



TENNESSEE

Commercial Vehicle Safety Plan

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

**Fiscal Years 2022 - 2024
Annual Update FY 2023**

Date of Approval: June 27, 2023

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 2022 - 2024)
- Part 2: Crash Reduction and National Program Elements (FY 2022 - 2024)
- Part 3: National Emphasis Areas and State Specific Objectives (FY 2022 - 2024)
- Part 4: Financial Information (FY 2023)
- Part 5: Certifications and Documents (FY 2023)

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 2023:

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 2022 plans. States must carefully review and update this information to reflect FY 2023 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 2023 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 Tennessee Highway Patrol of the Tennessee Department of Safety and Homeland Security (TDOSHS) is the sole agency in the State of Tennessee responsible for enforcing laws related to size, weight, and safety regulations for commercial motor vehicles. The Tennessee Highway Patrol is the State's lead agency for the Motor Carrier Safety Assistance Program and does not fund any sub-grantees.

The Tennessee Department of Safety and Homeland Security's mission is to serve, secure, and protect the people of Tennessee. The Department's vision is to be a national leader in best practices that enhance public safety and customer service. The Commercial Vehicle Enforcement Administration Unit of the Tennessee Highway Patrol is responsible for the Department's mission with respect to commercial motor vehicles. Tennessee carries out this mission through commercial vehicle inspections, traffic enforcement, education, and the implementation of special initiatives targeting Commercial Motor Vehicle safety. These activities include the following:

- Enforcement of motor vehicle and criminal laws focusing on commercial motor vehicles
- Regulation of commercial motor vehicles and motor carriers per Title 49 CFR
- Public Education and Awareness
- Driver/Vehicle Inspections
- Carrier Investigations and New Entrant Safety Audits
- Data Collection
- Crash Investigations

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 CVSP 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.

Yes	No	Question
<input checked="" type="radio"/>	<input type="radio"/>	Are there initiatives involving "rural roads" included in this CVSP?
<input checked="" type="radio"/>	<input type="radio"/>	Does your State voluntarily submit an annual Training Plan to the National Training Center (NTC)?
<input type="radio"/>	<input checked="" type="radio"/>	Does your State include activities regarding Migrant Worker Transportation in Rural Areas in this CVSP?

According to Tennessee Code Annotated (TCA) Title 65 Chapter 15, the Tennessee Highway Patrol (THP) is the lead agency in the State of Tennessee responsible for enforcing laws related to size, weight, and safety regulations for commercial motor vehicles and the Federal Motor Carrier Safety Assistance Program. No sub-grantees are funded. The THP uses various regulatory, enforcement, and educational strategies to achieve its mission. Tennessee troopers are certified to conduct all levels of the North American Standard inspections, including passenger carriers, cargo tanks, and hazardous materials. The THP, in partnership with the Federal Motor Carrier Safety Administration, conducts commercial motor vehicle targeted enforcement and public education and awareness programs geared toward both industry and the general public to increase awareness of commercial motor vehicle safety issues and the operation of passenger vehicles around commercial motor vehicles.

There are eight THP Districts within the state. Each district is commanded by a District Captain. All districts are under the command of the THP Administrative Office located in Nashville, Tennessee. The command staff consists of Majors, Lieutenant Colonels, and a Colonel. Originally, within the state there were eight commercial vehicle weigh station facilities. **FY 2023 update: The inspection and weigh station in Robertson county has recently closed as planned for the construction of a new scale facility. Please see the Safety Technology section for more information on that closing.** Each of the remaining 7 fixed facilities is under the command of a Lieutenant who reports to the Captain of that district. All of the Agency's commercial motor vehicle activities are coordinated by the Commercial Vehicle Enforcement Administration Unit. Within the Commercial Vehicle Enforcement Administration Unit is a Lieutenant who coordinates passenger transportation safety and one Sergeant coordinates hazardous materials and one coordinates new entrant activities. There are also two Sergeants whose duties include, but are not limited to, coordination of commissioned and industry education, interpretation of regulations for drivers, motor carriers and field personnel. All four Sergeants report to the Commercial Vehicle Enforcement Lieutenant who oversees all CVE grant and enforcement programs and he reports directly to the CVE Captain. The Captain then reports to a Major within the THP Command Staff. **UPDATE FY 2023: CVE has received permission to add a full time Trooper position to the CVE staff.**

Along with the CVE commissioned personnel, there are several administrative support personnel who include an Administrative Secretary, an Accounting technician, a Grants manager, a Statistical analyst, and part time Fiscal Service Accounting personnel. There are also eight Troopers and one Administrative Assistant who make up the Tennessee New Entrant Program.

Update FY 2023: As of June 2022, THP had 52 troopers assigned to the fixed inspection facilities and 713 in patrol and/or administrative positions. All troopers below the rank of Captain are, at a minimum, Level III certified. Troopers in specialized CVE positions are required to maintain higher levels of certification. Troopers assigned to the road and

administrative positions are required to complete a minimum number of North American Standard inspections each year in addition to their regular duties. The primary responsibilities of troopers assigned to the fixed facilities are commercial vehicle inspections and other commercial motor vehicles related enforcement.

All new troopers are required to pass the North American Standard Part A. Within six months of completing training they must complete 32 North American Standard Level III inspections with a Certified Field Training Officer. Select troopers receive additional training in HAZMAT, Level VI (Radioactive Materials & Transuranics), North American Standard Part B, cargo tank, and passenger carrier, which allows them to gain certification in these specialized areas.

FY 2023 update: The table below shows the number of certified Troopers as of June 2022.

CY 2023 Certified Inspectors	
Type of Certification	Count
NAS Level I	346
NAS Level III	419
Hazmat	113
Cargo Tank	76
Passenger Carrier	24
Compliance Review	2
Safety Audit	9

Source: TDOSHS, TITAN Division, SafetyNet Database, June 27, 2022

For the FY 2023 CVSP, the State of Tennessee has 765 troopers trained on commercial vehicle inspections as of June 27, 2022. With the exception of CVE Administrative Personnel, all of these troopers work MCSAP activities on a part-time basis. Because of this large number, a methodology has been developed to calculate the amount of salary which is paid from MCSAP. The calculation determines the percentage of Tennessee Highway Patrol activity in hours that is payable via MCSAP. The amount of grant overtime commercial vehicle activity hours that is reported in the Tennessee Integrated Traffic Analysis Network (TITAN) trooper activity system is subtracted from the total commercial vehicle activity hours to equal the amount of MCSAP payable commercial vehicle hours. The total hours eligible for MCSAP funding are calculated by subtracting the total hours of activity performed on grant overtime from the total hours of activity in TITAN. The formula is as follows:

Total Activity Hours minus Grant Overtime Activity Hours = MCSAP Eligible Hours

Total CV Activity Hours minus Grant Overtime CV Hours = MCSAP Payable CV Hours

*MCSAP Payable CV Hours divided by MCSAP Eligible Hours * 100 = % of MCSAP Eligible Hours Dedicated to CV Activity*

1) *Total Activity Hours* - The sum of all hours of activity reported by the troopers when entering their activity into the (TITAN).

2) *Total CV Activity Hours* - The sum of all hours designated as commercial vehicle activity by the Troopers when entering their activity into the TITAN Trooper Activity System.

3) *Grant Overtime Activity Hours* - The sum of all hours designated as grant funded activity by the Troopers when entering their activity into the TITAN Trooper Activity System.

4) *Grant Overtime CV Hours* - The sum of all hours designated as grant funded commercial vehicle activity by the Troopers when entering their activity into the TITAN Trooper Activity System.

5) *MCSAP Payable CV Hours* - This is the total amount of hours to be counted toward Commercial Vehicle activity after the time dedicated to commercial vehicle grant overtime is subtracted.

6) *MCSAP Eligible Hours* - The number of hours remaining after Grant Overtime Activity Hours are removed from Total Activity Hours.

There are also four full-time MCSAP employees, eight part-time MCSAP employees, and eight part-time New Entrant employees.

FY 2023 update: There are now 6 full-time MCSAP employees.

The State of Tennessee has identified the Tennessee Highway Patrol as the lead agency for commercial vehicle enforcement. In order to meet the requirements of 49 CFR part 350, several activities are conducted on a regular basis.

The State of Tennessee, Highway Patrol executes the following activities to meet the requirements of 49 CFR part 350.213(b):

- Activities aimed at removing impaired CMV drivers from the highways through adequate enforcement of laws restricting the use of alcohol and controlled substances
- Training for roadside officers and inspectors to detect drivers impaired by alcohol or controlled substances
- Breath testers are available to troopers either at fixed inspection facilities, local sheriff's offices, and police departments
- Criminal interdiction activities, in conjunction with an appropriate CMV inspection, including human trafficking and activities affecting the transportation of controlled substances by an occupant of a CMV, and training on appropriate strategies for carrying out those interdiction activities.
- Training for roadside officers and inspectors to detect indicators of controlled substance trafficking
- Engage in drug interdiction activities in conjunction with inspections including interdiction activities that affect the transportation of controlled substances.
- Enforcing federal registration (operating authority) requirements under 49 U.S.C. 13902, 49 CFR Part 365, 49 CFR Part 368, and 49 CFR 392.9a by prohibiting the operation of (i.e., placing out of service) any vehicle discovered to be operating without the required operating authority or beyond the scope of the motor carrier's operating authority.
- Enforcing the financial responsibility requirements under 49 U.S.C. 13906, 31138, 31139, and 49 CFR Part 387

All troopers receive training to detect drivers under the influence. In accordance with National Highway Transportation Safety Administration (NHTSA) standards, all troopers are trained in Standardized Field Sobriety Testing (SFST). They also participate in the Advanced Roadside Impaired Driving Enforcement (ARIDE) program which is sponsored by the Governor's Highway Safety Office (GHSO).

FY 2023 update: All cadets participate in the Tennessee Bureau of Investigation's course on Human Trafficking.

All troopers receive annual training on using Query Central to check for drivers that are prohibited from operation due to Drugs and Alcohol Clearinghouse data.

K-9 units are available upon request for any trooper that may have suspicion of possession of illegal substances during an inspection.

Due to the very nature of their size and mobility, the Tennessee Department of Safety and Homeland Security recognizes the possibility that commercial vehicles may be used in the interstate transportation of significant amounts of controlled substances. The possibility that a driver of a large commercial vehicle is operating while impaired by controlled substances or alcohol poses a great safety hazard to the motoring public and the citizens of Tennessee. As set out in 49 CFR 350.201(q)(3) as a requirement for the basic Motor Carrier Safety Assistance Program funding, troopers will be assigned to patrol interstates and state routes, identified as "drug corridors", by statistical information. Emphasis is placed on the following:

1. Interstates that connect source cities to destination areas
2. Areas of increased drug activity including highways with increased drug seizure activity
3. Areas adjacent to inspection stations that are known as "by-pass" routes

Tennessee utilizes the Drug Interdiction and Criminal Enforcement (DICE) overtime activity which is directed for commercial motor vehicles and passenger vehicles traveling around commercial motor vehicles.

Another core activity performed by THP is the verification of operating authority/insurance on each carrier inspected via ASPEN, CVIEW, or the FMCSA Portal. This is written in General Order 900, Section III, D, 11.

The THP has adopted the Commercial Vehicle Safety Alliance (CVSA) out-of-service criteria.

Troopers in each district are trained annually during the state's commercial motor vehicle in-service to check operating authority.

Trooper compliance to operating-authority enforcement is managed via review of the PRISM report and those who fail to identify an out-of-service carrier are required to submit a corrective action memo to the Commercial Vehicle Administrative Lieutenant and possibly attend remedial training.

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:	TENNESSEE HIGHWAY PATROL
Enter total number of personnel participating in MCSAP activities	765
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	765
Traffic Enforcement Activities	765
Investigations*	2
Public Education and Awareness	765
Data Collection and Reporting	765
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Subrecipient Information	
Agency Name:	TENNESSEE DOES NOT HAVE ANY SUBRECIPIENTS
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:	0
Total # of MCSAP Participating Personnel:	0

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 2022 - 2024 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 2016 - 2020

Instructions for all tables in this section:

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

- Insert the beginning and ending dates of the five most recent State measurement periods used in the Measurement Period column. The measurement period can be calendar year, Federal fiscal year, State fiscal year, or any consistent 12-month period for available data.
- In the Fatalities column, enter the total number of fatalities resulting from crashes involving CMVs in the State during each measurement period.
- The Goal and Outcome columns relate to each other and allow the State to show its CVSP goal and the actual outcome for each measurement period. The goal and outcome must be expressed in the same format and measurement type (e.g., number, percentage, etc.).
 - In the Goal column, enter the goal from the corresponding CVSP for the measurement period.
 - In the Outcome column, enter the actual outcome for the measurement period based upon the goal that was set.
- Include the data source and capture date in the narrative box provided below the tables.
- If challenges were experienced while working toward the goals, provide a brief narrative including details of how the State adjusted the program and if the modifications were successful.
- The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable in Years 2 and 3.

ALL CMV CRASHES

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

Goal measurement as defined by your State: Other

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

FMCSA Reportable Large Truck Fatalities per 100 Million TN VMT

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2020	12/31/2020	195	0.1470	0.2580
01/01/2019	12/31/2019	156	0.1485	0.1930
01/01/2018	12/31/2018	135	0.15	0.1720
01/01/2017	12/31/2017	114	0.15	0.1430
01/01/2016	12/31/2016	111	0.15	0.14

MOTORCOACH/PASSENGER CARRIER CRASHES

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

Goal measurement as defined by your State: Other

If you select 'Other' or 'N/A' as the goal measurement, explain the measurement used in the text box provided:
 Passenger Carrier Fatalities and fatality rate per 100 Million TN VMT

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2020	12/31/2020	0	0	0
01/01/2019	12/31/2019	1	0	0.0010
01/01/2018	12/31/2018	1	0	0.0010
01/01/2017	12/31/2017	1	0	0.0010
01/31/2016	12/31/2016	0	0	0

Hazardous Materials (HM) CRASH INVOLVING HM RELEASE/SPILL

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

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

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

Goal measurement as defined by your State: Other

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

Hazmat related Fatal Crashes per 100M TN VMT

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2020	12/31/2020	1	0	0.0160
01/01/2019	12/31/2019	1	0	0.0210
01/01/2018	12/31/2018	1	0	0.0110
01/01/2017	12/31/2017	1	0	0.0150
01/01/2016	12/31/2016	2	0	0.02

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

Large Truck Crash Fatalities: Source: Tennessee Department of Safety and Homeland Security, TITAN Division - TITAN database, 13 April 2021. VMT from FHWA Baseline data for all data is from 2016. Motorcoach/Passenger carrier crash Fatalities: Source: Tennessee Department of Safety and Homeland Security, TITAN Division - SafetyNet Database 4/13/2021. Baseline data is from 2016. Hazardous Material (HM) Crash fatalities: Source: Tennessee Department of Safety and Homeland Security, TITAN Division - SafetyNet Database 7/6/2021 Baseline data is from 2016 as seen in chart above. TN ALL VMT Est. 100M VMT are as follows: 2016 79,029 2017 79,933 2018 78,591 2019 80,995 2020 75,510 2021 Q-1 19,864 VMT estimated from FHWA data

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

The following shows the TN CMV fatalities, goal, and outcome for the first quarter of CY 2021.

2021 # of CMV related fatalities	38
2021 goal for rate of CMV fatalities per 100 million TN VMT	0.1455
2021 actual rate of CMV fatalities per 100 TN VMT	0.191

Source is TDOSHS, TITAN Division - FARS Database, 4/13/2021

The following shows the TN Motorcoach/passenger carrier fatalities, goal, and outcome for first quarter of CY 2021

2021 # of Motorcoach/passenger carrier related fatalities	0
2021 goal for rate of Motorcoach/passenger carrier related fatalities	0
2021 actual rate of Motorcoach/passenger carrier related fatalities	0

This rate is again for fatalities per 100 million TN VMT.

Source: TDOSHS, TITAN Division - SafetyNet Database 4/13/2021

The following shows the TN Hazardous Material (HM) crash with HM Cargo Release fatalities for first quarter of CY 2021

2021 # of Hazmat related fatalities	0
2018 goal for rate of Hazmat related fatalities	0
2018 actual rate of Hazmat related fatalities	0

This rate is again for fatalities per 100 million TN VMT

Source: TDOSHS, TITAN Division - SafetyNet Database 4/13/2021

CMV FATAL CRASH REDUCTION:

The Tennessee fatal crash rate for commercial motor vehicle related traffic incidents has increased since 2016. The largest increase was between 2019 and 2020. It is believed that part of the reason for this large increase was due to the COVID 19 pandemic and increased civil unrest within the country. Inspection stations were closed for part of the year and strict social distance protocols were put in place. There was also a sharp decline in non-commercial vehicles on the road, giving large trucks open roadways with little or no enforcement. The goal set for the eCVSP for FY 2022 is to stay at or decrease the CY 2020 rate of 0.258 large truck fatalities per 100 M TN VMT.

MOTORCOACH/PASSENGER CARRIER FATALITY REDUCTION:

Tennessee continues to maintain a very low and almost non-existent fatality rate related to motorcoach/passenger carrier crashes. During the pandemic, very few passenger carrier vehicles have been on the road. These vehicles are beginning to return to the road as the CDC restrictions have decreased. Tennessee will continue to maintain a goal of 0 fatalities for passenger carrier vehicles.

HAZARDOUS MATERIAL FATALITY REDUCTION

Tennessee also continues to maintain a very low and almost non-existent fatality rate related to hazardous material carrier crashes. Tennessee continues to place significant emphasis on the Hazardous Material program and activities which focus on maintaining not only low fatalities related to hazardous material carriers, but low crash rates as well.

Narrative Overview for FY 2022 - 2024**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.

Tennessee faces unique challenges due to the geographical nature throughout the state. Tennessee is known as a "Bridge State", meaning many trucks are not loading or delivering in TN, but are passing through due to the seven main interstates which run through the state. In addition to being a "Bridge State", Tennessee has exploded with industry growth over the last several years. As of March 2020 prior to the COVID shut down, there were 13,600 establishments in TN in distribution and logistics. 218,000 Tennesseans were employed by distribution and logistics establishments, and each of the 95 counties in TN is involved in the general freight trucking industry. The above information was obtained from "Transportation, Distribution, and Logistics Report 2018," Tennessee Department of Economic and Community Development (downloaded from <https://tnecd.com/industries/distribution-and-logistics/>, 17 Jan 2020)

Due to this industry growth, there are more than twice the number of carriers entering into the New Entrant program compared to the number in 2016. The chart below shows the upward trend for Tennessee's New Entrant Inventory just since April, 2020.



Tennessee also faces infrastructure challenges. **FY 2023 update:** According to the American Transportation Research Institute (ATRI), Tennessee has gone from having six areas that were in the top 100 truck bottlenecks in the U.S in 2021 to nine areas in Tennessee that are in the top 100 truck bottlenecks in the U.S. as of February 2022.

Source: <https://truckingresearch.org/2021/02/23/2021-top-truck-bottlenecks/>

Not only do these top truck bottleneck areas exist, but there are many more congested intersections in all four major cities in Tennessee including, Memphis, Nashville, Chattanooga, and Knoxville.

In addition to all issues above, there are also many rural areas throughout the state as well as a variety of landscape types which exist between the far west end of the state in Memphis and the far east end of the state in Fall Branch. All of these factors together require a tremendous amount of manpower to maintain consistent enforcement. It also stands to reason that all of these factors combined have contributed to being included in the top 10 states for fatal large truck crashes.

FY 2023 Update: One specific area has seen a dramatic increase in fatalities over the course of CY 2021. That area is the I-55 stretch which crosses the Mississippi River from Missouri to Tennessee. The Hernando DeSoto Bridge, which carries Interstate 40 over the Mississippi River between Arkansas and Tennessee was shut down for repairs on May 11, 2021 after a routine inspection found a structural crack. I-40 is a major artery through the center of America with one of the highest truck traffic percentages in the United States. I-40 runs through Memphis and crosses the Mississippi River, making Memphis a major transportation and economic center. The I-40 Hernando DeSoto Bridge is one of only two river crossings in the Memphis area. The other is the I-55 Mississippi River Bridge, which provides north-south traffic to cross the river between Missouri and Tennessee. It is approximately 85 miles away from the Hernando DeSoto Bridge. All interstate traffic in the Memphis area was diverted to I-55 during repairs to the DeSoto Bridge. Eastbound lanes on the I-40 bridge reopened on July 31, 2021 and westbound lanes opened on August 2, 2021. It stands to reason that because of these events, the

crash and fatality rate increased dramatically during this time. Since the I-40 bridge has been reopened, the crash and fatality rates have reduced back to levels comparative to pre construction time. The chart below shows that there were as many crashes in the 83 days of construction as there were the 166 days before and after construction.

I-55 Crashes and Fatalities			
Date Range		Crashes	Fatalities
11/26/2020 to 02/16/2021	84 to 166 days before closure	10	0
02/17/2021 to 05/10/2021	1 to 83 days before closure	5	2
05/11/2021 to 08/02/2021	I-40 bridge closure	15	1
08/03/2021 to 10/24/2021	1 to 83 days after closure	8	0
10/25/2021 to 01/15/2022	84 to 166 days after closure	5	0

Source: Tennessee Department of Safety & Homeland Security, TITAN Unit, 06/29/2022 (SafetyNet database).

Below are tables to be used for the MCSAP FY 2022, **FY 2023**, and FY 2024 updates for CMV, Passenger Carrier, and Hazmat Fatalities and goals.

TENNESSEE CMV FATALITIES AND GOALS				
CY	FMCSA Reportable Large Truck Fatalities	TN All Estimated Millions of Miles	Actual Rate per 100 Million TN VMT	Goal
2021	187	84,030	0.223	0.1455
2022*	129	61,101	0.211	0.255
2023				0.252
2024				0.250

TENNESSEE PASSENGER CARRIER FATALITIES AND GOALS				
CY	Number of Fatalities	TN All VMT Estimated Millions of Miles	Actual Rate per 100 Million TN VMT	Goal
2021	0	84,030	0.00	0
2022*	0	24,110	0.00	0
2023				0
2024				0

TENNESSEE HAZMAT FATALITIES AND GOALS				
CY	Number of Fatalities	TN All VMT Estimated Millions of Miles	Actual Rate per 100 Million TN VMT	Goal
2021	1	84,030	.001	0
2022*	3	61,101	.004	0
2023				0
2024				0

Source: TN Dept of Safety and Homeland Security, TITAN Division, 23 May 2022 (TITAN database).

