimum of 85% as required.

FY2022 Update: As of May, 2021, the fiscal year catch rate is at 25%. This still tends to be a volatile category for Nebraska, as we only see a small number of these carriers in the course of a year, and missing a few often creates an obstacle that cannot be overcome. Every missed OOS carrier is reviewed by supervisors and administrators for teaching and correction purposes. Correct catch procedures will be sent at least twice in the fiscal year via email for review and as a resource when an OOS carrier is identified roadside.

Program Activities for FY 2020 - 2022: 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 Nebraska State Patrol utilizes ASPEN 3.0 for inspections conducted by Troopers assigned to the Traffic Services and Carrier Enforcement Divisions. ASPEN 3.0 includes a Pre-Screen function which notifies the officer immediately of an out of service order through a real-time query of SAFER data when connected to the network.

In addition, NSP Communications check the OOS status via NLETS through an ACQ query when a Trooper calls in a stop roadside. This will allow for all uniform personnel another alternative to ensure the OOS status is checked.

If an NSP officer is identified through FMCSA reports (inspections on OOS Carriers) as conducting an inspection on an OOS carrier and the officer does not identify the OOS order or does not identify correctly, an email is sent by the Commander directly to the officer with a carbon copy through the officer's chain of command counseling the officer and conveying the importance of identifying these OOS carriers.

New technologies are being explored that would be added to Nebraska's mainline operations that would allow real-time screening of CMVs passing by the state's interstate scale locations. Based on available grant funding, it is hoped that the state may be able to further enhance the identification of OOS carriers through the implementation of these new credential screening technologies and defective equipment identification tools.

FY2022 Update: Nebraska is utilizing information from the newly installed preclearance equipment at its 2 highest traffic volume sites to gauge the number of Out of Service Carriers we see pass by these scale locations, based on DOT and/or plate numbers captured by the system. At the time of this update, there have been zero OOS carriers identified by the equipment at these 2 locations. Additional equipment is being brought on line in Nebraska City in FY2022, and the same inquiries will be made on information from that location once it is fully functional. Nebraska only has 3 active (inspections in last 12 months) OOS carriers operating in Nebraska. (GOTHAM, 07/19/2021).

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

The MCSAP Manager will review reports generated by the FMCSA and monitor the number of OOS carriers discovered or missed. The MCSAP Manager will monitor and ensure officers are counseled on the issue in FY 2020 as failures are identified.

FY2021 Update: Reports generated from the enhanced screening technologies that are coming online will be conducted on at least a monthly basis, and will be used to monitor effectiveness toward the goal of an 85% catch rate.

FY22 Update: Monthly analysis continues to be conducted on data collected during prescreening efforts in the state to determine how many OOS carriers pass through and are caught by screening technologies. As patterns emerge,

enforcement efforts will be directed to combat any OOS carriers that can be identified.

Part 3 Section 2 - Passenger Carrier Enforcement

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

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

Instructions:

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

Check this box if:

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

Part 3 Section 3 - State Specific Objectives – Past

No updates are required for this section.

Instructions:

Describe any State-specific CMV problems that were addressed with FY 2019 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 2019 CVSP.

Progress Report on State Specific Objectives(s) from the FY 2019 CVSP

Please enter information to describe the year-to-date progress on any State-specific objective(s) identified in the State's FY 2019 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.

Provide Awareness and Enforcement Training for ELD.

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

Awareness and enforcement training for sworn personnel was provided in annual update training conducted at the Nebraska State Patrol Training Academy.

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

The Nebraska State Patrol will provide training to sworn officers utilizing resources provided by the FMCSA as well as internally produced documents and electronic training to reach all road operations Troopers. Training was accomplished via in-person training during annual in-service training at the Nebraska State Patrol Training Academy on April 10, 2019.

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

The transition phase, from AOB RD to ELD has created confusion in the field for both law enforcement and industry. Units that operate in either mode are confusing, especially when the unit or software indicates that it is and ELD, but it is being operated as an AOB RD. This has resulted in many DataQs, questions from drivers and enforcement issues for officers. The final transition in December of 2019 should alleviate this concern and allow more refined training, narrowly focused on ELD.

Activity #2

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

Trooper in a Truck program. Accident statistics, as documented in the 2017 Large Truck and Bus Accident Report, indicate that distracted driving is a primary cause of accidents involving commercial vehicles. Statistics also tell us that a majority of the time, poor driving behaviors of passenger vehicle drivers are the root cause. Proactive enforcement of poor and distracted driving, conducted in areas prone to commercial vehicle accidents, will help alleviate the activities of drivers in both passenger and commercial vehicles. Troopers, working from the vantage point of a commercial vehicle, will radio observed violations to waiting nearby troopers who can conduct a traffic stop and take enforcement action on the violations.

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

The Trooper In a Truck program will conduct a selective, weather permitting, 6 times in FY2019 which will include multiple troopers, a trained and Certified observer as well as a vehicle and driver provided through a partnership with the Nebraska Trucking Association and member companies.

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

To date, the Nebraska State Patrol has completed 6 Trooper in a Truck selective enforcements for the 2019 Fiscal Year.

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

The program relies on cooperation with trucking companies who assist by providing a driver and equipment for use during the enforcement selective. It takes considerable effort to coordinate the event in a way that does not overextend the gratuity of the company. Clearly explaining the expectations of the driver, the route and logistics of the stops helps companies understand the high level of dedication while the selective is active.

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 2020 - 2022. 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.

MAPS selectives to include traffic enforcement efforts.

Narrative Overview for FY 2020 - 2022

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

According to the Nebraska Office of Highway Safety, the Commercial Motor Vehicle Fatality Rate for calendar year 2017, the rate was 0.23 with 48 fatalities in 43 fatal crashes involving a commercial motor vehicle. For calendar year 2018, the rate was 0.228 with 46 fatalities in 44 fatal crashes involving a commercial motor vehicle. The total miles driven for calendar year 2018 was 20,995 million vehicle miles traveled. The Nebraska State Patrol's goal is a reduction of an overall fatality rate involving Commercial Motor Vehicles (CMVs) by focusing on the Critical Emphasis Areas outlined in the State Highway Safety Plan. These critical emphasis areas are identified as being the primary causes of fatalities in crashes. The emphasis areas are increased seat belt use, reducing roadway departure crashes, reducing impaired driver crashes, and reducing intersection crashes. The Nebraska Strategic Highway Safety Plan has a stated goal of an overall fatality rate of 0.90 fatalities per 100 million VMT by calendar end 2021, inclusive of CMV crashes. The current CMV rate is below the stated goal of .90 in the State Highway Safety plan and contributes to lowering the overall rate each year. Crash statistics, especially along high-volume traffic flow roadways in Nebraska's 10 high accident corridor counties are most concerning due to the inequitable distribution of fatalities (65%) and overall crashes (51%) in 2018 which is the most current complete statistical year. The goal will be to reduce CMV fatalities and CMV crashes in HACs by 7% from 2019's numbers through aggressive and visible enforcement by 2022. The goal will be based on a 3% reduction in 2020, 2% in 2021 and 2% in 2022, based on the Nebraska Department of Transportation 5 Year rolling Average. FY2022 Update: Nebraska's VMT fell dramatically due to the impact of COVID-19, and lack of travel. Overall, miles fell more than 11% in 2020, to a total of 18,833 million miles traveled. There were a total of 46 fatal crashes, with 53 persons losing their lives as a result. This represents a 19% decrease in fatalities and fatality rate per million miles traveled at .28, which is a 9.6% decrease. While the improvements are welcomed, it is uncertain how the dramatic shift in driving and travel practices impacted the totals. This fatality rate is better than 2019, but not as good as previous years. The goal will be to hold the rate at .28 for 2021 as miles traveled are expected to return to 2019 numbers.

Projected Goals for FY 2020 - 2022:**Enter performance goal.**

Officers who participate in the MAPS selectives, which have traditionally been conducted as a static-location selective are now having this practice modified to a roving selective in the High Accident Corridor. The goal is identification of CMVs who commit moving violations and subsequently stopping and inspecting those vehicles. This plan helps align the MAPS program with the FMCSA national priority of Traffic Enforcement activities on CMVs in crash-prone areas. Troopers will endeavor to conduct 500 Inspections (Level 1,2, or 3) in 14 MAPS selectives targeting High Accident Corridors, as derived from statistical crash data from the Nebraska Department of Roads and Federal Motor Carrier Safety Administration..

Program Activities for FY 2020 - 2022: Describe the activities that will be implemented including level of effort.

The MCSAP Sergeant will work with information gleaned from past enforcement activity and Nebraska Department of Transportation records of crashes to direct MAPS officers to roadways where data indicates a higher likelihood of crashes and poor driving behaviors have historically occurred. Target vehicles will include those which do not likely pass by permanent scale locations or are dedicated to local travel and also CMVs and passenger vehicles observed committing moving traffic offenses. MAPS events average 7-10 troopers per event, each conducting approximately 3-4 NAS Level One inspections for that day's event. Historical data indicates this is reasonable based on location and time devoted to the activity. Additionally, officers will endeavor to contact 2 motorists observed to be in violation of traffic laws, with a NAS inspection being conducted on CMVs which are contacted as part of this traffic enforcement effort in the High Accident Corridor. The Nebraska State Patrol will conduct 14 MAPS events in 2020, 14 events in 2021 and 14 events in 2022. FY2021 Update: Factors created by COVID-19 have created numerous challenges to carry out this activity to the level of previous years. Federal and state exemptions for carriers involved in response to needs created or exacerbated by COVID 19 have made it difficult to identify drivers and vehicles that are not exempt from 49CFR390-399. Additionally, mandated health precautions have had a dramatic impact on proactive enforcement events like this, with enforcement curtailed, and limited to only the most egregious violations. FY2022 Update: Nebraska plans to return to full activity in this goal category in FY2022.

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.

Statistics from MAPS events will be tabulated and evaluated after each event to help meet planned goals. Totals will be collected each day and information about each day's events will be offered to media outlets to create public awareness and promoted through social media outlets through the agency's Public Information Officer. Additionally, media outlets are alerted to each event in an embargoed press release to allow an opportunity to conduct interviews and capture video or pictures.

State Objective #2**Enter the title of your State-Identified Objective.**

Trooper In a Truck Program

Narrative Overview for FY 2020 - 2022**Problem Statement Narrative: Describe problem identified by performance data including baseline data.**

The Large Vehicle Crash Causation study (Publication No. FMCSA-RRA-07-017) indicates that CMV crashes are caused primarily by vehicles departing from their lane of travel and speed. Additionally, the 2017 Large Truck and Bus Crash Data Report indicates that distracted driving, generally, causes crashes nearly 6% of the time. The average speed of a CMV fatal crash is 55.2mph, according to the 2017 Large Truck and Bus Crash Data Report.

Projected Goals for FY 2020 - 2022:

Enter performance goal.

The Trooper In a Truck program will conduct selective, weather permitting, 4 times in FY2019 which will include at least 4 troopers, a trained and certified observer, and a vehicle and driver provided through a partnership with the Nebraska Trucking Association and member companies. Roadways with at least a minimum speed of 55mph will be identified. Troopers will attempt to observe, stop and take enforcement action on at least 5 vehicles during each selective. FY2021 Update: Due to the proximity of persons involved in this program, efforts have been limited. It is likely the Nebraska may not be able to meet the stated goal of this activity We expect to fall short of our goals due to continued COVID 19 concerns and influences, and may see an impact in coming years. The goal will remain as listed in the original CVSP for now due to the uncertainty involved. FY2022 Update: Restrictions due to COVID seem to be lifting at the time of this update, combined with a renewed interest by motor carriers to participate. It is expected that this program will fully return for the coming year, and Nebraska expects to complete at least 4 TIAT events during the fiscal year.

Program Activities for FY 2020 - 2022: Describe the activities that will be implemented including level of effort.

A sworn officer serving as an observer riding in the passenger seat of a semi-truck will observe moving violations of both passenger vehicles (non-CMV) as well as CMVs. Information about the violation will be radioed to waiting troopers who will make a traffic stop based on the observation. Proper enforcement action will be taken and documented via a written warning or citation, as well as a NAS Level 3 inspection on commercial vehicles with appropriate notation of any observed violations. Based on available manpower and carrier participation, the Nebraska State Patrol will conduct 4 TAT events in 2020, 4 in 2021 and 4 in 2022. Effectiveness of the activity will dictate changes in the planned 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.

Statistics on the number of selective enforcements and associated "stops/contacts" on non-CMV TE in accordance with the MCP which will be reported quarterly and measured against the annual goal. All activity is coded to an activity grant that can be queried from citations/warnings as well as data extraction from Safetynet on inspections conducted during the selective. Activity will be provided to media outlets for reporting and awareness. Effectiveness of each selective will be evaluated by command staff and adjustments made to help assure activity levels are met or exceeded.

State Objective #3

Enter the title of your State-Identified Objective.

Passenger Vehicle Enforcement effort

Narrative Overview for FY 2020 - 2022**Problem Statement Narrative: Describe problem identified by performance data including baseline data.**

Passenger vehicle accidents are among the highest priorities for FMCSA. Nebraska has not historically had a statistically significant problem with passenger vehicle crashes, however the very nature of one bad crash justifies an ongoing cooperation with FMCSA's efforts to mitigate this type of event.

Projected Goals for FY 2020 - 2022:**Enter performance goal.**

Nebraska has set an annual goal of 55 vehicle inspections and 3 compliance reviews of passenger carriers. FY2022 Update: Nebraska will proceed with the above inspection goals, and may modify the CR goal based on available identified carriers.

Program Activities for FY 2020 - 2022: Describe the activities that will be implemented including level of effort.

The Nebraska State Patrol will work cooperatively with the FMCSA during the 2019 Passenger Vehicle Strike Force. Using ACE and performance history of carriers, NSP will

endeavor to conduct 3 Compliance Reviews and conduct 55 vehicle inspections, based on available fleet size and manpower in 2020, 3 Compliance Reviews and 55 vehicle inspections, based on available fleet size and manpower in 2021, and 3 Compliance Reviews and 55 vehicle inspections, based on available fleet size and manpower in 2022.

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.

Nebraska will track activities directly tied to the goals and objectives and report those activities in the appropriate PPR.

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	\$5,380,896.00	\$283,205.00	\$5,664,101.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of MCSAP Award Amount):	\$849,615.00
MOE Baseline:	\$24,416.75

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):	\$849,615.00
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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
Central Area Major	1	25.0000	\$124,223.84	\$31,055.96	\$29,503.16	\$1,552.80	\$0.00
Division Commander	1	50.0000	\$111,327.84	\$55,663.92	\$52,880.72	\$2,783.20	\$0.00
District Lieutenants	3	25.0000	\$103,263.68	\$77,447.76	\$73,575.37	\$3,872.39	\$0.00
Area Sergeants	11	25.0000	\$82,852.07	\$227,843.19	\$216,451.03	\$11,392.16	\$0.00
NE/CR Sgt	1	100.0000	\$88,462.40	\$88,462.40	\$84,039.28	\$4,423.12	\$0.00
MCSAP Staff Sgt	1	100.0000	\$91,644.80	\$91,644.80	\$87,062.56	\$4,582.24	\$0.00
Officer FTE	4	100.0000	\$70,865.60	\$283,462.40	\$269,289.28	\$14,173.12	\$0.00
CR Investigators	3	100.0000	\$85,966.40	\$257,899.20	\$245,004.24	\$12,894.96	\$0.00
CVE Troopers	7	100.0000	\$61,327.31	\$429,291.17	\$407,826.61	\$21,464.56	\$0.00
IT Application Developer	1	100.0000	\$58,591.52	\$58,591.52	\$55,661.94	\$2,929.58	\$0.00
IT Business Systems Analyst/Coordinator	1	100.0000	\$62,375.04	\$62,375.04	\$59,256.29	\$3,118.75	\$0.00
MCSAP Staff Assistant	1	100.0000	\$38,400.96	\$38,400.96	\$36,480.91	\$1,920.05	\$0.00
Accountant I	2	25.0000	\$42,702.40	\$21,351.20	\$20,283.64	\$1,067.56	\$0.00
Office Supervisor	1	10.0000	\$35,393.28	\$3,539.32	\$3,362.35	\$176.97	\$0.00
Electronics Technician	1	100.0000	\$40,874.08	\$40,874.08	\$38,830.38	\$2,043.70	\$0.00
MCSAP Lieutenant	1	100.0000	\$103,263.68	\$103,263.68	\$98,100.50	\$5,163.18	\$0.00
Administrative Assistant II	1	50.0000	\$40,069.12	\$20,034.56	\$19,032.83	\$1,001.73	\$0.00
Staff Assistant	1	50.0000	\$33,228.00	\$16,614.00	\$15,783.30	\$830.70	\$0.00
MCSAP Research Analyst	1	100.0000	\$53,354.08	\$53,354.08	\$50,686.38	\$2,667.70	\$0.00
Communication Specialist	3	100.0000	\$40,369.33	\$121,107.99	\$115,052.59	\$6,055.40	\$0.00
MCSAP Attorney III	1	50.0000	\$95,596.80	\$47,798.40	\$45,408.48	\$2,389.92	\$0.00
Traffic Division Trooper	200	0.0000	\$545.12	\$0.00	\$0.00	\$0.00	\$109,024.00
MCSAP HM Coordinator	1	50.0000	\$91,644.80	\$45,822.40	\$43,531.28	\$2,291.12	\$0.00
Safety Audit Investigator	4	100.0000	\$81,286.40	\$325,145.60	\$308,888.32	\$16,257.28	\$0.00
Subtotal: Salary				\$2,501,043.63	\$2,375,991.44	\$125,052.19	\$109,024.00
Overtime Project Costs							
HM Overtime	40	100.0000	\$3,044.40	\$121,776.00	\$115,687.20	\$6,088.80	\$0.00
Incidental Overtime	80	100.0000	\$456.66	\$36,532.80	\$34,706.16	\$1,826.64	\$0.00
Planned Overtime	40	100.0000	\$15,222.00	\$608,880.00	\$578,436.00	\$30,444.00	\$0.00
Subtotal: Overtime				\$767,188.80	\$728,829.36	\$38,359.44	\$0.00
TOTAL: Personnel				\$3,268,232.43	\$3,104,820.80	\$163,411.63	\$109,024.00
Accounting Method:	Cash						

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

One (1) MCSAP Lieutenant is dedicated to MCSAP Administrative activities. Duties include the application, administration and monitoring of all MCSAP related grants and activities. Appropriate percentage of time is listed on the line item budget. The MCSAP Research Analyst II, MCSAP Staff Assistant, Administrative Assistant II, **Accountant, Office Supervisor, Staff Assistant** and Electronics Technician are dedicated to MCSAP support activities at levels identified by the percentages listed. These duties include but not limited to administrative, record keeping, reporting. The Electronics Technician is assigned to handle all MCSAP units for installation and maintenance of electronic computers and similar equipment. Appropriate percentage of time is listed on the line item budget. MCSAP Attorney is 50% assigned to MCSAP activities, these activities include CR hearings, legislative issues, FMCSR interpretations and other duties as assigned.

