



AMERICAN SAMOA

Commercial Vehicle Safety Plan

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

Fiscal Years 2020 - 2022

Date of Approval: May 01, 2020

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 350.201](#) and [205](#). The lead agency must submit the State's CVSP to the FMCSA Division Administrator on or before August 1 of 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 each year to receive MCSAP funds.

The FAST Act required the Federal Motor Carrier Safety Administration (FMCSA) to “prescribe procedures for a State to submit a multiple-year plan and annual updates thereto, under which the State agrees to assume responsibility for improving motor carrier safety by adopting and enforcing State regulations, standards, and orders that are compatible with the regulations, standards, and orders of the Federal Government on commercial motor vehicle safety and hazardous materials transportation safety.”

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
- Part 2: Crash Reduction and National Program Elements (FY 2020 - 2022)
- Part 3: National Emphasis Areas and State Specific Objectives (FY 2020 - 2022)
- Part 4: Financial Information (FY 2020)
- Part 5: Certifications and Documents

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 2020:

Multi-Year plans—For FY 2020, 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—Those States in Year 2 or Year 3 of a multi-year plan will be providing an Annual Update only. States will be able to review the project plan submitted in the previous year and indicate whether anything needs to be updated for the upcoming fiscal year via a Yes/No question provided in each Section of Parts 1-3. **NOTE: Answer carefully as there is one opportunity to check Yes/No and then the input is locked.**

- If Yes is indicated, the information provided for previously will be editable and State users can make any necessary changes to their project plan. (Note: Trend information that supports your current activities is not editable.)
- If No is indicated, then no information in this section will be editable and the user can move forward to the next section.
- The financial information and certifications will be updated each fiscal year.

All multi-year and annual update plans have been pre-populated with data and information from their FY 2019 plans. States must carefully review and update this information to reflect FY 2020 activities prior to submission to FMCSA.

States are reminded to **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.

Personally Identifiable Information – PII is information which, on its own or matched with other data, would permit identification of that 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.

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

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

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

American Samoa Department of Public Safety, Motor Carrier Safety Assistance Program's mission is to reduce fatal and non-fatal CMV crashes and through consistent and effective CMV safety programs. We support the National CMV Fatality Reduction Goal of reducing the rate of truck-related fatalities, and will strive to reduce fatality rate. We want to be part of the force multiplier in improving the safety of CMV operations by implementing policies, enforcement programs, and regulations that support FMCSA's four principles:

- Raising the safety bar to those seeking to enter the motor carrier industry
- Maintaining high safety standards for those operating in the industry
- Removing high-risk carriers, drivers, and vehicles from roadways
- Citing impaired, speeding, and unbelted drivers

Part 1 Section 3 - MCSAP Structure Explanation

Instructions:

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

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

The Department of Public Safety (DPS), Motor Carrier Safety Assistance Program (MCSAP) is the agency responsible for implementing federally funded commercial vehicle safety projects in the Territory. This program is spearheaded by the Acting MCSAP Coordinator (not 100% dedicated to the program), a Lieutenant/Supervisor, three Police Officers, and a Fiscal Officer. We filled one Police Officer on April 23, 2018 that had been vacant since 2016. Our MCSAP/SAFETYNET Coordinator position has been vacant since July 2017. In September 2017, she took emergency medical retirement. Our Fiscal Officer is working on loading our Safetynet inspections. As a critical part of improving the quality of life for its citizens and visitors of the territory, the mission of the DPS/MCSAP consist of two goals:

1. To reduce traffic crashes, traffic fatalities, injuries and property damage on American Samoa roadway.
2. Create a safer environment for commercial motorists, passengers, and pedestrians.

The Motor Carrier Safety Assistance Program (MCSAP) will provide the required resources to plan and carry out activities to fulfill these goals. To ensure effectiveness, relationships will be developed and maintained with advocacy groups, citizens, community business groups, complementary government and Federal agencies, and law enforcement. MCSAP will also conduct data analysis to monitor crash trends in the territory and to ensure that Federal resources target areas of greatest need. MCSAP works closely with DPS Traffic Division and Office of Highway Safety to ensure coordination between the CVSP and the Transportation Improvement Plan, ideally resulting in one comprehensive and strategic commercial vehicle safety program for the Territory.

MCSAP establishes and implements a comprehensive program to accomplish its goals effectively. This Plan for Federal Fiscal Year 2020 outlines the proves used to identify specific commercial vehicle safety problem areas, develop countermeasures to correct those problems, and monitor the performance of those counter measures.

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

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

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

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

Lead Agency Information	
Agency Name:	AMERICAN SAMOA DPS
Enter total number of personnel participating in MCSAP activities	6
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	4
Traffic Enforcement Activities	4
Investigations*	1
Public Education and Awareness	4
Data Collection and Reporting	4
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

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

Non-funded Agency Information	
Total number of agencies:	0
Total # of MCSAP Participating Personnel:	

Part 2 - Crash Reduction and National Program Elements

Part 2 Section 1 - Overview

Part 2 allows the State to provide past performance trend analysis and specific goals for FY 2020 - 2022 in the areas of crash reduction, roadside inspections, traffic enforcement, audits and investigations, safety technology and data quality, and public education and outreach.

Note: For CVSP planning purposes, the State can access detailed counts of its core MCSAP performance measures. Such measures include roadside inspections, traffic enforcement activity, investigation/review activity, and data quality by quarter for the current and past two fiscal years using the Activity Dashboard and/or the CVSP Toolkit 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: <http://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

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

Trend Analysis for 2014 - 2018

Instructions for all tables in this section:

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

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

ALL CMV CRASHES

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

Goal measurement as defined by your State: Actual # Fatalities

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

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2018	12/31/2018	0	0	0
01/01/2017	12/31/2017	0	0	0
01/01/2016	12/31/2016	1	0	1
01/01/2015	12/31/2015	0	0	0
01/01/2014	12/31/2014	1	0	1

MOTORCOACH/PASSENGER CARRIER CRASHES

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

Goal measurement as defined by your State: Actual # Fatalities

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

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2018	12/31/2018	0	0	0
01/01/2017	12/31/2017	0	0	0
01/01/2016	12/31/2016	0	0	0
01/01/2015	12/31/2015	0	0	0
01/01/2014	12/31/2014	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: Actual # Fatalities

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

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2018	12/31/2018	0	0	0
01/01/2017	12/31/2017	0	0	0
01/01/2016	12/31/2016	0	0	0
01/01/2015	12/31/2015	0	0	0
01/01/2014	12/31/2014	0	0	0

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

AS MCSAP SAFETY NET AS OF JULY 18, 2019.

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

To date, there are no fatalities in 2018. There are no fatalities in 2017. AS had one fatality incident in 2016 - A pedestrian walked into a CMV's path. To maintain our crash rate at 0, AS MCSAP will continue to conduct educational awareness and outreach efforts and be proactive in enforcing traffic speed limits to promote safe CMV operating practices.

Narrative Overview for FY 2020 - 2022

Instructions:

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

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

AS MCSAP will continue to maintain 0 crashes, injuries, and fatalities involving commercial motor vehicles by identifying the most effective intervention strategies to raise the carrier safety standard and evaluating the FMCSA and NHTSA regulations, policies, processes, and tools.

Enter the data source and capture date:

American Samoa MCSAP SAFETY NET AS OF JULY 18, 2019.

Projected Goal for FY 2020 - 2022:

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

Fiscal Year	Annual Crash Reduction Goals
2020	0
2021	0
2022	0

AS recorded a very low CMV related crash rate per year from 2017 to 2013. AS MCSAP's goal is to maintain the CMV crash rate to 1.0 or less per year over the next five year period. This will continue the reduction in crash rate as we are currently experiencing.

Program Activities for FY 2020 - 2022: States must indicate the activities, and the amount of effort (staff hours, inspections, traffic enforcement stops, etc.) that will be resourced directly for the program activities purpose.

1. Conduct stationary road checks at designated locations. Safety checks consist of Level I, II, & III inspections. See roadside inspections section.
2. Conduct traffic enforcement campaigns throughout the year inclusive of long weekends and holidays when warranted. Traffic enforcement campaigns consist of Impaired Driving/Open Container, Vehicle Inspection, Speeding, and Seat Belt enforcement selective events. While the primary focus of these campaigns by the AS MCSAP team is upon CMVs, the AS MCSAP team will keep an eye out for non-CMV driver violations committed in the vicinity of CMV traffic at each event and enforce traffic laws upon these drivers where possible to aid in the crash reduction efforts. See traffic enforcement section.

3. Conduct driver education classes and training at the AS Office of Motor Vehicles (OMV) to improve safe driving habits on AS roadways. See public education and outreach section.

4. Conduct Compliance Reviews upon Passenger Carriers, Non-HM Property Carriers and HM Carriers as outlined in section 4.4. AS incorporates a strong crash reduction goal into each CR conducted. See investigations section.

Performance Measurements and Monitoring: The State will monitor the effectiveness of its CMV Crash Reduction Goal quarterly and annually by evaluating the performance measures and reporting results in the required Standard Form - Performance Progress Reports (SF-PPRs).

Describe how the State will conduct ongoing monitoring of progress in addition to quarterly reporting.