CY 2021 & 2022 VMT estimated from FHWA.

FARS Database "TK or Bus Inv" = "T" or "B/T"

*YTD = 22 May 2022

Tennessee has reviewed and identified increased work zone crashes in comparison to other CMV crashes. **FY 2023 update:** Below is updated data from last 6 years.

Large Truck Work Zone Crashes as Percent of All Work Zone Crashes					
2017	2018	2019	2020	2021	2022*
14.94%	15.76%	15.52%	18.46%	20.87%	22.56%

Tennessee Department of Safety & Homeland Security, TITAN Division, 05/24/2022 (TITAN database).

*YTD 05/23/2022

Large Truck Crashes as Percent of All Crashes					
2017	2018	2019	2020	2021	2022*
6.11%	6.42%	6.63%	6.97%	7.22%	7.73%

Tennessee Department of Safety & Homeland Security, TITAN Division, 05/24/2022 (TITAN database).

*YTD 05/23/2022

Enter the data source and capture date:

Data sources are listed under each chart.

Projected Goal for FY 2022 - 2024:

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
2022	1
2023	1
2024	1

Tennessee has set a goal lower the TN Large Truck Fatality rate by 1% for each year over the next three years. This translate to the following goal rates: FY 2022 Rate of .255 for TN FMCSA Reportable Large Truck Fatalities per 100 million TN VMT FY 2023 Rate of .252 for TN FMCSA Reportable Large Truck Fatalities per 100 million TN VMT FY 2024 Rate of .250 for TN FMCSA Reportable Large Truck Fatalities per 100 million TN VMT FY 2023 UPDATE: Numbers will be listed in the charts in the Problem Statement Narrative Section above. FY 2024 UPDATE: Numbers will be listed in the charts in the Problem Statement Narrative Section above.

Program Activities for FY 2022 - 2024: 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.

Tennessee's goal is to stop and reverse the upward trend in Large Truck fatal crashes and fatalities and to lower the current rate for large truck fatalities per 100M TN VMT by 1% each year over the next three years. THP currently has 765 commissioned troopers who are certified to conduct NAS inspections. Troopers perform commercial vehicle inspections and traffic enforcement activities along with their daily duties. Beginning with the cadet class of 2021, all new troopers are required to be Level I certified prior to graduation from the academy. In addition to their daily efforts, the THP supervisors approve overtime to conduct targeted enforcement based on data provided by the TDOSHS TITAN Division. The "CVE Dashboard" is a tool supervisors use when creating 90 day enforcement plans. The CVE Dashboard provides monthly snapshots of large truck crash data for each district in the following areas:

- Day of Week
- Time of Day
- Functional route
- Land Use (Urban/Rural)
- Driver Factors
- Large Truck Related Fatalities
- Number of NAS Inspections Performed

The 90 day enforcement plan guides supervisors in selecting areas and times for conducting enforcement. The CVE dashboard is also used to allocate personnel in both urban and rural areas. Below is a chart showing the TN rural road highway fatalities in relation to the National rural road highway fatalities. The most recent data for national rural road highway fatalities is from 2018. UPDATE FY 2023

TN vs. National R.O.U.T.E.S. Facts			
	Rural Population	Rural Road Hwy Fatalities from Crashes Involving Large Trucks	Truck VMT on Rural Roads
National	19% ^{^^}	57%*	47% [^]
TN - 2021	22%**	53%***	35% ^{^^}
TN - 2022	22%**	45%***	34% ^{^^}
^{^^} Source: https://www.transportation.gov/rural/rural-transportation-statistics (accessed 6/24/2021 and 5/23/2022)			
*Source: Large Truck and Bus Crash Facts 2019, USDOT, FMCSA, Analysis Division, September 2020 and October 2021			
[^] Source: https://www.fhwa.dot.gov/policyinformation/statistics/2019/vm1.cfm (accessed 6/25/2021 and 5/24/2022)			
**Source: https://www.ruralhealthinfo.org/states/tennessee (accessed 6/24/2021 and 5/24/2022)			
***Source: TDOSHS, TITAN Division, 6/24/2021 and 5/24/2022, TITAN-FARS database. (2021 FARS Data)			
^{^^} TN Truck VMT Source: TDOSHS, TITAN Division, 6/24/2021 and 5/23/2022 (FHWA Travel Volume Trends data)			
Note 1 for TN - 2021: TN rural population data is for 2019 (2018 data not found). All other data is for 2018.			

Note 2 for TN - 2022: TN rural fatal crashes involving large trucks based on 2021 data. All other data is for 2019.

Tennessee is adding the following new activities to combat the rise in fatalities:

- The New Entrant program has increased its safety training both with new carriers and with new troopers.
- THP has increased the use of social media in order to expand our footprint within the state.
- Tennessee has added an overtime campaign for enforcement around Work Zone areas.

FMCSA has designated Electronic Logging Device (ELD) Final Rule enforcement as a national priority. Tennessee agrees that enforcement of this rule will help to lower the number of CMV crashes. All districts were trained on the ELD rule enforcement by the CVE Division of THP during the annual in-service in January, February, and March of 2018. We will continue to provide updates in the annual CMV in-service.

The THP conducts activities in each of the below national program elements, which are part of the 49 CFR 350 in order to reduce crashes and fatalities as well as maintain compliance within the Motor Carrier Safety Assistance Program.

- Driver/Vehicle Inspections
- Traffic Enforcement
- Compliance Reviews
- New Entrant Safety Audits
- Public Education and Awareness
- Data Collection

FY 2023 update: Below is a chart showing Tennessee's CMV Drug and Alcohol related crash statistics.

CMV Drug and Alcohol Related Crash Statistics							
Percentage Comparison	2016	2017	2018	2019	2020	2021	2022*
Alcohol Involved Crashes as Percentage of All Crashes	3.31%	3.21%	3.02%	3.02%	3.63%	3.35%	3.45%
CMV Crashes involving Alcohol/Drug as Percentage of All CMV Crashes	0.43%	0.69%	0.62%	0.64%	0.62%	0.49%	0.40%
CMV Crashes involving Alcohol/Drug as Percentage of All Crashes	0.03%	0.04%	0.04%	0.04%	0.04%	0.03%	0.03%
CMV Crashes Involving Alcohol/Drug as a Percentage of All Crashes involving Alcohol/Drug	0.71%	1.20%	1.20%	1.30%	1.10%	0.99%	0.87%

*Year to date 06/23/2022. Note: Crashes without drivers excluded. Alcohol/Drug involvement based on driver only. Source: Tennessee Department of Safety & Homeland Security, TITAN Unit, 06/24/2022 (TITAN database).

Tennessee will continue to engage in activities to reduce CMV Drug and Alcohol related crashes. CMV division will continue to teach troopers how to check query central for prohibited drivers during CVE in-service each year. According to the TDOSHS Four Year Strategic Plan, the THP intends to increase the number of Drug Recognition Experts (DRE) from 97 to 130 within the next four years. **FY 2023 update:** The number of Highway Patrol trained DREs has already surpassed 130. As of December 2021, the total number of DREs was 133.

FY 2023 RESPONSE TO FMCSA COMMENT: Tennessee Highway Patrol has developed multifaceted strategies to combat the increase in serious CMV crashes. **One** strategy is to increase the number of trooper cadet schools and trooper positions, as well as to increase ongoing training for current troopers. As of July 2022, 100 new trooper positions have been created. THP cadet schools are now occurring on a quarterly basis rather than one per year and there are plans to have as many as six (6) cadet schools next year. **Other major changes** within the commercial vehicle unit that are in the planning stages include moving all troopers assigned to the fixed inspection stations under the supervision of the CVE Captain as opposed to the individual district Captains. This will allow for more uniform goals and increased focus on commercial vehicle enforcement. This change is expected to have the same or similar effect as moving the New Entrant Troopers under the direct supervision of CVE. Troopers assigned to the Scale facilities will be able to put significantly more time towards dedicated commercial vehicle related activity rather than being pulled for special assignments or non CMV activity. An additional effect of this change is that it should increase the overall CVE activity within the Highway Patrol which would

increase our maintenance of effort percentage. **Another added** strategy Tennessee uses is community safety meetings within each district at schools, civic groups, and law enforcement agencies to discuss and educate regarding distracted driving. Each district has been given the directive to increase the number of these meetings from 5 to 8 per month. That is a statewide increase from 41 to 65 a month. The new Tennessee Department of Transportation (TDOT) **Work Zone** Enforcement overtime project, which was approved in the FY 2022 eCVSP, has been implemented and troopers working this overtime have been instructed to focus on the following driver behaviors within the designated work zones, including, speeding, driving under the influence, distracted driving, following too closely, and failure to maintain proper lane of travel. Troopers are required to maintain a minimum of two (2) contacts per hour and an additional one (1) North American Standard inspection for every four (4) hours worked. All enforcement areas are chosen by TDOT based on their knowledge of specific work zone areas and where the enforcement is needed most. Specific directives have been given to each district in regards to traffic enforcement and public education and awareness which will be discussed in those areas of the eCVSP.

As requested in the FY 2023 MCSAP eCVSP Planning Memorandum Supplement, Tennessee is taking a look specifically at serious CMV crashes and serious CMV crashes in work zones. The rate since 2018 of each is shown in the table below.

Tennessee Serious Large Truck Crashes *			
CY	Total Large Truck Fatal and Serious Injury Crashes	TN All VMT Estimated Millions of Miles	Actual Rate per 100 Million TN VMT
2018	443	81,321	0.545
2019	460	82,892	0.555
2020	440	76,392	0.576
2021	525	84,030	0.625
2022 Q 1-3	404	61,101	0.661

Source: Tennessee Department of Safety & Homeland Security, TITAN, Division, 10/13/2022 (TITAN database).

* Serious Crashes are defined in TITAN using crashes identified as fatal or possible serious injury

Tennessee Large Truck Work Zone Serious Crashes *			
CY	Large Truck Work Zone Fatal and Serious Injury Crashes	TN All VMT Estimated Millions of Miles	Actual Rate per 100 Million TN VMT
2018	72	81,321	0.089
2019	70	82,892	0.084

2020	60	76,392	0.079
2021	86	84,030	0.102
2022 Q 1-3	62	61,101	0.101

Source: Tennessee Department of Safety & Homeland Security, TITAN, Division, 10/13/2022 (TITAN database).

* Serious Crashes are defined in TITAN using crashes identified as fatal or possible serious injury

The THP **Command Staff** is actively working towards a 15% reduction in serious CMV crashes including within work zone areas. All of the strategies mentioned above will be used towards this effort.

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.

Tennessee will report the number of FMCSA reportable large truck fatalities and the rate of fatalities per 100 million TN Vehicle Miles Traveled (VMT) for all CMV fatalities, Passenger Carrier Fatalities, and Hazmat fatalities in the MCSAP quarterly performance reports.

Work zone crash data as well as drug and alcohol related crash data will be collected and reported to FMCSA on a quarterly basis through the quarterly progress report.

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 2022 - 2024. 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 2016 - 2020

Inspection Types	2016	2017	2018	2019	2020
Level 1: Full	26784	27429	30406	31975	25279
Level 2: Walk-Around	14610	13472	15423	18835	12360
Level 3: Driver-Only	29463	29175	31699	27415	22802
Level 4: Special Inspections	6	9	13	21	12
Level 5: Vehicle-Only	584	441	413	304	278
Level 6: Radioactive Materials	11	23	72	60	19
Total	71458	70549	78026	78610	60750

Narrative Overview for FY 2022 - 2024**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 the roadside inspection application name(s) (e.g., Aspen) used by the State.

ASPEN

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.

All of Tennessee's commercial motor vehicle (CMV) activity is coordinated by the Commercial Vehicle Enforcement (CVE) Administration Unit under the command of a Lieutenant who reports to the Captain of the Commercial Vehicle Enforcement Division of the THP. **FY 2023 update: As of June 2022, THP had 52 troopers assigned to fixed scale facilities while 713 were in patrol and/or administrative positions.** All troopers below the rank of Captain are, at a minimum, Level III certified. Troopers assigned to the road and administrative positions are responsible not only for their regular duties, but are also required to complete a minimum number of North American Standard (NAS) inspections a year. Within the state, there are seven commercial vehicle inspection/weigh station facilities. Each fixed facility is under the command of a Lieutenant who reports to the District Captain.

FY 2023 update: Tennessee has 765 full time commissioned officers who work MCSAP activities on a part time basis. The hours that are worked on inspection activities have been calculated using the FY 2021 MOE percentage of CVE time worked which is 13.09%. The FTE for these activities is derived by applying the 13.09% to the number of commissioned officers *(765), and assumes 1,920 hours per year is one (1) FTE. The total FTE CVE equivalent is 79.7.

FY 2021 MOE	Total Hours Worked per Trooper Annually	Total MCSAP Eligible Hours
13.09%	1,920	1,168,841.5

Source: Department of Safety & Homeland Security, TITAN Division, TITAN Database, 6/28/2022

Commissioned Officers	FTE CVE Inspection Equivalent
765	79.7

Notes: 1) 1 FTE = 1920 hours. 2) Inspection FTE based on MCSAP Eligible Hours and FFY 2020 MOE.

Source: Department of Safety & Homeland Security, TITAN Division, TITAN Database, 6/28/2022

The Tennessee Department of Safety and Homeland Security (TDOSHS) has established policies and procedures via General Order 900 and 900-1 concerning the proper means by which commissioned troopers must conduct commercial vehicle inspections. Under G.O. 900, consideration shall always be given to the location where driver/vehicle inspection(s) are conducted. The safety of TDOSHS Members, the driver of vehicles being inspected, and all other motorists will always be of primary concern. That said, the decision regarding the appropriate inspection level will always take the safety of the trooper and the motoring public into account. G.O. 900 sets forth that any commercial motor vehicle observed committing a moving violation should be stopped and a minimum of a Level III inspection is to be conducted. Additionally, G.O. 900 gives priority to the following items in determining when an inspection is appropriate: hazardous material carriers, carriers randomly selected by a prescreening system, a carrier's safety score, citizen complaints on a CMV and display of required information on a CMV. Members will visually inspect all CMVs for obvious violations as they pass either a stationary or moving patrol unit. Furthermore, troopers will check the carrier's safety score through ASPEN, The Federal Motor Carrier Safety Administration (FMCSA) Portal, or the Commercial Vehicle Information Exchange Window (CVIEW) and used in coordination with the Commercial Vehicle Selection Schedules set by a supervisor pursuant to G.O. 900-1 to determine if an inspection is warranted on a particular CMV. Under G.O. 900-1, the shift supervisor shall be responsible for determining the selection process of vehicles to be inspected each shift. Each supervisor must prepare a schedule in advance, according to the availability of personnel and in accordance with General Order 900-1, "Commercial Vehicle Inspection Selection Schedules." In preparing the inspection selection schedule, each supervisor utilizes updated data analytics regarding high crash areas to assist with determining the appropriate location for troopers to conduct enforcement and inspections. Please see Part 2, Section 5 for an example of a recent dashboard. This schedule is to be used daily by all commissioned personnel and ensures that all inspections are conducted on a random basis.

Below is a chart showing Roadside vs Facility Inspections

CMV Inspections by Facility Type and Level CY 2016 - 2020								
	Facility Type	Inspection Level						Total
		1	2	3	4	5	6	
2016	Fixed	15,492	7,420	12,120	2	23	1	35,058
	Roadside	11,293	7,192	17,348	4	561	10	36,408

	Total	26,785	14,612	29,468	6	584	11	71,466
2017	Fixed	15,694	6,836	11,765	4	0	1	34,300
	Roadside	11,735	6,637	17,416	5	441	22	36,256
	Total	27,429	13,473	29,181	9	441	23	70,556
2018	Fixed	17,726	8,821	11,366	1	25	12	37,951
	Roadside	12,680	6,602	20,337	12	388	60	40,079
	Total	30,406	15,423	31,703	13	413	72	78,030
2019	Fixed	17,762	11,519	8,660	4	0	7	37,952
	Roadside	14,215	7,316	18,762	17	304	53	40,667
	Total	31,977	18,835	27,422	21	304	60	78,619
2020	Fixed	12,232	6,595	6,152	2	1	3	24,985
	Roadside	13,060	5,776	16,667	10	278	16	35,807
	Total	25,292	12,371	22,819	12	279	19	60,792

Source: Tennessee Department of Safety & Homeland Security, TITAN Division, 05/25/2022 (SafetyNet database)

FY 2023, FY 2024 Update:

CMV Inspections by Facility Type and Level Updates for CY 2021, 2022, 2023, 2024								
	Facility Type	Inspection Level						Total
		1	2	3	4	5	6	
2021	Fixed	18,295	9,473	6,232	1	0	7	34,008
	Roadside	12,751	6,916	18,736	14	247	41	38,705
	Total	31,046	16,389	24,968	15	247	48	72,713
2022*	Fixed	8,095	5,523	2,335	2	1	1	15,957
	Roadside	7,163	3,473	10,275	7	85	13	21,016
	Total	15,258	8,996	12,610	9	86	14	36,973
2023	Fixed							0
	Roadside							0
	Total	0	0	0	0	0	0	0
2024	Fixed							0
	Roadside							0
	Total	0	0	0	0	0	0	0

Source: Tennessee Department of Safety & Homeland Security, TITAN Division, 08/4/2022 (SafetyNet database)

Note* - Inspection numbers for Calendar year 2022 are for Jan 1 - June 30, 2022

FY2023 update: Following COVID 20 2020, THP was able to improve our overall number of inspections back to over 70,000 in 2021 despite the department seeing a consistent reduction in personnel since 2020. THP has committed to drastically increasing the number of troopers on Tennessee's roadways and we have seen positive growth in this regard. We have increased the number of troopers certified to perform CMV inspections to 765 total certified troopers. However, this recent increase in personnel has not come without a few challenges that have caused a slight reduction in the number of total inspections. As THP graduates new troopers from the academy, they must undergo a three month field training program. The time being spent to train our troopers of tomorrow has prevented our seasoned troopers from being able to complete as many inspections as they might have completed in the past. This "growing pain" is one that we intend to see throughout 2022 until we are able to get this large influx of new troopers properly trained. In addition to our seasoned trooper staying busier than usual with training, THP has had a large number of seasoned troopers known for high CMV enforcement activity retire from the department in 2022.

FY 2023 RESPONSE TO FMCSA COMMENT: FMCSA has asked that TN, in response to the supplemental notice to discuss plans to address appropriate enforcement tactics to address human trafficking and human smuggling in conjunction with CMV inspections and provide necessary refresher training. All new Interdiction plus troopers will now become NAS Level I certified inspectors. The Interdiction plus troopers also hold three (3) to four (4) seminars a year across the state to teach local law enforcement agencies ways to identify signs of potential criminal behavior. Each session includes a presentation by the director of a non-profit organization within Tennessee which helps restore survivors of human trafficking, sexual exploitation, and sexual violence. This presentation teaches awareness and identification of offenders as well as identify possible signs and behaviors from the victims.

FMCSA is requesting that special emphasis be placed on an enforcement plan which incorporates recurring roadside enforcement in high density agricultural regions. Tennessee has analyzed inspection violations related to transportation of migrant workers and the results are in the chart below.

Inspection Violations Related to Transportation of Migrant Workers						
Federal Violation Code	Violation Description	Calendar Year				
		2016	2017	2018	2019	2020
398.3B	Driver Qualifications (Physical) for Transportation of Migrant Workers	0	0	1	0	0
398.3B8	No doctors certificate of qualification in possession - drivers of Migrant Workers	0	0	1*	0	0
398.4	Driving of vehicles - Transportation of Migrant Workers	0	0	1	0	0
398.5	Failure to maintain vehicle for safe operation - Transportation of Migrant Workers	0	0	1	0	0
398.6	Violation of Hours of Service regulations for Transportation of Migrant Workers	0	0	0	2	1
398.7	Inspection and Maintenance of motor vehicles used for Transportation of Migrant Workers	0	0	1	0	0
Total		0	0	5	2	1

*Inspection due to vehicle crash

Source: Tennessee Department of Safety & Homeland Security, TITAN Division, 07/09/2021, SafetyNet database.

Tennessee has only had one inspection involving migrant workers over that last five years that was associated with a crash. There have only been eight (8) migrant transportation related inspections over the last five years. Tennessee will continue

to monitor these numbers for any possible increase in transportation of migrant worker violations associated with a crash.

Below is the chart for CY 2021, 2022, 2023, 2024.

Inspection Violations Related to Transportation of Migrant Workers					
Federal Violation Code	Violation Description	Calendar Year			
		2021	2022*	2023	2024
398.3B	Driver Qualifications (Physical) for Transportation of Migrant Workers	0	0		
398.3B8	No doctors certificate of qualification in possession - drivers of Migrant Workers	0	0		
398.4	Driving of vehicles - Transportation of Migrant Workers	1	0		
398.5	Failure to maintain vehicle for safe operation - Transportation of Migrant Workers	0	0		
398.6	Violation of Hours of Service regulations for Transportation of Migrant Workers	0	1		
398.7	Inspection and Maintenance of motor vehicles used for Transportation of Migrant Workers	0	0		
Total		1	1	0	0

*Year to date 06/22/2022 Source: Tennessee Department of Safety & Homeland Security, TITAN Unit, 06/23/2022 (SafetyNet database).

FY 2023 Update: According to the Information from FMCSA for the development of fiscal year 2023 Commercial Vehicle Safety Plans sent from Darrell L. Ruban, Associate Administrator from the Office of Safety, there has been a downward trend in recent years in the number of Hazmat inspections. Tennessee has compared the state's numbers with the national numbers. Tennessee does show a slight decrease in Hazmat Inspections, however, the National decrease between CY 2018 and CY 2021 was -16.68%. The Tennessee decrease for the same time frame was -1.69%. Tennessee has still committed to increase the number of Hazmat roadside inspections.