The MCSAP Staff Sergeant is dedicated one hundred (100) percent to MCSAP Staff duties such as DataQs, answering phone calls, serves as coordinator and supervisor of the Metropolitan Aggressive and Preventive Selectives (MAPS Team) (40 Hours per week), as listed on the line item budget.

The three (3) MCSAP CR Investigators are dedicated one hundred (100) percent to Compliance Reviews (40 hours per week each), as listed on the line item budget. The **four (4) MCSAP SA Investigators** are dedicated to one hundred (100) percent to Safety Audits (40 hours per week each), as listed on the line item budget. **This group of staff is supervised by a Sergeant who is dedicated 100 percent to oversight and compliance within this division.**

The one(1) IT Business Systems Analyst/Coordinator and one (1) IT Application Developer are dedicated one hundred (100) percent to Information Systems (40 hours per week each) Information Systems support includes all MCSAP related issues for the Carrier Enforcement Division.

The sixty (60) Carrier Enforcement Troopers work part time on MCSAP eligible enforcement activities. The total of their part time efforts equates to four (4) FTEs (8,320) working 2080 hours per year, as listed on the line item budget.

The seven (7) Carrier Enforcement Troopers designated as MCSAP Commercial Vehicle Enforcement (CVE) team, work full time on MCSAP eligible enforcement activities. The total full time efforts equates to (14,560) working hours per year.

The Central Division Major provides executive oversight to the entire division, including MCSAP compliance and safety programs. The percentage represents the prorated amount of time spent in this role.

The Division Commander provides general administrative oversight to the entire division. The commander provides direction and makes final decisions on all matters related to MCSAP compliance for the division. The percentage represents the prorated amount of time spent in this role.

The District Lieutenants provide administrative oversight to all CE personnel in an geographic section of the state, including all facets of MCSAP enforcement conducted by their staff. The percentage represents the prorated amount of time spent in this role.

Area sergeants provide first line supervision to troopers, and routinely answer questions and provide support to troopers conducting MCSAP enforcement by checking for timesheet compliance and complete reports as well as answering questions about regulatory issues. The percentage represents the prorated amount of time spent in this role.

The HM Coordinator dedicates 50 percent of time to oversight and compliance, as well as education, of all HM certified officers in the state who are conducting MCSAP funded HM inspections.

The State Patrol utilizes staff at 2 centralized communication centers to provide assistance to roadside officers conducting enforcement. Commercial vehicle stops require additional resources to conduct checks on registration, CDL, DACH and OOS concerns. The 3 FTE positions funded by MCSAP approximate the pro-rated workload of this group of employees toward support of MCSAP enforcement.

NSP will continue planned overtime only if there is sufficient funding available. Supervisors will schedule and monitor overtime hours earned. Planned overtime allows NSP to conduct roadside MCSAP inspections to enhance our goal of reducing CMV crashes and fatalities. Overtime estimated in this portion of the budget is for Salaries and Benefits.

Overtime expenditures will fall into 3 main categories for the Nebraska State Patrol related to the MCSAP Budget.

Planned Inspection Overtime – 39 Officers x \$76.11 wage x 200 hours annually= \$593,658 (Grant 0256)

Planned Overtime - New Entrant Audits - 4 officers x \$76.11 wage x 50 hours annually = \$15,222

Total for planned overtime is \$608,880.

Hazardous Materials Inspections – 40 officers x \$76.11 wage x 40 hours annually = \$121,776.00 (Grant 1397)

Incidental Overtime - 80 officers x \$76.11 x 6 hours annually = \$36,532.80 (Grant 9308)

Overtime fringe is itemized in Section 3 of this part.

Planned (0256) Overtime is only available to qualified Troopers, Investigators, and Sergeants who are current on their required number of inspections. Supervisors will monitor overtime hours earned. This is a planned overtime category which will enhance our goal of reducing CMV crashes and fatalities through the regular inspection of carriers in the state as well as by conducting New Entrant Audits. New Entrant carrier inventory is not able to be managed effectively by 4 investigators, and overtime is being offered to investigators who are willing to conduct additional audits. Hours are estimated based on previous participation rates in these categories, and anticipated workload.

Hazardous Materials (1397) is only available to qualified Carrier Enforcement Troopers and Sergeants who are current on their required number of inspections. Supervisors will monitor overtime hours earned. This category enhances our goal of reducing CMV crashes and fatalities and reducing HM incidents through the regular inspection of HM carriers in the state. Hours are estimated based on previous participation rates in these categories.

Incidental Overtime (9308) is reimbursed to funded employees contained in the Fair Labor Standards Act for hours worked over 40 hours in a workweek, which is incidental to the individual's 40 hour workweek occurring merely by chance and without intention. The estimated hours reflect 1/2 hour per month per employee in the Division.

In determining the MOE, Nebraska utilizes unfunded activity conducted by 200 CVSA qualified Traffic Division Troopers who are required to do a minimum of 32 Level 3 inspections per year, at approximately a half hour each for a total of 16 hours per man per year. The average hourly rate for these troopers is \$34.07. The MOE is based on 200 troopers * 16 hours * \$34.07 for a budgeted total of \$109,024.

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
Central Area Major	40.0000	25.0000	\$124,223.84	\$12,422.38	\$11,801.26	\$621.12	\$0.00
Division Commander	40.0000	50.0000	\$111,327.84	\$22,265.56	\$21,152.28	\$1,113.28	\$0.00
District Lieutenants	40.0000	25.0000	\$309,791.04	\$30,979.10	\$29,430.15	\$1,548.95	\$0.00
Area Sergeants	40.0000	25.0000	\$911,372.77	\$91,137.27	\$86,580.41	\$4,556.86	\$0.00
NE/CR Sergeant	40.0000	100.0000	\$88,462.40	\$35,384.96	\$33,615.71	\$1,769.25	\$0.00
MCSAP Sergeant	40.0000	100.0000	\$91,677.80	\$36,671.12	\$34,837.56	\$1,833.56	\$0.00
Officer FTE	40.0000	100.0000	\$283,462.40	\$113,384.96	\$107,715.71	\$5,669.25	\$0.00
CR Investigators	40.0000	100.0000	\$257,899.20	\$103,159.68	\$98,001.70	\$5,157.98	\$0.00
CVE Team	40.0000	100.0000	\$471,291.17	\$188,516.46	\$179,090.64	\$9,425.82	\$0.00
IT Application Developer	40.0000	100.0000	\$58,591.52	\$23,436.60	\$22,264.77	\$1,171.83	\$0.00
IT Business Systems Lead	40.0000	100.0000	\$63,656.32	\$25,462.52	\$24,189.39	\$1,273.13	\$0.00
MCSAP Staff Assistant	40.0000	100.0000	\$38,400.96	\$15,360.38	\$14,592.36	\$768.02	\$0.00
Office Supervisor	40.0000	10.0000	\$35,393.28	\$1,415.73	\$1,344.94	\$70.79	\$0.00
Electronics Technician	40.0000	100.0000	\$40,874.08	\$16,349.63	\$15,532.15	\$817.48	\$0.00
MCSAP Lieutenant	40.0000	100.0000	\$103,263.68	\$41,305.47	\$39,240.20	\$2,065.27	\$0.00
Administrative Asst II	40.0000	50.0000	\$40,069.12	\$8,013.82	\$7,613.13	\$400.69	\$0.00
Staff Assistant	40.0000	50.0000	\$33,228.00	\$6,645.60	\$6,313.32	\$332.28	\$0.00
MCSAP Research Analyst II	40.0000	100.0000	\$53,354.08	\$21,341.63	\$20,274.55	\$1,067.08	\$0.00
Communications Specialist	40.0000	100.0000	\$121,107.99	\$48,443.19	\$46,021.03	\$2,422.16	\$0.00
MCSAP Attorney III	40.0000	50.0000	\$95,596.80	\$19,119.36	\$18,163.39	\$955.97	\$0.00
MCSAP HM Coordinator	40.0000	50.0000	\$91,644.80	\$18,328.96	\$17,412.51	\$916.45	\$0.00
Overtime Fringe	37.0000	100.0000	\$767,188.80	\$283,859.85	\$269,666.85	\$14,193.00	\$0.00
Accountant I	40.0000	25.0000	\$85,404.80	\$8,540.48	\$8,113.46	\$427.02	\$0.00
Safety Audit Investigator	40.0000	100.0000	\$325,145.60	\$130,058.24	\$123,555.33	\$6,502.91	\$0.00
TOTAL: Fringe Benefits				\$1,301,602.95	\$1,236,522.80	\$65,080.15	\$0.00

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

The Nebraska State Patrol is collecting fringe benefit reimbursements at actual costs for the individuals who are paid for from the MCSAP grant. Fringe benefits are a summation of the actual fringe benefits per employee, which includes mandatory retirement, health insurance, statutory expense allowance, state provided life insurance, and unemployment. The State of Nebraska Department of Administrative Services utilizes the Labor and Distribution System where the system separates electronically the individual employee by percentage of how many hours worked in a labor unit, such as MCSAP. The Labor and Distribution Report then calculates the percentage time to each benefit for each individual grant. If the employee works two different grants then the appropriate percentage is calculated to each grant. For an example if an employee works 70 hours (87.5%) in a 2-week time frame for MCSAP, and worked 10 hours (12.5%) in a DOJ grant for a total of 80 hours. Then 87.5% of the 40% Fringe Benefit would be collected out of the MCSAP and 12.5% of the 38% Fringe Benefit would be collected out of the DOJ grant.

When an employee codes their time to the grant, NSP catalogs the actual hours worked to the grant, so the individual's salary would be paid correctly. Retirement is broken out by 16%, Medicare is broken out 1.456%, and if they have Social Security, 6.0% on the dollar amount is coded to the grant. Depending on the employee's health, Dental, Life and LTD the same percentage is used for salary to determine the benefit percentage. Due to fluctuations in base salary and deductions, we use a base rate of 40% for budgeting purposes.

Overtime fringe is a difficult number to determine, based on the allocation of different positions and the wages they claim. In an effort to account for fringe paid for overtime that is not already part of static fringe costs paid under regular time duties, a 37% rate was estimated, based on the best information available at this time. A line item has been added to account for this additional fringe amount.

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
NAS Part A Training	2	5	100.0000	\$1,000.00	\$950.00	\$50.00	\$0.00
NAS Part B Training	5	5	100.0000	\$2,000.00	\$1,900.00	\$100.00	\$0.00
CVSA Fall Conference	7	5	100.0000	\$12,000.00	\$11,400.00	\$600.00	\$0.00
Passenger Carrier Safety Training	2	5	100.0000	\$4,000.00	\$3,800.00	\$200.00	\$0.00
MCSAP Preplanning Conference	5	5	100.0000	\$10,000.00	\$9,500.00	\$500.00	\$0.00
MCSAP Inservice	5	2	100.0000	\$1,000.00	\$950.00	\$50.00	\$0.00
NAIC	1	6	100.0000	\$5,000.00	\$4,750.00	\$250.00	\$0.00
CVSA COHMED Conference	3	6	100.0000	\$9,000.00	\$8,550.00	\$450.00	\$0.00
CVSA Spring Conference	6	6	100.0000	\$18,000.00	\$17,100.00	\$900.00	\$0.00
Routine Travel	35	10	100.0000	\$25,000.00	\$23,750.00	\$1,250.00	\$0.00
IT Systems Training	4	5	100.0000	\$8,000.00	\$7,600.00	\$400.00	\$0.00
Haz Mat Training (Basic, Bulk/Non-Bulk, OBP	23	15	100.0000	\$8,000.00	\$7,600.00	\$400.00	\$0.00
IPTM Conference	2	5	100.0000	\$8,000.00	\$7,600.00	\$400.00	\$0.00
EDR Summit	2	2	100.0000	\$5,000.00	\$4,750.00	\$250.00	\$0.00
Level 6 refresher training	10	2	100.0000	\$3,000.00	\$2,850.00	\$150.00	\$0.00
Nebraska Inspector's Championship	12	3	100.0000	\$8,000.00	\$7,600.00	\$400.00	\$0.00
TOTAL: Travel				\$127,000.00	\$120,650.00	\$6,350.00	\$0.00

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

State of Nebraska Travel Policy states:

State Wide Overnight Travel - Pursuant to §81-1174, employees traveling on State business may claim 70% of GSA per diem for their travel location.

Maximum per diem to be claimed per GSA guidelines are to be verified prior to submission of reimbursement requests, with information available at www.gsa.gov.

These expenses are inclusive of Airfare (if needed), Per Diem, and actual lodging. Lodging should be booked at per diem rates if possible. Certain conference lodging rates may be above per diem and shall be documented for reimbursement. Program travel encompasses costs associated with MCSAP Selective Enforcement activities, Public Relations, Public Education, Special Projects, Compliance Review Program, Monitoring of Inspections, North American Inspector Championships, MCSAP, CVSA Conferences and meetings, Information Systems, Hazardous Materials meetings, COHMED, IT workshop, HM Basic Training, HM Cargo Tank Training, North American Standard Part A Training, North American Standard Part B training, MCSAP In-Service and FMCSA's Phase III Training.

Routine travel for Selective Enforcement / Public Relations / Special Projects/Monitoring of Inspections: Costs represent necessary travel funds for Carrier Enforcement personnel to provide adequate coverage within the state. Travel is necessary to perform Compliance Reviews, Patrols, Selective Operations--including high crash corridors, MCSAP Programs, program supervision, and other industry meetings within the state. These expenses are inclusive of per Diem and lodging. The number of personnel listed on the line item

budget varies, depending on the activity; which is reasonable and necessary based on the typed of program travel. NSP utilizes the GSA maximum per Diem rates when possible. **Travel costs are based on historical knowledge of travel costs to locations that are known at this time, known per diems applicable to the attendee, and anticipated inflation of travel costs for the coming year.**

FMCSA Pre-planning Conference:

Costs represent necessary travel for NSP Personnel attend the FMCSA Pre-planning conference. The MCSAP Lieutenant and four additional representatives will attend this conference. The expenses are inclusive of airfare, per Diem meals, lodging, and miscellaneous costs (tips, ground travel, luggage fees, etc.)

CVSA Spring Conference:

Costs represent necessary travel for NSP personnel to attend the Commercial Vehicle Safety Alliance (CVSA) spring conference. The MCSAP Lieutenant, and 5 additional representative(s) will attend these conferences. The expenses are inclusive of conference fees, airfare, per Diem meals, lodging, and miscellaneous costs (tips, ground travel, luggage fees, etc.)

CVSA Fall Conference:

Costs represent necessary travel for NSP Personnel to attend the Commercial Vehicle Safety Alliance (CVSA) fall conference. The MCSAP Lieutenant and 6 additional personnel will attend this conference, scheduled to be in South Dakota which will reduce overall travel costs significantly for this trip.

CVSA COHMED Conference:

Costs represents necessary travel for Carrier Enforcement personnel to attend the Commercial Vehicle Safety Alliance (CVSA) Cooperative Hazardous Materials Enforcement and Development (COHMED) Conference. COHMED is an outreach activity to foster coordination, corporations, and communication between federal, state, and local jurisdictions having regulatory and enforcement responsibilities for safety transportation of hazardous materials and the industry that they regulate. The MCSAP Hazardous Material Coordinator and two officers will attend this conference. The expenses are inclusive of conference fees, airfare, per Diem meals, lodging, and miscellaneous costs (tips, ground travel, luggage fees, etc.)

North American Inspector Championships:

Costs represent necessary travel for Carrier Enforcement personnel to attend the CVSA North American Inspection Championships. The competition recognizes the roadside inspector for demonstrated excellence in the competition. One officer will be selected to attend the Championships based on state a competition that consists of a written test, hazardous material table top inspection. Cargo Tank Inspections, Motor Coach Inspections, and a Level I inspections. Various training modules are also included in the Championship. The expenses are inclusive of airfare, per Diem, and lodging. No registration fee is required.