1. AS MCSAP Officers will print out their ASPEN inspection summary reports at least once a month and submit to Acting MCSAP Coordinator for review and development of the PPR. We'll compare ASPEN report to the SAFETYNET report to ensure all inspections are accounted for.

2. AS MCSAP Officers will log citations issued during traffic enforcement selective events in a log book daily to be used for quarterly reporting. Activities will be measured further by the overall number of inspections conducted, the number of OOS violations discovered, and the number of citations issued. No specific goal will be established for a number of non-CMV traffic enforcement stops to be made. AS will, however, monitor and track the number of stops and non-CMV driver violations enforced during these selectives for statistical analysis purposes.

3. AS MCSAP will keep a dated sign in sheet to track the number of attendees for each driver education class. This sign in sheet will be used for quarterly reporting regarding public education and outreach. Additionally, AS MCSAP will evaluate the impact of these classes by monitoring driver violation trends and adjusting driver education and outreach efforts accordingly.

4. AS MCSAP investigator keeps an electronic log of all investigations completed. This log will be submitted to the Acting MCSAP Coordinator for tracking of CR certification and reporting purposes. Additionally, AS MCSAP will conduct post-crash inquiries for possible investigation and work with Hawaii Division for CR assignments.

Part 2 Section 3 - Roadside Inspections

In this section, provide a trend analysis, an overview of the State's roadside inspection program, and projected goals for FY 2020 - 2022.

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

Trend Analysis for 2014 - 2018

Inspection Types	2014	2015	2016	2017	2018
Level 1: Full	236	281	176	67	112
Level 2: Walk-Around	330	203	166	80	111
Level 3: Driver-Only	340	271	240	180	88
Level 4: Special Inspections	0	0	0	0	0
Level 5: Vehicle-Only	30	71	14	43	26
Level 6: Radioactive Materials	0	0	0	0	0
Total	936	826	596	370	337

Narrative Overview for FY 2020 - 2022

Overview:

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

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

AS MCSAP maintains a strong commercial vehicle inspection program to keep unsafe commercial vehicles and drivers off of American Samoa highway. American Samoa has only one primary corridor, a two way road with some overlap during inspections. MCSAP currently has 4 certified inspectors. AS MCSAP has two vacant officer inspector positions at this time and will fill the vacancies after **DPS academy graduation on November 29, 2019 for FY2019**. MCSAP needs to increase its level of training to enhance the program and to increase its skills. In order to achieve our MCSAP goals, any new officer inspector will be sent to MCSAP Part A & B training to gain inspection certification.

1. All CMV inspections conducted in AS are done in AS's effort to reduce crashes, therefore all 826 inspections outlined in section 3 roadside inspections will be used to meet this goal.

2. To measure the effectiveness of our program, we will monitor CMV crashes and conduct a post-crash inquiry for possible investigation. AS MCSAP will look at violation trends in the Safetynet reports to evaluate effectiveness and make adjustments to program activities as needed.

3. To ensure for consistency and accuracy, AS MCSAP field supervisor will review each inspection and follow up with the inspector if corrections are needed prior to uploading the inspection to SAFETYNET. Performance will be periodically assessed to determine training needs.

Projected Goals for FY 2020 - 2022

Instructions for Projected Goals:

Complete the following tables in this section indicating the number of inspections that the State anticipates conducting

during Fiscal Years 2020 - 2022. For FY 2020, 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: AMERICAN SAMOA DPS

Enter the total number of certified personnel in the Lead agency: 4

Projected Goals for FY 2020 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	115	16	115	246	29.78%
Level 2: Walk-Around	85		160	245	29.66%
Level 3: Driver-Only	125		148	273	33.05%
Level 4: Special Inspections				0	0.00%
Level 5: Vehicle-Only	34	11	17	62	7.51%
Level 6: Radioactive Materials				0	0.00%
Sub-Total Lead Agency	359	27	440	826	

MCSAP subrecipient agency

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

Subrecipient is:

Enter the total number of certified personnel in this funded agency: 0

Projected Goals for FY 2020 - Subrecipients					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full				0	%
Level 2: Walk-Around				0	%
Level 3: Driver-Only				0	%
Level 4: Special Inspections				0	%
Level 5: Vehicle-Only				0	%
Level 6: Radioactive Materials				0	%
Sub-Total Funded Agencies	0	0	0	0	

Non-Funded Agencies

Total number of agencies:	0
Enter the total number of non-funded certified officers:	
Enter the total number of inspections projected for FY 2020:	

Summary

Projected Goals for FY 2020 - Roadside Inspections Summary

Projected Goals for FY 2020 Summary for All Agencies					
MCSAP Lead Agency: AMERICAN SAMOA DPS					
# certified personnel: 4					
Subrecipient Agencies:					
# 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	115	16	115	246	29.78%
Level 2: Walk-Around	85		160	245	29.66%
Level 3: Driver-Only	125		148	273	33.05%
Level 4: Special Inspections				0	0.00%
Level 5: Vehicle-Only	34	11	17	62	7.51%
Level 6: Radioactive Materials				0	0.00%
Total ALL Agencies	359	27	440	826	

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.

Projected Goals for FY 2021 Roadside Inspections	Lead Agency	Subrecipients	Non-Funded	Total
Enter total number of projected inspections	800	0	0	800
Enter total number of certified personnel	4	0	0	4
Projected Goals for FY 2022 Roadside Inspections				
Enter total number of projected inspections	800	0	0	800
Enter total number of certified personnel	4	0	0	4

Part 2 Section 4 - Investigations

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



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

Trend Analysis for 2014 - 2018

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

Investigative Types - Intrastate	2014	2015	2016	2017	2018
Compliance Investigations	0	0	0	0	7
Cargo Tank Facility Reviews					
Non-Rated Reviews (Excludes CSA & SCR)					
CSA Off-Site					
CSA On-Site Focused/Focused CR					
CSA On-Site Comprehensive					
Total Investigations	0	0	0	0	7
Total Security Contact Reviews					
Total Terminal Investigations					

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

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

Projected Goals for FY 2020 - 2022

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

Projected Goals for FY 2020 - 2022 - Investigations						
Investigation Type	FY 2020		FY 2021		FY 2022	
	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
Compliance Investigations	0	2	0	2	0	2
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	2	0	2	0	2
CSA On-Site Focused/Focused CR	0	0	0	0	0	0
CSA On-Site Comprehensive	0	2	0	2	0	2
Total Investigations	0	6	0	6	0	6
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.

AS MCSAP investigator has not completed a comprehensive investigations to maintain his certification for FY2019 due to ROE status with our legislature.

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

Historical data for 2012 through 2016 is unavailable because the CR program was suspended for multiple consecutive program years and CRs were not uploaded to A&I because the motor carriers investigated were intrastate only and, therefore, did not have a USDOT#. AS MCSAP has one investigator. He successfully passed the Investigative Safety Analysis course in February 2017 and completed 7 comprehensive investigations within FY2018 for his initial certification. However, the investigator did not complete the required number of investigation for FY2019 to maintain the certification.

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.

With the approval of the ROE in the very near future, AS MCSAP will look into recertify their investigator and once certified, then the program will initiate Compliance Review Investigations every two months in coordination with Hawaii Division. The MCSAP Coordinator will monitor the investigator's progress towards meeting his investigation certification and report completed investigations in the quarterly performance progress report as well as report to the Hawaii Division.

Part 2 Section 5 - Traffic Enforcement

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

Trend Analysis for 2014 - 2018

Instructions:

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

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

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented CMV Traffic Enforcement Stops with an Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2018	12/31/2018	337	117
01/01/2017	12/31/2017	204	231
01/01/2016	12/31/2016	86	102
01/01/2015	12/31/2015	87	109
01/01/2014	12/31/2014	63	105

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

☒ **The State does not conduct documented non-CMV traffic enforcement stops and was not reimbursed by the MCSAP grant (or used for State Share or MOE). If this box is checked, the "Non-CMV Traffic Enforcement Stops" table is not required to be completed and won't be displayed.**

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

Internal AS MCSAP records were used for FY2018. A&I data used for calendar years 2014 to 2018 as of July 19, 2019. FY2014 data obtained from the FY2019 CVSP.

Narrative Overview for FY 2020 - 2022

Instructions:

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

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

The AS MCSAP inspection program includes a traffic enforcement element incorporated into the DPS' main effort. MSCAP Traffic Enforcement inspection selective events will focus on enforcement of commercial vehicle traffic violations, inclusive of loading and off-loading violations and give way obstructive traffic violations. MCSAP has also taken an aggressive role in identifying, inspecting, and removing impaired CMV drivers from the highway. Seat belt enforcement is also strictly enforced day and night. American Samoa will use 4 officers for each selective effort in designated high traffic corridors. AS MCSAP plans to conduct CMV traffic enforcement selective events throughout the grant project with a 100% inspection policy. Officers will primarily complete Level III inspections with each TE contact, however, may conduct a Level I or II inspection as appropriate to record observed vehicle defects when necessary.

AS MCSAP will conduct 4 CMV Inspection Selectives; 4 CMV Speed Enforcement Selectives; 4 CMV Impaired Driving/Open Container Selectives; 4 CMV Seat Belt Selectives; and also participate in the Passenger Safety Initiative Campaign. We will only be conducting traffic enforcement with accompanying inspections (100% inspection policy).