HazMat Roadside Inspection		
CY	TN	National
2018	2,540	202,076
2019	3,118	203,061
2020	2,552	150,350
2021	2,497	168,368
2022*	1,063	86,917

* Year to date 06/24/2022

Source:
<https://ai.fmcsa.dot.gov/HazmatStat/hmRoadside.aspx?rpt=RIBL> (accessed 07/22/2022)

In addition to the day-to-day routine for inspections, the following overtime projects are used to increase highway safety.

DICE - Drug Interdiction and Criminal Enforcement. **FY 2023 update: Approximately 2,462 overtime hours will be utilized.** Enforcement areas will be on interstate and highway routes which have increased drug activity based upon seizure data and which connect source cities to destination areas and known by-pass routes around weigh stations. There are to be no less than two troopers per shift at any given activity. K-9 handlers must be on duty or readily accessible during the shift. Contacts are recorded via inspection citation or warning. A minimum of a Level III inspection must be completed. A Level II must be completed when possible.

SIZE AND WEIGHT - Inspections completed on overweight, over dimensional, and unsafe vehicles in mountainous regions of TN. Those regions include districts 1 (Knoxville), 2 (Chattanooga), 5 (Fall Branch), and 6 (Cookeville). There will be an estimated **180** hours for this overtime project.

SCALES - **FY 2023 update: An estimated 7,480 hrs will be allotted for this overtime.**

STOP - Strategic Transportation Observation and Prevention. The focus is on CMV inspections related to cargo tanks, hazmat, rental and obvious violations. Provide sufficient coverage at checkpoints, weigh stations and known highways and roads used as by-pass routes to stop, evaluate and inspect as many of these CMVs as possible. **FY 2023 update: An estimated 664 hours are allotted for this overtime.**

Updated Overtime Activity Charts for 2018 - June 2022

DICE OT	CY 2018	CY 2019	CY 2020	CY 2021	Jan-Jun CY 2022
Inspections	2,303	1,888	1,402	1,757	1,166
Contacts	4,149	2,704	1,837	2,150	1,392
CMV Citations	299	675	351	311	254
Non CMV Citations	426	112	43	607	18
Searches	895	797	520	1,008	564
Finds	125	166	106	145	88
Drug Seizures	78	65	47	85	40
OOS Vehicles	74	224	91	128	144
OOS Drivers	97	295	201	298	197
Hrs wrkd	3185	2,731	1,873	2,708	1,584

S AND W	CY 2018	CY 2019	CY 2020	CY 2021	CY 2022*
Total Inspections	152	166	135	46	27
CMV Citations	173	73	60	19	8
Non-CMV	52	13	14	5	0

Citations					
Total Citations	225	86	74	24	8
Contacts	325	351	322	160	49
OOS Vehicles	74	235	113	23	18
OOS Drivers	97	316	223	9	7
Hours Worked	3,383	2,923	1,941	196	68

INSPECTION STATION OT	CY 2018	CY 2019	CY 2020	CY 2021	Jan-Jun 2022
Level I	4,982	6,651	4,385	6,978	2,910
Level II	372	139	66	119	27
Level III	2,970	2,467	1,720	1,833	770
Total Inspections	8,324	9,257	6,171	8,930	3,707
Contacts	8,821	10,109	6,886	9,594	3,571
Citations	1,434	941	631	591	289
OOS Drivers	616	1,158	506	719	338
OOS Vehicles	1,124	652	813	1,392	637
Hours Worked	7,231	8,401	5,593	8,384	3,397

Tennessee will record and report to FMCA in the quarterly reports, all activity related to inspections and overtime activities.

Projected Goals for FY 2022 - 2024

Instructions for Projected Goals:

Complete the following tables in this section indicating the number of inspections that the State anticipates conducting during Fiscal Years 2022 - 2024. For FY 2023, 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:** TENNESSEE HIGHWAY PATROL**Enter the total number of certified personnel in the Lead agency:** 765

Projected Goals for FY 2023 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	23871	732	141	24744	35.00%
Level 2: Walk-Around	13260	389	69	13718	19.40%
Level 3: Driver-Only	30628	1005	182	31815	45.00%
Level 4: Special Inspections	14	0	0	14	0.02%
Level 5: Vehicle-Only	354	11	4	369	0.52%
Level 6: Radioactive Materials	40	0	0	40	0.06%
Sub-Total Lead Agency	68167	2137	396	70700	

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

TENNESSEE DOES NOT HAVE

Subrecipient is: ANY SUBRECIPIENTS**Enter the total number of certified personnel in this funded agency:** 0

Projected Goals for FY 2023 - 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		0	%
Sub-Total Funded Agencies	0	0	0	0	

Non-Funded Agencies

Total number of agencies:	0
Enter the total number of non-funded certified officers:	
Enter the total number of inspections projected for FY 2023:	

Summary

Projected Goals for FY 2023 - Roadside Inspections Summary

Projected Goals for FY 2023 Summary for All Agencies					
MCSAP Lead Agency: TENNESSEE HIGHWAY PATROL					
# certified personnel: 765					
Subrecipient Agencies: TENNESSEE DOES NOT HAVE ANY SUBRECIPIENTS					
# certified personnel: 0					
Number of Non-Funded Agencies: 0					
# certified personnel:					
# projected inspections:					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	23871	732	141	24744	35.00%
Level 2: Walk-Around	13260	389	69	13718	19.40%
Level 3: Driver-Only	30628	1005	182	31815	45.00%
Level 4: Special Inspections	14	0	0	14	0.02%
Level 5: Vehicle-Only	354	11	4	369	0.52%
Level 6: Radioactive Materials	40	0	0	40	0.06%
Total MCSAP Lead Agency & Subrecipients	68167	2137	396	70700	

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

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

Projected Goals for FY 2023 Roadside Inspections	Lead Agency	Subrecipients	Non-Funded	Total
Enter total number of projected inspections	70700	0	0	70700
Enter total number of certified personnel	737	0	0	737
Projected Goals for FY 2024 Roadside Inspections				
Enter total number of projected inspections	71407	0	0	71407
Enter total number of certified personnel	737	0	0	737

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 2016 - 2020

Investigative Types - Interstate	2016	2017	2018	2019	2020
Compliance Investigations	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	0	0	0	0
CSA Off-Site	0	0	0	0	0
CSA On-Site Focused/Focused CR	0	0	7	2	2
CSA On-Site Comprehensive	0	0	0	0	0
Total Investigations	0	0	7	2	2
Total Security Contact Reviews	0	0	0	0	0
Total Terminal Investigations	0	0	0	0	0

Investigative Types - Intrastate	2016	2017	2018	2019	2020
Compliance Investigations	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	0	0	0	0
CSA Off-Site	0	0	0	0	0
CSA On-Site Focused/Focused CR	0	0	0	0	0
CSA On-Site Comprehensive	42	35	39	18	13
Total Investigations	42	35	39	18	13
Total Security Contact Reviews	0	0	0	0	0
Total Terminal Investigations	0	0	1	0	0

Narrative Overview for FY 2022 - 2024**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 2022 - 2024

Complete the table below indicating the number of investigations that the State anticipates conducting during FY 2022 - 2024.

Projected Goals for FY 2022 - 2024 - Investigations						
Investigation Type	FY 2022		FY 2023		FY 2024	
	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
Compliance Investigations	0	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	0	0	0	0	0
CSA Off-Site	0	0	0	0	0	0
CSA On-Site Focused/Focused CR	0	0	0	0	0	0
CSA On-Site Comprehensive	0	12	0	18	0	18
Total Investigations	0	12	0	18	0	18
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.

Tennessee only conducts interstate compliance investigations when requested specifically by FMCSA. Available FMCSA reports do not differentiate between inter vs intra-state compliance investigations.

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

The Tennessee Highway Patrol partners with FMCSA to investigate commercial vehicle carriers for any involvement in commercial vehicle related crashes and any other infraction deemed necessary for investigation. There are two types of reviews that can be and are conducted. They include focused reviews, which look at a specific problem area, and comprehensive reviews, which investigate all aspects of the carrier and their compliance with FMCSA Regulations.

There are currently three (3) investigative personnel certified to conduct compliance investigations. Each person will meet all annual requirements of 6 per year to maintain their certification. The New Entrant Sergeant and Administrative Assistant are responsible for assigning all intrastate investigations to the field staff. All interstate compliance reviews (CRs) are assigned by FMCSA. Upon request by FMCSA, investigative personnel will also assist in inspections on motorcoaches and hazardous material carriers as part of the on-site investigation.

FY2023 Update: There are now (2) instead of (3) investigative personnel certified to conduct compliance investigations. One trooper was promoted to Sergeant in a different division. There is another trooper currently in training to become Compliance Review certified. This means, however, that our current anticipation of number of investigations for FY 2022 is 12.

FY 2023 RESPONSE TO FMCSA COMMENTS: Tennessee does not have the authority to fine a carrier due to a non compliance issue found in a compliance investigation. Tennessee has, however, committed to increasing the number of interstate compliance investigations to three (3) per year. That is a 50% increase from the past two years.

FY 2023 Update: All of the compliance review certified personnel work part-time on compliance reviews. The hours worked on carrier investigation activities are calculated using data in the TITAN database and are equivalent to a 0.26 regular full-time employee.

Certified Compliance Review Personnel	FTE Carrier Investigation Activities
2	0.26

Note: 1 FTE = 1920 hours 2) Carrier Investigation FTE based on number of Certified Compliance Investigation Review Personnel and FFY 2020 MOE. .

Source: Tennessee Department of Safety & Homeland Security, TITAN Division, TITAN Database, 6/28/2022

Update for CY 2021, 2022, 2023, 2024:

COMPLIANCE REVIEWS per A&I / Gotham/Investigations

CY	2021	2022*	2023	2024
Comprehensive	12	12		
Focused	0	0		
Off-site	0	0		
Other	0	0		
Terminal	0	0		
TOTAL CRS	12	12		

CY 2022 CRs are as of 6/21/2022 per A&I / Gotham/ Investigations

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.

All Investigative personnel are required to upload each Investigative Safety Analysis to the FMCSA system within 7 days from the investigation. The New Entrant Sergeant and/or FMCSA personnel then review and approve or reject the report. The program will be monitored quarterly by the Administrative Assistant and the Sergeant to determine the number of investigations completed.

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 by 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 2016 - 2020

Instructions:

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

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

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented CMV Traffic Enforcement Stops with an Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2020	12/31/2020	12372	27163
01/01/2019	12/31/2019	16790	32839
01/01/2018	12/31/2018	16113	30449
01/01/2017	12/31/2017	15793	29820
01/01/2016	12/31/2016	15456	30026

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

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented CMV Traffic Enforcement Stops without Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2016	12/31/2016		
01/01/2015	12/31/2015		
01/01/2014	12/31/2014		
01/01/2013	12/31/2013		
01/01/2012	12/31/2012		

☐ **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		
01/01/2020	12/31/2020	183702	239902
01/01/2019	12/31/2019	268349	356641
01/01/2018	12/31/2018	295991	469632
01/01/2017	12/31/2017	284780	349254
01/01/2016	12/31/2016	290532	373311

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

Source for Traffic Enforcement both CMV and non-CMV: TDOSHS, TITAN Division, 4/20/2021 (SafetyNet database)

Source for Citations and Warnings both CMV and non-CMV: TDOSHS, TITAN Division, 4/20/2021 (CAD database)

Narrative Overview for FY 2022 - 2024

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](#).

Tennessee Code Annotated (TCA) Title 65 Chapter 15, THP is the sole agency in the State of Tennessee responsible for enforcing laws related to size, weight, and safety regulations for commercial motor vehicles. Tennessee Highway Patrol is the State's lead agency for MCSAP, and does not fund any sub-grantees. The Patrol uses various regulatory, enforcement, and educational strategies to achieve its mission. Tennessee has troopers certified to conduct all levels of the North American Standard inspections, including passenger carriers, cargo tanks, and hazardous materials. The THP, in partnership with the Federal Motor Carrier Safety Administration, conducts commercial motor vehicles targeted enforcement and utilizes public relations and educational programs geared toward both the industry and the general public to increase awareness of commercial motor vehicle safety issues. There are eight THP Districts within the state. Each district is commanded by a District Captain. All districts are under the command of the THP Administrative office located in Nashville, Tennessee. The command staff consists of Majors, Lieutenant Colonels, and a Colonel. Within the state there are seven commercial vehicle weigh station facilities. Each fixed facility is under the command of a Lieutenant who reports to the

	CY 2018	CY 2019	CY 2020	CY 2021	Q-1 CY 2022
Number of Documented CMV Traffic Enforcement Stops with an Inspection	16,113	16,795	12,388	15,350	4,508
Number of CMV Citations and warning issued	30,449	32,855	12,189	30,319	8,287
Documented number of non-CMV traffic enforcement stops	295,991	268,349	183,702	253,041	70,783
Number of non-CMV Citations and warning issued	469,632	356,641	239,931	324,990	86,147

Source for Traffic Enforcement both CMV and non-CMV: TDOSHS, TITAN Division, 18 April 2022(SafetyNet database).

Source for Citations and Warnings both CMV and non-CMV: TDOSHS, TITAN Division, 18 April 2022 (CAD database).

FY 2023 RESPONSE TO FMCSA COMMENT: The State of Tennessee and the Highway Patrol are committed to continue to addressing dangerous driving behavior through ongoing and increased enforcement efforts. The increase in numbers of personnel mentioned earlier will lead to an increase in overall saturation throughout the state showing a larger presence in both urban and rural areas. There has also been an increase in CMV enforcement stops with an inspection as well as an increase in the number of CMV citations and warnings issued. As of the end of September (which is reported in the quarterly report narrative), the first three quarters of CY 2022 show a projected increase of more than 17% in that number and a projected increase of 7% from CY 2019. The number of CMV stops with inspections for January - September of 2022 is 14,068 which leads to a projection of over 18,000 for the year. The number of CMV citations and warnings issued could potentially increase by over 4,000 which would be a 13% increase over CY 2021 and a 4.5% increase over CY 2019. As previously mentioned, THP is bringing all fixed scale facility personnel under the CVE unit. Doing so will increase our overall CMV traffic enforcement is expected to increase due to these troopers no longer getting pulled to work non-CMV related assignments on a regular basis. The scale facility trooper will only answer to CVE Administration supervisors and will no longer be allowed to assist the road personnel with non-CMV related crashes. This change to our departmental structure will allow for a number of scale facility troopers to operate as CVE Rover units that will patrol high CMV crash areas in order to conduct CMV only related enforcement efforts.

FY 2023 FMCSA Requested information: Tennessee strives to be a state with equitable policies and practices in all areas of public service. The Department of Safety and Homeland Security and the TN Highway Patrol, especially are conscious of the need for law enforcement practices to be equitable. There are several ways that the TN Dept. of Safety and Homeland Security and the Highway Patrol support equitable enforcement practices. Tennessee is a "probable cause" state, which means that no enforcement action can be taken without probable cause of a violation. The department has clear policies laid out in the General Orders for Commissioned officers and in the FMCSA Title VI Plan. :

General Order	TITLE	DATE	Policy
103	Oath of Office and Obligations of Employees	7/1/2021	The law enforcement officer shall use his powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen concerned. His office gives him no right to persecute the violator nor to mete out punishment for an offense. He, shall at all times, have a clear appreciation of his responsibilities and limitations regarding detention of the violator; he shall conduct himself in such a manner as will minimize the possibility of having to use force. To this end he shall cultivate a dedication to the service of the people and the equitable upholding of their laws whether in the handling of law violators or in dealing with the law- abiding.

910-1	Reweighing of Freight Vehicles	8/24/2008	It shall be the policy of the Department of Safety to provide fair and equitable treatment to all freight vehicle operators in the enforcement of weight laws. If any doubt should arise concerning the weight of a vehicle, the vehicle will be reweighed in accordance with the following procedures.
			<p>A. Any operator desiring to be reweighed, for any reason, may be reweighed prior to leaving the site.</p> <p>B. Under no circumstances will weight be shifted to avoid enforcement action being taken.</p>
900-1	Commercial Vehicle Inspection Selection Schedules	10/24/2008	It shall be the policy of the Tennessee Highway Patrol to schedule, in advance, the inspection selection criteria for truck inspections on a daily basis utilizing The Tennessee Department of Safety Daily Commercial Vehicle Inspection Schedule (SF-1269)
506	Profiling	1/31/2022	<p>It shall be the policy of the DOSHS to require Commissioned Members to patrol and perform assigned duties in a proactive manner, to actively enforce the motor vehicle and all other laws, while insisting that citizens will only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or are about to commit, a violation of the law. The DOSHS does not support bias based profiling.</p> <p>During assigned duties, all investigatory, enforcement or arrest actions must be based on sound principles supported by reasonable suspicion. Troopers must be able to articulate specific facts, circumstances, and conclusions that support probable cause or reasonable suspicion for the arrest, traffic stop, or investigative detention.</p> <p>Additionally, it shall be the policy of the DOSHS to uphold and ensure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 (Title VI) and related non-discrimination authorities as identified by the United States Department of Transportation (USDOT), through the Federal Motor Carrier Safety Administration (FMCSA), DOT Order Number: 1050.2A, Standard Title VI / Non-</p>

			Discrimination Assurances. These authorities require that no person in the United States of America shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, national origin, sex, age, disability, income level, or limited English proficiency.
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Tennessee utilizes e-Citations throughout most areas across the state for traffic enforcement. **FY2023: The updated chart below** shows the number of e-citations issued by calendar year.

e-Citations by Calendar Year							
	2016	2017	2018	2019	2020	2021	2022*
THP e-Citations	61,185	176,761	209,313	165,370	98,234	136,122	57,860
All e-Citations	62,342	178,765	212,425	168,567	100,886	140,083	59,720

Source: Tennessee Department of Safety and Homeland Security, TITAN Division - TITAN Database 05/24/2022

*YTD 05/23/2022

Tennessee uses a variety of tools to plan and execute targeted enforcement efforts. One such tool includes the pre-screening activity data obtained which is used to identify commercial vehicles with high probability of safety issues and past violations. Another tool used by THP is the 90 day dashboard which is distributed monthly. It includes one dashboard for the state as a whole and one for each of the 8 districts. Each supervisor utilizes the updated data analytics in the dashboard which identifies high crash areas to assist with determining the appropriate location for troopers to conduct enforcement. **FY 2023 updated: Below is an example of a recent dashboard**

CVE Dashboard - Large Truck Crashes

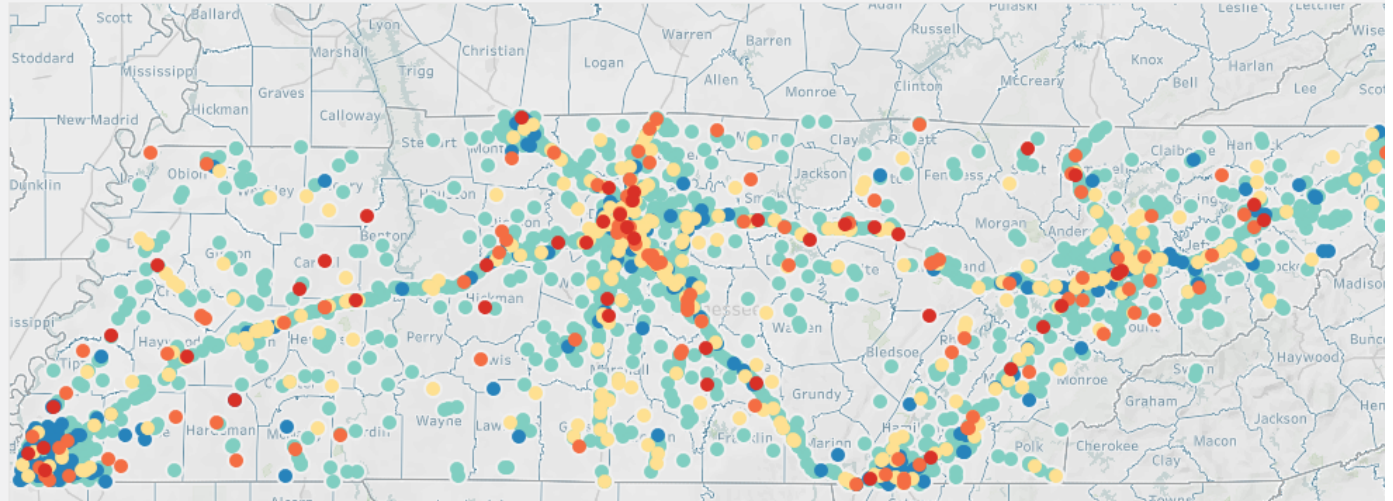
[Large Truck Fatal Crashes](#)[Return to Dashboard](#)

Select THP District: Select County: Begin Date: End Date:

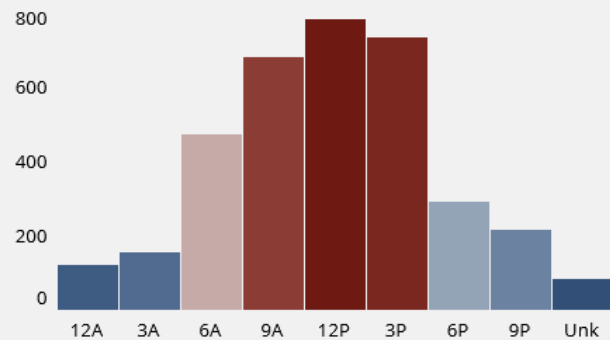
Begin date must be on or after 1/1/2020 12:00:00 AM. End date must be on or before 8/9/2022 8:32:00 PM. SELECTED BEGIN/END DATES ARE VALID.