Certification Training Basic Hazmat, Cargo Tank, and other Bulk Package Training:

Costs represent the necessary travel for Carrier Enforcement Troopers to attend the Hazardous Material Basic Training, Hazardous Material Cargo Tank Training, and the other Bulk Packaging Training. The number of staff to attend the training is based on retirement, transfers, and resignation from the CE Division. No registration fees are required for these courses, and expenses are at or below per diem, depending on the location of training. A provision has been made for 1 Sergeant to attend training, out of cycle and out of state, due to promotion.

Certification Part A North American Standard Training:

Costs represent necessary travel for NSP Instructors to travel to provide Part A Training to recruit camp. Meals and lodging are at the Training Academy and are far below per diem rates for the state, reflected in a low cost.

Certification Part B North American Standard Training:

Costs represent necessary travel for NSP Trooper (recruits) to attend the North American Standard Part B Inspection Course. All new recruits assigned to the Carrier Enforcement Division are required to attend the Part B Course. The number of staff to attend the training is based on retirement, transfers, and resignation within the Carrier Division. The average number of recruits for Part B on an annual basis is 5. This training is held at the Nebraska Law Enforcement Training Academy and all recruits are required to stay at the academy. Meals and lodging are below per diem rates.

Information Technology Development Training:

Cost represents registration and travel fees for MCSAP Lieutenant and up to 3 designee(s) to attend this CVSA sponsored training. This training has been historically required to maintain updated information on IT operating systems to allow our support staff to keep abreast of information systems in relationship to FMCSA's operating Information Systems. Training in these systems (e.g. Safetynet, SAFER, etc) **ensures that work performed by attendees who manipulate data, uploaded and provided by field staff during MCSAP inspection and CMV crash investigations, is compliant with MCSAP data requirements and reporting as well enhances MCSAP funded research on CMV enforcement activity in the state.** Data uploaded into Federal databases is accurate, timely, and in accordance with federal requirements. The training helps assure that staff members understand the interconnected systems, and provides for efficient and accurate workflow. Additionally, data that is available through A&I, among other sources helps guide activity and assure performance metrics in the CVSP are being met by the state. CVSA is planning a conference in Indianapolis, IN, August 16-18, 2022.

MCSAP/ HM in-service:

MCSAP and HM in-service is conducted annually for all uniformed CE Troopers. The annual in-service training provides updates on FMCSA Regulations and Out-Of-Service Criteria. Training is one day and all officers are required to attend. However, since it is only 1 day training only a few officers (estimated at 5) will require meals and lodging due to travel distance.

Passenger Vehicle Inspector Training:

Costs represent travel and training costs associated with 2 NSP officers attend a Passenger Carrier Safety Training. Passenger carrier CMV safety and enforcement continues to be a major CMV safety focus and the Nebraska State Patrol will identify 2 officers to receive initial training and certification for Passenger Vehicle Inspections.

In cases of Nebraska-based training utilizing NTC authorized courses and trainers, the Nebraska State Patrol Carrier Enforcement Division will post all training opportunities with the National Training Center on a voluntary basis.

The IPTM conference is for 2 users of the Heavy Vehicle ECM software for training and updates to principles and best practices for advanced CMV crash investigation.

The EDR Summit is for users of the CDR software for updates and best practices during CMV crash investigation. These individuals will serve as trainers for other staff in NE as "train the trainers."

Level 6 training costs are for Level 6 certified officers to complete annual training, usually within the state, including hotel and per diem costs. These officers maintain all HM certifications to be additionally qualified as Level 6 inspectors. All Level 6 escorts must be conducted by statutorily mandated, certified state troopers. Each escorted load receives a Level 6 inspection of the driver and vehicle to assure these highly sensitive loads are able to safely move through the state. Escorting by troopers assure that the load is moved safely, and in the unlikely event that the load is delayed while enroute, troopers can help assure the load is properly cared for in the interim.

Costs for Nebraska Inspector's Championship is for lodging and hotel costs for staff to participate in the state's inspector championship to identify the state champion who competes at the national. Staff level is for competitors and judges. The total personnel is based on estimates, and may vary depending on the number of competitors

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
Unmarked Patrol Vehicle - Investigator	2	\$32,000.00	100	\$64,000.00	\$60,800.00	\$3,200.00	\$0.00
Marked Patrol unit	3	\$47,000.00	100	\$141,000.00	\$133,950.00	\$7,050.00	\$0.00
Vault System	9	\$2,000.00	100	\$18,000.00	\$17,100.00	\$900.00	\$0.00
Stalker LIDAR	8	\$2,700.00	100	\$21,600.00	\$20,520.00	\$1,080.00	\$0.00
Drone systems and training	12	\$6,350.00	100	\$76,200.00	\$72,390.00	\$3,810.00	\$0.00
Synercon Technologies HVDR kits	2	\$27,500.00	100	\$55,000.00	\$52,250.00	\$2,750.00	\$0.00
Trimble X7 Scanner	1	\$38,000.00	100	\$38,000.00	\$36,100.00	\$1,900.00	\$0.00
GNSS R4 Total Station	4	\$9,100.00	100	\$36,400.00	\$34,580.00	\$1,820.00	\$0.00
TOTAL: Equipment				\$450,200.00	\$427,690.00	\$22,510.00	\$0.00
Equipment threshold is \$1,500							

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

Two unmarked general purpose vehicles are for replacement units expected to come to the end of useful life, based on mileage, age and maintenance concerns in the coming fiscal year.

Three marked units are for replacement of units expected to come to the end of their useful life, based on mileage, age, and maintenance or repair concerns in the coming fiscal year.

Vault system is for a secured storage system for unmarked patrol vehicles that lack weapon retainment systems and secure storage for other issued equipment. These will be issued to investigators (7), MCSAP Sergeant and MCSAP Lieutenant.

LIDAR units are to provide a LIDAR to all certified officers in the division who do not have a unit currently. These will be used for both CMV and non-CMV speed enforcement in furtherance of anticipated traffic enforcement efforts conducted in support of grant-funded traffic enforcement goals.

The state seeks 12 drones for issuance to Post Crash qualified officers is to support investigation of CMV-involved serious injury and fatal crashes by making these officers drone pilot certified. Recently, CMV involvement has ranged from 25% in 2019 to 40% of these crashes currently, and addition of this equipment, paired with the 16 units already purchased with state funds in FY22, provides needed support to these crash events. With a current workload of roughly 40% of crashes involving CMVs, the 12 new units represent roughly 40% of drone units planned for purchased ($12+16=28 \times .4=11.2$, rounded up to 12) this fiscal year. Cost indicated above includes purchase of a drone (\$6000) and \$350 for training and licensing fees for each pilot.

Drones are to be issued to CMV Post-Crash certified officers in the state who desire to become pilots. Post-Crash officers have received 40 hours of advanced NAS Level 1 inspection training, designed to provide enhanced review and NAS inspection of crashes that involve CMVs. Drone overflights provide insight into causation by being able to "see" big picture components within the crash scenes such as roadway departures, skid marks, or other details within the scene. Since many of these crashes also involve reconstruction, drone flights provide detailed information for reconstructionists as they review these crashes. Post-Crash officers complete a post-crash level one inspection, and will fly these crash scenes as appropriate. The use of drones allows at least 50% quicker clearance time of crash scenes, reducing the possibility of injuries to investigators, and the possibility of secondary crashes. Early examples of crashes that have had drones deployed indicate the clearance times are now in the 30-45 minute range, compared to an average of almost 2 hours previously. Strategic allocation of units throughout the state also allows officers to get the equipment on scene much faster. Due to the geography of the state, the workload is high on current drone pilots, and the state is seeking additional resources to diversify the workload. The use of drones for scene work is applicable to the majority of our crash scene responses. The mapping photography is combined with the physical mapping of the topography of the roadway in the area of the crash to create a 3D mesh overlaying the photographs to measured 3D control points with a Trimble GNSS R4 Total Station.

Synercon HVDR systems are used to image heavy vehicle event data recorders during CMV crash investigations. The cost is inclusive of initial training costs for 6 operators (\$5500) and cost of 2 download kits (\$50,000). The estimated cost to outsource this data collection on CMVs in high visibility crashes could be upwards of \$80,000, and is substantially slower than performing the data collection in-state.

The Trimble X7 Scanner, and the GNSS R4 GPS Total station are tools used for advanced mapping of crash scenes involving commercial motor vehicles. The State Patrol has received funding to provide these tools to crash investigators around the state for use on high visibility crashes that require advanced data collection for use by investigators and reconstructionists. The state recognizes that between 25-40% of all crashes that require this additional data collection involve CMVs, and this purchase is commensurate with a prorated and strategic purchase of this equipment by the state, which has received funding and has purchased 13 of the GNSS R4 systems and 2 of the X7 units. The GNSS R4 GPS based system is utilized to map control points necessary to convert the 2D photographs taken by the drone for placement into Pix4D software to process and convert the photographs into a 3D point cloud mesh of the crash scene. Measuring control points in a drone investigated scene is a mandatory application to the proper Forensic Mapping and documentation of a crash scene. A minimum of five control points and critical evidence points are required to be measured with the GPS based GNSS R4 Total Station to properly orient the crash scene drone photographs to the topography of the area of the crash scene, and to properly locate the scene with GPS Coordinates. The Trimble X7 scanner is utilized to create a 3D point cloud of the area needing to be scanned. While the drone is utilized in a vast majority of the applications, there are still locations or applications that need a direct scan of the particular area or vehicles involved. This can occur when weather conditions such as extreme winds or precipitation don't allow for a drone flight. There are also some areas that crashes occur in which an airspace flight restriction may prohibit the drone pilot from operating. There are also applications when evidence may not be visible from the overhead drone photographs, such as under a tree's leaf canopy, or under a bridge or highway overpass. The drone cannot operate in doors. There are regular instances in which crashed vehicles are placed into controlled indoor evidence facilities that need to be 3D modeled for the investigation and inspections to be completed. In these instances, the 3D point cloud that is completed with the indoor 3D scanning with the X7 Scanner is merged in the computer aided drafting software utilized by the State Patrol with a the 3D point cloud model of the outdoor scene as measured by a drone or outdoor scanning of a crash scene.

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 and Protective equipment	1 Each	\$27,743.62	100.0000	\$27,743.62	\$26,356.44	\$1,387.18	\$0.00
IT Equipment	1 Each	\$17,000.00	100.0000	\$17,000.00	\$16,150.00	\$850.00	\$0.00
MCSAP Inspection Equipment	1 Each	\$14,000.00	100.0000	\$14,000.00	\$13,300.00	\$700.00	\$0.00
Regulation books	1 each	\$6,500.00	100.0000	\$6,500.00	\$6,175.00	\$325.00	\$0.00
Tint meters	24 Each	\$219.00	100.0000	\$5,256.00	\$4,993.20	\$262.80	\$0.00
CDR Software	2 Each	\$1,250.00	100.0000	\$2,500.00	\$2,375.00	\$125.00	\$0.00
HM Reg Books	40 Each	\$30.00	100.0000	\$1,200.00	\$1,140.00	\$60.00	\$0.00
Air compressors	6 Each	\$1,400.00	100.0000	\$8,400.00	\$7,980.00	\$420.00	\$0.00
TOTAL: Supplies				\$82,599.62	\$78,469.64	\$4,129.98	\$0.00

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

MCSAP Inspection equipment includes items like creepers, chock blocks, flashlights, brake measurement tools and other associated items identified with performing MCSAP eligible inspections and functions. The budget is inclusive of new items needed for planned attrition of existing gear and for outfitting of new officers who transfer into the division.

Uniforms and Protective equipment are MCSAP vest carriers, BDU uniforms, belts, and associated equipment. The Nebraska State Patrol is expected to update all troopers to a new flashlight system, and costs for that upgrade are included in this section. Uniforms costs are approximately \$250 per set, depending on configuration. Ballistic vests are replaced on a 3 year cycle and cost approximately \$740 per officer. Additional protective gear such as hats (\$20), gloves (\$14), hard hats (\$15) and safety glasses (\$10) are replaced as necessary. Specialty duty gear is issued and replaced as necessary and includes the duty belt (\$45) holster (\$95) mag pouch (\$15), flashlight (\$125) as well as other incidental items. Costs for this category are estimated based on attrition of gear, expected transfers into the division and cyclical replacement of outdated gear.

IT Equipment is inclusive of computers, printers, toner cartridges and service required to keep currently deployed systems functional or provide for replacement of unrepairable failed units. In part, expenses are expected for attrition of 2-3 printers currently deployed for 100% MCSAP use. The estimated cost per unit is \$2500 for purchase and installation of these printers, with additional costs for consumable supplies like high volume toner cartridges. Cost per cartridge is approximately \$200 per unit. Additionally, laptop computers are replaced as needed, with full replacement costs of approximately \$1500 per unit. Many units are repairable, and the most cost effective method will be employed to keep units servicable. Additional supplies are purchased as needed, with annualized cost estimates identified in this line item. IT services are provided as needed by the Nebraska Office of the Chief Information Officer (OCIO) and are billed as required. These costs are difficult to predict, but are expected to be less than 20% of the budgeted amount in this category.

Regulation book and supplies expenses are for annual replacement of FMCSR, as well as CVSA OOS Criteria books, for all NAS-certified personnel and any associated supplies needed for the FMCSRs. Approximately 100 FMCSR full sized inspection books, 200 glove-box sized inspection books, as well as 100 CVSA OOS books are purchased annually.

Nebraska plans to integrate 24 tint meters into use by several units, both portable and scale operations. The tint meters are in support of enforcement of §393.60. The CVSA Crash Committee is considering the influence of tinted windows in distracted driving factors in crash causation, and officers are reporting increased use of tint on windows without any way to verify compliance with the 70% transmission minimum.

CDR Software is to be utilized by 2 post crash-trained inspectors to download ECM data in crash events on involved passenger vehicles. Data captured by ECM computers adds credibility and value to information gathered during crashes, and since a large majority of CMV crashes are caused by passenger vehicles, it is critical to thorough crash investigation to include as much information from passenger vehicles as possible.

Haz Mat reg books are for annual update copies of HM FMCSRs. This is a separate book from the standard FMCSR reg books.

All purchases identified in supplies will be vetted against the MCSAP Comprehensive Plan to assure items are approved per spending guidelines.

Air compressors are issued to Post Crash certified troopers to provide on-scene compressed air for post-crash investigations. These units will replace aging units that are at the end of useful life based on age and maintenance concerns.

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
International Road Dynamics	EIN 383522856	Contract	100.0000	\$50,000.00	\$47,500.00	\$2,500.00	\$0.00
Description of Services: Annual fee for VI2M data reporting services							
Local Agency Subaward	DUNS 0	Subrecipient	100.0000	\$5,000.00	\$4,750.00	\$250.00	\$0.00
Description of Services: Funding for local CMV traffic enforcement activity							
TOTAL: Contractual and Subaward				\$55,000.00	\$52,250.00	\$2,750.00	\$0.00

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

Nebraska utilizes International Road Dynamics' IROC system for preclearance at scales located at Waverly, North Platte and Nebraska City. Nebraska's most currently approved PP-TLD (1/11/2022) outlines the use case for these sites, and the integration of the systems into our safety enforcement strategy. The IROC system gathers data used for presorting decisions, as well as data for analytic review. This data allows the state to assure proper staffing to match traffic flows and workloads, review preclearance data and assure that adequate measures are in place to stop unsafe vehicles, as well as provide other specialized reporting that may be needed by the state. The service was provided as a test when the Waverly and North Platte sites were brought on line, and the state has determined that gains good

insight into our preclearance practices and traffic information as a result of accessibility to this data and analysis. The contract is renewed annually.

Nebraska recognizes that commercial vehicle enforcement extends beyond the capacity of any single agency to manage. In concert with FMCSA's goal of partnering with local agencies, Nebraska intends to enlist the help of interested local police departments and sheriff's offices to conduct targeted commercial vehicle traffic enforcement within their jurisdictions. State law limits commercial vehicle inspections to officers of the Nebraska State Patrol, so enforcement efforts will be for moving violations under state law or local ordinances which are applicable to CMVs, like engine braking and violation of truck route, as examples. Local agencies will be provided a list of applicable statutes that can be used as a primary reason for stop, which are based on moving violations included in the MCSAP Comprehensive Policy. The Nebraska State Patrol will provide resources and information on proper identification of motor carriers, license verification, and safely interacting with large commercial vehicles during traffic stops. To incentivize participation, reimbursement will be offered on overtime activity, and of actual costs provided through supporting documentation as outlined in MOUs with participating agencies. Because this is a new concept, prioritization for participation will be made based on crash data and current NSP enforcement in the area. The goal will be to see a reduction of 5% in the number of CMV crashes (all types) in participating jurisdictions.