Projected Goals for FY 2020 - 2022

Using the radio buttons in the table below, indicate the traffic enforcement activities the State intends to conduct in FY 2020 - 2022. The projected goals are based on the number of traffic stops, not tickets or warnings issued. These goals are NOT intended to set a quota.

			Enter Projected Goals (Number of Stops only)		
Yes	No	Traffic Enforcement Activities	FY 2020	FY 2021	FY 2022
<input checked="" type="radio"/>	<input type="radio"/>	CMV with Inspection	200	200	200
<input type="radio"/>	<input checked="" type="radio"/>	CMV without Inspection			
<input type="radio"/>	<input checked="" type="radio"/>	Non-CMV			
<input type="radio"/>	<input checked="" type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)			

In order to be eligible to utilize Federal funding for Non-CMV traffic enforcement, the [FAST Act](#) requires that the State must maintain an average number of safety activities which include the number of roadside inspections, carrier investigations, and new entrant safety audits conducted in the State for Fiscal Years 2004 and 2005.

The table below displays the information you input into this plan from the roadside inspections, investigations, and new entrant safety audit sections. Your planned activities must at least equal the average of your 2004/2005 activities.

FY 2020 Planned Safety Activities				
Inspections	Investigations	New Entrant Safety Audits	Sum of FY 2020 Activities	Average 2004/05 Activities
826	6	0	832	766

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

The territory records all CMV citations in a ledger. Public education and outreach efforts will be geared towards the most common violations found by MCSAP. The program will adjust its inspection efforts after evaluating violations

found quarterly.

Part 2 Section 6 - Safety Technology

The FAST Act made Performance and Registration Information Systems Management (PRISM) a condition for MCSAP eligibility in [49 CFR 350.201 \(aa\)](#). States must achieve full participation by October 1, 2020. FMCSA defines “fully participating” in PRISM, for the purpose of determining eligibility for MCSAP funding, as when a State’s or Territory’s International Registration Plan (IRP) or CMV registration agency suspends or revokes and denies registration if the motor carrier responsible for safety of the vehicle is under any Federal OOS order and denies registration if the motor carrier possess an inactive or de-active USDOT number for motor carriers operating CMVs in commerce that have a Gross Vehicle Weight (GVW) of 26,001 pounds or more. Further information regarding full participation in PRISM can be found in the MCP Section 4.3.1.

Under certain conditions, the FAST Act allows MCSAP lead agencies to use MCSAP funds for Operations and Maintenance (O&M) costs associated with Innovative Technology Deployment (ITD) and the PRISM ([49 CFR 350.201\(aa\) \(cc\)](#)). For PRISM, O&M costs are eligible expenses subject to FMCSA approval. For ITD, if the State agrees to comply with ITD program requirements and has complied with all MCSAP requirements, including achievement of full participation in PRISM, O&M costs are eligible expenses. O&M expenses must be included and described in the Spending Plan section per the method these costs are handled in the State’s accounting system (e.g., contractual costs, other costs, etc.).

Safety Technology Compliance Status

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

Technology Program	Current Compliance Level	Include O & M Costs?
ITD	Not Active	No
PRISM	Less Than Full Participation	No

Available data sources:

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

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

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

Narrative Overview for FY 2020 - 2022

Problem Statement Narrative and Projected Goal:

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

N/A - American Samoa is not included on the SSDQ map and does not have a color rating.

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

N/A - American Samoa is not included on the SSDQ map and does not have a color rating.

As a territory FMCSA has exempted American Samoa from PRISM compliance until such time as legislation, rulemaking, or a Territorial action requires compatibility with the PRISM program.

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

N/A - American Samoa is not included on the SSDQ map and does not have a color rating.

Part 2 Section 7 - Public Education and Outreach

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

Trend Analysis for 2014 - 2018

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

Public Education and Outreach Activities	2014	2015	2016	2017	2018
Carrier Safety Talks	24	30	34	12	28
CMV Safety Belt Education and Outreach	28	16	11	12	6
State Trucking Association Meetings	0	0	0	0	0
State-Sponsored Outreach Events	1	1	1	5	1
Local Educational Safety Events	14	17	13	10	12
Teen Safety Events	2	2	4	12	6

Narrative Overview for FY 2020 - 2022

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

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

AS does not have a state trucking association. All AS outreach events are inclusive of a safety belt education component. For 2020, AS MCSAP education program will focus on increasing knowledge related to structure requirements for passenger CMVs, problematic traffic violation of CMV drivers inclusive of prohibition rules regarding open alcohol containers on CMVs, as well as safe driving and carrier operational practices aimed at reducing CMV related crashes and general overall compliant practices. All MCSAP officers will accomplish this by conducting outreach events to schools and businesses; by holding public educational events, conducting media ad campaigns promoting CMV safety, conducting educational classes with CMV carriers, conducting CMV rule presentations on public television broadcast, and by conducting safety presentations at driver education classes in partnership with the AS office of Motor vehicle (OMV).

Projected Goals for FY 2020 - 2022

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

			Performance Goals		
Yes	No	Activity Type	FY 2020	FY 2021	FY 2022
<input checked="" type="radio"/>	<input type="radio"/>	Carrier Safety Talks	12	12	12
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	12	12	12
<input type="radio"/>	<input type="radio"/>	State Trucking Association Meetings			
<input checked="" type="radio"/>	<input type="radio"/>	State-Sponsored Outreach Events	1	1	1
<input checked="" type="radio"/>	<input type="radio"/>	Local Educational Safety Events	12	12	12
<input checked="" type="radio"/>	<input type="radio"/>	Teen Safety Events	8	8	8

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.

AS MCSAP will conduct 12 safety talks with CMV/Carrier Owners to include CMV safety belt outreach each month; will participate in Flag Day (April) to promote CMV safety; will hold at least 1 OMV commercial driver class each month and 4 paid media advertising campaigns; and hold at least 2 OMV driver education for students every quarter to promote CMV safety. Number of activities conducted and attendees will be tracked using a sign-up sheet. The MCSAP Coordinator will utilize the sign-up sheets for reporting purposes. The MCSAP Coordinator as well as all sworn officers of the AS MCSAP program will be utilized to facilitate these goals. Educational/Outreach brochures will be distributed at these events and tracked where applicable, although there are no specific brochure (ETA) distribution goals.

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 MCSAP CVSP Planning Memorandum and any State-specific objectives as necessary. Specific goals and activities must be projected for the three fiscal year period (FYs 2020 - 2022).

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

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

Check this box if:

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

Part 3 Section 2 - Passenger Carrier Enforcement**Instructions:**

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

Check this box if:

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

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

Describe any State-specific CMV problems that were addressed with FY2019 MCSAP funding. Some examples may include hazardous materials objectives, Electronic Logging Device (ELD) implementation, and crash reduction for a specific segment of industry, etc. Report below on year-to-date progress on each State-specific objective identified in the FY 2019 CVSP.

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

Please enter information to describe the year-to-date progress on any State-specific objective(s) identified in the State's FY 2019 CVSP. Click on "Add New Activity" to enter progress information on each State-specific objective.

Activity #1

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

Maintain CMV driver seatbelt usage rate of at least 85% over a one year period for all CMV drivers operating on AS three highest CMV corridors as recognized by DPS.

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

A goal of 85% seat-belt usage by CMV drivers over a one-year period was anticipated.

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

There were 3 seatbelts survey conducted during FY2019 . A total of 138 drivers were observed and 132 drivers were found wearing their seatbelts. A 96% seatbelt usage by CMV Drivers was achieved. In the first quarter of FY2020, AS MCSAP will evaluate all MEC violations found to establish a baseline. .

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

Difficulties and problems encountered towards achieving the goal is due to modifications and conversions of FORD CHASSIS Heavy Duty Trucks into Aiga Buses for local businesses which carries a maximum passengers amount of 26 but does not have seat-belts for passengers after conversion.

Activity #2

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

Many CMV drivers have been found utilizing outdated medical examiner's certificates. While AS MCSAP does not have baseline data available, a significant amount of drivers contacted roadside have this issue. AS MCSAP will evaluate all MEC violations found to establish a baseline.

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

The goal is to achieve 85% or more MEC compliance by the project's end.

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

First quarter FY2019 51% of all driver violations were due to medical cards violations. Second quarter FY 2019 41% of all driver violations were due to medical cards violations. Third quarter FY 2019 17% of all driver violations were due to medical cards violations. Fourth quarter FY 2019 20% of all driver violations were due to medical cards violations. The inspectors were successful in reducing the numbers of violations found during the life of this project. They were very close in achieving the 85% MEC compliance goal.

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

One of our inspector didn't load his inspections until the last month. We experience problems with our internet lines due AS ASTCA is still updating their cable lines. We also have raining weather almost a 3 weeks or more even a month.

Part 3 Section 4 - State Specific Objectives – Future

Instructions:

The State may include additional objectives from the national priorities or emphasis areas identified in the 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 2020 - 2022. Click on "Add New Activity" to enter information on each State-specific objective. This is an optional section and only required if a State has identified a specific State problem planned to be addressed with grant funding.