FMCSA Reportable: Rollover: HazMat: Motorcoach:

☐ Fatal
☐ Suspected Serious Injury
☐ Suspected Minor Injury
☐ Possible Injury
☐ Property Damage Over Threshold



4/1/2022 to 6/30/2022 Crash Count

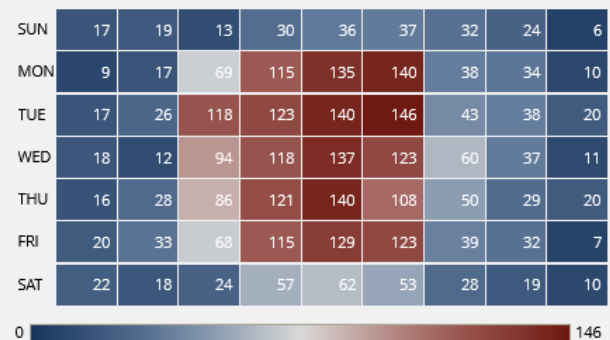


Driver Actions*

Lane Departure	9
Following Improperly	7
Improper Lane Change	5
Failure to Yield	4
Inattentive	3
Swerved/Avoided	2
Improper Backing	2
Improper Turn	2
Careless/Erratic	1
Speed Too Fast	1

Driver Conditions*

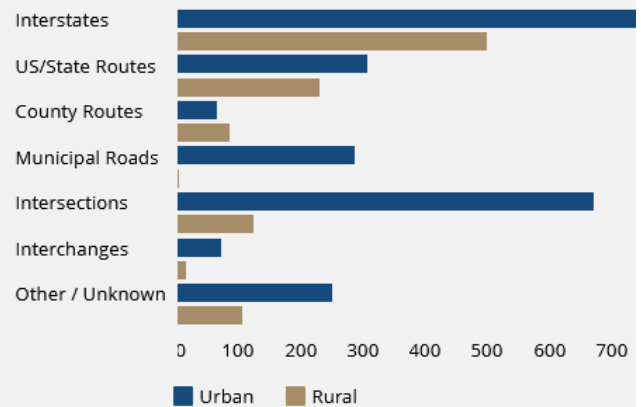
Apparently Asleep	
Drinking	
Apparently Fatigued	
Physical Impairment	
Illegal Drugs	
Emotional	
Reaction To Medication	
Sick	
Did Not Take Medication	
Driverless	



Large Truck Crashes by Area and Roadway

	Urban	Rural	Total
Interstates	796	499	1,296
US/State Routes	307	231	538
County Routes	65	85	150
Municipal Roads	288	4	292
Intersections	672	125	797
Interchanges	73	16	89
Other / Unknown	250	107	357
Total	2,451	1,067	3,519

Large Truck Crashes by Area and Roadway



Source: <https://www.tn.gov/safety/stats/dashboards/large-truck-crashes.html>. Dates of large truck crashes are from March 1, 2022 to June 30, 2022. Date obtained; 8/10/2022

FY 2023 RESPONSE TO FMCSA COMMENT: As of July of 2022, THP's commitment to address driver behaviors is being advanced through new directives which include the following. Each district is to increase the number of multi-jurisdictional distracted driving saturations to six (6) per month. Each district is to increase the number of multi-jurisdictional commercial motor vehicle saturations to three (3) per month and each district is to increase presence to prevent hazardous driving by conducting a minimum of two (2) multi-jurisdictional Hazardous Moving / Speeding saturations per month.

The violation trend analysis table is another enforcement tool and has historically been used to identify violations for targeted enforcement efforts. **FY 2023 update:** Below is the updated violation trend analysis table and a table showing the ELD Citations from 2018 to YTD 2022.

FY 2023 RESPONSE TO FMCSA COMMENT: Another updated inspection violation table is below which includes specific inspection violations related to driving behaviors including alcohol and drug related behaviors, fatigue related violations and other potentially dangerous driving behaviors.

VIOLATION DESCRIPTION by Calendar Year	VIOLATION CODE	2018	2019	2020	2021	2022 Q-1	2022 Q-2	2022 Q-3
Speeding	392.2S	3,309	3,123	2,324	2,466	757	615	720
Clamp or Rotator Type brake out of adjustment	393.47E	2,267	2,199	1,862	2,084	438	526	628
State Vehicle Registration or License Plate violations	392.2RG	2,504	2,740	1,758	2,326	573	754	576
Automatic airbrake adjustment system that fails to compensate for wear	393.53B	1,840	1,763	1,425	1,719	378	475	551
Drivers record of duty status not current	395.8F1	433	411	302	377	95	92	115
Brakes out of service	396.3A1BOS	2,031	1,775	1,349	1,678	383	413	471
Inoperable Required Lamp	393.9	1,080	1,054	802	857	198	251	220
Dimension Violation (Width/Height/Length)	392.2DIM	2,367	1,954	919	966	238	264	207
Seat Belt	392.16	713	541	318	513	118	173	159
Record of Duty Status violation (general)	395.8	265	198	203	189	62	52	52

No drivers record of duty status	395.8A	1,009	843	488	369	78	89	13
False report of drivers record of duty status	395.8E	589	1,004	824	1,803	522	585	579
Alcohol related violations (multiple violation codes)	392.5 +	139	165	97	121	18	37	38
Drug related violations (multiple violation codes)	392.4 +	274	306	217	217	64	79	60
Failure to obey traffic control device	392.2C	1,491	2,268	1,410	1,974	394	388	420
Failure to yield right of way	392.2Y	62	41	28	35	13	9	17
Following too close	392.2FC	270	183	104	129	41	42	59
Improper Lane Change	392.2LC	65	73	58	64	14	14	16
Improper Passing	392.2P	42	74	37	56	8	8	5
Reckless Driving	392.2R	20	16	15	12	2	1	3
Improper turns	392.2T	15	15	8	14	0	7	5

Source: TN Department of Safety & Homeland Security, TITAN Division, SafetyNet 12 October 2022.

Electronic Logging Device Citations

Federal Code	Federal Violation Description	Calendar Year				
		2018	2019	2020	2021	2022*
395.15B	Onboard recording device information requirements not met	52	58	28	23	16
395.15F	Onboard recording device failure: Driver failed to reconstruct info	19	15	10	4	1
395.15G	Onboard recording device info not available	42	33	22	24	13
395.15I5	Onboard recording device does not display required information	6	11	15	17	16
395.20B	The ELDs display screen cannot be viewed outside of the commercial motor vehicle.	17	18	24	15	3
395.22A	Operating with a device that is not registered with FMCSA	293	52	8	27	0
395.22G	Portable ELD not mounted in a fixed position and visible to driver	94	202	158	210	123
395.24D	ELD cannot transfer ELD records electronically	24	73	332	467	211
395.8A-ELD	ELD - No record of duty status (ELD Required)	366	707	641	1447	719
Total		913	1,169	1,238	2,234	1,102

Source: Tennessee Department of Safety & Homeland Security, TITAN Division, 05/24/2022, SafetyNet database.

*YTD 05/23/2022

STAND - Speeding Trucks and Negligent Drivers.

Approximately 2,000 overtime hours will be utilized. Requirements include 1 of the following:

One Level I inspection every 70 minutes or One Level III inspection every 35 minutes, or a combination of Level I and Level III inspections every 50 minutes.

FY 2023 update: WORK ZONE - TN has added an additional overtime project for traffic enforcement in and around active work zones which is called the TDOT Work Zone Enforcement program. This overtime was approved and awarded in the MCSAP FY 2022 grant. The purpose of the project is to reduce the total number of crashes that occur within a work zone. The Tennessee Department of Transportation (TDOT) will be working closely with THP to determine the locations for this enforcement. The requirements for this project will be to complete at least one Level III inspection every four hours in a safe area around the work zone and maintain two contacts per hour. Approximately 2,304 hours will be allotted to the new WORK ZONE overtime project.

STAND	CY 2018	CY 2019	CY 2020	CY 2021	CY 2022*
Level I Inspections	137	243	110	159	74
Level II Inspections	443	901	641	774	384
Level III Inspections	1,791	1,795	1,436	1,667	749
Level IV Inspections	2	4	0	0	0
Level V Inspections	0	1	0	0	0
Total Inspections	2,373	2,944	2,187	2,600	1,207
CMV Citations	788	1,136	594	811	288
Non-CMV Citations	1,565	1,234	806	1,021	409
Total Citations	2353	2,370	1400	1,832	697
Contacts	4,806	6,151	4336	5,265	2,375
OOS Vehicles	142	268	149	194	95
OOS Drivers	126	201	136	246	125
Hours Worked	2,402	3,010	2,325	2,817	1,252

YTD is
6/21/2022

Source: Tennessee Department of Safety & Homeland Security, TITAN Division, 06/21/2022, SafetyNet database.

In addition to the MCSAP funded programs mentioned above, Tennessee utilizes the following state funded programs to enforce traffic laws (commercial and non-commercial) on rural roadways:

SOBER UP - Overtime which focuses on enforcement for driving under the influence

BELTS - Overtime which focuses on enforcement for unrestrained drivers

JUST DRIVE - Overtime which focuses on enforcement for distracted driving

PROBLEM ROADWAY AREAS - This project uses non obligated patrol time to focus on roadway areas of concern deemed important using crash statistics and data analytics.

Projected Goals for FY 2022 - 2024

Using the radio buttons in the table below, indicate the traffic enforcement activities the State intends to conduct in FY 2022 - 2024. 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 2022	FY 2023	FY 2024
<input checked="" type="radio"/>	<input type="radio"/>	CMV with Inspection	16000	16200	16400
<input type="radio"/>	<input checked="" type="radio"/>	CMV without Inspection	0	0	0
<input checked="" type="radio"/>	<input type="radio"/>	Non-CMV	250000	255000	260000
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	2300	2325	2350

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 (including border inspections, if applicable), 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 (including border inspections, if applicable), investigations, and new entrant safety audit sections. Your planned activities must at least equal the average of your 2014/2015 activities.

FY 2023 Planned Safety Activities				
Inspections	Investigations	New Entrant Safety Audits	Sum of FY 2023 Activities	Average 2014/15 Activities
70700	18	1824	72542	71228

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.

Tennessee will monitor its traffic enforcement via TITAN and report violations, e-citations, and MCSAP overtime activity to FMCSA in the Quarterly reports.

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	Yes
PRISM	Enhanced 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: Tennessee Dept. of Safety and Homeland Security

Enter the agency name responsible for PRISM in the State: Tennessee Department of Revenue

Narrative Overview for FY 2022 - 2024

Problem Statement Narrative and Projected Goal: Describe activities your State plans to implement in order to maintain participation in PRISM at your current level (Full, Enhanced, Expanded) and ITD goals.

PRISM COMPLIANCE

The Tennessee Department of Revenue is the lead agency for the state's PRISM program and is at Enhanced MCSAP PRISM compliance. The Performance and Registration Information Systems Management Program (PRISM) is a part of the MCSAP program as mandated by the FAST ACT.

SAFETY AND PRE-SCREENING TECHNOLOGY AND EQUIPMENT

Tennessee places high value on the deployment and regular use of all safety technology in order to improve the overall safety of the roads. Tennessee currently has six types of e-screening equipment at the seven inspection facilities throughout

the state. The below grid identifies the e-screening equipment utilized at each inspection location.

Scale Facility Equipment								
Equipment	Knox-E	Knox-W	Coffee	Robertson	Haywood-E	Haywood-W	Greene	Giles
PrePass	X	X	X		X	X	X	X
Drivewyze	X	X	X		X	X	X	X
ALPR	X	X	X		X	X	X	X
USDOT Reader	X	X	X		X	X	X	X
Infrared Camera	X	X	X		X	X	X	X
WIMS	X	X	X		X	X	X	X
Height Detection	X	X			X	X	X	X
Static Scale	X	X	X		X	X	X	X
PBBT-Fixed			X				X	X
Inspections Shed			X				X	X
Inspection Pit			X				X	X

This chart is current as of 6/27/2022

TN also has a virtual site in Unicoi County on I-26 which has an ALPR, USDOT reader, Overview Camera and WIMS.

FY 2023 Update: TDOT has begun its largescale widening project on I-65 in Robertson County forcing the closure of the Robertson County southbound inspection facility on March 25, 2022. The project will include widening both the northbound and southbound lanes of I-65 starting at the Kentucky/Tennessee State line. In addition to widening the interstate, this project will include the construction of a brand new fixed scale facility for THP on the southbound side. THP has worked closely with TDOT in preparation for this project and agreed the southbound facility needed to be closed for safety reasons in March. At this time, it is expected that this project will take several years but will provide our inspectors with a much needed upgraded facility that will enhance our activities on I-65.

Each of these types of screening equipment must be maintained and repaired as needed in order to effectively screen commercial vehicles. Tennessee Department of Safety and Homeland Security currently has a contract with Intelligent Imaging for the O&M for this equipment. The anticipated maintenance cost per current Intelligent Imaging contract for FY 2023 is \$810,000.

License Plate Readers (LPR) and US DOT readers data storage are no longer housed by TDOSHS per the Strategic Technology Solutions (STS) Division of the Tennessee Department of Finance and Administration. The server has been moved to a cloud based server hosted by Intelligent Imaging as a sole source vendor of the LPR and DOT equipment in order to maintain consistency and promote efficiency between the equipment, maintenance and data collection. The anticipated cost of that maintenance contract for **FY 2023 is \$65,000.**

Program Activities for FY 2022 - 2024: Describe any actions that will be taken to maintain full participation in PRISM and any ITD activities.

PRISM COMPLIANCE

On October 1, 2019 the amended wording of the Tennessee Code Annotated (TCA), Title 55 became effective. This legislation has now brought Tennessee to full compliance in the PRISM program.

The Tennessee Department of Revenue now suspends and revokes registration for any vehicle and/or carrier with a federal out of service order as of October 1, 2019.

Performance Measurements and Monitoring: Describe all performance measures that will be used and include how the State will conduct ongoing monitoring of progress (e.g., including quarterly SF-PPR reporting).

PRISM COMPLIANCE

The Tennessee Department of Revenue will complete the PRISM Implementation Status Quarterly Report Denials and Suspensions/Revocations to FMCSA on a quarterly basis.

SAFETY AND PRE-SCREENING TECHNOLOGY AND EQUIPMENT

The Lieutenant assigned to each fixed inspection facility will report any issues with the performance of any and all equipment to the Administrative CVE Lieutenant. The Administrative CVE Lieutenant will contact the vendor on contract for repair and maintenance to keep consistent operational efficiency of each type of equipment at each fixed inspection facility. Any problems will be reported in the Quarterly reports submitted to FMCSA by the Grants Manager.

Every time a cost is obligated for O&M purposes, a voucher will be submitted for the reimbursement of that cost. Reimbursement will be requested via the voucher only one time through only one grant according to the table listed in the activity section above.

TN will report the number of suspensions, revocations, and registration denials to FMCSA in the PRISM quarterly reports.

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 2016 - 2020

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

Public Education and Outreach Activities	2016	2017	2018	2019	2020
Carrier Safety Talks					
CMV Safety Belt Education and Outreach					
State Trucking Association Meetings	2	2	3	3	4
State-Sponsored Outreach Events					104
Local Educational Safety Events	38	39	37	42	45
Teen Safety Events	0	0	0	14	25

Narrative Overview for FY 2022 - 2024

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

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

The (TITAN) trooper activity system does not have the capability of collecting FMCSA requested specific data for each type of educational outreach project. Tennessee does however, put an emphasis on education and outreach and does conduct each of the types of events listed above. The TITAN activity system collects data entered by troopers regarding the attendance and contacts of each event. The Tennessee Highway Patrol will continue to increase highway safety through public educational programs via presentations to schools, civic organizations and industry. All specific outreach/educational activities that are MCSAP funded are overtime activities which are laid out in the proposed spending budget.

FY 2023 updated table below

CMV Educational Activity			
	CY 2020	CY 2021	CY 2022*
Total Events	104	257	11
Attendance	1,599	2,175	362
Contacts	961	1,569	164
Distracted/Hands Free Training	7	103	11

DUI Education	1	74	10
Teens and Trucks	61	11	30

Source: TDOSHS, TITAN Division, TITAN Database 7/12/2022.

* YTD is June 30, 2022

FY 2023 update : Tennessee has recently reorganized the education portion of the Highway Patrol. Highway Safety and CMV safety education are now under each District. There is now a required number of customer focused educational activities for which each district is responsible. Each district will submit a monthly report of those activities to the Research, Planning, and Development division.

The activities are as follows:

1. Distracted Driving Safety Meetings

Each district must conduct a minimum of seven meetings with schools/civic groups/law enforcement agencies per month.

2. Distracted Driving Saturations

Each district must conduct a minimum of three multijurisdictional distracted driving saturations per month

3. Safety belt Saturations/checkpoints.

Each district must conduct a minimum of four multijurisdictional safety belt saturations/checkpoints per month.

4. Commercial motor vehicle saturations

Each district must conduct at least two multijurisdictional CMV saturations per quarter.

FY 2023 RESPONSE TO FMCSA COMMENT: As requested in the supplemental memo, Tennessee Highway Patrol will be implementing the following methods to increase education promoting work zone safety and advising the general public on ways to report suspected incidents of human trafficking/smuggling involving commercial vehicles. These initiatives include:

1. Display and distribute trafficking brochures at Fixed inspection facilities and welcome centers

2. Increase awareness via social media avenues of work zone safety and human trafficking

3. Add sessions during the CMV portion of the annual THP citizen's academy regarding work zone safety and human trafficking

4. Include the National Human Trafficking Hotline number and hyperlink to the CMV THP dashboard

Educational programs facilitated by THP can be funded by the state or FMCSA. Those funded by FMCSA are specifically mentioned in the financial information portion of this document. Educational programs include:

No Zone - Educating the public to avoid the blind spots of commercial vehicles. Approximately 160 hours are allotted to the No Zone project.

Move Over - Educating public regarding the safety law which protects emergency personnel, tow truck drivers, and drivers with emergency flashers activated. Move Over is state funded.

Teens and Trucks - Educating teenagers regarding the differences between passenger vehicles and commercial vehicles and the different handling characteristics. Tennessee has a semi-truck and trailer which houses six interactive driving simulators. These simulators are taken to various events around the state. 300 Overtime hours are allotted for this project. There are eight different scenarios which are controlled by the facilitator which show the following virtual situations: FY 2023 update: Additional scenarios have been added to the simulations, making a total of 11 different scenarios. They are highlighted below. Tennessee can also add other scenarios as needed. Tennessee has also submitted a request for purchase to the state for an upgrade on the Simulation software.

Following Too Closely

Distracted Driving

No Zone

Drowsy Driving

Wide Right Turns

Move Over Law

Driving to School Hazards

Prom Date Hazards

Pedestrian Awareness

Motorcycle Awareness

Construction Zone Driving

Distracted Drivers - THP program designed to address and eradicate the number of crashes and near crashes which occur due to driver behavior which becomes distracted from the road, through several ways, including, but not limited to texting while driving. This project is State funded.

Click It or Ticket Campaigns - State funded campaign to educate and enforce seat belt use.

Sober Up - State funded enforcement campaign with an educational component which requires bar checks and safety lectures.

Annual truck driving championship and inspectors challenge - Partnership with Tennessee Trucking Association geared towards general education of multiple state-wide drivers and companies on 49 CFR code of federal regulations and updates. Specific activities include:

- Facilitating inspectors challenge
- Education on all of the following:
 - Pre Trip inspections and common industry errors
 - Record of Duty Status (RODS)
 - Compliance Investigations and Safety Audits
 - Hazmat regulations

Tennessee Highway Patrol personnel are engaged in education and outreach to drivers and managers of multiple companies to answer industry questions.

Brochures are distributed at Welcome Centers and Rest Areas on topics such as No Zone, Teens and Trucks, and Drive to Zero.

The Teens and Trucks trailer is available for education and demonstration. Drivers of permit age and above are allowed to gain experience on the Teens and Trucks Simulators.

Tennessee does not currently conduct specific educational activities related to passenger transportation or Hazmat transportation. As noted previously, Tennessee does not currently have an identified problem with fatalities in these areas.

Projected Goals for FY 2022 - 2024

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 2022	FY 2023	FY 2024
<input type="radio"/>	<input checked="" type="radio"/>	Carrier Safety Talks	0	0	0
<input type="radio"/>	<input checked="" type="radio"/>	CMV Safety Belt Education and Outreach	0	0	0
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	3	3	3
<input checked="" type="radio"/>	<input type="radio"/>	State-Sponsored Outreach Events	100	100	100
<input checked="" type="radio"/>	<input type="radio"/>	Local Educational Safety Events	40	42	44
<input checked="" type="radio"/>	<input type="radio"/>	Teen Safety Events	15	16	17

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.

Tennessee will continue the ongoing multifaceted education program by conducting at least 85 educational events and at least 1,000 contacts each year. **FY 2023 update: Tennessee met and surpassed the educational goal for 2021.**

The Commercial Vehicle Enforcement office of the Tennessee Highway Patrol, along with the Statistical Analyst, will work together to monitor the training of special program's personnel to continue to increase accurate reporting for each function and contacts made during these educational meetings. **FY 2023 update: The Commercial Vehicle Enforcement office is currently working with each THP district to improve accuracy and consistency of documentation and reporting of all commercial vehicle activity, including CMV education and outreach activity.**

Tennessee has set the following targets for CY 2021 - 2024 activities. Progress towards these goals will be reported in the

Quarterly Reports.

Special Programs Educational Regular Time CMV Activity				
	CY 2021	CY 2022	CY 2023	CY 2024
Total Events	109	114	120	126
Attendance	1,679	1,763	1,851	1,599
Contacts	1,010	1,061	1,114	1,170
Distracted/Hands Free Training	7	8	8	8
DUI Education	1	1	1	1
Media	1	1	1	1
Teens and Trucks-CMV	64	67	71	74
Teens and Trucks- Community	263	277	291	306
Static Display	4	4	5	5

TN will report the activities listed above for the special programs CMV activity as well as those conducted during the No Zone overtime in the quarterly reports.

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 State Safety Data Quality (SSDQ) requirements to ensure 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	Yes

Available data sources:

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

Enter the agency name responsible for Data Quality: TN Dept of Safety/THP/CVE

Enter the agency or agencies name responsible for DataQs: TN Dept of Safety/THP/CVE

Enter the agency name responsible for the Crash Data Repository: TN Dept. of Safety/THP/CVE

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 2022 - 2024.

SSDQ Measure	Current SSDQ Rating	Goal for FY 2022	Goal for FY 2023	Goal for FY 2024
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.

June 14, 2021

Narrative Overview for FY 2022 - 2024

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

Tennessee has rated in the good range for all Data Quality categories from July of 2015 through November of 2018. In November of 2018 the Fatal Crash Completeness rating fell to fair. The issue was immediately investigated and it was determined that there was a communication and training issue between the FARS and the CVARS groups. The issue

included the understanding of the requirements for a FMCSA reportable crash. Tennessee worked with FMCSA and found all the missing reports and corrected them. Tennessee attended the FMCSA training in San Antonio and corrected the issues. The Fatal Crash Completeness category returned to green in January of 2019 and has remained all green ever since. Both FARS and CVARS now have a closer collaborative working relationship.