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
50% MCSAP Unit Fuel	8 Unit	\$8,000.00	50.0000	\$32,000.00	\$30,400.00	\$1,600.00	\$0.00
100% MCSAP Unit Fuel	19 Unit	\$8,000.00	100.0000	\$152,000.00	\$144,400.00	\$7,600.00	\$0.00
Unit Maintenance 100% MCSAP	19 Each	\$1,500.00	100.0000	\$28,500.00	\$27,075.00	\$1,425.00	\$0.00
Unit Maintenance 50%	8 Each	\$1,500.00	50.0000	\$6,000.00	\$5,700.00	\$300.00	\$0.00
CVSA Decals	800 sheet	\$4.00	100.0000	\$3,200.00	\$3,040.00	\$160.00	\$0.00
Cell Phone Lines	23 annual	\$472.00	100.0000	\$10,856.00	\$10,313.20	\$542.80	\$0.00
MCSAP Telephone Charges (landline)	15 annual	\$634.00	100.0000	\$9,510.00	\$9,034.50	\$475.50	\$0.00
Towing expense Drug Interdiction	1 varies	\$2,000.00	100.0000	\$2,000.00	\$1,900.00	\$100.00	\$0.00
CVSA Annual Membership	1 membersip	\$12,900.00	100.0000	\$12,900.00	\$12,255.00	\$645.00	\$0.00
HELP Inc Dues	1 annual	\$7,500.00	100.0000	\$7,500.00	\$7,125.00	\$375.00	\$0.00
Office Space and utilities	1 Each	\$115,000.00	100.0000	\$115,000.00	\$109,250.00	\$5,750.00	\$0.00
TOTAL: Other Costs				\$379,466.00	\$360,492.70	\$18,973.30	\$0.00

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

MCSAP Fuel 100%-Cost represent necessary fuel costs associated with 19-100% MCSAP units. Fuel costs have varied dramatically due to supply and demand issues brought on by COVID-19. The average price is expected to return to a range similar to 2019, so that amount will be used for budget purposes. Information from Nebraska Energy office, July 10, 2020. Since this inception of this grant, fuel prices have increased by more than 20%. **Fuel Costs have nearly doubled since the inception of the grant. Budgeted amounts updated based on 6/2022 average fuel price of nearly \$5 per gallon.**

MCSAP Fuel 50%-Cost represent necessary fuel costs associated with 8-50% MCSAP units. Since this inception of this grant, fuel prices have increased by more than 20%. **Fuel Costs have nearly doubled since the inception of the grant. Budgeted amounts updated based on 6/2022 average fuel price of nearly \$5 per gallon.**

Unit Maintenance MCSAP 100%-Cost represent necessary maintenance costs associated with 19-100% MCSAP units.

Unit Maintenance MCSAP 50%-Cost represent necessary maintenance costs associated with 8-50% MCSAP units.

Current economic and automobile production limitations are requiring vehicles be driven to as many as 150,000 miles. Maintenance costs are higher to account for this recent change in environment.

****Please note fuel is purchased as needed through a Voyager Credit Card. Maintenance costs are purchased through Voyager or invoice.**

Office Space/ Utilities MCSAP-Cost represent office space for MCSAP personnel which includes rent, gas, electric, garbage cost, water, recycling and ect.. The building rent is derived from prorated costs associated with space and

services provided at the Nebraska State Patrol State Headquarters building by MCSAP funded positions within the building.

MCSAP Cell phone lines/MCSAP telephone lines-Cost represent cell phone and office telephone lines used for MCSAP personnel.

Towing Expense Drug Interdiction-Cost represent towing expenses related from drug interdiction investigations on a case by case basis.

CVSA Decals/CVSA Annual Membership-Cost represent expenses for CVSA Decals and CVSA Annual Membership Dues.

HELP Inc. Dues-Cost represent expenses related to HELP Inc Dues. The FAST Act, beginning in FY2017 provides flexibility for Nebraska to utilize a portion of our MCSAP funding towards operation and maintenance costs. Operations and maintenance is defined as the combination of all technical and administrative actions intended to enable a CMV information system, communication network and or hardware and software application to perform its required functions and address necessary adaptation to changes in external conditions. This fee is for one representative from the Nebraska State Patrol.

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	\$5,380,896.00	\$283,205.00	\$5,664,101.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of MCSAP Award Amount):	\$849,615.00
MOE Baseline:	\$24,416.75

Estimated Expenditures				
Personnel				
	Federal Share	State Share	Total Project Costs (Federal + Share)	MOE
Central Area Major	\$29,503.16	\$1,552.80	\$31,055.96	\$0.00
Division Commander	\$52,880.72	\$2,783.20	\$55,663.92	\$0.00
District Lieutenants	\$73,575.37	\$3,872.39	\$77,447.76	\$0.00
Area Sergeants	\$216,451.03	\$11,392.16	\$227,843.19	\$0.00
NE/CR Sgt	\$84,039.28	\$4,423.12	\$88,462.40	\$0.00
MCSAP Staff Sgt	\$87,062.56	\$4,582.24	\$91,644.80	\$0.00
Officer FTE	\$269,289.28	\$14,173.12	\$283,462.40	\$0.00
CR Investigators	\$245,004.24	\$12,894.96	\$257,899.20	\$0.00
CVE Troopers	\$407,826.61	\$21,464.56	\$429,291.17	\$0.00
IT Application Developer	\$55,661.94	\$2,929.58	\$58,591.52	\$0.00
IT Business Systems Analyst/Coordinator	\$59,256.29	\$3,118.75	\$62,375.04	\$0.00
MCSAP Staff Assistant	\$36,480.91	\$1,920.05	\$38,400.96	\$0.00
Accountant I	\$20,283.64	\$1,067.56	\$21,351.20	\$0.00
Office Supervisor	\$3,362.35	\$176.97	\$3,539.32	\$0.00
Electronics Technician	\$38,830.38	\$2,043.70	\$40,874.08	\$0.00
MCSAP Lieutenant	\$98,100.50	\$5,163.18	\$103,263.68	\$0.00
Administrative Assistant II	\$19,032.83	\$1,001.73	\$20,034.56	\$0.00
Staff Assistant	\$15,783.30	\$830.70	\$16,614.00	\$0.00
MCSAP Research Analyst	\$50,686.38	\$2,667.70	\$53,354.08	\$0.00
Communication Specialist	\$115,052.59	\$6,055.40	\$121,107.99	\$0.00
MCSAP Attorney III	\$45,408.48	\$2,389.92	\$47,798.40	\$0.00
Traffic Division Trooper	\$0.00	\$0.00	\$0.00	\$109,024.00
MCSAP HM Coordinator	\$43,531.28	\$2,291.12	\$45,822.40	\$0.00
Safety Audit Investigator	\$308,888.32	\$16,257.28	\$325,145.60	\$0.00
Salary Subtotal	\$2,375,991.44	\$125,052.19	\$2,501,043.63	\$109,024.00
HM Overtime	\$115,687.20	\$6,088.80	\$121,776.00	\$0.00
Incidental Overtime	\$34,706.16	\$1,826.64	\$36,532.80	\$0.00
Planned Overtime	\$578,436.00	\$30,444.00	\$608,880.00	\$0.00
Overtime subtotal	\$728,829.36	\$38,359.44	\$767,188.80	\$0.00
Personnel total	\$3,104,820.80	\$163,411.63	\$3,268,232.43	\$109,024.00

Fringe Benefits				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Central Area Major	\$11,801.26	\$621.12	\$12,422.38	\$0.00
Division Commander	\$21,152.28	\$1,113.28	\$22,265.56	\$0.00
District Lieutenants	\$29,430.15	\$1,548.95	\$30,979.10	\$0.00
Area Sergeants	\$86,580.41	\$4,556.86	\$91,137.27	\$0.00
NE/CR Sergeant	\$33,615.71	\$1,769.25	\$35,384.96	\$0.00
MCSAP Sergeant	\$34,837.56	\$1,833.56	\$36,671.12	\$0.00
Officer FTE	\$107,715.71	\$5,669.25	\$113,384.96	\$0.00
CR Investigators	\$98,001.70	\$5,157.98	\$103,159.68	\$0.00
CVE Team	\$179,090.64	\$9,425.82	\$188,516.46	\$0.00
IT Application Developer	\$22,264.77	\$1,171.83	\$23,436.60	\$0.00
IT Business Systems Lead	\$24,189.39	\$1,273.13	\$25,462.52	\$0.00
MCSAP Staff Assistant	\$14,592.36	\$768.02	\$15,360.38	\$0.00
Office Supervisor	\$1,344.94	\$70.79	\$1,415.73	\$0.00
Electronics Technician	\$15,532.15	\$817.48	\$16,349.63	\$0.00
MCSAP Lieutenant	\$39,240.20	\$2,065.27	\$41,305.47	\$0.00
Administrative Asst II	\$7,613.13	\$400.69	\$8,013.82	\$0.00
Staff Assistant	\$6,313.32	\$332.28	\$6,645.60	\$0.00
MCSAP Research Analyst II	\$20,274.55	\$1,067.08	\$21,341.63	\$0.00
Communications Specialist	\$46,021.03	\$2,422.16	\$48,443.19	\$0.00
MCSAP Attorney III	\$18,163.39	\$955.97	\$19,119.36	\$0.00
MCSAP HM Coordinator	\$17,412.51	\$916.45	\$18,328.96	\$0.00
Overtime Fringe	\$269,666.85	\$14,193.00	\$283,859.85	\$0.00
Accountant I	\$8,113.46	\$427.02	\$8,540.48	\$0.00
Safety Audit Investigator	\$123,555.33	\$6,502.91	\$130,058.24	\$0.00
Fringe Benefits total	\$1,236,522.80	\$65,080.15	\$1,301,602.95	\$0.00

Travel				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
NAS Part A Training	\$950.00	\$50.00	\$1,000.00	\$0.00
NAS Part B Training	\$1,900.00	\$100.00	\$2,000.00	\$0.00
CVSA Fall Conference	\$11,400.00	\$600.00	\$12,000.00	\$0.00
Passenger Carrier Safety Training	\$3,800.00	\$200.00	\$4,000.00	\$0.00
MCSAP Preplanning Conference	\$9,500.00	\$500.00	\$10,000.00	\$0.00
MCSAP Inservice	\$950.00	\$50.00	\$1,000.00	\$0.00
NAIC	\$4,750.00	\$250.00	\$5,000.00	\$0.00
CVSA COHMED Conference	\$8,550.00	\$450.00	\$9,000.00	\$0.00
CVSA Spring Conference	\$17,100.00	\$900.00	\$18,000.00	\$0.00
Routine Travel	\$23,750.00	\$1,250.00	\$25,000.00	\$0.00
IT Systems Training	\$7,600.00	\$400.00	\$8,000.00	\$0.00
Haz Mat Training (Basic, Bulk/Non-Bulk, OBP)	\$7,600.00	\$400.00	\$8,000.00	\$0.00
IPTM Conference	\$7,600.00	\$400.00	\$8,000.00	\$0.00
EDR Summit	\$4,750.00	\$250.00	\$5,000.00	\$0.00
Level 6 refresher training	\$2,850.00	\$150.00	\$3,000.00	\$0.00
Nebraska Inspector's Championship	\$7,600.00	\$400.00	\$8,000.00	\$0.00
Travel total	\$120,650.00	\$6,350.00	\$127,000.00	\$0.00

Equipment				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Unmarked Patrol Vehicle - Investigator	\$60,800.00	\$3,200.00	\$64,000.00	\$0.00
Marked Patrol unit	\$133,950.00	\$7,050.00	\$141,000.00	\$0.00
Vault System	\$17,100.00	\$900.00	\$18,000.00	\$0.00
Stalker LIDAR	\$20,520.00	\$1,080.00	\$21,600.00	\$0.00
Drone systems and training	\$72,390.00	\$3,810.00	\$76,200.00	\$0.00
Synercon Technologies HVDR kits	\$52,250.00	\$2,750.00	\$55,000.00	\$0.00
Trimble X7 Scanner	\$36,100.00	\$1,900.00	\$38,000.00	\$0.00
GNSS R4 Total Station	\$34,580.00	\$1,820.00	\$36,400.00	\$0.00
Equipment total	\$427,690.00	\$22,510.00	\$450,200.00	\$0.00

Supplies				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Uniforms and Protective equipment	\$26,356.44	\$1,387.18	\$27,743.62	\$0.00
IT Equipment	\$16,150.00	\$850.00	\$17,000.00	\$0.00
MCSAP Inspection Equipment	\$13,300.00	\$700.00	\$14,000.00	\$0.00
Regulation books	\$6,175.00	\$325.00	\$6,500.00	\$0.00
Tint meters	\$4,993.20	\$262.80	\$5,256.00	\$0.00
CDR Software	\$2,375.00	\$125.00	\$2,500.00	\$0.00
HM Reg Books	\$1,140.00	\$60.00	\$1,200.00	\$0.00
Air compressors	\$7,980.00	\$420.00	\$8,400.00	\$0.00
Supplies total	\$78,469.64	\$4,129.98	\$82,599.62	\$0.00

Contractual and Subaward				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
International Road Dynamics	\$47,500.00	\$2,500.00	\$50,000.00	\$0.00
Local Agency Subaward	\$4,750.00	\$250.00	\$5,000.00	\$0.00
Contractual and Subaward total	\$52,250.00	\$2,750.00	\$55,000.00	\$0.00

Other Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
50% MCSAP Unit Fuel	\$30,400.00	\$1,600.00	\$32,000.00	\$0.00
100% MCSAP Unit Fuel	\$144,400.00	\$7,600.00	\$152,000.00	\$0.00
Unit Maintenance 100% MCSAP	\$27,075.00	\$1,425.00	\$28,500.00	\$0.00
Unit Maintenance 50%	\$5,700.00	\$300.00	\$6,000.00	\$0.00
CVSA Decals	\$3,040.00	\$160.00	\$3,200.00	\$0.00
Cell Phone Lines	\$10,313.20	\$542.80	\$10,856.00	\$0.00
MCSAP Telephone Charges (landline)	\$9,034.50	\$475.50	\$9,510.00	\$0.00
Towing expense Drug Interdiction	\$1,900.00	\$100.00	\$2,000.00	\$0.00
CVSA Annual Membership	\$12,255.00	\$645.00	\$12,900.00	\$0.00
HELP Inc Dues	\$7,125.00	\$375.00	\$7,500.00	\$0.00
Office Space and utilities	\$109,250.00	\$5,750.00	\$115,000.00	\$0.00
Other Costs total	\$360,492.70	\$18,973.30	\$379,466.00	\$0.00

Total Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Subtotal for Direct Costs	\$5,380,895.94	\$283,205.06	\$5,664,101.00	\$109,024.00
Total Costs Budgeted	\$5,380,895.94	\$283,205.06	\$5,664,101.00	\$109,024.00

Part 4 Section 10 - Financial Summary

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

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

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85.01% Federal Share	14.99% State Share	Total Estimated Funding
Total	\$5,380,896.00	\$283,205.00	\$5,664,101.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of MCSAP Award Amount):	\$849,615.00
MOE Baseline:	\$24,416.75

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Salary Subtotal	\$2,375,991.44	\$125,052.19	\$2,501,043.63	\$109,024.00
Overtime Subtotal	\$728,829.36	\$38,359.44	\$767,188.80	\$0.00
Personnel Total	\$3,104,820.80	\$163,411.63	\$3,268,232.43	\$109,024.00
Fringe Benefits Total	\$1,236,522.80	\$65,080.15	\$1,301,602.95	\$0.00
Travel Total	\$120,650.00	\$6,350.00	\$127,000.00	\$0.00
Equipment Total	\$427,690.00	\$22,510.00	\$450,200.00	\$0.00
Supplies Total	\$78,469.64	\$4,129.98	\$82,599.62	\$0.00
Contractual and Subaward Total	\$52,250.00	\$2,750.00	\$55,000.00	\$0.00
Other Costs Total	\$360,492.70	\$18,973.30	\$379,466.00	\$0.00
	85.01% Federal Share	14.99% State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Subtotal for Direct Costs	\$5,380,895.94	\$283,205.06	\$5,664,101.00	\$109,024.00
Indirect Costs	\$0.00	\$0.00	\$0.00	NA
Total Costs Budgeted	\$5,380,895.94	\$283,205.06	\$5,664,101.00	\$109,024.00

Part 5 - Certifications and Documents

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

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

Part 5 Section 1 - State Certification

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

1. What is the name of the person certifying the declaration for your State? John Bolduc
2. What is this person's title? Colonel
3. Who is your Governor's highway safety representative? William Kovarik
4. What is this person's title? Highway Safety Administrator

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

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

State Certification declaration:

I, John Bolduc, Colonel, on behalf of the State of NEBRASKA, 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? Mark Boyer
2. What is the title of your certifying State official? Assistant General Counsel
3. What are the phone # and email address of your State official? 402-471-4545

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

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

I, Mark Boyer, 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
LB149	08/28/2021	75-363, 75,364, 75- 366	Codify FMCSR changes, in place on January 1, 2021, into Nebraska law.