State Objective #1

Enter the title of your State-Identified Objective.

MEC modernization.

Narrative Overview for FY 2020 - 2022

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

Many CMV drivers have been found utilizing outdated medical examiner's certificates. While AS MCSAP does not have baseline data available, a significant amount of drivers contacted roadside have this issue.

Projected Goals for FY 2020 - 2022:

Enter performance goal.

In the first quarter of FY2020, AS MCSAP will evaluate all MEC violations found to establish a baseline. The goal is to achieve 85% or more MEC compliance by the project's end.

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

AS MCSAP will track all MEC violations each quarter through the life of the project and adjust education and enforcement efforts accordingly. All MCSAP officers will educate CMV drivers on the medical examiner's certificate during OMV commercial driver education classes and during contacts roadside. SAFETYNET reports will be evaluated quarterly to track changes in the number of MEC violations found during roadside inspections to evaluate effectiveness. All education and outreach events conducted in AS will incorporate an MEC education component.

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

The MCSAP Coordinator will record the number of MEC violations in the quarterly PPRs. Subsequent SAFETYNET quarterly reports will be use to determine if MEC education and enforcement efforts in AS are effective.

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 2020 only. This applies to States completing a multi-year CVSP or an Annual Update to their multi-year CVSP.

The Spending Plan data tables are displayed by budget category (Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual and Subaward, and Other Costs). You may add additional lines to each table, as necessary. Please include clear, concise explanations in the narrative boxes regarding the reason for each cost, how costs are calculated, why they are necessary, and specific information on how prorated costs were determined.

The following definitions describe Spending Plan terminology.

- **Federal Share** means the portion of the total project costs paid by Federal funds. Federal share is 85 percent of the total project costs for this FMCSA grant program.
- **State Share** means the portion of the total project costs paid by State funds. State share is 15 percent of the total project costs for this FMCSA grant program. A State is only required to contribute up to 15 percent of the total project costs of all budget categories combined as State share. A State is NOT required to include a 15 percent State share for each line item in a budget category. The State has the flexibility to select the budget categories and line items where State match will be shown.
- **Total Project Costs** means total allowable costs incurred under a Federal award and all required cost sharing (sum of the Federal share plus State share), including third party contributions.
- **Maintenance of Effort (MOE)** means the level of effort Lead State Agencies are required to maintain each fiscal year in accordance with [49 CFR § 350.301](#). The State has the flexibility to select the budget categories and line items where MOE will be shown. Additional information regarding MOE can be found in the MCSAP Comprehensive Policy (MCP) in section 3.6.

On Screen Messages

The system performs a number of edit checks on Spending Plan data inputs to ensure calculations are correct, and values are as expected. When anomalies are detected, alerts will be displayed on screen.

- Calculation of Federal and State Shares

Total Project Costs are determined for each line based upon user-entered data and a specific budget category formula. Federal and State shares are then calculated by the system based upon the Total Project Costs and are added to each line item.

The system calculates an 85 percent Federal share and 15 percent State share automatically and populates these values in each line. Federal share is the product of Total Project Costs x .85. State share equals Total Project Costs minus Federal share. If Total Project Costs are updated based upon user edits to the input values, the 85 and 15 percent values will not be recalculated by the system and should be reviewed and updated by users as necessary.

States may edit the system-calculated Federal and State share values at any time to reflect actual allocation for any line item. For example, States may allocate a different percentage to Federal and State shares. States must ensure that the sum of the Federal and State shares equals the Total Project Costs for each line before proceeding to the next budget category.

An error is shown on line items where Total Project Costs does not equal the sum of the Federal and State shares. Errors must be resolved before the system will allow users to 'save' or 'add' new line items.

Territories must insure that Total Project Costs equal Federal share for each line in order to proceed.

- **MOE Expenditures**

States may enter MOE on individual line items in the Spending Plan tables. The Personnel, Fringe Benefits, Equipment, Supplies, and Other Costs budget activity areas include edit checks on each line item preventing MOE costs from exceeding allowable amounts.

- If "Percentage of Time on MCSAP grant" equals 100%, then MOE must equal \$0.00.
- If "Percentage of Time on MCSAP grant" equals 0%, then MOE may equal up to Total Project Costs as expected at 100%.
- If "Percentage of Time on MCSAP grant" > 0% AND < 100%, then the MOE maximum value cannot exceed "100% Total Project Costs" minus "system-calculated Total Project Costs".

An error is shown on line items where MOE expenditures are too high. Errors must be resolved before the system will allow users to 'save' or 'add' new line items.

The Travel and Contractual budget activity areas do not include edit checks for MOE costs on each line item. States should review all entries to ensure costs reflect estimated expenditures.

- **Financial Summary**

The Financial Summary is a summary of all budget categories. The system provides warnings to the States on this page if the projected State Spending Plan totals are outside FMCSA's estimated funding amounts. States should review any warning messages that appear on this page and address them prior to submitting the eCVSP for FMCSA review.

The system will confirm that:

- Overtime value does not exceed the FMCSA limit.
- Planned MOE Costs equal or exceed FMCSA limit.
- States' proposed Federal and State share totals are each within \$5 of FMCSA's Federal and State share estimated amounts.
- Territories' proposed Total Project Costs are within \$5 of \$350,000.

ESTIMATED Fiscal Year Funding Amounts for MCSAP		
	100% Federal Share	Total Estimated Funding
Total	\$350,000.00	\$350,000.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP Award Amount):	\$52,500.00
MOE Baseline:	\$1,857.67

Part 4 Section 2 - Personnel

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

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

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):	\$52,500.00
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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)	Federal Share	MOE
Lt Inspector/Supervisor	1	100.0000	\$32,024.00	\$32,024.00	\$32,024.00	\$0.00
Fiscal Officer	1	100.0000	\$29,000.00	\$29,000.00	\$29,000.00	\$0.00
PSO 3/ MCSAP HM/CR	1	100.0000	\$24,000.00	\$24,000.00	\$24,000.00	\$0.00
PSO 3 / MCSAP	1	100.0000	\$22,791.00	\$22,791.00	\$22,791.00	\$0.00
PSO 2 / MCSAP	1	100.0000	\$20,072.00	\$20,072.00	\$20,072.00	\$0.00
PSO 1/ MCSAP Inspector	1	100.0000	\$11,917.00	\$11,917.00	\$11,917.00	\$0.00
PSO 1 / MCSAP Inspector	1	100.0000	\$11,917.00	\$11,917.00	\$11,917.00	\$0.00
MCSAP Coordinator	1	20.0000	\$32,175.00	\$6,435.00	\$6,435.00	\$0.00
Subtotal: Salary				\$158,156.00	\$158,156.00	\$0.00
Overtime Project Costs						
Subtotal: Overtime				\$0.00	\$0.00	\$0.00
TOTAL: Personnel				\$158,156.00	\$158,156.00	\$0.00
Accounting Method:	Accrual					

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

8 personnel will be paid under MCSAP with percentage provided. Presently MCSAP consists of four sworn officers. Two positions are currently vacant and the program is looking to fill those vacancies pending approval.

Personnel salaries adjusted to coincide with ASG Human Resources pay scale regulations that include planned and annual increments.

Part 4 Section 3 - Fringe Benefits

*Fringe costs are benefits paid to employees, including the cost of employer's share of FICA, health insurance, worker's compensation, and paid leave. Only non-Federal grantees that use the **accrual basis** of accounting may have a separate line item for leave, and is entered as the projected leave expected to be accrued by the personnel listed within Part 4.2 – Personnel. Reference [2 CFR §200.431\(b\)](#).*

Show the fringe benefit costs associated with the staff listed in the Personnel section. Fringe costs may be estimates, or based on a fringe benefit rate approved by the applicant's Federal cognizant agency for indirect costs. If using an approved rate, a copy of the indirect cost rate agreement must be provided through grants.gov. For more information on this item see [2 CFR §200.431](#).

Show how the fringe benefit amount is calculated (i.e., actual fringe benefits, rate approved by HHS Statewide Cost Allocation or cognizant agency). Include a description of the specific benefits that are charged to a project and the benefit percentage or total benefit cost.

The cost of fringe benefits are allowable if:

- Costs are provided under established written policies.
- Costs are equitably allocated to all related activities, including Federal awards.
- Accounting basis (cash or accrual) selected for each type of leave is consistently followed by the non-Federal entity or specified grouping of employees.

Depending on the State, there are fixed employer taxes that are paid as a percentage of the salary, such as Social Security, Medicare, State Unemployment Tax, etc.

- For each of these standard employer taxes, under Position you may list "All Positions," the benefits would be the respective standard employer taxes, followed by the respective rate with a base being the total salaries for Personnel in Part 4.2.
- The base multiplied by the respective rate would give the total for each standard employer tax. Workers' Compensation is rated by risk area. It is permissible to enter this as an average, usually between sworn and unsworn—any grouping that is reasonable and clearly explained in the narrative is allowable.
- Health Insurance and Pensions can vary greatly and can be averaged; and like Workers' Compensation, can sometimes be broken into sworn and unsworn.

In the Position column include a brief position description that is associated with the fringe benefits.