Tennessee's challenge is to continue to maintain the good rating for all categories.

Program Activities FY 2022 - 2024: Describe activities that will be taken to achieve or maintain a "Good/Green" rating in all measures including the overall SSDQ rating. Also, describe how your State provides resources to conduct DataQs operations within your State, and describe how elevated/appeals requests are handled.

The Tennessee Integrated Traffic Analysis Network (TITAN) collects all motor vehicle crash data in Tennessee. Crash data potentially reportable to FMCSA is reviewed by the Commercial Vehicle Analysis Reporting System (CVARS) before being uploaded to the Safety and Fitness Electronic Records (SAFER) system.

The CVE Statistical Analyst will continue to monitor and identify any discrepancies between SafetyNet and TITAN to ensure consistent and accurate reporting of FMCSA reportable crashes. If problems are detected, a corrective action will be implemented immediately.

FMCSA guidelines require that the data review queues be completed within 20 days of receipt, however, the CVE Administrative Sergeants will respond to requests for data reviews (Data Q's) within 16 days and utilize overtime hours as volume dictates. **FY 2023 update: The Data Q overtime project will be utilized as needed. Approximately 480 hours are allotted for the FY 2023 grant. Currently the Data Q's consistently remain within 9 days or less**

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

State Safety Data Quality is monitored at the first of every month by the CVE statistical analyst. Monthly data quality is coded by a color (i.e., green, yellow, and red) in each of the ten measured categories. The ten measured categories are listed in the chart below.

JAN 2020 - DEC 2020	JAN	FEB	MAR	APR	MAY	JUN	JULY	AUG	SEP	OCT	NOV	DEC
SSDQ Overall State Rating	Good	Good	Good	Good	Good	Good	Good	Good	Good	Good	Good	Good
Crash Record Completeness	99%	99%	99%	99%	99%	99%	99%	99%	99%	99%	99%	99%
Fatal Crash Completeness	105%	105%	105%	105%	105%	105%	105%	105%	105%	105%	105%	105%
Inspection Record Completeness	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Crash Timeliness	99%	99%	99%	99%	99%	99%	99%	99%	99%	99%	99%	99%
Crash VIN Accuracy	98%	98%	98%	98%	98%	98%	98%	98%	98%	98%	98%	98%
Inspection Timeliness	99%	99%	99%	99%	99%	99%	99%	99%	99%	99%	99%	99%
Crash Accuracy	100%	100%	100%	100%	100%	99%	100%	99%	100%	100%	100%	100%
Inspection Accuracy	100%	100%	100%	100%	100%	100%	100%	100%	100%	99%	99%	99%
Inspection VIN Accuracy	98%	97%	97%	97%	97%	97%	97%	97%	97%	97%	97%	97%
Crash Consistency	100%	101%	100%	100%	101%	101%	98%	96%	96%	98%	99%	98%

FY 2023 UPDATE

JAN 2022 - MAY 2022	JAN	FEB	MAR	APR	MAY
SSDQ Overall State Rating	Good	Good	Good	Good	Good
Crash Record Completeness	99%	99%	99%	99%	99%
Fatal Crash Completeness	104%	104%	104%	104%	109%

Inspection Record Completeness	100%	100%	100%	100%	100%
Crash Timeliness	100%	100%	100%	100%	100%
Crash VIN Accuracy	98%	98%	99%	98%	99%
Inspection Timeliness	99%	99%	99%	99%	99%
Crash Accuracy	100%	100%	99%	99%	99%
Inspection Accuracy	100%	100%	100%	100%	100%
Inspection VIN Accuracy	97%	97%	97%	97%	97%
Crash Consistency	114%	114%	115%	117%	118%

FY 2024 UPDATE

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 2016 - 2020

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

New Entrant Safety Audits	2016	2017	2018	2019	2020
Interstate	791	744	612	699	864
Intrastate	0	0	0	0	0
Total Audits	791	744	612	699	864

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 2022 - 2024

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	06/22/2022
Total Number of New Entrant Carriers in NEWS (Unassigned and Assigned)	2510
Current Number of Past Dues	32

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 2022 - 2024

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

Projected Goals for FY 2022 - 2024 - New Entrant Safety Audits						
	FY 2022		FY 2023		FY 2024	
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
# of Safety Audits (Onsite)	346	0	365	0	384	0
# of Safety Audits (Offsite)	1382	0	1459	0	1536	0
# Group Audits	0	0	0	0	0	0
TOTAL Safety Audits	1728	0	1824	0	1920	0
# of Non-Audit Resolutions	525	0	560	0	590	0

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

The New Entrant Program currently consists of eight troopers and an Administrative Assistant which are under the supervision of a Sergeant, who reports to the Lieutenant for the Commercial Vehicle Enforcement Division of the THP. According to the FMCSA regulations, new commercial carriers must be audited within the first 12 months of operations and passenger carriers within 120 days. All New Entrant motor carriers must demonstrate sufficient compliance with applicable Federal Motor Carrier Safety Regulations and Hazardous Materials Regulations during a safety audit within the required timeframe. New Entrant personnel also provide educational and technical assistance and support to these new commercial carriers in order to promote safe operations. The New Entrant personnel will utilize grant funding effectively and efficiently to ensure that all New Entrant motor carriers receive a safety audit prior to the last 90 days of the 12 month deadline.

Tennessee's goal is to maintain a zero count of new entrant commercial carriers who are within 90 days of the 12 month deadline by conducting new entrant safety audits within the required timeframes and by utilizing the eight (8) full-time New Entrant Troopers and the Administrative Assistant, as well as the Sergeant who supervises all personnel for the New Entrant program.

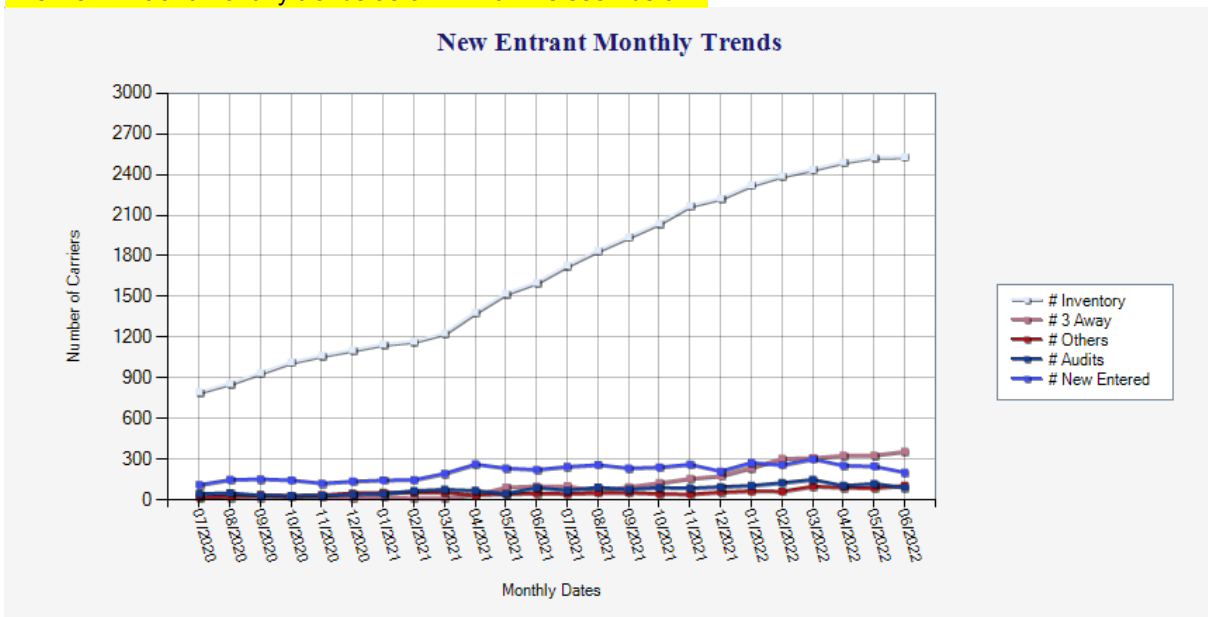
FY 2023 Update

NE ACTIVITY	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022**
Carriers Added to the Program	444	433	522	613	2,412	2,086
Carriers Removed from the Program	423	353	482	618	696	681
Carriers exited due to change	118	75	126	202	267	76

Carriers exited due to inactivation	63	65	100	140	308	49
Carriers revoked due to FAILED SA	34	35	46	21	17	3
Carriers revoked due to NO SHOW-S	17	26	40	61	64	25
Carriers revoked due to NO CONTACT	144	130	156	137	133	53
Carriers exited due to SA-EXEMPT	48	24	27	56	47	9
Onsite Safety Audits Completed	396	119	136	81	59	4
Offsite Safety Audits Completed	341	473	559	714	906	888
TOTAL SAFETY AUDITS	737	592	695	864	795	892

**Source: FMCSA portal, Gotham reports, SMS data as of 7/29/2022

The New Entrant Monthly trends as of 7/7/2022 is seen below.



Beginning in the MCSAP FY 2021 grant, Tennessee added a New Entrant overtime project to enable the New Entrant troopers to use overtime activities to help maintain the goal of the zero count on the 90 day list. Tennessee has experienced a high turn over rate among New Entrant personnel, largely due to promotions or retirement. The COVID pandemic has also led to challenges with troopers becoming sick and difficulties getting training due to COVID restriction. Cancelled classes and the need for personnel at protest have also delayed re-staffing efforts. The New Entrant program is now fully staffed and almost fully trained. Overtime will help to maintain our objectives and goals on a more consistent basis. The New Entrant Sergeant is in charge of assigning these hours to individual troopers as needed. The New Entrant Sergeant will also encourage each trooper to complete between 16 and 19 Safety Audits per month.

FY 2023 Update: All New Entrant Personnel were recently moved from the district chain of command and into the CVE Administrative Unit. This means that they will not be pulled off of New Entrant duties by the districts to do unrelated tasks and their percentage of CVE time will be 100%.

Activity Plan for FY 2022 - 2024: 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.

Tennessee is geographically divided into three areas: West, Middle, and East. There are approximately 475 miles between the lower western point of Tennessee, which is the Memphis District and the upper eastern point of Tennessee, which is the Fall Branch District. The eight (8) New Entrant personnel are strategically located throughout the state in order to provide coverage for all areas. There are areas of Tennessee which have a much higher rate of New Entrant commercial carriers than others. In order to accomplish the New Entrant goals, the following activities are planned.

- New Entrant Safety Audits as outlined in MCMIS which will include both on-site and off-site audits
- The New Entrant Administrative Assistant will review Safety Audits due in each district
- The New Entrant Sergeant will manage assignments to assure completion of objectives.
- The New Entrant Sergeant will also assign overtime hours as needed to cover all areas around the state

It is anticipated that now having a fully staffed New Entrant Program, raising Safety Audit expectations to 17 Audits or more per month for each Trooper and an additional 8 Safety Audits per month by the New Entrant Sergeant, as well as adding overtime for Safety Audits, should allow Tennessee to meet the challenges of the quickly growing New Entrant Commercial Vehicle Companies.

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 Administrative Assistant will monitor the New Entrant "90 day" list on a monthly basis and send a report to the New Entrant Sergeant if any companies are on this list. The New Entrant Sergeant will immediately address this by either communication with the Trooper in that area or coordinating needed resources to complete audits as soon as possible. The grants manager will report the activities and any problems, as well as solutions planned to address any said problems on a quarterly basis to FMCSA.

The New Entrant Sergeant and the Administrative Assistant will utilize the information within the MCMIS system located on the FMCSA portal to coordinate and monitor all new entrant carriers as well as safety audit activities.

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 2022 - 2024).

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 Imminent Hazard (IH) or UNSAT/UNFIT 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 2022 - 2024

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

Projected Goals for FY 2022 - 2024: Enter a description of the State's performance goals.

Fiscal Year	Goal (%)
2022	85
2023	86
2024	87

FMCSA has placed emphasis on taking carriers that are operating under an Out of Service Order off the roads as they pose such an enormous danger to the public. Per reports from FMCSA, Tennessee only identified 31.25% of all out of service carriers when encountered and inspected in 2013. Tennessee began to take corrective action and put more focus on this issue. By FY 2020 Tn had increased to 81.82% catch rate for all OOS carriers identified and 100% catch rate for Imminent Hazard/Unfit Carriers Identified.

The percentages are shown in the chart below.

Measures	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
All OOS Carriers Identified	76.67%	78.26%	74.29%	62.96%	81.82%
Imminent Hazard/Unfit Carriers Identified	80.00%	33.33%	57.14%	100.00%	100.00%

Data Source: FMCSA A&I Activity Dashboard OOS Catch Reports OOS Carriers History, distributed by FMCSA

As of June 15, 2021 per FMCSA A&I Activity Dashboard OOS Catch Reports OOS Carriers History, distributed by FMCSA, Tennessee's current catch rate for FY 2021 is 86.21% for all OOS carriers identified and 50% for Imminent Hazard/Unsat/Unfit carriers.

FY 2023 Updated Table.

Measures		FY 2019	FY 2020	FY 2021	FY 2022
Inspection Counts	Inspections on All OOS Carriers	27	23	49	28
	Inspections on All OOS Carriers Identified	17	18	42	26
OOS Carriers not Identified	Imminent Hazard Carriers not identified	0	0	0	0
	Unsatisfactory/Unfit Carriers not identified	0	0	1	1
	Other OOS Types not identified	10	4	5	1
OOS Carriers Identified	Imminent Hazard Carriers Identified	0	0	0	0
	Unsatisfactory/Unfit Carriers Identified	1	1	1	0
	Other OOS Types identified	16	17	34	26
% Identified (OOS Catch Rate)	% of all OOS Carriers Identified	62.96%	78.26%	85.71%	92.86%
	% of Imminent Hazard null/Unfit Carriers Identified	100.00%	100.00%	50.00%	0.00%

Current FFY YTD is April 2022 per FMCSA A & I Activity Dashboard.

Program Activities for FY 2022 - 2024: 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.

Extensive training of each district on efficient utilization of ASPEN 3.0, Query Central, and the Commercial Vehicle Information Exchange Window (CVIEW) was completed during 2016. These systems are used to verify operating authority.

General Order 900, Section III, D, 11 states that "Members shall verify operating authority/insurance on each carrier."

FY 2023 RESPONSE TO FMCSA COMMENT:

The Tennessee Highway Patrol considers the OOS Catch Rate to be of extreme importance and a matter that goes to the core of our efforts to making Tennessee's roadways safer. In FFY 2022, THP has identified 91.11% of all OOS carriers but only 50% of those listed as Unsatisfactory/Unfit. Of the 45 OOS carriers inspected by THP in FFY 2022, only two of those inspections were on a carrier listed as Unsatisfactory/Unfit. In both cases, the trooper correctly identified the carrier as being under a Federal OOS order and subsequently placed the vehicle OOS. Unfortunately, the vehicle was not placed OOS using the appropriate violation code in one of the two cases resulting in our 50% catch rate.

In an instance where a carrier under a Federal OOS order is missed, the CVE Sergeant immediately notifies the inspecting trooper as well as his or her supervisor of the matter and a review of the facts that led to the missed OOS order must be conducted. The trooper is then required to provide a written MEMO to the CVE Administration unit providing a detailed explanation and what measures will be taken to ensure the issue does not occur moving forward. In the event that a trooper placed the vehicle OOS but happened to use the incorrect code, the trooper receives additional guidance on the proper use of the *Tools to Identify OOS Carriers Visor Card* and provided with a copy of the visor card for their patrol vehicle. The positive result is that THP have never had a trooper repeat this mistake. However, the CVE Administration unit understands the shortcomings presented by this reactive approach and will be taking a more proactive approach moving forward in addition to continuing the corrective action policy mentioned above.

The CVE Administration unit has implemented a new policy requiring an additional coaching session at each North American Standard Part A and Part B class it conducts. During the coaching session, the CVE Sergeants advise each trooper on the importance of properly identifying carriers under a Federal OOS Order and how vital it is to use the correct code when placing the vehicle OOS. The CVE Sergeants will ensure that each trooper is provided with the *Tools to Identify OOS Carriers Visor Card* and that they are instructed on the proper use of the card in correlation to the OOS description provided via the FMCSA Portal. In addition, the CVE Division unit will now have General Order 900 (mandating that all troopers verify operating authority on each carrier and) reviewed and signed by each trooper on an annual basis to reemphasize that checking the authority of each carrier in conjunction with the North American Out of Service Criteria shall be followed.

All commissioned personnel in the THP are under the directive to verify the commercial driver license, insurance and operating authority during each commercial vehicle inspection. The THP Dispatch centers act as an alternate source for the verification of commercial driver license, insurance and operating authority. If an out-of-service order exists, then those out-of-service orders are to be enforced and reported to FMCSA.

Tennessee Department of Revenue has been granted legislative authority to suspend and/or revoke any vehicle or carrier registration that currently has a federal out of service order. This authority was put into law in March of 2019 and went into effect on October 1, 2019.

In 2020, Tennessee identified a common issue that has contributed to a lower catch rate percentage for our State. The identified issue being how we track motor carriers who are fraudulently operating under another motor carriers DOT # due to their own DOT # being placed under a Federal OOS Order. In many cases, the issue is not identified roadside due to the driver/motor carrier providing incorrect data to the trooper which cannot be proven false during a roadside investigation. The issue is not identified until the motor carrier being negatively affected by another's fraudulent activities contacts the CVE Administration office and we are able to work together to have the inspection corrected. Tennessee understands the importance of identifying these motor carriers who are operating fraudulently and that it is crucial that we enter the data correctly for future reference. For this reason, the CVE staff continues to correct these inspections by placing them under the appropriate authority which is under a Federal OOS Order. However, this has had a negative affect on our OOS Catch Rate even though the trooper could not have caught this issue roadside. We continue to work closely with our partners at FMCSA to properly correct this issue moving forward and hope to reach a long-term solution.

FY 2023 update: Tennessee continues to take actions to strengthen our ability to catch OOS carriers through continued training in every annual In-Service. Beginning in early 2022 all NAS inspection classes include specific training on checking portals for OOS Carriers and the proper way to enforce the OOS order.

New inspection software is also in the testing phase for FMCSA to replace ASPEN with SAFESPECT. Other third party companies have also developed updated inspection software. Tennessee is anticipating using the FMCSA SAFESPECT software, however, has also considered using INSPECT which is provided by the company Iteris. Both SAFESPECT and INSPECT will automatically check for Out-Of-Service Carriers and should strengthen our overall ability to identify these carriers.

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 Commercial Vehicle Enforcement Sergeants will continue to monitor the catch rate via reports from the Federal Motor Carrier Safety Administration (FMCSA). The percentage of out of service order enforcement actions will be reported in the Quarterly FMCSA reports.

The Sergeants will also continue to review Tennessee's performance in regards to our catch rate each time FMCSA distributes this report.

If the catch rate does not meet the established 85% criteria established by the FMCSA, then the individual inspection is and will be identified by the CVE Sergeants and the CVE Lieutenant will discuss with the trooper a corrective action plan, as well as revisit all tools available to identify all Out-of-Service carriers in the future. This corrective action will also be noted in the FMCSA quarterly reports.

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 2021 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 2021 CVSP.

Progress Report on State Specific Objectives(s) from the FY 2021 CVSP

Please enter information to describe the year-to-date progress on any State-specific objective(s) identified in the State's FY 2021 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.

SAFETY IMPROVEMENT via Vehicle Out-of-Service rate

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

Maintain a Vehicle Out-of-Service rate above the national average.

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

Vehicle OOS Rate: Goal in CY 2016 > National Average National Average was 19.97% TN was 24.38% Goal in CY 2017 > National Average National Average was 20.72% TN was 27.17% Goal in CY 2018 > National Average National Average was 20.87% TN was 25.88% Goal in CY 2019 > National Average National Average was 20.65% TN was 26.34% Goal in CY 2020 > National Average National Average was 20.74% TN was 25.83%

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

Vehicle out-of-service (Vehicle OOS) rate became a priority for the State of Tennessee in 2008 after reaching an all-time low of 13.2% in 2007. Tennessee has been very successful at meeting the Vehicle OOS goal following the deployment of increased inspection technology. Tennessee has deployed three Infrared Brake Screening Systems (IBSS) and is in the process of installing another two. The first three are located at the Haywood county east bound, the Greene County, and the Knox County east bound inspection facilities. The other two systems will be installed at Haywood county westbound and Knox county west bound.

Activity #2

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

Traffic Enforcement focusing on driver out-of-service percentages in order to lower the percentage of crashes where large truck drivers are a contributing factor. Program elements used to conduct this activity include: Inspections and Traffic Enforcement activities.

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

Maintain a Driver Out-of-Service rate above the national average.

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

Driver OOS Rate Tennessee National CY Actual Goal Actual 2016 5.46% > National average 4.91% 2017 5.56% > National average 5.11% 2018 5.63% > National average 4.76% 2019 6.35% > National average 5.11% 2020 6.14% > National average 5.27% Source: FMCSA Analysis & Information Online Website: <https://ai.fmcsa.dot.gov/SafetyProgram/spRptRoadside.aspx?rpt=RDOOS>

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

learned, etc.

Tennessee has been successful at maintaining a Driver Out-of-Service percentage above the national average and the Driver Out-of-Service percentage has increased each year with the exception of 2020.

Activity #3**Activity: Describe State-specific activity conducted from previous year's CVSP.**

Hazmat Crash Reduction

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

Maintain less than 3% of hazmat crashes out of all CMV crashes within TN.

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

Hazmat Vehicle Crashes as a Percentage of All TN CMV Crashes 2016 2017 2018 2019 2020 TN CMV HM Crashes
 71 63 55 51 61 All Large Truck Crashes 4,084 4,079 4,226 4,132 4,159 % Hazmat to All CMV Crashes 1.74% 1.54%
 1.30% 1.23% 1.47% Data Source: Tennessee Department of Safety and Homeland Security, TITAN Division -
 SafetyNet 4/11/2021 The Sergeant of the Hazmat Commercial Vehicle Enforcement program continues to conduct
 certified training courses as well as several Hazmat refresher courses across the state.