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

☐ Yes ☒ No

LEGISLATIVE BILL 149

Approved by the Governor March 17, 2021

Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-3,183, Reissue Revised Statutes of Nebraska, and sections 60-107, 60-119.01, 60-302.01, 60-336.01, 60-386, 60-3,113.04, 60-3,193.01, 60-462.01, 60-479.01, 60-4,111.01, 60-4,132, 60-4,134, 60-4,147.02, 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, 60-2909.01, 75-363, 75-364, 75-366, 75-392, and 75-393, Revised Statutes Cumulative Supplement, 2020; to redefine terms; to adopt updates to federal law and update certain federal references; to change certain disciplinary or registration actions under the International Registration Plan Act; to eliminate obsolete provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 60-107, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-107 Cabin trailer means a trailer or a semitrailer, which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place, whether used for such purposes or instead permanently or temporarily for the advertising, sale, display, or promotion of merchandise or services or for any other commercial purpose except transportation of property for hire or transportation of property for distribution by a private carrier. Cabin trailer does not mean a trailer or semitrailer which is permanently attached to real estate. There are four classes of cabin trailers:

(1) Camping trailer which includes cabin trailers one hundred two inches or less in width and forty feet or less in length and adjusted mechanically smaller for towing;

(2) Mobile home which includes cabin trailers more than one hundred two inches in width or more than forty feet in length;

(3) Travel trailer which includes cabin trailers not more than one hundred two inches in width nor more than forty feet in length from front hitch to rear bumper, except as provided in subdivision (2)(k) of section 60-6,288; and

(4) Manufactured home means a structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or forty body feet or more in length or when erected on site is three hundred twenty or more square feet and which is built on a permanent frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure, except that manufactured home includes any structure that meets all of the requirements of this subdivision other than the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, as such act existed on January 1, 2021 ~~2020~~, 42 U.S.C. 5401 et seq.

Sec. 2. Section 60-119.01, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-119.01 Low-speed vehicle means a (1) four-wheeled motor vehicle (a) whose speed attainable in one mile is more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface, (b) whose gross vehicle weight rating is less than three thousand pounds, and (c) that complies with 49 C.F.R. part 571, as such part existed on January 1, 2021 ~~2020~~, or (2) three-wheeled motor vehicle (a) whose maximum speed attainable is not more than twenty-five miles per hour on a paved, level surface, (b) whose gross vehicle weight rating is less than three thousand pounds, and (c) which is equipped with a windshield and an occupant protection system. A motorcycle with a sidecar attached is not a low-speed vehicle.

Sec. 3. Section 60-302.01, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-302.01 Access aisle means a space adjacent to a handicapped parking space or passenger loading zone which is constructed and designed in compliance with the federal Americans with Disabilities Act of 1990 and the federal regulations adopted in response to the act, as the act and the regulations existed on January 1, 2021 ~~2020~~.

Sec. 4. Section 60-336.01, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-336.01 Low-speed vehicle means a (1) four-wheeled motor vehicle (a) whose speed attainable in one mile is more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface, (b) whose gross vehicle weight rating is less than three thousand pounds, and (c) that complies with 49 C.F.R. part 571, as such part existed on January 1, 2021 ~~2020~~, or (2) three-wheeled motor vehicle (a) whose maximum speed attainable is not more than twenty-five miles per hour on a paved, level surface, (b) whose gross vehicle weight rating is less than three thousand pounds, and (c) which is equipped

with a windshield and an occupant protection system. A motorcycle with a sidecar attached is not a low-speed vehicle.

Sec. 5. Section 60-386, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-386 (1) Each new application shall contain, in addition to other information as may be required by the department, the name and residential and mailing address of the applicant and a description of the motor vehicle or trailer, including the color, the manufacturer, the identification number, the United States Department of Transportation number if required by 49 C.F.R. 390.5 ~~through~~ to 390.21, as such regulations existed on January 1, ~~2021~~ 2020, and the weight of the motor vehicle or trailer required by the Motor Vehicle Registration Act. ~~For Beginning on the implementation date designated by the director pursuant to subsection (4) of section 60-1508, for trailers which are not required to have a certificate of title under section 60-137 and which have no identification number, the assignment of an identification number shall be required and the identification number shall be issued by the county treasurer or department. With the application the applicant shall pay the proper registration fee and shall state whether the motor vehicle is propelled by alternative fuel and, if alternative fuel, the type of fuel. The application shall also contain a notification that bulk fuel purchasers may be subject to federal excise tax liability. The department shall include such notification in the notices required by section 60-3,186.~~

~~(2) This subsection applies beginning on an implementation date designated by the director. The director shall designate an implementation date which is on or before January 1, 2021. In addition to the information required under subsection (1) of this section, the application for registration shall contain (a)(i) the full legal name as defined in section 60-468.01 of each owner or (ii) the name of each owner as such name appears on the owner's motor vehicle operator's license or state identification card and (b)(i) the motor vehicle operator's license number or state identification card number of each owner, if applicable, and one or more of the identification elements as listed in section 60-484 of each owner, if applicable, and (ii) if any owner is a business entity, a nonprofit organization, an estate, a trust, or a church-controlled organization, its tax identification number.~~

Sec. 6. Section 60-3,113.04, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-3,113.04 (1) A handicapped or disabled parking permit shall be of a design, size, configuration, color, and construction and contain such information as specified in the regulations adopted by the United States Department of Transportation in 23 C.F.R. part 1235, UNIFORM SYSTEM FOR PARKING FOR PERSONS WITH DISABILITIES, as such regulations existed on January 1, ~~2021~~ 2020.

(2) No handicapped or disabled parking permit shall be issued to any person or for any motor vehicle if any permit has been issued to such person or for such motor vehicle and such permit has been suspended pursuant to section 18-1741.02. At the expiration of such suspension, a permit may be renewed in the manner provided for renewal in sections 60-3,113.02, 60-3,113.03, and 60-3,113.05.

(3) A duplicate handicapped or disabled parking permit may be provided up to two times during any single permit period if a permit is destroyed, lost, or stolen. Such duplicate permit shall be issued as provided in section 60-3,113.02 or 60-3,113.03, whichever is applicable, except that a new certification by a physician, a physician assistant, or an advanced practice registered nurse need not be provided. A duplicate permit shall be valid for the remainder of the period for which the original permit was issued. If a person has been issued two duplicate permits under this subsection and needs another permit, such person shall reapply for a new permit under section 60-3,113.02 or 60-3,113.03, whichever is applicable.

Sec. 7. Section 60-3,183, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,183 (1) The director may revoke, suspend, cancel, or refuse to issue or renew a registration certificate under sections 60-3,198 to 60-3,203:

~~(a) If upon receipt of notice under the federal Performance and Registration Information Systems Management Program that the ability of the applicant or registration certificate holder to operate has been terminated or denied by a federal agency, upon receipt of notice of the termination or denial under the federal Performance and Registration Information Systems Management Program; -~~

~~(b) If the applicant has failed to disclose material information required on the application or if the applicant has made a materially false statement on the application; or~~

~~(c) If the applicant has applied for the purpose of avoiding a suspension, revocation, cancellation, or refusal to issue or renew a registration certificate for the real party in interest or if the applicant's business is operated, managed, or otherwise controlled by or affiliated with a person or entity who or which is ineligible for registration, including the applicant entity, a relative, a family member, a corporate officer, or a shareholder.~~

(2) Any person who receives notice from the director of action taken pursuant to subsection (1) of this section shall, within three business days, return such registration certificate and license plates to the department. If any person fails to return the registration certificate and license plates to the department, the department shall notify the Nebraska State Patrol that any such person is in violation of this section.

Sec. 8. Section 60-3,193.01, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-3,193.01 For purposes of the Motor Vehicle Registration Act, the International Registration Plan is adopted and incorporated by reference as the plan existed on January 1, 2021 ~~2020~~.

Sec. 9. Section 60-462.01, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-462.01 For purposes of the Motor Vehicle Operator's License Act, the following federal regulations are adopted as Nebraska law as they existed on January 1, 2021 ~~2020~~:

The parts, subparts, and sections of Title 49 of the Code of Federal Regulations, as referenced in the Motor Vehicle Operator's License Act.

Sec. 10. Section 60-479.01, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-479.01 (1) All persons handling source documents or engaged in the issuance of new, renewed, or reissued operators' licenses or state identification cards shall have periodic fraudulent document recognition training.

(2) All persons and agents of the department involved in the recording of verified application information or verified operator's license and state identification card information, involved in the manufacture or production of licenses or cards, or who have the ability to affect information on such licenses or cards shall be subject to a criminal history record information check, including a check of prior employment references, and a lawful status check as required by 6 C.F.R. part 37, as such part existed on January 1, 2021 ~~2020~~. Such persons and agents shall provide fingerprints which shall be submitted to the Federal Bureau of Investigation. The bureau shall use its records for the criminal history record information check.

(3) Upon receipt of a request pursuant to subsection (2) of this section, the Nebraska State Patrol shall undertake a search for criminal history record information relating to such applicant, including transmittal of the applicant's fingerprints to the Federal Bureau of Investigation for a national criminal history record information check. The criminal history record information check shall include information concerning the applicant from federal repositories of such information and repositories of such information in other states, if authorized by federal law. The Nebraska State Patrol shall issue a report to the employing public agency that shall include the criminal history record information concerning the applicant. The cost of any background check shall be borne by the employer of the person or agent.

(4) Any person convicted of any disqualifying offense as provided in 6 C.F.R. part 37, as such part existed on January 1, 2021 ~~2020~~, shall not be involved in the recording of verified application information or verified operator's license and state identification card information, involved in the manufacture or production of licenses or cards, or involved in any capacity in which such person would have the ability to affect information on such licenses or cards. Any employee or prospective employee of the department shall be provided notice that he or she will undergo such criminal history record information check prior to employment or prior to any involvement with the issuance of operators' licenses or state identification cards.

Sec. 11. Section 60-4,111.01, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-4,111.01 (1) The Department of Motor Vehicles, the courts, or law enforcement agencies may store or compile information acquired from an operator's license or a state identification card for their statutorily authorized purposes.

(2) Except as otherwise provided in subsection (3) or (4) of this section, no person having use of or access to machine-readable information encoded on an operator's license or a state identification card shall compile, store, preserve, trade, sell, or share such information. Any person who trades, sells, or shares such information shall be guilty of a Class IV felony. Any person who compiles, stores, or preserves such information except as authorized in subsection (3) or (4) of this section shall be guilty of a Class IV felony.

(3)(a) For purposes of compliance with and enforcement of restrictions on the purchase of alcohol, lottery tickets, and tobacco products, a retailer who sells any of such items pursuant to a license issued or a contract under the applicable statutory provision may scan machine-readable information encoded on an operator's license or a state identification card presented for the purpose of such a sale. The retailer may store only the following information obtained from the license or card: Age and license or card identification number. The retailer shall post a sign at the point of sale of any of such items stating that the license or card will be scanned and that the age and identification number will be stored. The stored information may only be used by a law enforcement agency for purposes of enforcement of the restrictions on the purchase of alcohol, lottery tickets, and tobacco products and may not be shared with any other person or entity.

(b) For purposes of compliance with the provisions of sections 28-458 to 28-462, a seller who sells methamphetamine precursors pursuant to such sections may scan machine-readable information encoded on an operator's license or a state identification card presented for the purpose of such a sale. The seller may store only the following information obtained from the license or card: Name, age, address, type of identification presented by the customer, the governmental entity that issued the identification, and the number on the identification. The seller shall post a sign at the point of sale stating that

the license or card will be scanned and stating what information will be stored. The stored information may only be used by law enforcement agencies, regulatory agencies, and the exchange for purposes of enforcement of the restrictions on the sale or purchase of methamphetamine precursors pursuant to sections 28-458 to 28-462 and may not be shared with any other person or entity. For purposes of this subsection, the terms exchange, methamphetamine precursor, and seller have the same meanings as in section 28-458.

(c) The retailer or seller shall utilize software that stores only the information allowed by this subsection. A programmer for computer software designed to store such information shall certify to the retailer that the software stores only the information allowed by this subsection. Intentional or grossly negligent programming by the programmer which allows for the storage of more than the age and identification number or wrongfully certifying the software shall be a Class IV felony.

(d) A retailer or seller who knowingly stores more information than authorized under this subsection from the operator's license or state identification card shall be guilty of a Class IV felony.

(e) Information scanned, compiled, stored, or preserved pursuant to subdivision (a) of this subsection may not be retained longer than eighteen months unless required by state or federal law.

(4) In order to approve a negotiable instrument, an electronic funds transfer, or a similar method of payment, a person having use of or access to machine-readable information encoded on an operator's license or a state identification card may:

(a) Scan, compile, store, or preserve such information in order to provide the information to a check services company subject to and in compliance with the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et seq., as such act existed on January 1, 2021 ~~2020~~, for the purpose of effecting, administering, or enforcing a transaction requested by the holder of the license or card or preventing fraud or other criminal activity; or

(b) Scan and store such information only as necessary to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability or to resolve a dispute or inquiry by the holder of the license or card.

(5) Except as provided in subdivision (4)(a) of this section, information scanned, compiled, stored, or preserved pursuant to this section may not be traded or sold to or shared with a third party; used for any marketing or sales purpose by any person, including the retailer who obtained the information; or, unless pursuant to a court order, reported to or shared with any third party. A person who violates this subsection shall be guilty of a Class IV felony.

Sec. 12. Section 60-4,132, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-4,132 The purposes of sections 60-462.01, 60-4,133, and 60-4,137 to 60-4,172 are to implement the requirements mandated by the federal Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31100 et seq., the federal Motor Carrier Safety Improvement Act of 1999, Public Law 106-159, 49 U.S.C. 101 et seq., section 1012 of the federal Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C. 5103a, and federal regulations as such acts and regulations existed on January 1, 2021 ~~2020~~, and to reduce or prevent commercial motor vehicle accidents, fatalities, and injuries by: (1) Permitting drivers to hold only one operator's license; (2) disqualifying drivers for specified offenses and serious traffic violations; and (3) strengthening licensing and testing standards.

Sec. 13. Section 60-4,134, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-4,134 In conformance with section 7208 of the federal Fixing America's Surface Transportation Act and 49 C.F.R. 383.3(i), as such section and regulation existed on January 1, 2021 ~~2020~~, no hazardous materials endorsement authorizing the holder of a Class A commercial driver's license to operate a commercial motor vehicle transporting diesel fuel shall be required if such driver is (1) operating within the state and acting within the scope of his or her employment as an employee of a custom harvester operation, an agrichemical business, a farm retail outlet and supplier, or a livestock feeder and (2) operating a service vehicle that is (a) transporting diesel in a quantity of one thousand gallons or less and (b) clearly marked with a flammable or combustible placard, as appropriate.

Sec. 14. Section 60-4,147.02, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-4,147.02 No endorsement authorizing the driver to operate a commercial motor vehicle transporting hazardous materials shall be issued, renewed, or transferred by the Department of Motor Vehicles unless the endorsement is issued, renewed, or transferred in conformance with the requirements of section 1012 of the federal Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C. 5103a, including all amendments and federal regulations adopted pursuant thereto as of January 1, 2021 ~~2020~~, for the issuance of licenses to operate commercial motor vehicles transporting hazardous materials.

Sec. 15. Section 60-4,168, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-4,168 (1) Except as provided in subsections (2) and (3) of this section, a person shall be disqualified from operating a commercial motor vehicle for one year upon his or her first conviction, after April 1, 1992, in

this or any other state for:

(a) Operating a commercial motor vehicle in violation of section 60-6,196 or 60-6,197 or under the influence of a controlled substance or, beginning September 30, 2005, operating any motor vehicle in violation of section 60-6,196 or 60-6,197 or under the influence of a controlled substance;

(b) Operating a commercial motor vehicle in violation of section 60-4,163 or 60-4,164;

(c) Leaving the scene of an accident involving a commercial motor vehicle operated by the person or, beginning September 30, 2005, leaving the scene of an accident involving any motor vehicle operated by the person;

(d) Using a commercial motor vehicle in the commission of a felony other than a felony described in subdivision (3)(b) of this section or, beginning September 30, 2005, using any motor vehicle in the commission of a felony other than a felony described in subdivision (3)(b) of this section;

(e) Beginning September 30, 2005, operating a commercial motor vehicle after his or her commercial driver's license has been suspended, revoked, or canceled or the driver is disqualified from operating a commercial motor vehicle; or

(f) Beginning September 30, 2005, causing a fatality through the negligent or criminal operation of a commercial motor vehicle.

(2) Except as provided in subsection (3) of this section, if any of the offenses described in subsection (1) of this section occurred while a person was transporting hazardous material in a commercial motor vehicle which required placarding pursuant to section 75-364, the person shall, upon conviction or administrative determination, be disqualified from operating a commercial motor vehicle for three years.

(3) A person shall be disqualified from operating a commercial motor vehicle for life if, after April 1, 1992, he or she:

(a) Is convicted of or administratively determined to have committed a second or subsequent violation of any of the offenses described in subsection (1) of this section or any combination of those offenses arising from two or more separate incidents;

(b) Beginning September 30, 2005, used a commercial motor vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of a controlled substance; or

(c) Used a commercial motor vehicle in the commission of a felony involving an act or practice of severe forms of trafficking in persons, as defined and described in 22 U.S.C. 7102(11), as such section existed on January 1, ~~2021~~ ~~2020~~.

(4)(a) A person is disqualified from operating a commercial motor vehicle for a period of not less than sixty days if he or she is convicted in this or any other state of two serious traffic violations, or not less than one hundred twenty days if he or she is convicted in this or any other state of three serious traffic violations, arising from separate incidents occurring within a three-year period while operating a commercial motor vehicle.

(b) A person is disqualified from operating a commercial motor vehicle for a period of not less than sixty days if he or she is convicted in this or any other state of two serious traffic violations, or not less than one hundred twenty days if he or she is convicted in this or any other state of three serious traffic violations, arising from separate incidents occurring within a three-year period while operating a motor vehicle other than a commercial motor vehicle if the convictions have resulted in the revocation, cancellation, or suspension of the person's operator's license or driving privileges.