*The **Fringe Benefit Rate** is:*

- The rate that has been approved by the State's cognizant agency for indirect costs; or a rate that has been calculated based on the aggregate rates and/or costs of the individual items that your agency classifies as fringe benefits.
- For example, your agency pays 7.65 percent for FICA, 42.05 percent for health/life/dental insurance, and 15.1 percent for retirement. The aggregate rate of 64.8 percent (sum of the three rates) may be applied to the salaries/wages of personnel listed in the table.

*The **Base Amount** is:*

- The salary/wage costs within the proposed budget to which the fringe benefit rate will be applied.
- For example, if the total wages for all grant-funded staff is \$150,000 and the percentage of time on the grant is 50 percent, then that is the amount the fringe rate of 64.8 (from the example above) will be applied. The calculation is: $\$150,000 \times 64.8 \times 50\% / 100 = \$48,600$ Total Project Costs.

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

Fringe Benefits Project Costs						
Position(s)	Fringe Benefit Rate	% of Time on MCSAP Grant	Base Amount	Total Project Costs (Federal)	Federal Share	MOE
LT. Inspector / Supervisor	16.7000	100.0000	\$32,024.00	\$5,348.00	\$5,348.00	\$0.00
MCSAP/SNET Coordinator	16.7000	20.0000	\$32,175.00	\$1,074.64	\$1,074.64	\$0.00
Fiscal Officer	16.7000	100.0000	\$29,000.00	\$4,843.00	\$4,843.00	\$0.00
PSO 3 / MCSAP HM CR	16.7000	100.0000	\$24,000.00	\$4,008.00	\$4,008.00	\$0.00
PSO 3 / MCSAP	16.7000	100.0000	\$22,791.00	\$3,806.09	\$3,806.09	\$0.00
PSO 2 / MCSAP	16.7000	100.0000	\$20,072.00	\$3,352.02	\$3,352.02	\$0.00
PSO 1 / MCSAP Inspector	16.7000	100.0000	\$11,917.00	\$1,990.13	\$1,990.13	\$0.00
PSO 1 / MCSAP Inspector	16.7000	100.0000	\$11,917.00	\$1,990.13	\$1,990.13	\$0.00
TOTAL: Fringe Benefits				\$26,412.01	\$26,412.01	\$0.00

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

American Samoa's fringe benefit remains at 16.7% unless otherwise. Fringe benefits consist of FICA, Workmen's Comp, and Retirement for career employees.

Breakdown: FICA = 7.65%, Workmen's Comp = 1.05%, and Retirement = 8%.

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, lodging, meals, transportation, registration, etc. Explain in detail how the MCSAP program will directly benefit from the travel.

Travel costs are funds for field work or for travel to professional meetings.

List the purpose, number of persons traveling, number of days, percentage of time on MCSAP Grant, and total project costs for each trip. If details of each trip are not known at the time of application submission, provide the basis for estimating the amount requested. For more information on this item see [2 CFR §200.474](#).

Total Project Costs should be determined by State users, and manually input in the table below. There is no system calculation for this budget category.

Travel Project Costs						
Purpose	# of Staff	# of Days	% of Time on MCSAP Grant	Total Project Costs (Federal)	Federal Share	MOE
Passenger Vehicle Inspection	1	7	100.0000	\$3,756.00	\$3,756.00	\$0.00
COHMED HAZ. TRNG	1	7	100.0000	\$4,326.00	\$4,326.00	\$0.00
MCSAP Planning Meeting	2	10	100.0000	\$8,560.00	\$8,560.00	\$0.00
MCSAP Part A/B Training	2	16	100.0000	\$11,336.00	\$11,336.00	\$0.00
CVSA IT Workshop	1	6	100.0000	\$3,688.00	\$3,688.00	\$0.00
CMV SFTY SUMMIT	2	10	100.0000	\$8,376.00	\$8,376.00	\$0.00
TOTAL: Travel				\$40,042.00	\$40,042.00	\$0.00

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

Travel is for MCSAP personnel only. All travel requests must be submitted to Hawaii Division for approval. There is only one airline flying in and out of the Territory Mondays and Fridays weekly which increases travel duration and costs accordingly. Exact locations for Part A&B Training, and the MCSAP Planning Meeting are still pending and so average daily lodging and M&IE costs are used for planning purposes for those travel needs (\$130 lodging/ \$68.00 M&IE). AS uses actual Federal per-diem rates for lodging/M&IE at the time of travel.

Part A&B training is needed for the two new PSO as outlined in the CVSP activities narrative to fulfill MCSAP enforcement objectives. Total travel days is inclusive of the two week class duration plus additional travel days needed to travel to the training and return back to AS taking into consideration the limited flight schedule in and out of AS (16 Days). **Total cost is inclusive of airfare (\$2,300.00)x2= \$4,600.00, lodging(\$2,280.00)x2=\$4,560.00 and M&IE(\$1,088.00) x2= 2,176.00 for a total cost of \$11,336.00.**

MCSAP Planning Meeting travel is for the MCSAP Coordinator and Fiscal Officer to attend the annual FMCSA MCSAP planning meeting. Total travel days is inclusive of the conference duration plus additional travel days needed to travel to the meeting and return back to AS taking into consideration the limited flight schedule in and out of AS (10 days each traveler). **Total cost is inclusive of airfare (\$2,200.00 each traveler), lodging(\$1,400.00 each traveler) and M&IE(\$680.00 each traveler) for a total cost of \$8,560.00.**

CVSA IT Workshop is necessary for AS to attend as AS has not had anyone formally trained or updated on FMCSA IT systems, especially SafetyNet in several years. AS will send a single attendee to complete the training and updates. The dates and location of this IT Workshop are pending, however, costs are based off of the training taking a known three days, plus an additional 3 days travel time due to the limited flights going into and out of AS (6 days total). **Total cost is inclusive of airfare(\$2,500.00), lodging(\$780.00) and M&IE(408.00 each traveler) for a total cost of \$3,688.00.**

Passenger Vehicle Inspection training is needed to certify 1 inspector who recently joined MCSAP in April 2018. He has successfully completed NAS Part A and B training and PVI is the next certification course needed. Travel days is inclusive of anticipated training duration plus additional travel days needed to travel to the training and return back to AS taking into consideration the limited flight schedule in and out of AS (7 days total). **Total cost is inclusive of airfare (\$2,300.00), lodging (\$980.00), including M&IE costs of (\$476.00) for a total cost of \$3,756.00.**

COHMED Cooperative Hazardous Materials Enf. Development is needed to upgrade our HAZ inspector for new hazardous materials every year. Total travel days is inclusive on the meeting. AS is taking into consideration the limited flight schedule in and out (7 days total.) **Total cost of airfare is (\$2,500.00), lodging (\$1,350.00) and M&IE cost of (\$476.00) for a total cost of \$4,326.00.**

WESTERN STATES COMMERCIAL MOTOR VEHICLE CMV Safety Summit is necessary for AS to attend the FY2020 Summit in order to share research and best practices to improve data quality and the collection and use of CMV data. In particular the CMV Safety Summit will highlight University partnerships in these areas. Total travel days is inclusive of the summit duration plus additional travel days needed to travel to the meeting and return back to AS taking into consideration the limited flight schedule in and out AS (10 days each traveler). The total cost is inclusive of airfare (\$2,000.00)x2= \$4,000.00, lodging (\$1,468.00)x2= \$2,932.00 each travel) and & M&IE (\$722.00)x2= \$1,444.00 each traveler) for a total costs of \$8,376.00.

Part 4 Section 5 - Equipment

Equipment is tangible or intangible personal property. It includes information technology systems having a useful life of more than one year, and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the non-Federal entity (i.e., the State) for financial statement purposes, or \$5,000.

- If your State's equipment capitalization threshold is below \$5,000, check the box below and provide the threshold amount. See [§200.12](#) Capital assets, [§200.20](#) Computing devices, [§200.48](#) General purpose equipment, [§200.58](#) Information technology systems, [§200.89](#) Special purpose equipment, and [§200.94](#) Supplies.

Show the total cost of equipment and the percentage of time dedicated for MCSAP related activities that the equipment will be billed to MCSAP. For example, you intend to purchase a server for \$5,000 to be shared equally among five programs, including MCSAP. The MCSAP portion of the total cost is \$1,000. If the equipment you are purchasing will be capitalized (depreciated), you may only show the depreciable amount, and not the total cost ([2 CFR §200.436](#) and [2 CFR §200.439](#)). If vehicles or large IT purchases are listed here, the applicant must disclose their agency's capitalization policy.

Provide a description of the equipment requested. Include the quantity, the full cost of each item, and the percentage of time this item will be dedicated to MCSAP grant.

Total Project Costs equal the Number of Items x Full Cost per Item x Percentage of Time on MCSAP grant.

Equipment Project Costs						
Item Name	# of Items	Full Cost per Item	% of Time on MCSAP Grant	Total Project Costs (Federal)	Federal Share	MOE
Vehicle	1	\$57,850.00	100	\$57,850.00	\$57,850.00	\$0.00
TOTAL: Equipment				\$57,850.00	\$57,850.00	\$0.00
Equipment threshold is greater than \$5,000.						