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

Tennessee historically has a very low hazmat related crash rate yet maintains an aggressive Hazmat related enforcement program. The percent of hazmat related crashes has not only remained below 3% of all commercial vehicle crashes within the state of Tennessee, but has decreased each year since 2016 with the exception of 2020. The state of Tennessee and the Highway Patrol continue to acknowledge that even one hazmat related crash has potentially catastrophic consequences and has maintained a robust and proactive program because of this fact. Hazmat Inspections - CY 2016 2017 2018 2019 2020 3,001 2,107 2,406 2,973 2,545 Source: TN Dept. of Safety and Homeland Security, TITAN Division, 4/13/2021 (SafetyNet database)

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 MCSAP CVSP Planning Memorandum 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 2022 - 2024. 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.

SAFETY IMPROVEMENT - Vehicle Out-of-Service

Narrative Overview for FY 2022 - 2024

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

Vehicle Out-of-Service rate became a priority for the State of Tennessee in 2008 after reaching an all-time low of 13.2% in 2007. Tennessee began to focus on commercial vehicles operating under sub-par mechanical conditions including being in an imminent hazardous condition, or without the correct operating authority registration.

Projected Goals for FY 2022 - 2024:

Enter performance goal.

The Vehicle out-of-service rate for Tennessee for FY 2022 2023, and 2024 will be to continue to maintain a Vehicle Out-of-Service rate above the national average.

Program Activities for FY 2022 - 2024: Describe the activities that will be implemented including level of effort.

Tennessee has purchased five (5) new IBSS systems. Three are operational and two are in the process of being purchased and installed. These screening systems allow for more efficient means of choosing trucks for inspection.

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.

Tennessee will continue to report the Vehicle out-of-service percentage and compare it to the average National Vehicle Out-of-Service rate in the Quarterly FMCSA reports.

State Objective #2

Enter the title of your State-Identified Objective.

Traffic enforcement for unsafe commercial vehicle drivers

Narrative Overview for FY 2022 - 2024

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

Tennessee continues to place emphasis towards commercial vehicle driver enforcement. It is just as important to remove an unsafe driver, as it is to remove an unsafe vehicle.

Projected Goals for FY 2022 - 2024:**Enter performance goal.**

Maintain a Driver Out-of-Service rate above the national average for FY 2022, 2023, and 2024.

Program Activities for FY 2022 - 2024: Describe the activities that will be implemented including level of effort.

All commercial activities and projects facilitated by the CVE administration of the THP are part of the objective to remove unsafe drivers. Some specific activities which help in the Driver out of service rate include, but are not limited to: Roadside inspections Speeding Trucks and Negligent Drivers (STAND) Overtime Drug Interdiction and Criminal Enforcement (DICE) Overtime Educational activities with industry members New Entrant Safety Audits

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.

Each overtime activity will meet the required number of inspections and/or contacts specific to that overtime. All activity including overtime projects, inspections, educational activities and New Entrant Safety Audits will be reported to FMCSA on a quarterly basis.

State Objective #3

Enter the title of your State-Identified Objective.

Hazardous Materials Crash Reduction

Narrative Overview for FY 2022 - 2024**Problem Statement Narrative: Describe problem identified by performance data including baseline data.**

Tennessee historically has very low hazmat related crash rates, however, Tennessee also has a very aggressive Hazmat related enforcement program. The percent of Hazmat related crashes has remained below 3% of all commercial vehicle crashes within the state of Tennessee. The state of Tennessee and the Highway Patrol continue to acknowledge that even one hazmat related crash has potentially catastrophic consequences and therefore, has maintained a robust and proactive program because of this fact.

Projected Goals for FY 2022 - 2024:**Enter performance goal.**

Tennessee Department of Safety and Homeland Security will continue to use the hazardous materials and Level VI program to maintain the hazardous material crash percentages below 3% of all commercial vehicle crashes for FY 2021, 2022, 2023, and 2024.

Program Activities for FY 2022 - 2024: Describe the activities that will be implemented including level of effort.

To meet this goal, the state intends to implement the following activities: Conduct hazmat training courses which will include general Hazmat, cargo and other bulk each year. Distribute updates related to hazardous materials to all troopers throughout the state. Offer refresher training courses each year. Conduct at least 2,000 Hazmat inspections in 2022, 2023, 2024.

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.

All Hazmat related activity will be monitored by the Hazmat Sergeant. The Sergeant will report other activities to the Grants Manager who will then include this information to FMCSA quarterly.

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 2023 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 95 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 5 percent in the state share calculation. A State is only required to contribute 5 percent of the total project costs of all budget categories combined as State share. A State is NOT required to include a 5 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 a 95 percent Federal share and 5 percent State share automatically and populates these

values in each line. Federal share is the product of Total Project Costs x 95 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 ensure 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 15% of the MCSAP Award Amount.
- Planned MOE Costs equal or exceed the MOE Baseline amount.
- States' planned Federal and State share totals are each within \$5 of FMCSA's Federal and State share estimated amounts.
- Territories' planned Total Project Costs are within \$5 of the Federal share.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	95% Federal Share	5% State Share	Total Estimated Funding
Total	\$10,398,636.00	\$547,297.00	\$10,945,933.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP Award Amount):	\$1,641,890.00
MOE Baseline:	\$4,757,428.50

Part 4 Section 2 - Personnel

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

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

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 15 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 15 percent limitation as provided in the MCP. Any deviation from the 15 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 (15% of MCSAP Award Amount):	\$1,641,890.00
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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
CVE Dedicated Trooper-HYBRID	1	100.0000	\$65,817.60	\$65,817.60	\$62,526.72	\$3,290.88	\$0.00
Admn Svs Asst III	1	100.0000	\$53,748.00	\$53,748.00	\$51,060.60	\$2,687.40	\$0.00
Planned MOE: Personnel	722	0.0000	\$717,119.63	\$0.00	\$0.00	\$0.00	\$7,171,119.63
Admin Service Asst. II	2	100.0000	\$36,918.00	\$73,836.00	\$70,144.20	\$3,691.80	\$0.00
Lieutenant	4	97.0000	\$102,316.80	\$396,989.18	\$377,139.72	\$19,849.46	\$0.00
Sergeants-Legacy	10	95.0000	\$79,411.20	\$754,406.40	\$716,686.08	\$37,720.32	\$0.00
Admn Svs Asst V	2	100.0000	\$54,000.00	\$108,000.00	\$102,600.00	\$5,400.00	\$0.00
Administrative Secretary	1	100.0000	\$31,374.00	\$31,374.00	\$29,805.30	\$1,568.70	\$0.00
Accounting Tech I	1	50.0000	\$39,600.00	\$19,800.00	\$18,810.00	\$990.00	\$0.00
Captain	1	61.0000	\$117,100.80	\$71,431.48	\$67,859.91	\$3,571.57	\$0.00
Statistical Analyst	1	100.0000	\$56,880.00	\$56,880.00	\$54,036.00	\$2,844.00	\$0.00
Trooper New Entrant - LEGACY	5	97.0000	\$65,817.60	\$319,215.36	\$303,254.59	\$15,960.77	\$0.00
Road Troopers-Legacy	488	3.3280	\$65,817.60	\$1,068,919.94	\$1,015,473.94	\$53,446.00	\$0.00
Accountant III	2	6.0000	\$41,094.00	\$4,931.28	\$4,684.72	\$246.56	\$0.00
Sergeant - HYBRID	2	95.0000	\$79,411.20	\$150,881.28	\$143,337.22	\$7,544.06	\$0.00
Road Troopers - HYBRID	262	3.3280	\$65,817.60	\$573,887.34	\$545,192.98	\$28,694.36	\$0.00
New Entrant Troopers - HYBRID	3	97.0000	\$65,817.60	\$191,529.21	\$181,952.75	\$9,576.46	\$0.00
Trooper-Scales-Legacy	26	95.0000	\$65,817.60	\$1,625,694.72	\$1,544,409.98	\$81,284.74	\$0.00
Trooper-Scales-Hybrid	19	95.0000	\$65,817.60	\$1,188,007.68	\$1,128,607.30	\$59,400.38	\$0.00
Subtotal: Salary				\$6,755,349.47	\$6,417,582.01	\$337,767.46	\$7,171,119.63
Overtime Project Costs							
Work Zone	1	100.0000	\$145,515.79	\$145,515.79	\$138,240.00	\$7,275.79	\$0.00
Planned MOE - Overtime	1	0.0000	\$380,800.41	\$0.00	\$0.00	\$0.00	\$380,800.41
Trooper-NO ZONE OT	1	100.0000	\$10,442.11	\$10,442.11	\$9,920.00	\$522.11	\$0.00
Trooper-STAND OT	1	100.0000	\$163,136.84	\$163,136.84	\$154,980.00	\$8,156.84	\$0.00
Trooper-STOP OT	1	100.0000	\$41,936.84	\$41,936.84	\$39,840.00	\$2,096.84	\$0.00
Trooper-SIZE and WEIGHT OT	1	100.0000	\$11,936.84	\$11,936.84	\$11,340.00	\$596.84	\$0.00
Trooper - INSPECTION STATION OT	1	100.0000	\$472,421.05	\$472,421.05	\$448,800.00	\$23,621.05	\$0.00
Trooper - MOTOR COACH OT	1	100.0000	\$5,268.42	\$5,268.42	\$5,005.00	\$263.42	\$0.00
Trooper - TEENS and TRUCKS OT	1	100.0000	\$21,157.89	\$21,157.89	\$20,100.00	\$1,057.89	\$0.00
Trooper - DICE OT	1	100.0000	\$168,452.63	\$168,452.63	\$160,030.00	\$8,422.63	\$0.00
Trooper - HAZMAT OT	1	100.0000	\$47,368.42	\$47,368.42	\$45,000.00	\$2,368.42	\$0.00
Sergeant - DATA Q OT	1	100.0000	\$42,122.11	\$42,122.11	\$40,016.00	\$2,106.11	\$0.00
Trooper - NEW ENTRANT	1	100.0000	\$115,806.32	\$115,806.32	\$110,016.00	\$5,790.32	\$0.00
Subtotal: Overtime				\$1,245,565.26	\$1,183,287.00	\$62,278.26	\$380,800.41
TOTAL: Personnel				\$8,000,914.73	\$7,600,869.01	\$400,045.72	\$7,551,920.04
Accounting Method:	Accrual						

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

FOLLOW UP FY 2023: Tennessee Highway Patrol has accomplished the goal described previously in this document. The Commercial Vehicle Enforcement division of THP has been reorganized and will now operate as the Motor Carrier Plus (MC+) Unit. All Scale facilities and personnel have been placed under the supervision of the newly created Motor Carrier Plus. As a result, TN will be claiming salaries, vehicle maintenance, and communications for all 48 commissioned officers currently stationed at the fixed scale facilities. The positions have been added to the list of Salaries and Fringe benefits using the estimated percentage of MCSAP time. As a result of this accomplishment which began May 1, 2023, Tennessee anticipates higher overall activity, which will include inspections, traffic enforcement, and public education. The remaining 700 + road troopers will continue to conduct CMV inspections and enforcement as they have in the past and will be reimbursed via the same formula described below. We anticipate that the percentage reimbursed for the road troopers will decrease. Tennessee anticipates that this reorganization will allow for a significantly greater overall activity levels which will allow TN to confidently maintain the required levels for our MOE levels and enable TN to utilize the increased funding from FMCSA. The State of Tennessee currently has 765 commissioned troopers trained on commercial vehicle inspections. With the exception of Commercial Vehicle Enforcement Administrative Personnel, all of these commissioned troopers work MCSAP activities on a part-time basis. Because of this large number, a methodology has been developed to calculate the amount of salary which is paid from MCSAP CV hours. The calculation determines the percentage of the THP activity in hours that is payable via MCSAP. The administrative commercial vehicle officers log their time into TITAN on a monthly basis and Tennessee is reimbursed for that specific pro-rated amount. The percentage used in the chart above is the estimated percentage to be requested for reimbursement. The amount being requested for salaries for the 765 commissioned road personnel doing MCSAP activities on a part-time basis is estimated to be \$6,282,781.29. The formula is as follows:

Total Activity Hours minus Grant Overtime Activity Hours = MCSAP Eligible CV Hours

Total CV Activity Hours minus Grant Overtime CV Hours = MCSAP Payable CV Hours

MCSAP Payable CV Hours divided by MCSAP Eligible Hours multiplied by 100 = Percentage of MCSAP Eligible hours dedicated to CV activity

Total Activity Hours minus Grant overtime activity hours = MCSAP Eligible hours

1) *Total Activity Hours is defined as the sum of all hours of activity reported by the troopers when entering their activity into the Tennessee Integrated Traffic Analysis Network (TITAN).*

2) *Total CV Activity Hours is defined as the sum of all hours designated as commercial vehicle activity by the troopers when entering their activity into the TITAN Trooper Activity System.*

3) *Grant Overtime Activity Hours is defined as the sum of all hours designated as grant funded activity by the troopers when entering their activity into the TITAN Trooper Activity System.*

4) *Grant Overtime CV Hours is defined as the sum of all hours designated as grant funded commercial vehicle activity by the Troopers when entering their activity into the TITAN trooper activity system.*

5) *MCSAP Payable CV Hours is defined as the total amount of hours to be counted toward Commercial Vehicle activity which is submitted for reimbursement.*

There are 23 Commissioned and non commissioned employees with an additional commissioned employee planned that work full time or part time in the CVE Administrative office. All positions work a percentage of time on MCSAP grant components for FMCSA.

Specific overtime activities planned are as follows:

OVERTIME ACTIVITIES AND ESTIMATED COST FY 2023			
Type of	Estimated	Avg	Total Amount

Overtime	# of hrs.	Cost/hr.	
STAND	2,460	\$63.00	\$154,980.00
NO ZONE	160	\$62.00	\$9,920.00
STOP	664	\$60.00	\$39,840.00
SIZE AND WEIGHT	180	\$63.00	\$11,340.00
INSPECTION STATION	7,480	\$60.00	\$448,800.00
MOTOR COACH	77	\$65.00	\$5,005.00
TEENS AND TRUCKS	300	\$67.00	\$20,100.00
DICE	2,462	\$65.00	\$160,030.00
HAZMAT	600	\$75.00	\$45,000.00
NEW ENTRANT	1,719	\$64.00	\$110,016.00
DATA Q	656	\$61.00	\$40,016.00
WORK ZONE	2,304	\$60.00	\$138,240.00
TOTAL	19,062		\$1,183,287.00

Average cost per hour for overtime is based upon the average amount paid per hour for FY 2021 overtime vouchered. The difference in amounts generally is due to whether troopers, or sergeants, or a mixture of both work the actual overtime hours. Hours are distributed by the District Data Coordinators throughout the state depending on the individual activity within each of the THP's eight (8) districts. The District Data Coordinator also works with the Grants Manager, CVE Sergeants, and CVE Lieutenant to monitor hours worked and ensure that activities meet specified guidelines.

FY 2023 RESPONSE TO FMCSA NOVEMBER COMMENTS: Below is a description of each overtime project

STAND: Speeding Trucks and Negligent Drivers - Emphasis is on hazardous moving violations committed by drivers of CMVs and passenger vehicles around CMVs including Speeding, Reckless Driving, Following Too Closely, and improper lane change. Enforcement will be conducted in areas and times identified on the most recent CVE dashboard. A minimum of a Level 3 inspection will be conducted for each CMV traffic stop. A minimum of a Level 2 inspections will be conducted for each CMV transporting hazardous material that requires placards.

NO ZONE: Increase awareness of danger areas like blind spots around CMVs (No-Zone) Troopers will also conduct educational activities discussing the TN move over law, distracted driving, and safety belts. Pamphlets will be distributed at schools, civic organizations, with the trucking association or at an industry event, county fairs and also during STAND enforcement.

STOP: Strategic Transportation Observation Prevention - Objective is to provide sufficient coverage during checkpoints at weigh stations and known highways and roads used as by-pass routes to stop, evaluate and inspect as many of the following CMVS as possible, including Cargo tanks, trucks transporting hazardous materials, inter-modal container chassis, and rental trucks. A minimum of two contacts per hour and one North American Standard appropriate inspection.

SIZE AND WEIGHT: Objective is to focus on CMVs that are overweight, over dimensional and unsafe. These roadside inspections will be conducted in the mountainous regions of Tennessee. Portable/platform scales will be used and a minimum of one North American Standard appropriate inspection on each CMV weighed.

SCALES/INSPECTION STATION: The purpose of the inspection station overtime is to increase the hours of operation at our fixed scale facilities and to prevent predictability of scale hours among driver/motor carriers. Through use of this inspection station overtime, we can routinely open the fixed scale facilities during nonscheduled/irregular hours such as midnight shifts or over the weekend to prevent any sense of routine. The CVE Administration utilizes scale station overtime to reduce crashes through a more flexible scale schedule that allows for resources to participate in CMV road saturations at designated high crash areas. For example, if our crash data analysis shows that most of our crashes involving CMV's are taking place on a particular roadway on Wednesday afternoons, we can close the scale facility nearest to that area on designated Wednesdays and assign all scale facility troopers to the high crash area in order to conduct roadside CMV traffic enforcement. Through the use of scale station overtime, we can close the scale facility any day of the week in order to have all hands on deck at a CMV saturation and use the overtime to fully staff the scale facility on non-regular hours of that same week such as over the weekend. Utilizing the scale station overtime in this way will allow more flexibility when it comes to CMV saturations and allow us to allocate more resources to a particular problem road (not at a scale facility) or at a particular time of the week and thus lower crashes in that area. Although inspection station overtime is conducted at the fixed scale locations, it indirectly increases our CMV enforcement efforts on all Tennessee roadways where there is no scale facility via the aforementioned use. During inspection station overtime, troopers may conduct either a Level I or Level III inspection but must conduct a minimum of one Level I inspection per hour and a minimum of two Level II or Level III inspections per hour. Without this inspection station overtime, we will have less flexibility to reallocate resources from the fixed scale facility in order to have productive saturations at high crash areas throughout the State.

MOTORCOACH: Motorcoach overtime project is used to give overtime hours during the annual FMCSA motorcoach strikeforce typically held in the spring of each year. Due to the pandemic, FMCSA has been forced to cancel these strikeforces the last couple of years, however, TN has kept a small amount of hours in the anticipation that this activity will resume. This overtime is also used to conduct point of destination strikeforces throughout the state at locations known for increased tourism such as the "Grand Ole Opry", Dollywood, and rafting excursions along Tennessee rivers. These activities are coordinated by the CVE administration.

TEENS AND TRUCKS: This overtime was added to the FY 2016 eCVSP after the development of a Semi Truck and Trailer with an interactive simulator designed for teenage drivers to educate them regarding the dangers of driving around CMVs. It is used throughout the state at High Schools and Civic events and contains a variety of virtual situations on the road with CMVs such as driving in the "no-zone", turning radius, following too closely and distracted driving to name a few. TN is currently in the process of updating all software within the simulators. The hours are coordinated between the CVE Administrative Sergeant and specific troopers and /or sergeants within the districts who have CDLs and can drive the truck and operate the simulators.

DICE: Drug Interdiction and Criminal Enforcement - Primary emphasis of this overtime program is the interdiction of controlled substances being transported by commercial vehicles and the removal of CMV drivers impaired by alcohol and/or controlled substances. Troopers who work this overtime are also given training on identification of potential human trafficking signs. Patrol areas are identified by district Captains on Interstates and State Routes identified as "drug corridors" based upon seizure data supplied for BLOC HIDTA watch reports. No less than two troopers per shift and K-9 handlers must be on duty or readily accessible during the overtime shift. A minimum of a level three inspection should be performed and a level two inspection if possible, when safety permits.

HAZMAT: This overtime program is used to conduct Level VI HM bulk/non-bulk inspection strikeforces on carriers transporting hazardous materials including radioactive materials, transuranics, cargo tanks, rental trucks, and intermodal containers. They are conducted at locations that are either by-pass routes around scale facilities or other areas of the state that are not otherwise likely to go through scale facilities. Strikeforce projects are also conducted during holidays such as Fourth of July, Memorial Day, Labor Day, New Year's Eve, and Veteran's Day with the emphasis on looking for undeclared fireworks. The CVE Hazmat Sergeant coordinates all of this activity.

NEW ENTRANT: The purpose of this overtime project is to increase the number of Safety Audits by the New Entrant Personnel in order to help manage the increase in the number of carriers entering the program and help ensure motor carriers receive a safety audit prior to the last 90 days of the 12 month deadline. The sergeant of the New Entrant programs assigns these hours to troopers who show the highest productivity within program.

DATA Q: Objective is to properly investigate carrier and driver's request for review of violations. Due to the extensive investigative work required, the extra time is needed in addition to regular work day activities. The two CVE

administrative sergeants are currently the only two allowed to work this overtime. They are required to answer 4 Data Q's per hour.

WORK ZONE: Objective is to increase presence and enforcement of both CMVs and non-CMVs traveling through a designated work zone with the goal of reducing the number of crashes that occur within a work zone. Coordination with members of the TN Department of Transportation will determine the locations of the work zone enforcement. A minimum of one North American Standard inspection must be conducted for every hour worked and a minimum of two contacts per hour must occur for every hour worked. Special emphasis is to be placed on speeding, driving under the influence, distractive driving, following too closely, failure to maintain proper lane of travel, and CMVs with an obvious violation.

Tennessee uses an in-kind match for the 5% portion of the total project costs. All of this 5% match will come from Trooper Salaries.

Tennessee has added, in the FY 2022 eCVSP an overtime project designed at lowering the rate of crashes and fatalities within work zone areas.

FY 2022 updates per BIL funding: Tennessee has made the following changes to the budget to include the increased funding:

Increased the amount for the NEW ENTRANT Overtime project. All New Entrant Troopers will be given the opportunity to work overtime completing Safety Audits in efforts to maintain our goals along with the increasing number of New Entrant Carriers entering the system. Previously there were only two New Entrant Troopers working this overtime.