(5)(a) A person who is convicted of operating a commercial motor vehicle in violation of a federal, state, or local law or regulation pertaining to one of the following six offenses at a highway-rail grade crossing shall be disqualified for the period of time specified in subdivision (5)(b) of this section:

(i) For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train;

(ii) For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear;

(iii) For drivers who are always required to stop, failing to stop before driving onto the crossing;

(iv) For all drivers, failing to have sufficient space to drive completely through the crossing without stopping;

(v) For all drivers, failing to obey a traffic control device or the directions of an enforcement official at the crossing; or

(vi) For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance.

(b)(i) A person shall be disqualified for not less than sixty days if the person is convicted of a first violation described in this subsection.

(ii) A person shall be disqualified for not less than one hundred twenty days if, during any three-year period, the person is convicted of a second violation described in this subsection in separate incidents.

(iii) A person shall be disqualified for not less than one year if, during any three-year period, the person is convicted of a third or subsequent violation described in this subsection in separate incidents.

(6) A person shall be disqualified from operating a commercial motor vehicle for at least one year if, on or after July 8, 2015, the person has been convicted of fraud related to the issuance of his or her CLP-commercial learner's permit or commercial driver's license.

(7) If the department receives credible information that a CLP-commercial

learner's permit holder or a commercial driver's license holder is suspected, but has not been convicted, on or after July 8, 2015, of fraud related to the issuance of his or her CLP-commercial learner's permit or commercial driver's license, the department must require the driver to retake the skills and knowledge tests. Within thirty days after receiving notification from the department that retesting is necessary, the affected CLP-commercial learner's permit holder or commercial driver's license holder must make an appointment or otherwise schedule to take the next available test. If the CLP-commercial learner's permit holder or commercial driver's license holder fails to make an appointment within thirty days, the department must disqualify his or her CLP-commercial learner's permit or commercial driver's license. If the driver fails either the knowledge or skills test or does not take the test, the department must disqualify his or her CLP-commercial learner's permit or commercial driver's license. If the holder of a CLP-commercial learner's permit or commercial driver's license has had his or her CLP-commercial learner's permit or commercial driver's license disqualified, he or she must reapply for a CLP-commercial learner's permit or commercial driver's license under department procedures applicable to all applicants for a CLP-commercial learner's permit or commercial driver's license.

(8) For purposes of this section, controlled substance has the same meaning as in section 28-401.

(9) For purposes of this section, conviction means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law, in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court costs, or a violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(10) For purposes of this section, serious traffic violation means:

(a) Speeding at or in excess of fifteen miles per hour over the legally posted speed limit;

(b) Willful reckless driving as described in section 60-6,214 or reckless driving as described in section 60-6,213;

(c) Improper lane change as described in section 60-6,139;

(d) Following the vehicle ahead too closely as described in section 60-6,140;

(e) A violation of any law or ordinance related to motor vehicle traffic control, other than parking violations or overweight or vehicle defect violations, arising in connection with an accident or collision resulting in death to any person;

(f) Beginning September 30, 2005, operating a commercial motor vehicle without a commercial driver's license;

(g) Beginning September 30, 2005, operating a commercial motor vehicle without a commercial driver's license in the operator's possession;

(h) Beginning September 30, 2005, operating a commercial motor vehicle without the proper class of commercial driver's license and any endorsements, if required, for the specific vehicle group being operated or for the passengers or type of cargo being transported on the vehicle;

(i) Beginning October 27, 2013, texting while driving as described in section 60-6,179.02; and

(j) Using a handheld mobile telephone as described in section 60-6,179.02.

(11) Each period of disqualification imposed under this section shall be served consecutively and separately.

Sec. 16. Section 60-501, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-501 For purposes of the Motor Vehicle Safety Responsibility Act, unless the context otherwise requires:

(1) Department means Department of Motor Vehicles;

(2) Former military vehicle means a motor vehicle that was manufactured for use in any country's military forces and is maintained to accurately represent its military design and markings, regardless of the vehicle's size or weight, but is no longer used, or never was used, by a military force;

(3) Golf car vehicle means a vehicle that has at least four wheels, has a maximum level ground speed of less than twenty miles per hour, has a maximum payload capacity of one thousand two hundred pounds, has a maximum gross vehicle weight of two thousand five hundred pounds, has a maximum passenger capacity of not more than four persons, and is designed and manufactured for operation on a golf course for sporting and recreational purposes;

(4) Judgment means any judgment which shall have become final by the expiration of the time within which an appeal might have been perfected without being appealed, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States, (a) upon a cause of action arising out of the ownership, maintenance, or use of any motor vehicle for damages, including damages for care and loss of services, because of bodily injury to or death of any person or for damages because of injury to or destruction of property, including the loss of use thereof, or (b) upon a cause of action on an agreement of settlement for such damages;

(5) License means any license issued to any person under the laws of this state pertaining to operation of a motor vehicle within this state;

(6) Low-speed vehicle means a (a) four-wheeled motor vehicle (i) whose speed attainable in one mile is more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface, (ii) whose gross

vehicle weight rating is less than three thousand pounds, and (iii) that complies with 49 C.F.R. part 571, as such part existed on January 1, 2021 ~~2020~~, or (b) three-wheeled motor vehicle (i) whose maximum speed attainable is not more than twenty-five miles per hour on a paved, level surface, (ii) whose gross vehicle weight rating is less than three thousand pounds, and (iii) which is equipped with a windshield and an occupant protection system. A motorcycle with a sidecar attached is not a low-speed vehicle;

(7) Minitruck means a foreign-manufactured import vehicle or domestic-manufactured vehicle which (a) is powered by an internal combustion engine with a piston or rotor displacement of one thousand five hundred cubic centimeters or less, (b) is sixty-seven inches or less in width, (c) has a dry weight of four thousand two hundred pounds or less, (d) travels on four or more tires, (e) has a top speed of approximately fifty-five miles per hour, (f) is equipped with a bed or compartment for hauling, (g) has an enclosed passenger cab, (h) is equipped with headlights, taillights, turnsignals, windshield wipers, a rearview mirror, and an occupant protection system, and (i) has a four-speed, five-speed, or automatic transmission;

(8) Motor vehicle means any self-propelled vehicle which is designed for use upon a highway, including trailers designed for use with such vehicles, minitrucks, and low-speed vehicles. Motor vehicle includes a former military vehicle. Motor vehicle does not include (a) mopeds as defined in section 60-637, (b) traction engines, (c) road rollers, (d) farm tractors, (e) tractor cranes, (f) power shovels, (g) well drillers, (h) every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails, (i) electric personal assistive mobility devices as defined in section 60-618.02, (j) off-road designed vehicles, including, but not limited to, golf car vehicles, go-carts, riding lawnmowers, garden tractors, all-terrain vehicles and utility-type vehicles as defined in section 60-6,355, minibikes as defined in section 60-636, and snowmobiles as defined in section 60-663, and (k) bicycles as defined in section 60-611;

(9) Nonresident means every person who is not a resident of this state;

(10) Nonresident's operating privilege means the privilege conferred upon a nonresident by the laws of this state pertaining to the operation by him or her of a motor vehicle or the use of a motor vehicle owned by him or her in this state;

(11) Operator means every person who is in actual physical control of a motor vehicle;

(12) Owner means a person who holds the legal title of a motor vehicle, or in the event (a) a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or (b) a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of the act;

(13) Person means every natural person, firm, partnership, limited liability company, association, or corporation;

(14) Proof of financial responsibility means evidence of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership, maintenance, or use of a motor vehicle, (a) in the amount of twenty-five thousand dollars because of bodily injury to or death of one person in any one accident, (b) subject to such limit for one person, in the amount of fifty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and (c) in the amount of twenty-five thousand dollars because of injury to or destruction of property of others in any one accident;

(15) Registration means registration certificate or certificates and registration plates issued under the laws of this state pertaining to the registration of motor vehicles;

(16) State means any state, territory, or possession of the United States, the District of Columbia, or any province of the Dominion of Canada; and

(17) The forfeiture of bail, not vacated, or of collateral deposited to secure an appearance for trial shall be regarded as equivalent to conviction of the offense charged.

Sec. 17. Section 60-628.01, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-628.01 Low-speed vehicle means a (1) four-wheeled motor vehicle (a) whose speed attainable in one mile is more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface, (b) whose gross vehicle weight rating is less than three thousand pounds, and (c) that complies with 49 C.F.R. part 571, as such part existed on January 1, 2021 ~~2020~~, or (2) three-wheeled motor vehicle (a) whose maximum speed attainable is not more than twenty-five miles per hour on a paved, level surface, (b) whose gross vehicle weight rating is less than three thousand pounds, and (c) which is equipped with a windshield and an occupant protection system. A motorcycle with a sidecar attached is not a low-speed vehicle.

Sec. 18. Section 60-6,265, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-6,265 For purposes of sections 60-6,266 to 60-6,273:

(1) Occupant protection system means a system utilizing a lap belt, a shoulder belt, or any combination of belts installed in a motor vehicle which (a) restrains drivers and passengers and (b) conforms to Federal Motor Vehicle Safety Standards, 49 C.F.R. 571.207, 571.208, 571.209, and 571.210, as such standards existed on January 1, 2021 ~~2020~~, or, as a minimum standard, to the

federal motor vehicle safety standards for passenger restraint systems applicable for the motor vehicle's model year; and

(2) Three-point safety belt system means a system utilizing a combination of a lap belt and a shoulder belt installed in a motor vehicle which restrains drivers and passengers.

Sec. 19. Section 60-2705, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-2705 The Director of Motor Vehicles shall adopt standards for an informal dispute settlement procedure which substantially comply with the provisions of 16 C.F.R. part 703, as such part existed on January 1, 2021 ~~2020~~.

If a manufacturer has established or participates in a dispute settlement procedure certified by the Director of Motor Vehicles within the guidelines of such standards, the provisions of section 60-2703 concerning refunds or replacement shall not apply to any consumer who has not first resorted to such a procedure.

Sec. 20. Section 60-2909.01, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-2909.01 The department and any officer, employee, agent, or contractor of the department having custody of a motor vehicle record shall, upon the verification of identity and purpose of a requester, disclose and make available the requested motor vehicle record, including the sensitive personal information in the record, other than the social security number, for the following purposes:

(1) For use by any federal, state, or local governmental agency, including any court or law enforcement agency, in carrying out the agency's functions or by a private person or entity acting on behalf of a governmental agency in carrying out the agency's functions;

(2) For use in connection with any civil, criminal, administrative, or arbitral proceeding in any federal, state, or local court or governmental agency or before any self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgments and orders, or pursuant to an order of a federal, state, or local court, an administrative agency, or a self-regulatory body;

(3) For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, anti-fraud activities, rating, or underwriting;

(4) For use by an employer or the employer's agent or insurer to obtain or verify information relating to a holder of a commercial driver's license or CLP-commercial learner's permit that is required under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et seq., as such act existed on January 1, 2021 ~~2020~~, or pursuant to sections 60-4,132 and 60-4,141; and

(5) For use by employers of a holder of a commercial driver's license or CLP-commercial learner's permit and by the Commercial Driver License Information System as provided in section 60-4,144.02 and 49 C.F.R. 383.73, as such regulation existed on January 1, 2021 ~~2020~~.

Sec. 21. Section 75-363, Revised Statutes Cumulative Supplement, 2020, is amended to read:

75-363 (1) The parts, subparts, and sections of Title 49 of the Code of Federal Regulations listed below, as modified in this section, or any other parts, subparts, and sections referred to by such parts, subparts, and sections, in existence and effective as of January 1, 2021 ~~2020~~, are adopted as Nebraska law.

(2) Except as otherwise provided in this section, the regulations shall be applicable to:

(a) All motor carriers, drivers, and vehicles to which the federal regulations apply; and

(b) All motor carriers transporting persons or property in intrastate commerce to include:

(i) All vehicles of such motor carriers with a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight over ten thousand pounds;

(ii) All vehicles of such motor carriers designed or used to transport more than eight passengers, including the driver, for compensation, or designed or used to transport more than fifteen passengers, including the driver, and not used to transport passengers for compensation;

(iii) All vehicles of such motor carriers transporting hazardous materials required to be placarded pursuant to section 75-364; and

(iv) All drivers of such motor carriers if the drivers are operating a commercial motor vehicle as defined in section 60-465 which requires a commercial driver's license.

(3) The Legislature hereby adopts, as modified in this section, the following parts of Title 49 of the Code of Federal Regulations:

(a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;

(b) Part 385 - SAFETY FITNESS PROCEDURES;

(c) Part 386 - RULES OF PRACTICE FOR FMCSA PROCEEDINGS;

(d) Part 387 - MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS;

(e) Part 390 - FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL;

(f) Part 391 - QUALIFICATIONS OF DRIVERS AND LONGER COMBINATION VEHICLE (LCV) DRIVER INSTRUCTORS;

(g) Part 392 - DRIVING OF COMMERCIAL MOTOR VEHICLES;

(h) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION;

- (i) Part 395 - HOURS OF SERVICE OF DRIVERS;
 - (j) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE;
 - (k) Part 397 - TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND PARKING RULES; and
 - (l) Part 398 - TRANSPORTATION OF MIGRANT WORKERS.
 - (4) The provisions of subpart E - Physical Qualifications And Examinations of 49 C.F.R. part 391 - QUALIFICATIONS OF DRIVERS AND LONGER COMBINATION VEHICLE (LCV) DRIVER INSTRUCTORS shall not apply to any driver subject to this section who: (a) Operates a commercial motor vehicle exclusively in intrastate commerce; and (b) holds, or has held, a commercial driver's license issued by this state prior to July 30, 1996.
 - (5) The regulations adopted in subsection (3) of this section shall not apply to farm trucks registered pursuant to section 60-3,146 with a gross weight of sixteen tons or less. The following parts and sections of 49 C.F.R. chapter III shall not apply to drivers of farm trucks registered pursuant to section 60-3,146 and operated solely in intrastate commerce:
 - (a) All of part 391;
 - (b) Section 395.8 of part 395; and
 - (c) Section 396.11 of part 396.
 - (6) The following parts and subparts of 49 C.F.R. chapter III shall not apply to the operation of covered farm vehicles:
 - (a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;
 - (b) Part 391, subpart E - Physical Qualifications and Examinations;
 - (c) Part 395 - HOURS OF SERVICE OF DRIVERS; and
 - (d) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE.
 - (7) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION and Part 396 - INSPECTION, REPAIR, AND MAINTENANCE shall not apply to fertilizer and agricultural chemical application and distribution equipment transported in units with a capacity of three thousand five hundred gallons or less.
 - (8) For purposes of this section, intrastate motor carriers shall not include any motor carrier or driver excepted from 49 C.F.R. chapter III by section 390.3(f) of part 390.
 - (9)(a) Part 395 - HOURS OF SERVICE OF DRIVERS shall apply to motor carriers and drivers who engage in intrastate commerce as defined in section 75-362, except that no motor carrier who engages in intrastate commerce shall permit or require any driver used by it to drive nor shall any driver drive:
 - (i) More than twelve hours following ten consecutive hours off duty; or
 - (ii) For any period after having been on duty sixteen hours following ten consecutive hours off duty.
 - (b) No motor carrier who engages in intrastate commerce shall permit or require a driver of a commercial motor vehicle, regardless of the number of motor carriers using the driver's services, to drive, nor shall any driver of a commercial motor vehicle drive, for any period after:
 - (i) Having been on duty seventy hours in any seven consecutive days if the employing motor carrier does not operate every day of the week; or
 - (ii) Having been on duty eighty hours in any period of eight consecutive days if the employing motor carrier operates motor vehicles every day of the week.
 - (10) Part 395 - HOURS OF SERVICE OF DRIVERS, as adopted in subsections (3) and (9) of this section, shall not apply to drivers transporting agricultural commodities or farm supplies for agricultural purposes during planting and harvesting season when:
 - (a) The transportation of such agricultural commodities is from the source of the commodities to a location within a one-hundred-fifty-air-mile radius of the source of the commodities;
 - (b) The transportation of such farm supplies is from a wholesale or retail distribution point of the farm supplies to a farm or other location where the farm supplies are intended to be used which is within a one-hundred-fifty-air-mile radius of the wholesale or retail distribution point; or
 - (c) The transportation of such farm supplies is from a wholesale distribution point of the farm supplies to a retail distribution point of the farm supplies which is within a one-hundred-fifty-air-mile radius of the wholesale distribution point.
 - (11) 49 C.F.R. 390.21 - Marking of self-propelled CMVs and intermodal equipment shall not apply to farm trucks and farm truck-tractors registered pursuant to section 60-3,146 and operated solely in intrastate commerce.
 - (12) 49 C.F.R. 392.9a - Operating authority shall not apply to Nebraska motor carriers operating commercial motor vehicles solely in intrastate commerce.
 - (13) No motor carrier shall permit or require a driver of a commercial motor vehicle to violate, and no driver of a commercial motor vehicle shall violate, any out-of-service order.
- Sec. 22. Section 75-364, Revised Statutes Cumulative Supplement, 2020, is amended to read:
- 75-364 The parts, subparts, and sections of Title 49 of the Code of Federal Regulations listed below, or any other parts, subparts, and sections referred to by such parts, subparts, and sections, in existence and effective as of January 1, ~~2021~~ 2020, are adopted as part of Nebraska law and shall be applicable to all motor carriers whether engaged in interstate or intrastate commerce, drivers of such motor carriers, and vehicles of such motor carriers:
- (1) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart F - Registration of Cargo Tank and Cargo Tank Motor Vehicle Manufacturers, Assemblers, Repairers, Inspectors, Testers, and Design Certifying Engineers;

- (2) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart G - Registration of Persons Who Offer or Transport Hazardous Materials;
- (3) Part 171 - GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS;
- (4) Part 172 - HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION, TRAINING REQUIREMENTS, AND SECURITY PLANS;
- (5) Part 173 - SHIPPERS - GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS;
- (6) Part 177 - CARRIAGE BY PUBLIC HIGHWAY;
- (7) Part 178 - SPECIFICATIONS FOR PACKAGINGS; and
- (8) Part 180 - CONTINUING QUALIFICATION AND MAINTENANCE OF PACKAGINGS.