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

AS MCSAP kindly propose for our FY2020 plan to purchase a Ford F-150. The American Samoa MCSAP program in the very near future will add two more officers with the completion of the ongoing Police Academy due for graduation on November 29th, 2019. This will help alleviate the current manpower issue not having enough inspector officers to cover areas within our island community for daily inspections to meet goals and objectives set forth for each year. The addition of another vehicle will provide transportation for two additional officers to carry out daily services in meeting goals and expectations for the program. This vehicle will be 100% utilized by the inspector officers daily in carrying out routine inspections for areas not covered before due to lack of manpower.

The total cost for the vehicle requested include the police lights, siren, and shipping the radio isn't included in this amount.

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)	Federal Share	MOE
Media Aids (Outreach & Education)	4 Quarters	\$350.00	100.0000	\$1,400.00	\$1,400.00	\$0.00
MCSAP Inspection Supplies	4 Quarters	\$750.00	100.0000	\$3,000.00	\$3,000.00	\$0.00
FUEL	4 Quarters	\$1,000.00	100.0000	\$4,000.00	\$4,000.00	\$0.00
MCSAP Publications	4 Quarters	\$300.00	100.0000	\$1,200.00	\$1,200.00	\$0.00
Vehicle Parts	4 Annual	\$1,000.00	100.0000	\$4,000.00	\$4,000.00	\$0.00
Office Supplies	4	\$1,150.00	100.0000	\$4,600.00	\$4,600.00	\$0.00
TOTAL: Supplies				\$18,200.00	\$18,200.00	\$0.00

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

Office Supplies cost is based off of known past expenditures needed to support the AS MCSAP Program and is inclusive of all general supplies used within the MCSAP office (e.g., filing folders, paper, pens, staplers & staples, printer ink, etc.). The cost of living in AS has increased significantly whereby today's known average, expenditures is approximately \$1,150.00 per quarter amounting to an annual need of approximately \$4,600.00

MCSAP Inspection supplies budget is inclusive of all items needed to effectively conduct MCSAP inspections in the field (e.g., inspection road block signs, heavy-duty creepers and wheel blocks, gloves, forms etc.). Note that these costs are higher in AS compared to mainland due to high shipping costs associated with getting the supplies to AS since they cannot be obtained on island. Based on the condition of supplies currently on hand in the AS MCSAP and known upcoming needs, we anticipate the costs to be approximately \$750.00 per quarter this year for a total annual need of approximately \$3,000.00.

Fuel costs are based on average past needs of the department at average market price to support four vehicles and a trailer. This cost is computed to be approximately \$1,000.00 per quarter for an annual total cost of \$4,000.00.

Media Ad costs are to support education & outreach CMV safety initiatives outlined in the planned activities and based on known past expenditures. These paid radio and newspaper advertisements are used to increase attendance at outreach events and promote MCSAP safety initiatives which are critical to the success of the AS Education and Outreach component of our planned activities. ASG Finance treats paid media advertising as supplies. Media costs has increased slightly, so the cost to conduct advertising campaign per quarter is estimated at \$350.00 for a total amount of annual \$1,400.00.

MCSAP Publications costs will be used to replace outdated FMCSR/HMR/OOS Criteria books and resource guides for the MCSAP officers and to print bi-lingual educational hand-out pamphlets. Using the already stored paid printing screen for bi-lingual educational pamphlets, the estimated quarterly cost is \$300.00 for a total of \$1,200.00 annually.

Vehicle Parts purchase has become a problem locally because of the ASG financial system and the local Auto Shops require AS MCSAP to furnish its own Vehicle Parts including tires to replace worn out tires prior to the shop(s) repairs are done. Given that some parts have to be ordered from off-island vendors, shipping and duty costs are added to the cost of each Vehicle Part ordered. The estimated cost is \$1000.00 for each set of Order throughout the fiscal year which will cost the program a total of \$4,000.00 This total will include the purchase of the radio for communicaton to be installed in new vehicle requested .

Part 4 Section 7 - Contractual and Subaward

This section includes contractual costs and subawards to subrecipients. Use the table below to capture the information needed for both contractual agreements and subawards. The definitions of these terms are provided so the instrument type can be entered into the table below.

Contractual – A contract is a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award ([2 CFR §200.22](#)). All contracts issued under a Federal award must comply with the standards described in [2 CFR §200 Procurement Standards](#).

Note: Contracts are separate and distinct from subawards; see [2 CFR §200.330](#) for details.

Subaward – A subaward is an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract ([2 CFR §200.92](#) and [2 CFR §200.330](#)).

Subrecipient - Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program, but does not include an individual who is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency ([2 CFR §200.93](#)).

Enter the legal name of the vendor or subrecipient if known. If unknown at this time, please indicate 'unknown' in the legal name field. Include a description of services for each contract or subaward listed in the table. Entering a statement such as "contractual services" with no description will not be considered meeting the requirement for completing this section.

Enter the DUNS or EIN number of each entity. There is a drop-down option to choose either DUNS or EIN, and then the State must enter the corresponding identification number.

Select the Instrument Type by choosing either Contract or Subaward for each entity.

Total Project Costs should be determined by State users and input in the table below. The tool does not automatically calculate the total project costs for this budget category.

Operations and Maintenance-If the State plans to include O&M costs that meet the definition of a contractual or subaward cost, details must be provided in the table and narrative below.

Please describe the activities these costs will be using to support (i.e., ITD, PRISM, SSDQ or other services.)

Contractual and Subaward Project Costs						
Legal Name	DUNS/ EIN Number	Instrument Type	% of Time on MCSAP Grant	Total Project Costs (Federal)	Federal Share	MOE
MCSAP	DUNS 854995487	Contract	100.0000	\$2,588.58	\$2,588.58	\$0.00
Description of Services: Maintenance of Office Equipment						
MCSAP	DUNS 854995487	Contract	100.0000	\$2,000.00	\$2,000.00	\$0.00
Description of Services: Vehicle Maintenance						
TOTAL: Contractual and Subaward				\$4,588.58	\$4,588.58	\$0.00

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

Maintenance of office equipment costs are to service and maintain MCSAP office printer, xerox printer, desktop computers including the Safetynet system. Laptops with the ASPEN system for MCSAP inspections, air conditioners, maintenance of the building and its water system which houses the MCSAP office is necessary for the operation of the AS MCSAP. Cost estimated at \$2,588.58 are based on known past average expenditures needed on an annual basis.

Vehicles maintenance costs shown are to provide general maintenance of the MCSAP vehicle fleet of four vehicles and a trailer which are not covered under warranty. All vehicles and the trailer are fully dedicated to the MCSAP program. Costs, estimated at \$2,000.00 are based on known past average expenditures needed to maintain the fleet on an annual basis.

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 may include utilities and/or leased equipment, 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. 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 claim reimbursement for Indirect Costs.

Indirect Costs				
Cost Basis	Approved Rate	Eligible Costs	Total Indirect Costs	Federal Share
Salaries, Wages and Fringe (SWF)	22.70	\$158,156.00	\$35,901.41	\$35,901.41
TOTAL: Indirect Costs			\$35,901.41	\$35,901.41

Other Costs Project Costs						
Item Name	# of Units/ Unit of Measurement	Cost per Unit	% of Time on MCSAP Grant	Total Project Costs (Federal)	Federal Share	MOE
CVSA Membership Dues	1 Annual	\$7,800.00	100.0000	\$7,800.00	\$7,800.00	\$0.00
Communications	1 Annual	\$3,000.00	35.0000	\$1,050.00	\$1,050.00	\$1,950.00
TOTAL: Other Costs				\$8,850.00	\$8,850.00	\$1,950.00

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

AS does not yet have a negotiated IDC rate for FY2020. The approved FY2019 IDC Rate agreement for AS is 22.70% which is applied to direct salaries (regular wages and overtime). The 22.70% is from the FY2019 rate agreement to be used as a placeholder until another new agreement is executed.

CVSA dues are to maintain membership with CVSA at known annual membership rate.

Communication costs is inclusive of office phone lines and internet for the MCSAP office. Sixty-five percentage of communication costs for office phone lines and internet will be used to meet MOE. Communication costs are calculated monthly.