The majority of the increase in funding from BIL will go towards Troopers working partime CVE activities on the roadways. The same calculation is used. The percentage of amount claimed has increased to match the increase in funding. Tennessee has historically claimed less than the maintenance of effort on each of the MCSAP grants. The percentage of MCSAP eligible expenses averages around 13% and the amounts claimed have always been less. Expenses paid by the state include such things as uniforms, vehicles, fuel, and weapons to name a few. Tennessee will begin claiming all eligible expenditures in the FY 2022 MCSAP grant. If Tennessee is not able to meet all required maintenance of effort expenditures, there will be a deobligation of funds in the amount needed to meet all required maintenance of effort expenditures, there will be a deobligation of funds in the amount needed to meet MOE substantiation requirements. It has also come to the attention of the CVE division that there has been some degree of under-reporting of CMV activity in the TITAN system. Many troopers are not marking CMV activities as CMV related. Training effort are underway to encourage troopers to accurately report CMV activity and quality control checks are also being conducted to ensure accuracy. There are also discussions between the CVE division and command staff on potential program changes to increase CMV manpower and THPs capabilities to increase the number of CMV inspections. **FY 2023 update:** The THP command staff has taken interest in the proposed personnel changes within CVE and is currently evaluating their potential positive impact on Tennessee's commercial vehicle enforcement program.

FY 2023 update on Salaries and Benefits. In 2015 Tennessee dropped it's contribution towards retirement rates dramatically for new employees. Approximately 35% of the Commissioned personnel are currently under the lower Retirement contribution known as Hybrid. Employees hired before 2015 are on the Legacy plan. Details on those percentages are in the Benefits section of this spending plan.

FY 2023 RESPONSE TO FMCSA COMMENT: Tennessee does not feel that the Inspection Station overtime alone is going to lead to a reduction in crashes. It is through a more robust CMV enforcement program that will result from all the aforementioned activities and initiatives that will result in a reduction in crashes. By restructuring THP's CVE Administration unit to include all fixed scale facilities and personnel, there will be a uniform goal and increase in manpower specific to commercial motor vehicles in Tennessee. Once fixed scale facility personnel are under the direct supervision of the CVE Administration, they will no longer be allowed to assist the road personnel with non-CMV related crashes. They will become CVE Rover units that will patrol high CMV crash areas in order to conduct CMV only related enforcement efforts. The following is a breakdown of the changes that will play a key role in reducing crashes:

- Increase in number of trooper positions
- Increase in number of cadet classes (currently holding a minimum of four (4) classes per year as opposed to the normal 1 to 2 per year).
- Increase New Entrant Safety Audits with increased dedicated New Entrant hours worked by New Entrant troopers

- Moving troopers currently assigned to the scale facilities under the direction of Commercial Vehicle Enforcement Administration unit instead of the individual districts to allow for a more unified goal and an increase in CMV focus
- Adding the work zone overtime project
- Adding specific directives from CVE Administration Unit regarding increase traffic enforcement and increased number of saturations
- Adding specific directives regarding educating law enforcement and civilians on distracted driving behaviors

The planned MOE for personnel is estimated to be at \$7,171,119.63

The planned MOE for overtime is estimated to be at \$380,800.41

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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: Aggregated Rate - documentation added to 'My Documents' to describe rate calculation

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
Accountant III	28.1800	6.0000	\$82,188.00	\$1,389.63	\$1,320.15	\$69.48	\$0.00
Admn Svs Asst III	28.1800	100.0000	\$53,748.00	\$15,146.18	\$14,388.87	\$757.31	\$0.00
Troopers-New Entrant-legacy	31.9400	97.0000	\$329,088.00	\$101,957.38	\$96,859.51	\$5,097.87	\$0.00
Troopers-road-Legacy	31.9400	3.3280	\$32,118,988.80	\$341,413.03	\$324,342.38	\$17,070.65	\$0.00
Lieutenant	31.9400	97.0000	\$409,267.20	\$126,798.34	\$120,458.42	\$6,339.92	\$0.00
Sergeants-LEGACY	31.9400	95.0000	\$794,112.00	\$240,957.40	\$228,909.53	\$12,047.87	\$0.00
Admn Svs Asst V	28.1800	100.0000	\$108,000.00	\$30,434.40	\$28,912.68	\$1,521.72	\$0.00
Administrative Secretary	28.1800	100.0000	\$31,374.00	\$8,841.19	\$8,399.13	\$442.06	\$0.00
Accounting Tech I	28.1800	50.0000	\$39,600.00	\$5,579.64	\$5,300.66	\$278.98	\$0.00
Captain	31.9400	61.0000	\$117,100.80	\$22,815.21	\$21,674.45	\$1,140.76	\$0.00
Statistical Analyst	28.1800	100.0000	\$56,880.00	\$16,028.78	\$15,227.34	\$801.44	\$0.00
Planned MOE	31.9400	0.0000	\$44,135,040.00	\$0.00	\$0.00	\$0.00	\$3,412,402.36
Admin Service Asst. II	28.1800	100.0000	\$73,836.00	\$20,806.98	\$19,766.63	\$1,040.35	\$0.00
CVE Dedicated Trooper-HYBRID	10.3800	100.0000	\$65,817.60	\$6,831.86	\$6,490.27	\$341.59	\$0.00
Sergeant - HYBRID	10.3800	95.0000	\$158,822.40	\$15,661.47	\$14,878.40	\$783.07	\$0.00
New Entrant Troopers-Hybrid	10.3800	97.0000	\$197,452.80	\$19,880.73	\$18,886.70	\$994.03	\$0.00
Road Troopers Hybrid	10.3800	3.3280	\$17,244,211.20	\$59,569.50	\$56,591.03	\$2,978.47	\$0.00
Trooper-Scales-Legacy	31.9400	95.0000	\$1,711,257.60	\$519,246.89	\$493,284.55	\$25,962.34	\$0.00
Troopers-Scales-Hybrid	10.3800	95.0000	\$1,250,534.40	\$123,315.19	\$117,149.43	\$6,165.76	\$0.00
TOTAL: Fringe Benefits				\$1,676,673.80	\$1,592,840.13	\$83,833.67	\$3,412,402.36

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

FOLLOW UP FY 2023. TN will claim fringe benefits for the 48 commissioned positions stationed at the 6 Scale facilities across the state beginning May 1, 2023. Fringe benefits include State retirement, FICA, MEDICARE, and Insurance. The Retirement benefits listed are determined by the State of Tennessee, Department of Consolidated Retirement Board of Trustees. The rates under Tennessee's fiscal year as of June 2022 are as follows:

General Employees - LEGACY 20.50%

Public Safety Officers - LEGACY 24.28%

FICA 6.20%

Medicare FICA 1.45%

General Employees - HYBRID 1.86%

Public Safety Officers - HYBRID 2.70%

For calculation purposes .01% has been added to account for Insurance benefits.

The base amount entered is carried over from the total Salary in the Financial Information category, Section 2.

The 488 troopers are the part-time road troopers conducting inspections that are on the state's LEGACY Retirement plan

The 262 troopers are the part-time road troopers conducting inspections that are on the state's HYBRID Retirement plan

The estimated amount of Fringe Benefits for Tennessee's MOE is \$3,412,402.36

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 §200.475](#).

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
High Crash Campaigns	2	7	100.0000	\$2,726.32	\$2,590.00	\$136.32	\$0.00
Educational Outreach	4	6	100.0000	\$4,673.68	\$4,440.00	\$233.68	\$0.00
Training	4	4	100.0000	\$7,115.79	\$6,760.00	\$355.79	\$0.00
Planned MOE - Travel	1	0	0.0000	\$0.00	\$0.00	\$0.00	\$50,060.40
TTA Convention	3	5	100.0000	\$4,894.74	\$4,650.00	\$244.74	\$0.00
CVSA - Fall Conference	4	4	100.0000	\$9,221.05	\$8,760.00	\$461.05	\$0.00
CVSA - Spring Conference	4	4	100.0000	\$9,221.05	\$8,760.00	\$461.05	\$0.00
ITD-PRISM and MCSAP Workshop	4	4	100.0000	\$7,115.79	\$6,760.00	\$355.79	\$0.00
Hazmat offsite classes	5	15	100.0000	\$11,447.37	\$10,875.00	\$572.37	\$0.00
New Entrant Admin and In-service Meetings	1	4	100.0000	\$778.95	\$740.00	\$38.95	\$0.00
IACP Conference	2	4	100.0000	\$3,557.89	\$3,380.00	\$177.89	\$0.00
TTA Conference	3	5	100.0000	\$4,894.74	\$4,650.00	\$244.74	\$0.00
COHMED	2	5	100.0000	\$5,263.16	\$5,000.00	\$263.16	\$0.00
Hazmat Administrative Duties	1	4	100.0000	\$778.95	\$740.00	\$38.95	\$0.00
TOTAL: Travel				\$71,689.48	\$68,105.00	\$3,584.48	\$50,060.40

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

Estimated cost for travel is based on the following:

- Per diem costs are based on an estimated \$60 per day:
- Hotel costs are based on an estimated \$250.00 per night out of state and \$125.00 in state.
- Transportation costs are based on an estimated average of \$450.00 per round trip air flight
- Allowable MCSAP education activities across the State of Tennessee which include:

Education expenses include training commissioned personnel on various CMV related topics as well as the annual inspectors challenge which is a partnership with Tennessee Trucking Association geared towards general education of state wide drivers on Industry standards and changes. The Inspectors challenge conducts educational activities, which include, but are not limited to the following;

Inspectors Challenge includes the following types of education

1. Education on all of the following

- a. Pre-trip inspections and common industry errors
- b. Record of Duty Status (RODS)
- c. Electronic Logging Device (ELD) retrieval training
- d. Safety Audits
- e. Hazmat Regulations

f. Hours of Service

2. Troopers are available specifically to answer industry questions
3. Brochure distribution
4. Teens and Trucks Trailer is available for education and demonstration

There are two separate Tennessee Trucking Association conference events each year. There are two or three administrative commercial vehicle enforcement staff sent to each convention, depending on the topics and current needs of the industry. Partnership between the Tennessee Commercial Vehicle Enforcement Administration and the Tennessee Trucking Association is considered a vital need in order to better educate, serve, and protect not only the trucking industry, but the general public.

IACP stands for the International Association of Chiefs of Police. Each year three employees are sent to participate in their annual conference. These three employees include the Tennessee Highway Patrol Lt. Colonel, Major and the Captain over Commercial Vehicle Enforcement (CVE). Over the years, the IACP has evolved in their development of more programs and strategies in commercial vehicle enforcement. It is because of this increased emphasis on the enforcement of commercial vehicles that we send the heads of CVE to this conference. Tennessee will prorate the expenses submitted for reimbursement based upon the time the attendees participate in CMV specific meetings as a percent of the overall conference time.

The Hazmat Sergeant is stationed in East Tennessee. The position is expected to travel within the state for CVE administrative office duties in Nashville, as well as training and administrative duties across the state. The Hazmat Sergeant along with two others also travel to the COHMED conference every year. **FY 2023 update: TN's Hazmat Sergeant conducts several Hazmat classes and refresher courses throughout the year and needs a larger classroom location off-site from the THP training center. The costs are anticipated to include conference room rental and 1 to 2 night stays for students.**

Other conferences attended include the CVSA Fall and Spring conference, and the annual FMCSA MCSAP, ITD, and PRISM workshop.

The other travel time planned is for travel across the state of Tennessee for training, safety audits, and High Crash enforcement campaigns.

BELOW IS THE TABLE FOR PLANNED TRAVEL

TOTAL TRAVEL FOR MCSAP AND NEW ENTRANT FOR FY 2023											
Event	# of People	# of Days	Fees	Est Trans cost/person	Est hotel cost/night	est per diem cost/person	Total Fees	Total Tans costs	Total Hotel cost	Total Per-diem cost	TOAL TRIP COST
Educational Outreach	4	6	\$0	\$0	\$125	\$360	\$0	\$0	\$3,000	\$1,440	\$4,440
Training	4	4	\$450	\$0	\$250	\$240	\$1,800	\$0	\$4,000	\$960	\$6,760
Hazmat Classes offsite	5	15	\$0	\$0	\$125	\$300	\$0	\$0	\$9,375	\$1,500	\$10,875
TTA Convention	3	5	\$0	\$0	\$250	\$300	\$0	\$0	\$3,750	\$900	\$4,650
CVSA-Fall	4	4	\$500	\$450	\$250	\$240	\$2,000	\$1,800	\$4,000	\$960	\$8,760
CVSA-Spring	4	4	\$500	\$450	\$250	\$240	\$2,000	\$1,800	\$4,000	\$960	\$8,760
FMCSA CVSP/ITD/PRISM Workshop	4	4	\$0	\$450	\$250	\$240	\$0	\$1,800	\$4,000	\$960	\$6,760
Hazmat Admin Meetings	1	4	\$0	\$0	\$125	\$240	\$0	\$0	\$500	\$240	\$740
New Entrant Admin and In-Service Meetings	1	4	\$0	\$0	\$125	\$240	\$0	\$0	\$500	\$240	\$740

IACP	2	4	\$0	\$450	\$250	\$240	\$0	\$900	\$2,000	\$480	\$3,380
TTA Conference	3	5	\$0	\$0	\$250	\$300	\$0	\$0	\$3,750	\$900	\$4,650
COHMED	2	5	\$500	\$450	\$250	\$300	\$1,000	\$900	\$2,500	\$600	\$5,000
High Crash Campaigns	2	7	\$0	\$0	\$125	\$420	\$0	\$0	\$1,750	\$840	\$2,590
TOTAL TRAVEL											\$68,105

The total cost for all travel is anticipated to be approximately \$68,105.

FY 2023 RESPONSE TO FMCSA NOVEMBER COMMENTS: The "training" referred to in the chart above is used to send troopers to specific training events such as Investigative Safety Analysis (ISA) or New Entrant Safety Audit (NSA).

The estimated amount of MOE spent for Tennessee's travel is \$50,060.40.

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
Planned MOE - Equipment	1	\$1,338,289.58	0	\$0.00	\$0.00	\$0.00	\$1,338,289.58
TOTAL: Equipment				\$0.00	\$0.00	\$0.00	\$1,338,289.58
Equipment threshold is greater than \$5,000.							

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

The planned MOE expenditures include vehicles purchased for commissioned officers as well as vehicle maintenance and repairs for vehicles used for MCSAP related activities at a pro-rated amount. The state pays for all of these costs and a portion of these costs are used in commercial vehicle activities as laid out in the formula explained in this spending plan. These expenditures include but are not limited to accessories and parts, repairs, license tags, and gasoline. Other equipment which the state provides includes all other equipment used by the THP which includes, but is not limited to in car printers and laptops and software, video and telecom equipment.

The estimated amount is \$1,338,289.58

FY 2023 RESPONSE TO FMCSA COMMENT: The specific equipment items included in the planned MOE of \$1,338,289.58 are vehicles and APX8500 All Band MP mobile radios. As stated above, the state pays for these equipment items and a portion of these costs are used in commercial vehicle activities as laid out in the formula explained in this spending plan.

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
Tools for Inspections	12 Months	\$1,754.39	100.0000	\$21,052.68	\$20,000.04	\$1,052.64	\$0.00
General Office Supplies	12 Months	\$263.16	100.0000	\$3,157.92	\$3,000.00	\$157.92	\$0.00
Educational Materials	12	\$578.95	100.0000	\$6,947.40	\$6,600.00	\$347.40	\$0.00
Planned MOE - Supplies	1 Year	\$131,475.55	0.0000	\$0.00	\$0.00	\$0.00	\$131,475.55
Electronic Related Hardware	12 month	\$631.58	100.0000	\$7,578.96	\$7,200.00	\$378.96	\$0.00
TOTAL: Supplies				\$38,736.96	\$36,800.04	\$1,936.92	\$131,475.55

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

General office supplies include paper, pens, highlighters, notepads, toner, ink cartridges, note books, staples, tape, tape dispensers, paperclips, binders, folders, calendars, deskpads, chair mats, push pins, dry erase boards, markers, and other clerical items. They are needed for daily administrative functions. **FY2023 RESPONSE TO FMCSA COMMENT: The estimated amount needed is an average of \$250.00 per month.**

FY2023 RESPONSE TO FMCSA COMMENT: A new line item will be added for any electronic related hardware such as laptops, desktop computers, monitors and/or computer related hardware such as connection cords, scanners, fax machines and printers. The unit measurement has been updated to per month with an anticipated cost of \$600.00 per month for a total of \$7,200.00

Tools for inspections include the following items:

- Chock Blocks
- Creepers
- Markers and Rulers
- Tie Down Gauges
- Protective Equipment
- Chamber Mates
- All-in-one Tools
- Other consumable inspection tools

Below is an estimated cost table based on planned expenses.

TOOLS FOR INSPECTIONS			
Item	# Ordered	Est. Cost / Unit	Totals

Creepers	50	\$100.00	\$5,000.00
Chamber Tech Tools	50	\$45.00	\$2,250.00
Brake Inspection Tools	100	\$35.00	\$3,500.00
Tire and Depth Gauges	100	\$25.00	\$2,500.00
Pocket Rulers	100	\$10.00	\$1,000.00
Misc. including, but not limited to bolt cutters, wrench sets, screw drivers, safety gear, etc.	30	\$25.00	\$750.00
Wheel chocks	50	\$100.00	\$5,000.00
TOTAL			\$20,000.00

The following are anticipated educational materials to be purchased:

EDUCATIONAL MATERIALS			
Item	# Ordered	Est. Cost / Unit	Totals
FMCSA 49 CFR Books	120	\$15.00	\$1,800.00
HAZMAT Book	45	\$30.00	\$1,350.00
TCA Books	25	\$90.00	\$2,250.00
CVSA - NAS OOS Handbook and Pictorial	30	\$40.00	\$1,200.00
TOTAL			\$6,600.00

The Educational Materials listed in the chart are an estimate based on the types of materials, expected numbers ordered, and anticipated price per item.

The MOE amount of \$131,475.55 comes from costs associated with printing, copying, scanning, and image processing. It includes the cost associated with supplies, materials and minor equipment which have a useful life expectancy of less than three years or which are of small value (less than \$5,000.00 and are subject to loss). This includes, but is not limited to, small furniture, office supplies such as paper, pencils, pens, and operational supplies such as hand tools. The money that the state spends on uniforms and protective gear is also included in this figure.

FY2023 RESPONSE TO FMCSA COMMENT: PER FMCA REQUEST, THE COST PER UNIT FOR THE MOE FOR SUPPLIES WAS CORRECTED IN THE SUPPLIES PROJECT COST TABLE TO \$131,475.55.

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.

The Unique Entity Identifier (UEI) is the new, non-proprietary identifier that replaces the DUNS number. All contractors and subrecipients must be registered in the System for Award Management (SAM.gov). The UEI will be requested in and assigned by SAM.gov. Enter the UEI number of each entity in the space provided in the table.

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	UEI Number	Instrument Type	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Iteris-INSPECT	UEI	Contract	100.0000	\$191.39	\$181.82	\$9.57	\$0.00
Description of Services: O and M for INSPECT-New Inspection Software							
CVIEW through Iteris	UEI	Contract	100.0000	\$68,421.05	\$65,000.00	\$3,421.05	\$0.00
Description of Services: CVIEW - Services provided through Iteris							
O&M inspection screening equipment	UEI	Contract	100.0000	\$852,631.58	\$810,000.00	\$42,631.58	\$0.00
Description of Services: Intelligent Imaging for O and M of LPR/DOT/PBBT/Infrared Screening, etc							
O&M for Teens and Trucks	UEI	Contract	100.0000	\$68,421.05	\$65,000.00	\$3,421.05	\$0.00
Description of Services: Simulation Technology for O and M of simulator and Clarke power Services for O and M of Trailer							
LPR Data Storage	UEI	Contract	100.0000	\$68,421.05	\$65,000.00	\$3,421.05	\$0.00
Description of Services: Intelligent imaging to host LPR Data Storage							
Planned MOE - Contractual	UEI	Contract	0.0000	\$0.00	\$0.00	\$0.00	\$704,467.79
Description of Services: Planned MOE - Contractual							
STS - Strategic Technology Solutions	UEI	Contract	100.0000	\$23,242.11	\$22,080.00	\$1,162.11	\$0.00
Description of Services: Host and maintain the SafetyNet server							
TOTAL: Contractual and Subaward				\$1,081,328.23	\$1,027,261.82	\$54,066.41	\$704,467.79

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

LPR and DOT data storage is no longer housed by the Tennessee Department of Safety and Homeland Security (TDOSHS) per the Strategic Technology Solutions Division of the Tennessee Department of Finance and Administration. The Commercial Vehicle Enforcement Administration has moved this data to a cloud server hosted by Intelligent Imaging as a sole source vendor of the LPR and DOT equipment in order to maintain consistency and promote efficiency between the equipment, maintenance and data collection. The estimated cost of this storage is \$16,250.00 per quarter. 100% of this funding will go towards the ITD program.

The Teens and Trucks simulator and trailer need frequent updates and maintenance due to extensive use and travel. Simulator updates and maintenance include, but are not limited to, software updates, system updates, repairs and maintenance of equipment within the system. The contract will also cover maintenance required on the trailer itself which requires frequent attention due to the extensive use and travel across the state. The amount requested is based on the current maintenance contract which has an estimated cost of \$16,250.00 per quarter. 100% of this funding will go towards the MCSAP public education and outreach program.

The repair and maintenance for all commercial vehicle inspection related systems, including, but not limited to, PBBTs, CVIEW, IBSS, LPR, DOT readers and overview cameras are anticipated to cost \$810,000 for operations and maintenance of eScreening equipment and \$65,000.00 for CVIEW maintenance per year. **The purchase of Pre-screening equipment is funded through the ITD program. All of the pre-screening maintenance is funded through the MCSAP grant.** It is imperative this equipment be maintained in order to provide the data to maintain out-of-service rates and keep unsafe drivers and/or their vehicles off the road.

SafetyNet is maintained by the State's Strategic Technology Solutions Department within the state. The report for the billing has been identified and the estimated cost is approximately \$1,840.00 per month. Tennessee is requesting \$22,080.00 to cover reports submitted by the STS department.

Tennessee may request assistance to change the inspection software to an FMCSA approved software known as INSPECT. Tennessee is also considering using the updated version of ASPEN depending on the new software testing

results. A line item for inspection software is included in the budget to allow for funding if INSPECT becomes the preferred inspection software. The current request is for \$70.00.