Sec. 23. Section 75-366, Revised Statutes Cumulative Supplement, 2020, is amended to read:

75-366 For the purpose of enforcing Chapter 75, article 3, any officer of the Nebraska State Patrol may, upon demand, inspect the accounts, records, and equipment of any motor carrier or shipper. Any officer of the Nebraska State Patrol shall have the authority to enforce the federal motor carrier safety regulations, as such regulations existed on January 1, 2021 ~~2020~~, and federal hazardous materials regulations, as such regulations existed on January 1, 2021 ~~2020~~, and is authorized to enter upon, inspect, and examine any and all lands, buildings, and equipment of any motor carrier, any shipper, and any other person subject to the federal Interstate Commerce Act, the federal Department of Transportation Act, and other related federal laws and to inspect and copy any and all accounts, books, records, memoranda, correspondence, and other documents of a motor carrier, a shipper, and any other person subject to Chapter 75, article 3, for the purposes of enforcing Chapter 75, article 3. To promote uniformity of enforcement, the carrier enforcement division of the Nebraska State Patrol shall cooperate and consult with the Public Service Commission and the Division of Motor Carrier Services.

Sec. 24. Section 75-392, Revised Statutes Cumulative Supplement, 2020, is amended to read:

75-392 For purposes of sections 75-392 to 75-3,100:

- (1) Director means the Director of Motor Vehicles;
- (2) Division means the Division of Motor Carrier Services of the Department of Motor Vehicles; and
- (3) Unified carrier registration plan and agreement means the plan and agreement established and authorized pursuant to 49 U.S.C. 14504a, as such section existed on January 1, 2021 ~~2020~~.

Sec. 25. Section 75-393, Revised Statutes Cumulative Supplement, 2020, is amended to read:

75-393 The director may participate in the unified carrier registration plan and agreement pursuant to the Unified Carrier Registration Act of 2005, 49 U.S.C. 13908, as the act existed on January 1, 2021 ~~2020~~, and may file on behalf of this state the plan required by such plan and agreement for enforcement of the act in this state.

Sec. 26. Original section 60-3,183, Reissue Revised Statutes of Nebraska, and sections 60-107, 60-119.01, 60-302.01, 60-336.01, 60-386, 60-3,113.04, 60-3,193.01, 60-462.01, 60-479.01, 60-4,111.01, 60-4,132, 60-4,134, 60-4,147.02, 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, 60-2909.01, 75-363, 75-364, 75-366, 75-392, and 75-393, Revised Statutes Cumulative Supplement, 2020, are repealed.

Maytum, Mike

From: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Sent: Friday, July 23, 2021 11:00 AM
To: Maytum, Mike
Cc: Diane Podany; Jennifer Bell
Subject: FMCSA Approval Of NSP's Final Title VI Program Compliance Plan For FY 2022

Great! Thanks, Lieutenant. You are welcome.

I have reviewed NSP's final Title VI Program Compliance Plan for FY 2022 and find all elements identified in the FY 2022 FMCSA Title VI Program Compliance Plan Checklist. This e-mail serves as the Plan approval document. Therefore, NSP's final Title VI Program Compliance Plan for FY 2022 is hereby approved.

Thanks again for your efforts during the Plan update and regarding the policy development. Please do not hesitate to let me know how I may be of assistance in the future.

Lester

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

From: Maytum, Mike <Mike.Maytum@nebraska.gov>
Sent: Friday, July 23, 2021 10:42 AM
To: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Cc: Podany, Diane (FMCSA) <diane.podany@dot.gov>; Bell, Jennifer (FMCSA) <jennifer.bell@dot.gov>
Subject: RE: FMCSA Edits-Comments Re Draft Policy

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Here is the signed copy. Thank you for your insights in getting this to an approvable level.

Mike Maytum

Lieutenant | Carrier Enforcement Division

Nebraska State Patrol
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4600 Innovation Drive
Lincoln, Nebraska 68521

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statepatrol.nebraska.gov

From: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Sent: Wednesday, July 21, 2021 1:44 PM

To: Maytum, Mike <Mike.Maytum@nebraska.gov>

Subject: RE: FMCSA Edits-Comments Re Draft Policy

Thanks, Lieutenant. The changes on pages #20 and 22 look good to me. Please proceed to obtain the Colonel's signature.

Lester

Lester Finkle

FMCSA National Title VI Program Manager

202-366-4474

From: Maytum, Mike <Mike.Maytum@nebraska.gov>

Sent: Wednesday, July 21, 2021 2:40 PM

To: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>

Subject: RE: FMCSA Edits-Comments Re Draft Policy

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Mr. Finkle,

Please review the changes made to pages 20 and 22 and advise. Upon your approval we will get this document signed by the Colonel.

Thank you.

Mike

From: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>

Sent: Tuesday, July 20, 2021 1:44 PM

To: Maytum, Mike <Mike.Maytum@nebraska.gov>

Subject: RE: FMCSA Edits-Comments Re Draft Policy

Sounds good. Thanks, Lieutenant.

Lester

Lester Finkle

FMCSA National Title VI Program Manager

202-366-4474

From: Maytum, Mike <Mike.Maytum@nebraska.gov>

Sent: Tuesday, July 20, 2021 11:09 AM

To: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>

Subject: RE: FMCSA Edits-Comments Re Draft Policy

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They do. I will get it added and resubmitted.

Mike

From: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Sent: Tuesday, July 20, 2021 9:52 AM
To: Maytum, Mike <Mike.Maytum@nebraska.gov>
Subject: RE: FMCSA Edits-Comments Re Draft Policy

Thanks, Lieutenant. Just to refresh my memory, do NSP officers conduct traffic enforcement activities generally? If so, I offer the additional verbiage below. Otherwise, the language looks good.

Lester

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

From: Maytum, Mike <Mike.Maytum@nebraska.gov>
Sent: Tuesday, July 20, 2021 10:39 AM
To: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Subject: RE: FMCSA Edits-Comments Re Draft Policy

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Thank you for your quick review. For the addition on page 22, is the following sufficient?

Part XI CMV Inspection Selection & Unbiased Enforcement Policies

The NSP requires officers in a traffic enforcement/commercial vehicle enforcement capacity to abide by Policy 03-27 (Anti-Discrimination and Harassment Policy) and SOP 41-2, 24-01 CMV Inspection Guidelines.

Thank you.

Mike

From: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Sent: Tuesday, July 20, 2021 8:28 AM
To: Maytum, Mike <Mike.Maytum@nebraska.gov>
Cc: Denton, Martin <Martin.Denton@nebraska.gov>; Diane Podany <diane.podany@dot.gov>; Jennifer Bell <jennifer.bell@dot.gov>
Subject: RE: FMCSA Edits-Comments Re Draft Policy

Thanks, Lieutenant. I appreciate the update. Sounds good. I have reviewed the FY 2022 Title VI Program Compliance Plan and have the following two comments:

- Training (Page #20) – Unfortunately, this section has not been updated for FY 2022. Please update this section;
- CMV Inspection Selection & Unbiased Enforcement Policies (Page #22) – Please add this section heading to this page of the Plan and then reference both policies in this section of the Plan.

Once these changes are made, I will approve the Plan for FY 2022. Thanks, Lieutenant.

Lester

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

From: Maytum, Mike <Mike.Maytum@nebraska.gov>
Sent: Tuesday, July 20, 2021 9:16 AM
To: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Cc: Denton, Martin <Martin.Denton@nebraska.gov>; Podany, Diane (FMCSA) <diane.podany@dot.gov>; Bell, Jennifer (FMCSA) <jennifer.bell@dot.gov>
Subject: RE: FMCSA Edits-Comments Re Draft Policy

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Mr. Finkle,
Please find attached our approved Title VI plan. This, combined with the changes in Policy and SOP, should complete our Title VI updates for this year. The SOP is in the final approval stages, but I am confident it will be approved with the attached content. Due to the timeline for the MCSAP application, I have chosen to submit this now, and can follow up with the final approved SOP once I have it, for your records. I am told just the formatting is all that remains as far as changes. Once I receive your approval for our plan, it will be posted to our website as required.

Respectfully,

Mike Maytum
Lieutenant | Carrier Enforcement Division

Nebraska State Patrol
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From: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Sent: Thursday, July 1, 2021 9:59 AM
To: Maytum, Mike <Mike.Maytum@nebraska.gov>
Subject: RE: FMCSA Edits-Comments Re Draft Policy

Thank you. Sounds good. I appreciate it.

Lester

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

From: Maytum, Mike <Mike.Maytum@nebraska.gov>
Sent: Thursday, July 1, 2021 10:03 AM
To: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Subject: RE: FMCSA Edits-Comments Re Draft Policy

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That's good news! I think we can get the changes made to SOP fairly soon, and should hopefully have it place prior to submitting the ECVSP for 2022. I will let you know as the process proceeds.

Mike

From: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Sent: Thursday, July 1, 2021 8:52 AM
To: Maytum, Mike <Mike.Maytum@nebraska.gov>
Subject: RE: FMCSA Edits-Comments Re Draft Policy

My apologies. I did not remember our coordination last year. Thank you for the reminder. Yes, the most recent version of Policy 03-27 you provided to me along with the changes to the draft new policy (minus my comments re Policy 03-27) will meet the CMV Inspection Selection & Unbiased Enforcement policy requirement in the Plan. Thanks again for the reminder.

Lester

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

From: Maytum, Mike <Mike.Maytum@nebraska.gov>
Sent: Thursday, July 1, 2021 9:42 AM
To: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Subject: RE: FMCSA Edits-Comments Re Draft Policy

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

Mr. Finkle,

It occurred to me that I failed to include our most recent version of Policy 03-27, which was updated late last year. I have attached it for reference.

Combined with the SOP (and your suggested updates) does this meet the requirements? It seems our updated 03-27 now includes the markers in the document you provided from IA, but there may be specific details I am missing with an untrained eye. Knowing what specific issues might need to be addressed will help me estimate a timeline for changes.

Thank you.

Mike

From: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Sent: Thursday, July 1, 2021 7:28 AM
To: Maytum, Mike <Mike.Maytum@nebraska.gov>
Cc: Doggett, Daniel <Daniel.Doggett@nebraska.gov>; Denton, Martin <Martin.Denton@nebraska.gov>; Boyer, Mark <Mark.Boyer@nebraska.gov>
Subject: FMCSA Edits-Comments Re Draft Policy

Thanks, Lieutenant. I appreciate the update.

I have reviewed the draft policy and have offered some edits/comments.

The attached Public Notice of Title VI Program Rights template relates to my comment regarding the weblink provided on page #3. Additionally, the attached example of an Unbiased Enforcement policy from the Iowa DOT provides an example for appropriate references to Title VI Program requirements to be inserted in NSP Policy 03-27. Please reference A 2 (Policy), Section D (Public Notice), Section E (Complaints), and Section F (Training). As the 1st four National MCSAP Elements are driver inspections, vehicle inspections, traffic enforcement, and investigations (49 CFR 350.203 (a), (b), (c), & (d)), it is important that NSP's existing policy regarding prohibition of bias-based policing be updated to include appropriate references to Title VI Program requirements.

Understanding that the update of NSP Policy 03-27 will take some time, please identify the steps to be taken and the estimated timeframe for the update to this policy in the CMV Inspection Selection and Unbiased Enforcement section of the Plan. This placeholder will allow me to approve the Plan.

Lester

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

From: Maytum, Mike <Mike.Maytum@nebraska.gov>
Sent: Wednesday, June 30, 2021 11:49 AM
To: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Cc: Daniel Doggett <daniel.doggett@nebraska.gov>; Denton, Martin <Martin.Denton@nebraska.gov>; Boyer, Mark <Mark.Boyer@nebraska.gov>
Subject: RE: FMCSA Updated FY 2022 Title VI Program Compliance Plan Checklist

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

Mr. Finkle,

I thought I would update you on our progress in the area of Title VI. After review by the agency legal team, we have decided that a change to SOP is the best plan forward in an effort to address some of the matters from your earlier email. I have developed the SOP modeled on the Arizona document you shared, so I am hopeful we covered the salient points as a result. Our version is attached.

We have not instituted the SOP yet, as we desired your review 4prior to starting the formal process here at the state patrol. Upon your ascent, I will submit it for approval and I am reasonably confident it will be in place prior to the submission1 of our ECVSP.

Thank you, in advance, for your careful consideration.

Respectfully,

Mike Maytum

Lieutenant | Carrier Enforcement Division

Nebraska State Patrol

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4600 Innovation Drive

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From: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>

Sent: Wednesday, April 28, 2021 7:28 AM

To: Maytum, Mike <Mike.Maytum@nebraska.gov>

Cc: Doggett, Daniel <Daniel.Doggett@nebraska.gov>

Subject: FMCSA Updated FY 2022 Title VI Program Compliance Plan Checklist

Good Morning, Lieutenant. I am sending out individual e-mails to FMCSA's MCSAP Grantees for FY 2022. The MCSAP Grant application is usually required to be submitted to FMCSA on or before August 1st. I will need to review and approve the updated Plan for FY 2022 prior to August 1st. The purpose for my early contact is to afford to FMCSA's MCSAP Grantees as much time as is possible to allow for the addition of the new section to the Plan and for the development and my review/approval of the CMV Inspection Selection & Unbiased Enforcement policy.

Please find attached the updated Plan Checklist for FY 2022. As you update the FMCSA FY 2021 Title VI Program Compliance Plan for FY 2022 approval, please insert the last section of the attached Checklist into the Plan with the required information. For convenience, I am providing to you the three additional requirements under the **Title VI Assessments** section of the **FMCSA FY 2022 MCSAP Planning Memorandum** as follows:

- **Training** – There is a renewed emphasis on Title VI Program training for personnel. I have attached an updated presentation for MCSAP and Law Enforcement Grantees. I have also attached a Case Studies document and the FMCSA Enforcement Memorandum regarding limited English proficiency (LEP) and ELP (MC-ECE-2016-006). These documents are referenced in the updated training presentation. Please forward these documents to NSP's training representative to have the training presentation adapted for use by NSP. If NSP's Title VI Program training presentation already resembles the attached presentation, please update the **Training** section of the Plan to reflect this;
- **CMV Inspection Selection Policy** – Last year, I received numerous complaints from CMV drivers alleging discrimination regarding why they were stopped and then alleging discrimination regarding the safety violations cited during the safety inspections. My crash course in learning about whether FMCSA's MCSAP Grantees have up-to-date CMV inspection selection policies turned-up the situation that Agencies have adopted CVSA's Policy #13 as their policies. Unfortunately, CVSA's Policy #13 is a guide identifying eleven industry norms/guidelines for our Agencies to consider when they review their CMV inspection selection policies. To provide context for CVSA's Policy #13, I wrote an article which was published in the December (2020) edition of the Guardian

magazine. I have attached my article and Policy #13 for your use. Additionally, I have attached an example of a combined CMV inspection selection and Unbiased Enforcement/Policing policy from the Arizona DOT for your use as appropriate. These two policies do not have to be combined, but I am offering a combined policy as a best practice example; and

- **Unbiased Enforcement/Policing Policy** – During my crash course last year, I have become aware that many of FMCSA's MCSAP Grantees/Sub-Grantees have developed a policy either entitled Unbiased Enforcement/Policing or Bias Free Enforcement/Policing or similar title. As stated in the previous bullet, I am offering the Arizona DOT combined policy as the example. If NSP already has this individual policy in place, please let me know and I will send to you an example of an individual policy which references the Title VI Program Compliance Plan sections appropriately and references the FMCSA Enforcement Memorandum regarding ELP versus LEP (MC-ECE-2016-006).

I will be happy to review the draft updated Plan for FY 2022 when it is available. Please do not hesitate to let me know if you have any questions. Thanks, Lieutenant.

Lester

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

A banner image at the top of the page. It features a perspective view of a road with a truck in the distance. Overlaid on the left is the text 'Federal Motor Carrier Safety Administration' in a bold, dark blue font. On the right, in a smaller white font, is 'U.S. Department of Transportation'. The banner has a green-to-blue gradient bar at the very top.

**Federal Motor Carrier
Safety Administration**

U.S. Department of
Transportation

Nebraska

ITD Core Compliance Review

Summary Report

May 2021

Innovative Technology Deployment (ITD) Program



*Prepared by
John A. Volpe National Transportation Systems Center (Volpe Center)
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Cambridge, Massachusetts 02142*

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ITD Core Compliance Review: Nebraska

This report documents the findings and recommendations of the Nebraska ITD Core Compliance Review conducted by the FMCSA ITD Program Office and the USDOT Volpe Center ITD support team in April 2021.