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		
	100% Federal Share	Total Estimated Funding
Total	\$350,000.00	\$350,000.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP Award Amount):	\$52,500.00
MOE Baseline:	\$1,857.67

Estimated Expenditures			
Personnel			
	Federal Share	Total Project Costs (Federal)	MOE
Lt Inspector/Supervisor	\$32,024.00	\$32,024.00	\$0.00
Fiscal Officer	\$29,000.00	\$29,000.00	\$0.00
PSO 3 / MCSAP HM/CR	\$24,000.00	\$24,000.00	\$0.00
PSO 3 / MCSAP	\$22,791.00	\$22,791.00	\$0.00
PSO 2 / MCSAP	\$20,072.00	\$20,072.00	\$0.00
PSO 1 / MCSAP Inspector	\$11,917.00	\$11,917.00	\$0.00
PSO 1 / MCSAP Inspector	\$11,917.00	\$11,917.00	\$0.00
MCSAP Coordinator	\$6,435.00	\$6,435.00	\$0.00
Salary Subtotal	\$158,156.00	\$158,156.00	\$0.00
Overtime subtotal	\$0.00	\$0.00	\$0.00
Personnel total	\$158,156.00	\$158,156.00	\$0.00

Fringe Benefits			
	Federal Share	Total Project Costs (Federal)	MOE
LT. Inspector / Supervisor	\$5,348.00	\$5,348.00	\$0.00
MCSAP/SNET Coordinator	\$1,074.64	\$1,074.64	\$0.00
Fiscal Officer	\$4,843.00	\$4,843.00	\$0.00
PSO 3 / MCSAP HM CR	\$4,008.00	\$4,008.00	\$0.00
PSO 3 / MCSAP	\$3,806.09	\$3,806.09	\$0.00
PSO 2 / MCSAP	\$3,352.02	\$3,352.02	\$0.00
PSO 1 / MCSAP Inspector	\$1,990.13	\$1,990.13	\$0.00
PSO 1 / MCSAP Inspector	\$1,990.13	\$1,990.13	\$0.00
Fringe Benefits total	\$26,412.01	\$26,412.01	\$0.00

Travel			
	Federal Share	Total Project Costs (Federal)	MOE
Passenger Vehicle Inspection	\$3,756.00	\$3,756.00	\$0.00
COHMED HAZ. TRNG	\$4,326.00	\$4,326.00	\$0.00
MCSAP Planning Meeting	\$8,560.00	\$8,560.00	\$0.00
MCSAP Part A/B Training	\$11,336.00	\$11,336.00	\$0.00
CVSA IT Workshop	\$3,688.00	\$3,688.00	\$0.00
CMV SFTY SUMMIT	\$8,376.00	\$8,376.00	\$0.00
Travel total	\$40,042.00	\$40,042.00	\$0.00

Equipment			
	Federal Share	Total Project Costs (Federal)	MOE
Vehicle	\$57,850.00	\$57,850.00	\$0.00
Equipment total	\$57,850.00	\$57,850.00	\$0.00

Supplies			
	Federal Share	Total Project Costs (Federal)	MOE
Media Aids (Outreach & Education)	\$1,400.00	\$1,400.00	\$0.00
MCSAP Inspection Supplies	\$3,000.00	\$3,000.00	\$0.00
FUEL	\$4,000.00	\$4,000.00	\$0.00
MCSAP Publications	\$1,200.00	\$1,200.00	\$0.00
Vehicle Parts	\$4,000.00	\$4,000.00	\$0.00
Office Supplies	\$4,600.00	\$4,600.00	\$0.00
Supplies total	\$18,200.00	\$18,200.00	\$0.00

Contractual and Subaward			
	Federal Share	Total Project Costs (Federal)	MOE
MCSAP	\$2,588.58	\$2,588.58	\$0.00
MCSAP	\$2,000.00	\$2,000.00	\$0.00
Contractual and Subaward total	\$4,588.58	\$4,588.58	\$0.00

Other Costs			
	Federal Share	Total Project Costs (Federal)	MOE
CVSA Membership Dues	\$7,800.00	\$7,800.00	\$0.00
Communications	\$1,050.00	\$1,050.00	\$1,950.00
Other Costs total	\$8,850.00	\$8,850.00	\$1,950.00

Total Costs			
	Federal Share	Total Project Costs (Federal)	MOE
Subtotal for Direct Costs	\$314,098.59	\$314,098.59	\$1,950.00
Indirect Costs	\$35,901.41	\$35,901.41	NA
Total Costs Budgeted	\$350,000.00	\$350,000.00	\$1,950.00

Part 4 Section 10 - Financial Summary

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

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

ESTIMATED Fiscal Year Funding Amounts for MCSAP		
	100% Federal Share	Total Estimated Funding
Total	\$350,000.00	\$350,000.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP Award Amount):	\$52,500.00
MOE Baseline:	\$1,857.67

Estimated Expenditures			
	Federal Share	Total Project Costs (Federal)	Planned MOE Costs
Salary Subtotal	\$158,156.00	\$158,156.00	\$0.00
Overtime Subtotal	\$0.00	\$0.00	\$0.00
Personnel Total	\$158,156.00	\$158,156.00	\$0.00
Fringe Benefits Total	\$26,412.01	\$26,412.01	\$0.00
Travel Total	\$40,042.00	\$40,042.00	\$0.00
Equipment Total	\$57,850.00	\$57,850.00	\$0.00
Supplies Total	\$18,200.00	\$18,200.00	\$0.00
Contractual and Subaward Total	\$4,588.58	\$4,588.58	\$0.00
Other Costs Total	\$8,850.00	\$8,850.00	\$1,950.00
	Federal Share	Total Project Costs (Federal)	Planned MOE Costs
Subtotal for Direct Costs	\$314,098.59	\$314,098.59	\$1,950.00
Indirect Costs	\$35,901.41	\$35,901.41	NA
Total Costs Budgeted	\$350,000.00	\$350,000.00	\$1,950.00

Part 5 - Certifications and Documents

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

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

Part 5 Section 1 - State Certification

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

1. What is the name of the person certifying the declaration for your State? HTC LE'I S. THOMPSON
2. What is this person's title? COMMISSIONER
3. Who is your Governor's highway safety representative? HTC LE'I S. THOMPSON
4. What is this person's title? COMMISSIONER

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

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

State Certification declaration:

I, HTC LE'I S. THOMPSON, COMMISSIONER, on behalf of the Territory of AMERICAN SAMOA, 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 Territory 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? HTC LE'I S. THOMPSON
2. What is the title of your certifying State official? COMMISSIONER
3. What are the phone # and email address of your State official? 1(684)633-1111, leisonny52@gmail.com

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

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

I, HTC LE'I S. THOMPSON, certify that the Territory has conducted the annual review of its laws and regulations for compatibility regarding commercial motor vehicle safety and that the Territory'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 Territory 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.

With an exception to our (ROE) issue. The Department of Public Safety is under going rule-making process to adopt a regulation for the Right of Entry which will be consistent with federal guidelines and in compliance with statute governing commercial motor carry vehicles. In accordance with the Administrative Procedures Act, the Department of Public Safety in conjunction with the Office of the Attorney General submitted the proposed Right of Entry amendment for a period of public comment in accordance with the Administrative Procedures Act 4.1004, which states, "Prior to the adoption, amendment, or repeal of any rule, the agency shall give at least 20 days notice of its intended action. The notice shall include a statement of either the terms or substance of the intended action or a description of the subjects and issues involved, and the time when, the place where, and the manner in which interested persons may present their views thereon. The notice shall be mailed to all persons who have made timely requests of the agency for advance notice of its rule-making proceedings and shall be publicized in all news or broadcasting media operated by the government." Once this aspect has been completed, we are then to set forth a hearing in accordance with 4.005, which illustrates, "Prior to the adoption, amendment, or repeal of any rule, the agency shall afford all interested persons reasonable opportunity to submit data, views, and arguments, orally or in writing. In case of substantive rules, opportunity for oral hearings shall be granted if requested by 25 persons, by a governmental subdivision or agency or by an association having not less than 25 members. The agency shall consider fully all written and oral submissions respecting the proposed rule." Barring any objections which warrants such a hearing, our findings will then be submitted to the Secretary of State, which in American Samoa, is the Office of the Lieutenant Governor. The Department of Public Safety hopes to have this action completed by 2Q 2020 and will report on its amendment as final and publication.

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

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

☒ Yes ☐ No

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

Legislative Adoption			
Bill Number	Effective Date	Code Section Changed	Summary of Changes
PUBLIC LAW 36-2	03/04/2019	19.0101,19.0104	Commercial vehicles transporting passengers 8 or fewer is excluded from MCSAP regulations.

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

☐ Yes ☒ No

**State and Local Governments
Indirect Cost Negotiation Agreement**

EIN: 97-0000676

Organization:

American Samoa Government
Department of Treasury
3rd Floor, A.P. Lutali Building
Utulei, AS 96799

Date: January 15, 2019

Report No(s) .: 19-A-0322

Filing Ref.:

Last Negotiation Agreement
dated May 9, 2018

The indirect cost rates contained herein are for use on grants, contracts, and other agreements with the Federal Government to which 2 CFR Part 200 applies for fiscal years beginning on or after December 26, 2014 subject to the limitations in Section II.A. of this agreement. Applicable OMB Circulars and the regulations at 2 CFR 225 will continue to apply to federal funds awarded prior to December 26, 2014. The rates were negotiated by the U.S. Department of the Interior, Interior Business Center, and the subject organization in accordance with the authority contained in applicable regulations.

Section I: Rates

Type	Effective Period		Rate*	Locations	Applicable To
	From	To			
Fixed Carryforward	10/01/18	09/30/19	22.70%	All	All Others except DOE
Fixed Carryforward	10/01/18	09/30/19	22.57%	All	DOE Unrestricted

***Base:** Total direct salaries and wages, excluding fringe benefits. The rate applies to all programs administered by the non-federal entity. To determine the amount of indirect costs to be billed under this agreement, direct salaries and wages should be summed and multiplied by the rate. All other program costs, including fringe benefits associated with direct salaries and wages, should be eliminated from the calculation.

Treatment of fringe benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs; fringe benefits applicable to indirect salaries and wages are treated as indirect costs.