The MOE planned expenditures of \$704,467.79 comes from costs associated with maintenance of office equipment such as copiers, and maintenance of operating equipment such as computers, as well as janitorial and custodial services, and security services for state facilities.

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
Wireless Communication and Postage	12 Months	\$878.95	100.0000	\$10,547.40	\$10,020.00	\$527.40	\$0.00
CVSA Decals	4 Quarters	\$921.05	100.0000	\$3,684.20	\$3,500.00	\$184.20	\$0.00
New Entrant Vehicle Maintenance	12 Months	\$2,631.58	100.0000	\$31,578.96	\$30,000.00	\$1,578.96	\$0.00
Fuel for Teens and Trucks	1 Tanks	\$105.26	100.0000	\$105.26	\$100.00	\$5.26	\$0.00
CVSA Dues	1 Annual	\$15,578.95	100.0000	\$15,578.95	\$14,800.00	\$778.95	\$0.00
Planned MOE - Other Costs	1 year	\$1,133,648.49	0.0000	\$0.00	\$0.00	\$0.00	\$1,133,648.49
Help Inc - Prepass Assessment	1 Annual	\$7,894.74	100.0000	\$7,894.74	\$7,500.00	\$394.74	\$0.00
Services	12 month	\$73.68	100.0000	\$884.16	\$840.00	\$44.16	\$0.00
Non-Tangible Administrative Items	12 Month	\$526.32	100.0000	\$6,315.84	\$6,000.00	\$315.84	\$0.00
TOTAL: Other Costs				\$76,589.51	\$72,760.00	\$3,829.51	\$1,133,648.49

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

FOLLOW UP FY 2023. TN will claim Vehicle Maintenance and Wireless communication costs for the 48 commissioned positions stationed at the 6 Scale facilities across the state beginning May 1, 2023.

The Teens and Trucks interactive driving simulator trailer requires generator power for operation. The generator requires fuel in order to function. The requested reimbursement cost for this fuel based on current expenses is \$100.00. Tennessee is asking that this cost be covered under the MCSAP grant since the trailer and generator are used solely for MCSAP eligible educational purposes.

CVSA dues are \$14,800.00 per year.

Wireless communication and postage line item includes all MCSAP eligible items such as cell phones, smart phones, iPads, and air cards for laptop computers. The amount of \$10,020.00 requested is based on an average amount anticipated of \$835.00 per month. This covers all MCSAP as well as New Entrant eligible personnel communications.

CVSA decals are stickers given by troopers to indicate on a commercial vehicle that the vehicle has passed the North American Standard (NAS) Level I and/or Level V inspection. The anticipated cost for each quarter is \$875.00.

The New Entrant Program pays for maintenance and gas on vehicles used by New Entrant Personnel on New Entrant activities. This amount is pro-rated based on the percentage that the vehicle is used for New Entrant activities. Prorated calculations are included in the monthly report completed by the Administrative Assistant for the New Entrant Program and the percentages are included in the vouchers submitted by the Reimbursement Specialist. The average anticipated cost for vehicle maintenance is \$2,500.00 per month. This is a total of \$30,000.00 per year.

The purpose of PrePass annual cost is to continue to fund the membership assessment for PrePass. The State of Tennessee is a member of PrePass and is required to pay the membership assessment fee in order to participate on the Board of Directors. The Membership Assessment for Tennessee does not include participation costs for any public sector personnel. One membership cost \$7,500.

Services include any services rendered that benefit MCSAP related needs. These include, but are not limited to paper shredding, printing, and publication. The anticipated cost for Services is \$70.00 per month.

Non-Tangible Administrative Items will include primarily any software needs such as Hazmat annual renewal licensing, and ELD data transfer for RODS evaluation and other software needs. This would also cover any other MCSAP eligible non tangible expense items. The anticipated cost for Non Tangible Administrative items is \$500.00 per month.

The MOE planned expenditures of \$1,133,648.49 by the state for other expenses comes from costs associated with third party professional and administrative services such as other dues and subscriptions. It also comes from costs associated with electricity, water, waste removal, sewage services, lease of equipment, such as alarm systems, insurance payments or premium to non state agencies.

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			
	95% Federal Share	5% State Share	Total Estimated Funding
Total	\$10,398,636.00	\$547,297.00	\$10,945,933.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP Award Amount):	\$1,641,890.00
MOE Baseline:	\$4,757,428.50

Estimated Expenditures				
Personnel				
	Federal Share	State Share	Total Project Costs (Federal + Share)	MOE
CVE Dedicated Trooper-HYBRID	\$62,526.72	\$3,290.88	\$65,817.60	\$0.00
Admn Svs Asst III	\$51,060.60	\$2,687.40	\$53,748.00	\$0.00
Planned MOE: Personnel	\$0.00	\$0.00	\$0.00	\$7,171,119.63
Admin Service Asst. II	\$70,144.20	\$3,691.80	\$73,836.00	\$0.00
Lieutenant	\$377,139.72	\$19,849.46	\$396,989.18	\$0.00
Sergeants-Legacy	\$716,686.08	\$37,720.32	\$754,406.40	\$0.00
Admn Svs Asst V	\$102,600.00	\$5,400.00	\$108,000.00	\$0.00
Administrative Secretary	\$29,805.30	\$1,568.70	\$31,374.00	\$0.00
Accounting Tech I	\$18,810.00	\$990.00	\$19,800.00	\$0.00
Captain	\$67,859.91	\$3,571.57	\$71,431.48	\$0.00
Statistical Analyst	\$54,036.00	\$2,844.00	\$56,880.00	\$0.00
Trooper New Entrant -LEGACY	\$303,254.59	\$15,960.77	\$319,215.36	\$0.00
Road Troopers-Legacy	\$1,015,473.94	\$53,446.00	\$1,068,919.94	\$0.00
Accountant III	\$4,684.72	\$246.56	\$4,931.28	\$0.00
Sergeant - HYBRID	\$143,337.22	\$7,544.06	\$150,881.28	\$0.00
Road Troopers - HYBRID	\$545,192.98	\$28,694.36	\$573,887.34	\$0.00
New Entrant Troopers - HYBRID	\$181,952.75	\$9,576.46	\$191,529.21	\$0.00
Trooper-Scales-Legacy	\$1,544,409.98	\$81,284.74	\$1,625,694.72	\$0.00
Trooper-Scales-Hybrid	\$1,128,607.30	\$59,400.38	\$1,188,007.68	\$0.00
Salary Subtotal	\$6,417,582.01	\$337,767.46	\$6,755,349.47	\$7,171,119.63

Work Zone	\$138,240.00	\$7,275.79	\$145,515.79	\$0.00
Planned MOE - Overtime	\$0.00	\$0.00	\$0.00	\$380,800.41
Trooper-NO ZONE OT	\$9,920.00	\$522.11	\$10,442.11	\$0.00
Trooper-STAND OT	\$154,980.00	\$8,156.84	\$163,136.84	\$0.00
Trooper-STOP OT	\$39,840.00	\$2,096.84	\$41,936.84	\$0.00
Trooper-SIZE and WEIGHT OT	\$11,340.00	\$596.84	\$11,936.84	\$0.00
Trooper - INSPECTION STATION OT	\$448,800.00	\$23,621.05	\$472,421.05	\$0.00
Trooper - MOTOR COACH OT	\$5,005.00	\$263.42	\$5,268.42	\$0.00
Trooper - TEENS and TRUCKS OT	\$20,100.00	\$1,057.89	\$21,157.89	\$0.00
Trooper - DICE OT	\$160,030.00	\$8,422.63	\$168,452.63	\$0.00
Trooper - HAZMAT OT	\$45,000.00	\$2,368.42	\$47,368.42	\$0.00
Sergeant - DATA Q OT	\$40,016.00	\$2,106.11	\$42,122.11	\$0.00
Trooper - NEW ENTRANT	\$110,016.00	\$5,790.32	\$115,806.32	\$0.00
Overtime subtotal	\$1,183,287.00	\$62,278.26	\$1,245,565.26	\$380,800.41
Personnel total	\$7,600,869.01	\$400,045.72	\$8,000,914.73	\$7,551,920.04

Fringe Benefits				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Accountant III	\$1,320.15	\$69.48	\$1,389.63	\$0.00
Admn Svs Asst III	\$14,388.87	\$757.31	\$15,146.18	\$0.00
Troopers-New Entrant-legacy	\$96,859.51	\$5,097.87	\$101,957.38	\$0.00
Troopers-road-Legacy	\$324,342.38	\$17,070.65	\$341,413.03	\$0.00
Lieutenant	\$120,458.42	\$6,339.92	\$126,798.34	\$0.00
Sergeants-LEGACY	\$228,909.53	\$12,047.87	\$240,957.40	\$0.00
Admn Svs Asst V	\$28,912.68	\$1,521.72	\$30,434.40	\$0.00
Administrative Secretary	\$8,399.13	\$442.06	\$8,841.19	\$0.00
Accounting Tech I	\$5,300.66	\$278.98	\$5,579.64	\$0.00
Captain	\$21,674.45	\$1,140.76	\$22,815.21	\$0.00
Statistical Analyst	\$15,227.34	\$801.44	\$16,028.78	\$0.00
Planned MOE	\$0.00	\$0.00	\$0.00	\$3,412,402.36
Admin Service Asst. II	\$19,766.63	\$1,040.35	\$20,806.98	\$0.00
CVE Dedicated Trooper- HYBRID	\$6,490.27	\$341.59	\$6,831.86	\$0.00
Sergeant - HYBRID	\$14,878.40	\$783.07	\$15,661.47	\$0.00
New Entrant Troopers- Hybrid	\$18,886.70	\$994.03	\$19,880.73	\$0.00
Road Troopers Hybrid	\$56,591.03	\$2,978.47	\$59,569.50	\$0.00
Trooper-Scales-Legacy	\$493,284.55	\$25,962.34	\$519,246.89	\$0.00
Troopers-Scales-Hybrid	\$117,149.43	\$6,165.76	\$123,315.19	\$0.00
Fringe Benefits total	\$1,592,840.13	\$83,833.67	\$1,676,673.80	\$3,412,402.36

Travel				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
High Crash Campaigns	\$2,590.00	\$136.32	\$2,726.32	\$0.00
Educational Outreach	\$4,440.00	\$233.68	\$4,673.68	\$0.00
Training	\$6,760.00	\$355.79	\$7,115.79	\$0.00
Planned MOE - Travel	\$0.00	\$0.00	\$0.00	\$50,060.40
TTA Convention	\$4,650.00	\$244.74	\$4,894.74	\$0.00
CVSA - Fall Conference	\$8,760.00	\$461.05	\$9,221.05	\$0.00
CVSA - Spring Conference	\$8,760.00	\$461.05	\$9,221.05	\$0.00
ITD-PRISM and MCSAP Workshop	\$6,760.00	\$355.79	\$7,115.79	\$0.00
Hazmat offsite classes	\$10,875.00	\$572.37	\$11,447.37	\$0.00
New Entrant Admin and In-service Meetings	\$740.00	\$38.95	\$778.95	\$0.00
IACP Conference	\$3,380.00	\$177.89	\$3,557.89	\$0.00
TTA Conference	\$4,650.00	\$244.74	\$4,894.74	\$0.00
COHMED	\$5,000.00	\$263.16	\$5,263.16	\$0.00
Hazmat Administrative Duties	\$740.00	\$38.95	\$778.95	\$0.00
Travel total	\$68,105.00	\$3,584.48	\$71,689.48	\$50,060.40

Equipment				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Planned MOE - Equipment	\$0.00	\$0.00	\$0.00	\$1,338,289.58
Equipment total	\$0.00	\$0.00	\$0.00	\$1,338,289.58

Supplies				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Tools for Inspections	\$20,000.04	\$1,052.64	\$21,052.68	\$0.00
General Office Supplies	\$3,000.00	\$157.92	\$3,157.92	\$0.00
Educational Materials	\$6,600.00	\$347.40	\$6,947.40	\$0.00
Planned MOE - Supplies	\$0.00	\$0.00	\$0.00	\$131,475.55
Electronic Related Hardware	\$7,200.00	\$378.96	\$7,578.96	\$0.00
Supplies total	\$36,800.04	\$1,936.92	\$38,736.96	\$131,475.55

Contractual and Subaward				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Iteris-INSPECT	\$181.82	\$9.57	\$191.39	\$0.00
CVIEW through Iteris	\$65,000.00	\$3,421.05	\$68,421.05	\$0.00
O&M inspection screening equipment	\$810,000.00	\$42,631.58	\$852,631.58	\$0.00
O&M for Teens and Trucks	\$65,000.00	\$3,421.05	\$68,421.05	\$0.00
LPR Data Storage	\$65,000.00	\$3,421.05	\$68,421.05	\$0.00
Planned MOE - Contractual	\$0.00	\$0.00	\$0.00	\$704,467.79
STS - Strategic Technology Solutions	\$22,080.00	\$1,162.11	\$23,242.11	\$0.00
Contractual and Subaward total	\$1,027,261.82	\$54,066.41	\$1,081,328.23	\$704,467.79

Other Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Wireless Communication and Postage	\$10,020.00	\$527.40	\$10,547.40	\$0.00
CVSA Decals	\$3,500.00	\$184.20	\$3,684.20	\$0.00
New Entrant Vehicle Maintenance	\$30,000.00	\$1,578.96	\$31,578.96	\$0.00
Fuel for Teens and Trucks	\$100.00	\$5.26	\$105.26	\$0.00
CVSA Dues	\$14,800.00	\$778.95	\$15,578.95	\$0.00
Planned MOE - Other Costs	\$0.00	\$0.00	\$0.00	\$1,133,648.49
Help Inc - Prepass Assessment	\$7,500.00	\$394.74	\$7,894.74	\$0.00
Services	\$840.00	\$44.16	\$884.16	\$0.00
Non-Tangible Administrative Items	\$6,000.00	\$315.84	\$6,315.84	\$0.00
Other Costs total	\$72,760.00	\$3,829.51	\$76,589.51	\$1,133,648.49

Total Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Subtotal for Direct Costs	\$10,398,636.00	\$547,296.71	\$10,945,932.71	\$14,322,264.21
Total Costs Budgeted	\$10,398,636.00	\$547,296.71	\$10,945,932.71	\$14,322,264.21

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			
	95% Federal Share	5% State Share	Total Estimated Funding
Total	\$10,398,636.00	\$547,297.00	\$10,945,933.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP Award Amount):	\$1,641,890.00
MOE Baseline:	\$4,757,428.50

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Salary Subtotal	\$6,417,582.01	\$337,767.46	\$6,755,349.47	\$7,171,119.63
Overtime Subtotal	\$1,183,287.00	\$62,278.26	\$1,245,565.26	\$380,800.41
Personnel Total	\$7,600,869.01	\$400,045.72	\$8,000,914.73	\$7,551,920.04
Fringe Benefits Total	\$1,592,840.13	\$83,833.67	\$1,676,673.80	\$3,412,402.36
Travel Total	\$68,105.00	\$3,584.48	\$71,689.48	\$50,060.40
Equipment Total	\$0.00	\$0.00	\$0.00	\$1,338,289.58
Supplies Total	\$36,800.04	\$1,936.92	\$38,736.96	\$131,475.55
Contractual and Subaward Total	\$1,027,261.82	\$54,066.41	\$1,081,328.23	\$704,467.79
Other Costs Total	\$72,760.00	\$3,829.51	\$76,589.51	\$1,133,648.49
	95% Federal Share	5% State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Subtotal for Direct Costs	\$10,398,636.00	\$547,296.71	\$10,945,932.71	\$14,322,264.21
Indirect Costs	\$0.00	\$0.00	\$0.00	NA
Total Costs Budgeted	\$10,398,636.00	\$547,296.71	\$10,945,932.71	\$14,322,264.21

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? Jeff Long
2. What is this person's title? Commissioner
3. Who is your Governor's highway safety representative? Buddy Lewis
4. What is this person's title? Governor's Highway Safety

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

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

State Certification declaration:

I, Jeff Long, Commissioner, on behalf of the State of TENNESSEE, 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? Jeff Long
2. What is the title of your certifying State official? Commissioner of TN Dept of Safety and Homeland Sec
3. What are the phone # and email address of your State official? 615-251-5121 jeff.long@tn.gov

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

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

I, Jeff Long, certify that TENNESSEE 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.
Variance for Farm exception (65-15-113). This was prior to 1986.

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

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

☐ Yes ☒ No

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

☐ Yes ☒ No

FY 2023 Certification of MCSAP Conformance (State Certification - Tennessee)

I Jeff Long, Commissioner of the Tennessee Department of Safety and Homeland Security, on behalf of the State of Tennessee as requested by the Administrator as a condition of approval of a grant under the authority of 49 U.S.C. § 31102, as amended, do hereby certify as follows:

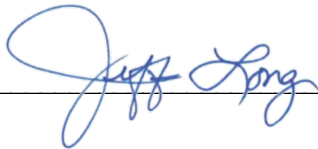
1. The State has designated Tennessee Highway Patrol as the Lead State Agency to administer the Commercial Vehicle Safety Plan (CVSP) throughout the State for the grant sought and Tennessee Highway Patrol to perform defined functions under the CVSP.
2. The State has assumed responsibility for and adopted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

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

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

Date 7.12.22

Signature

A handwritten signature in blue ink, appearing to read "Jeff Long", is written over a horizontal line.

/Commissioner

Annual Review of Laws, Regulations, Policies and Compatibility Certification FY 2023

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

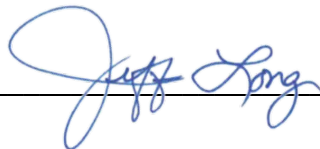
For the purpose of this certification, *compatible* means State laws, regulations, standards, and orders on CMV safety that:

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

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

Variance for Farm exception (65-15-113). This was prior to 1986.

Signature of Certifying Official:



Title of Certifying Official: Commissioner of the Tennessee Department of Safety and Homeland Security

Date of Certification: 7.12.22

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Tennessee Department of Safety and Homeland Security (herein referred to as the “Recipient”), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Motor Carrier Safety Administration (FMCSA)**, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. § 1681 *et seq.*), (prohibits discrimination on the basis of sex in education programs or activities);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 49 C.F.R. Part 27 (entitled *Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. Part 28 (entitled *Enforcement Of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation*);
- 49 C.F.R. Part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);
- 49 C.F.R. Part 303 (FMCSA’s Title VI/Nondiscrimination Regulation);
- 28 C.F.R. Part 35 (entitled *Discrimination On The Basis Of Disability In State And Local Government Services*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898, 3 C.F.R. 859 (1995), entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI,

to ensure nondiscrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and FMCSA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations. See the following FHWA website for more information and facts about Environmental Justice: <http://www.fhwa.dot.gov/environment/ejustice/facts/index.htm>;

Additionally, Executive Order 13166, 3 C.F.R. 289 (2001) on Limited English Proficiency, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2000 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the “*application of Title VI’s prohibition on national origin discrimination when information is provided only in English to persons with limited English proficiency.*” When receiving Federal funds Recipients are expected to conduct a Four-Factor Analysis to prevent discrimination based on National Origin. (See also U.S. DOT’s “*Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons,*” dated December 14, 2005, (70 Fed. Reg. at 74087 to 74100); the Guidance is a useful resource when performing a Four-Factor Analysis).

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

“No person in the United States shall, on the grounds of race, color, national origin, sex, age, disability, low-income, or LEP be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from DOT, including the FMCSA.”

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973) by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally-assisted.

Specific Assurances

More specifically, and without limiting the above general Assurances, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **FMCSA Program**:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations;
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*“The **Tennessee Department of Safety and Homeland Security**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure*

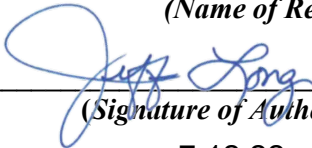
that any contract entered into pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner's race, color, national origin, sex, age, disability, income-level, or LEP in consideration for an award.”;

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations;
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient;
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith;
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property;
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, Tennessee Department of Safety and Homeland Security agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **FMCSA** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **FMCSA**. You must keep records, reports, and submit the material for review upon request to **FMCSA**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Tennessee Department of Safety and Homeland Security gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the **FMCSA Program**. This ASSURANCE is binding on [insert State], other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **FMCSA Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Tennessee Department of Safety and Homeland Security

(Name of Recipient)
by  /Commissioner

(Signature of Authorized Official)
DATED 7.12.22_____

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations as set forth in Appendix E, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FMCSA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FMCSA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor’s noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FMCSA may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FMCSA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

APPENDIX B

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the Department of Transportation as authorized by law and upon the condition that the Tennessee Department of Safety and Homeland Security will accept title to the lands and maintain the project constructed thereon in accordance with the *Tennessee Code Annotated*, the Regulations for the Administration of **Federal Motor Carrier Safety Administration (FMCSA) Program**, and the policies and procedures prescribed by the **FMCSA** of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Tennessee Department of Safety and Homeland Security all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto Tennessee Department of Safety and Homeland Security and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Tennessee Department of Safety and Homeland Security, its successors and assigns.

The Tennessee Department of Safety and Homeland Security, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Tennessee Department of Safety and Homeland Security will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI.)

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY OR PROGRAM

APPENDIX C

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Tennessee Department of Safety and Homeland Security pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Tennessee Department of Safety and Homeland Security will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Tennessee Department of Safety and Homeland Security will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Tennessee Department of Safety and Homeland Security and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.)

**CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED
UNDER THE ACTIVITY, FACILITY OR PROGRAM**

APPENDIX D

The following clauses will be included in deeds, licenses, permits, or similar instruments/ agreements entered into by Tennessee Department of Safety and Homeland Security pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, “as a covenant running with the land”) that (1) no person on the ground of race, color, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Tennessee Department of Safety and Homeland Security will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Tennessee Department of Safety and Homeland Security will there upon revert to and vest in and become the absolute property of Tennessee Department of Safety and Homeland Security and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin), as implemented by 49 C.F.R. § 21.1 *et seq.* and 49 C.F.R. § 303;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (102 Stat. 28.), (“....*which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.*”);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*), as implemented by 49 C.F.R. § 25.1 *et seq.*