Core Compliance Monitoring Program (CCMP)

The Innovative Technology Deployment (ITD) Program, established by the FAST Act and deployed on October 1, 2016, replaced the Commercial Vehicle Information System and Networks (CVISN) Program, which was established in 1994. Forty-four States have been Core certified. However, compliance issues have been observed, and data quality is a major concern. To ensure that Core States maintain ongoing performance after Core certification, the Core Compliance Monitoring Program (CCMP) was created in November 2015 to formally review individual States in the areas of data quality, technical compliance of the SAFER/CVIEW interface, operational procedures, and programmatic requirements. Beginning in January 2016, several States are selected for a review each year, either on site or remotely. The high-level review process includes the following.¹

- Selection and Schedule: FMCSA establishes a review schedule with the selected State.
- Review: FMCSA conducts the review either onsite or remotely via webinar.
- Findings and Recommendations: FMCSA presents the review findings and discusses with the State the recommendations, actions, and desired timeline for improvement.
- Action Plan: State responds with its plan to address FMCSA's recommendations.
- Monitoring: FMCSA reviews and approves the State's plan and monitors the State's progress through plan completion.

While the purpose of each Core Compliance review is to establish effective operational procedures to safeguard optimal data quality, the ultimate goal of the CCMP is to ensure a State has maintained compliance with the ITD Core requirements, and thereby protect the integrity of the ITD Program.

Nebraska Core Compliance Review Process

Nebraska was selected for this review as a representative of the FMCSA Midwestern Service Center's geographic area.

The Nebraska review was conducted remotely with documentation exchanged via email prior to the review. On March 11, 2021, the ITD CCMP review team held a kickoff meeting with Nebraska State personnel to identify documentation needed from the State, confirm the review schedule, and describe and discuss the review process.

The review took place on April 13 and 14, 2021. Attendees included representatives of the State Patrol (the lead ITD agency), the State Department of Motor Vehicles (DMV) Department of Motor Carrier Services (MCS), the FMCSA Nebraska Division office, the FMCSA ITD Program Manager, and the ITD support team from the USDOT Volpe Center. (Appendix 1 contains a participant list.)

¹ The CCMP Plan describes the background and purpose of the program, ITD Core requirements, and the review process. Find the plan on the ITD website: [portal.fmcsa.dot.gov/ITD/Core Compliance/Core Compliance Monitoring Plan](https://portal.fmcsa.dot.gov/ITD/Core%20Compliance/Core%20Compliance%20Monitoring%20Plan).

Nebraska Core Compliance Checklists and Ratings

The ITD program office uses a comprehensive set of checklists to structure each State review and to help ensure that all necessary information is captured. The checklists, which are based primarily on Core Compliance requirements,² also cover data quality and programmatic requirements. Based on the information gathered during the review process, the review team assigns a rating to each element in a checklist.

The checklists cover four categories: A) Data Quality Performance Measures, B) Certification and Recertification, C) Production Operations, and D) Programmatic Requirements.

There are three rating categories:

- Meets Requirements (MR)
- Needs Improvement (NI)
- Not Applicable (NA)

Each ITD Program Area in a checklist receives an overall rating based on the ratings of the individual ITD Requirements/Standards in that area. For example, if the number of “NI” ratings is 20% or less of the total applicable elements in a Program Area, then the Program Area rating is “MR.” If the NI count is more than 20% of the total applicable elements, the Program Area rating is NI.

Nebraska’s Core compliance review checklists follow. Each checklist is complete with ratings as described above and comments as described below.

- **Findings and Recommendations.** For each checklist element with a rating of NI, a finding and corresponding recommendation(s) is provided. States are required to respond with a plan of resolution for each NI rating.
- **Suggestions for Best Practices.** For most checklist elements with a rating of MR, a note is provided. Some notes are simply observations that support the MR rating. Others highlight issues for the State’s consideration that are addressed in a corresponding ITD Program Office suggestion. In addition, best practices are also offered for the State’s consideration. The State may, at its own discretion, decide if and when to adopt a best practice. The State is not required to include plans to adopt any suggested best practices in its plan of resolution.

² Core Compliance checklists are subject to change based on requirements of the ITD Program.

A. Data Quality Performance Measures

This checklist indicates the State's adherence to the data quality standards of the ITD program.

A. Data Quality Performance Measures		
ITD Program Area	ITD Requirement/Standard	Rating
1. Data Quality Measurements (T-22 IRP)		MR
	<p>a. M1 – State uploads new and updated records to SAFER within 24 hours.</p> <p>Note: The T-22 M1 measures the number of uploads from the State compared to the Frequency Standard calculated for the evaluated month. The State's average T-22 M1 rating is Good (3.0 on a scale of 3.0 April 2019 – March 2021).</p> <p>The State achieved a Good M1 rating every month of the evaluation period.</p>	MR
	<p>b. M2 – State data complies with XML schema and data definitions.</p> <p>Note: The T-22 M2 rating measures the percent of T-22 (IRP) records applied to SAFER (not rejected). The State's average T-22 M2 rating is Good (3.0 on a scale of 3.0 April 2019 – March 2021).</p> <p>The State achieved a Good M2 rating (100%) every month of the evaluation period, with no rejections.</p>	MR
	<p>c. M3 – State correctly uses the date last updated by the State as the Last Update Date to indicate whether the data uploaded is the most recent data.</p> <p>Note: The T-22 M3 rating measures the percent of records not rejected with the error message "Older than Existing Data." The State's average T-22 M3 rating is Good (3.0 on a scale of 3.0 April 2019 – March 2021).</p> <p>The State achieved a Good M3 rating (100%) every month of the evaluation period, with no rejections.</p>	MR
	<p>d. M4 – State's IRP registration data has valid vehicle status codes that match the vehicle registration status.</p> <p>Note: The T-22 M4 rating measures the percent of records with Active IRP Status that also show a valid Vehicle Registration. The State's average T-22 M4 rating is Good (3.0 on a scale of 3.0 April 2019 – March 2021).</p> <p>The State achieved a Good M3 rating (100%) every month of the evaluation period, with only 15 rejections.</p>	MR

A. Data Quality Performance Measures		
ITD Program Area	ITD Requirement/Standard	Rating
	e. M5 – State sends IRP baseline data to SAFER at least once every 12 months.	MR
2. Data Quality Measurements (T-19 IFTA)		MR
	<p>a. M1 – State uploads new and updated records to SAFER within 24 hours.</p> <p>Note: The T-19 M1 measures the number of uploads from the State compared to the Frequency Standard calculated for the evaluated month. The State's average T-19 M1 rating is Good (2.75 on a scale of 3.0 April 2019 – March 2021).</p> <p>Suggestion: If the State has no T-19 records to upload on a particular day, they should inform Brittany at Brittany.Gromer@dot.gov, who will ensure that day is not counted against the M1 rating.</p>	MR
	<p>b. M2 – State data complies with XML schema and data definitions.</p> <p>Note: The T-19 M2 rating measures the percent of T-19 (IFTA) records applied to SAFER (not rejected). The State's average T-19 M2 rating is Good (3.0 on a scale of 3.0 April 2019 – March 2021).</p> <p>The State achieved a Good M2 rating (100%) every month of the evaluation period, with no rejections.</p>	MR
	<p>c. M3 – State correctly uses the date last updated by the State as the Last Update Date to indicate whether the data uploaded is the most recent data.</p> <p>Note: The T-19 M3 rating measures the percent of records rejected with the error message "Older than Existing Data." The State's average T-19 M3 rating is Good (3.0 on a scale of 3.0 April 2019 – March 2021).</p> <p>The State achieved a Good M3 rating (100%) every month of the evaluation period, with no rejections.</p>	MR
	<p>d. M4 – State provides valid IFTA status code that matches the IFTA account status.</p> <p>Note: The T-19 M4 rating calculates the percent of active T-19 Interstate records (IFTA status of Active) that show a valid IFTA Account. The State's average T-19 M4 rating is Good (2.96 on a scale of 3.0 April 2019 – March 2021).</p> <p>The State achieved a Good M3 rating (100%) nearly every month of the evaluation period, with one Fair rating.</p>	MR

A. Data Quality Performance Measures		
ITD Program Area	ITD Requirement/Standard	Rating
	e. M5 – State sends IFTA baseline data to SAFER at least once every 12 months.	MR
3. Data Quality Issue Responsiveness		NA
	a. State responds to data quality (DQ) issues within 30 days.	NA
	b. State resolves data quality issues within 90 days.	NA

B. Certification and Recertification

After initial certification, States must maintain technical compliance of their SAFER/CVIEW interface that allows them to access the SAFER production environment. The State must be recertified after major network, server, or application changes; after switching to a new vendor's support; when the SAFER/CVIEW interface changes; or after remediation of major data quality issues. This checklist is used to review the State's level of communication with the ITD support team regarding these conditions and recertification requirements.

B. Certification and Recertification		
ITD Program Areas	ITD Requirement/Standard	Rating
1. Certification		MR
	a. State safeguards its original FMCSA certification letter for all certified data exchange transactions.	MR
2. Recertification		MR
	a. State communicates with the ITD support team for recertification after major changes in network, server and application. If any interface system is changed, the certification tests are re-run as part of the recertification process.	MR
	b. State communicates with the ITD support team for recertification after switching to a new vendor's support. If any interface system is changed, the certification tests are re-run as part of the re-certification process.	MR
	c. State communicates with the ITD support team for recertification when SAFER/CVIEW interface changes. If any interface is changed, the certification tests are re-run as part of the recertification process.	MR
	d. State communicates with the ITD support team for recertification after remediation of major data quality issues. If any interface system is changed, the certification tests are re-run as part of the recertification process.	MR

C. Production Operations

States must conform to the ITD business requirements within the SAFER production environment. This checklist is used to review the State's routine operational procedures.

C. Production Operations		
ITD Program Areas	ITD Requirement/Standard	Rating
1. Production Operation		MR
	a. State has a daily routine to monitor CVIEW uploads and downloads.	MR
	b. State checks SAFER processing logs on a daily basis. <i>Note: The State has programmed a system that downloads the SAFER processing log file daily to compare received and applied records. Among many other features, the system monitors SAFER record processing to ensure the State's files are uploaded in the proper order.</i>	MR
	c. State applies business rules correctly in selecting carrier and vehicle data to send to SAFER.	MR
2. Electronic Credential Information Exchange		MR
	a. State can document that at least 10% of IFTA transactions are handled electronically. <i>Note: The State's ITD Quarterly Reports indicate that more than 10% of IFTA credential transactions were processed electronically over the past year.</i> <i>The State IFTA system has a hard stop on OOS carriers.</i>	MR
	b. State can document that at least 10% of IRP transactions are handled electronically. <i>Note: The State's ITD Quarterly Reports indicate that more than 10% of IRP credential transactions were processed electronically over the past year.</i> <i>The State IRP system has a hard stop on OOS carriers.</i>	MR
	c. State has connections to the IFTA Clearinghouse. <i>Note: The State is a member of the IFTA Clearinghouse.</i>	MR
	d. State has connections to the IRP Clearinghouse. <i>Note: The State is a member of the IRP Clearinghouse.</i>	MR

C. Production Operations		
ITD Program Areas	ITD Requirement/Standard	Rating
	<p>e. State has implemented other credentials – titling, HazMat, and oversize/overweigh (OS/OW).</p> <p><i>Note: The OS/OW permitting office resides in the State DOT. The permit system has a hard stop on OOS carriers.</i></p>	MR
	f. State updates CVIEW with intrastate and interstate data in timely manner.	MR
	g. State's CVIEW uploads interstate data to SAFER within 24 hours.	MR
3. Safety Information Exchange		MR
	<p>a. State sends inspection data to SAFER using Aspen or equivalent.</p> <p><i>Note: The State uses Aspen; inspection data is uploaded to SAFER from the roadside.</i></p>	MR
	<p>b. State's CVIEW (or equivalent) facilitates the exchange of intrastate and interstate carrier and vehicle data within the State.</p> <p><i>Note: The DMV's Dept. of Motor Carrier Services developed and manages the State's CVIEW.</i></p>	MR
	c. State's CVIEW (or equivalent) uploads interstate carrier and vehicle data to SAFER through snapshots.	MR
4. Electronic Screening		MR
	a. State uses safety data from SAFER snapshots to support screening decisions.	MR
	b. State uses credentialing data from SAFER snapshots to support screening decisions.	MR
	c. State has implemented a minimum of one fixed or mobile inspection site. Ready to replicate at other sites.	MR
	d. State uses Weigh-In-Motion (WIM) at mainline speed or on the ramp, or weight history in making screening decisions.	MR
	e. State has a bypass or pre-clearance system and can demonstrate the respective State system meets ITD program policy.	MR

C. Production Operations		
ITD Program Areas	ITD Requirement/Standard	Rating
	Note: State uses Drivewyze, PrePass, and a State-owned IRD IROC system, the authoritative source for bypass/pull-in decisions. The IRD system uses an Iteris CVIEW.	
5. System Design		MR
	a. State CVIEW is configured with State source systems to receive timely updates of core records so that the State CVIEW system has the complete set of records for safety, credential, and e-screening.	MR
	b. State CVIEW has the mechanism to identify the data that must be sent to SAFER within 24 hours.	MR
	c. State demonstrates its system design conforms to the ITD architecture – whether it sends data directly to SAFER or via State vendor systems.	MR

D. Programmatic Requirements

State ITD Program Managers are responsible for the overall development and maintenance of their State's ITD implementation. The Programmatic Requirements checklist is used to review a Program Manager's participation and supervision of the daily operation of the ITD program. The Program Manager is also required to provide guidance and oversight to program vendor(s) to ensure that vendor support is sound and fulfills the State's requirements.

D. Programmatic Requirements		
ITD Program Areas	ITD Requirement/Standard	Rating
1. ITD Program Management		MR
	a. State ITD program manager attends the monthly Program Manager call/webinar meeting. <i>Note: Webinar attendee lists indicate that a State representative attended 8 of 12 Program Managers meetings.</i>	MR
	b. State has at least one representative attend the monthly ACCB call/webinar. <i>Note: Webinar attendee lists indicate that a State representative attended 12 of 12 ACCB meetings.</i>	MR
	c. State submits State ITD Program Manager Reports per the reporting schedule. <i>Note: The State submitted 10 out of 12 required quarterly State reports.</i>	MR
	d. State ITD manager reviews and shares the monthly ITD Data Quality report.	MR
	e. State keeps its Program Plan/Top Level Design (PP/TLD) up to date (at minimum, updates every 5 years). <i>Note: Latest PP/TLD Approval Letter dated 3/9/2021.</i>	MR
	f. State's designated ITD lead agency coordinates with other State agencies on project funding and resources. <i>Note: The NE State Patrol, the State ITD lead agency, coordinates with others in the State.</i>	MR
	g. Lead agency coordinates with other organizations in the State for SAFER/CVIEW connections and data sharing.	MR

D. Programmatic Requirements		
ITD Program Areas	ITD Requirement/Standard	Rating
2. Contractor Management		MR
	<p>a. State ITD manager reviews performance of State's vendor(s) periodically.</p> <p><i>Note: The State receives contract services from IRD, PrePass, and Drivewyze.</i></p>	MR
3. Communications		MR
	<p>a. State proactively provides updates to FMCSA and its ITD support team on changes to the ITD POC, vendor support, network connection, hosting service, and issues with production operation, project delays, funding lapses, etc.</p>	MR
4. ITD Grant Program Management		MR
	<p>a. State effectively manages all open ITD grant awards.</p>	MR
	<p>b. State manages available grant funds within period of performance.</p> <p><i>Note: State monitors large UDOs to ensure funds are expended within the period of performance of each grant, and should continue this practice.</i></p>	MR
	<p>c. State monitors all project milestones to ensure completion.</p>	MR
	<p>d. State provides timely grant quarterly reports as required.</p>	MR

Findings and Recommendations

This State review generated no findings.

A. Data Quality Performance Measures

No recommendations.

B. Certification and Recertification

No recommendations.

C. Production Operations

No recommendations.

D. Programmatic Requirements

No recommendations.

Suggestions for Best Practices

This State review generated no findings.

A. Data Quality Performance Measures

No suggestions.

B. Certification and Recertification

No suggestions.

C. Production Operations

No suggestions.

D. Programmatic Requirements

No suggestions.

State Suggestions for FMCSA

The State raised an issue related to State programming changes required when FMCSA makes changes to SAFER. They noted a previous FMCSA IT practice of “versioning” SAFER changes to accommodate different State programming schedules and asked whether this practice could be revisited.

Appendix 1: Review Meeting Attendees

Nebraska ITD Core Compliance Review

April 13 and 14, 2020

State Staff

Capt. Daniel Doggett, State Patrol Carrier Enforcement Division
Lt. Mike Maytum, State Patrol Carrier Enforcement Division, State ITD Program Manager
Sgt. Jason Stahl, State Patrol Carrier Enforcement Division
Ron Adams, State Patrol Carrier Enforcement Division
Cathy Beedle, DMV Motor Carrier Services Administrator
John Casteel, DMV Motor Carrier Services Programmer

Federal

Thomas Kelly, FMCSA ITD Program Manager
Diane Podany, Division Administrator, FMCSA Nebraska Division Office
Jennifer Bell, State Program Specialist, FMCSA Nebraska Division Office
Jingfei Wu, USDOT Volpe Center
Chris Flynn, USDOT Volpe Center
Brittany Gromer, USDOT Volpe Center
Deirdre Hering, USDOT Volpe Center

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