Section II: General

Page 1 of 3

A. Limitations: Use of the rate(s) contained in this agreement is subject to any applicable statutory limitations. Acceptance of the rate(s) agreed to herein is predicated upon these conditions: (1) no costs other than those incurred by the subject organization were included in its indirect cost rate proposal, (2) all such costs are the legal obligations of the grantee/contractor, (3) similar types of costs have been accorded consistent treatment, and (4) the same costs that have been treated as indirect costs have not been claimed as direct costs (for example, supplies can be charged directly to a program or activity as long as these costs are not part of the supply costs included in the indirect cost pool for central administration).

10, 182

B. Audit: All costs (direct and indirect, federal and non-federal) are subject to audit. Adjustments to amounts resulting from audit of the cost allocation plan or indirect cost rate proposal upon which the negotiation of this agreement was based will be compensated for in a subsequent negotiation.

C. Changes: The rate(s) contained in this agreement are based on the organizational structure and the accounting system in effect at the time the proposal was submitted. Changes in organizational structure, or changes in the method of accounting for costs which affect the amount of reimbursement resulting from use of the rate(s) in this agreement, require the prior approval of the responsible negotiation agency. Failure to obtain such approval may result in subsequent audit disallowance.

D. Rate Type:

1. **Fixed Carryforward Rate:** A fixed carryforward rate is based on an estimate of the costs that will be incurred during the period for which the rate applies. When the actual costs for such periods have been determined, an adjustment will be made to the rate for future periods, if necessary, to compensate for the difference between the costs used to establish the fixed rate and the actual costs.

2. **Provisional/Final Rates:** Within six (6) months after year end, a final indirect cost rate proposal must be submitted based on actual costs. Billings and charges to contracts and grants must be adjusted if the final rate varies from the provisional rate. If the final rate is greater than the provisional rate and there are no funds available to cover the additional indirect costs, the organization may not recover all indirect costs. Conversely, if the final rate is less than the provisional rate, the organization will be required to pay back the difference to the funding agency.

3. **Predetermined Rate:** A predetermined rate is an indirect cost rate applicable to a specified current or future period, usually the organization's fiscal year. The rate is based on an estimate of the costs to be incurred during the period. A predetermined rate is not subject to adjustment. (Because of legal constraints, predetermined rates are not permitted for Federal contracts; they may, however, be used for grants or cooperative agreements.)

E. Rate Extension: Only final and predetermined rates may be eligible for consideration of rate extensions. Requests for rate extensions of a current rate will be reviewed on a case-by-case basis. If an extension is granted, the non-Federal entity may not request a rate review until the extension period ends. In the last year of a rate extension period, the non-Federal entity must submit a new rate proposal for the next fiscal period.

F. Agency Notification: Copies of this document may be provided to other federal offices as a means of notifying them of the agreement contained herein.

G. Record Keeping: Organizations must maintain accounting records that demonstrate that each type of cost has been treated consistently either as a direct cost or an indirect cost. Records pertaining to the costs of program administration, such as salaries, travel, and related costs, should be kept on an annual basis.



United States Department of the Interior

INTERIOR BUSINESS CENTER

Indirect Cost Services
650 Capitol Mall, Suite 7-400
Sacramento, CA 95814-4706



January 15, 2019

Ueligitone Tonumaip'e'a, ASG Treasurer
American Samoa Government
Department of Treasury
3rd Floor, A.P. Lutali Building
Utulei, AS 96799

Dear Ueligitone Tonumaip'e'a:

Enclosed is the signed Negotiated Indirect Cost Rate Agreement that was processed by our office. If you have any questions concerning this agreement, please refer to the signature page for the name and contact number of the negotiator.

As a recipient of federal funds, the regulations require you to maintain a current indirect cost rate agreement. For provisional/final indirect cost rates, Indirect Cost Proposals should be submitted on an annual basis, and they are due within six (6) months after the close of your fiscal year. For predetermined rates and approved rate extensions, proposals are due in our office six (6) months prior to the expiration of your current rate agreement. Please note that proposals are processed on a first-in, first-out basis.

Common fiscal year end dates and proposal due dates are listed below:

Fiscal Year End Date	Proposal Due Date
September 30 th	March 31 st
December 31 st	June 30 th
June 30 th	December 31 st

Please visit our website for guidance and updates on submitting future indirect cost proposals. The website includes helpful tools such as a completeness checklist, indirect cost and lobbying certificates, sample proposals, Excel worksheet templates, and links to other websites.

Sincerely,

Craig A. Wills
Office Chief

Enclosure

cc: Linda Gee, Territories Financial Lead, Financial Management Branch, HHS
Ref: J:\Other (Territorial)\American Samoa Government (Amsgg047)\FY 2019\Amsg-Issue.ltr.19C.docx

Phone: (916) 930-3803
Fax: (916) 930-3804

Email: ICS@ibc.doi.gov
Website: <http://www.doi.gov/ibc/services/finance/Indirect-Cost-Services>

H. Reimbursement Ceilings: Grantee/contractor program agreements providing for ceilings on indirect cost rates or reimbursement amounts are subject to the ceilings stipulated in the contract or grant agreements. If the ceiling rate is higher than the negotiated rates in Section I of this agreement, the negotiated rates will be used to determine the maximum allowable indirect cost.

I. Use of Other Rates: If any federal programs are reimbursing indirect costs to this grantee/contractor by a measure other than the approved rate(s) in this agreement, the grantee/contractor should credit such costs to the affected programs, and the approved rate(s) should be used to identify the maximum amount of indirect cost allocable to these programs.

J. Central Service Costs: If the proposed central service cost allocation plan for the same period has not been approved by that time, the indirect cost proposal may be prepared including an amount for central services that is based on the latest federally-approved central service cost allocation plan. The difference between these central service amounts and the amounts ultimately approved will be compensated for by an adjustment in a subsequent period.

K. Other:

1. The purpose of an indirect cost rate is to facilitate the allocation and billing of indirect costs. Approval of the indirect cost rate does not mean that an organization can recover more than the actual costs of a particular program or activity.

2. Programs received or initiated by the organization subsequent to the negotiation of this agreement are subject to the approved indirect cost rate(s). If the programs receive administrative support from the indirect cost pool, it should be noted that this could result in an adjustment to a future rate.

3. Indirect cost proposals must be developed (and, when required, submitted) within six (6) months after the close of the governmental unit's fiscal year, unless an exception is approved by the cognizant agency for indirect costs.

Section III: Acceptance

Listed below are the signatures of acceptance for this agreement:

By the State & Local Government:

American Samoa Government

State/Local Government

Signature

UELIGITONE TONUMAIPPE'A

Name (Type or Print)

ASG TREASURER

Title

Date

By the Cognizant Federal Government Agency:

U.S. Department of the Interior
Agency

CRAIG WILLS

Digitally signed by CRAIG WILLS
Date: 2019.01.15 11:13:44 -08'00'

Signature

Craig A. Wills

Name

Office Chief

Office of Indirect Cost Services

Title

U.S. Department of the Interior

Interior Business Center

Agency

Negotiated by Wayne Clanton
Telephone (916) 930-3813

Time 6/5/19



SENATE RECEIVED
LEGISLATURE OF AMERICAN SAMOA
Date: 03/04/19
Time: 3:07pm
Rec'd By: Penina Scanlan

LOLO M. MOLIGA
GOVERNOR

OFFICE OF THE GOVERNOR
AMERICAN SAMOA GOVERNMENT
Telephone: (684) 633-4116 Fax: (684) 633-2269

LEMANU P. MAUGA
LIEUTENANT GOVERNOR

March 4, 2019

Serial No: 105

Honorable Gaoteote Palaie Tofau
President of the Senate
Legislature of American Samoa
Pago Pago, American Samoa 96799

Dear Mr. President:

I have today signed into law S.B. 36-1, AN ACT CLARIFYING THE DEFINITION OF COMMERCIAL VEHICLE AND SATISFYING FEDERAL REQUIREMENTS FOR GRANT FUNDING; AMENDING SECTIONS 19.0101 AND 19.0104 A.S.C.A.

This bill adds clarity to the definition of commercial vehicle which has impacted the efforts of law enforcement, and brings our law into compliance with federal regulations which will enhance our eligibility to qualify for various federal grants.

Thank you for you and your colleagues' efforts to continuously and timely update the American Samoa Code Annotated.

Sincerely,

LEMANU P. MAUGA
Lieutenant Governor

Cc: Governor
Chief of Staff
Commissioner of Public Safety
Director, Department of Commerce

RECEIVED
3/7/19
9:17a
Judy

THE THIRTY-SIXTH LEGISLATURE OF AMERICAN SAMOA

First Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa
on Monday, the fourteenth day of January
two thousand and nineteen

AN ACT CLARIFYING THE DEFINITION OF COMMERCIAL VEHICLE AND
SATISFYING FEDERAL REQUIREMENTS FOR GRANT FUNDING; AMENDING
SECTIONS 19.0101 AND 19.0104 A.S.C.A.

Preamble:

WHEREAS, the definition of commercial vehicle lacks clarity which has led to some difficulties enforcing the law; and

WHEREAS, the updated definition clarifies the meaning of commercial vehicle and commercial transportation; and

WHEREAS, these updated definitions bring our local laws in compliance with federal regulations which will allow ASG's eligibility for significant federal grants; and

WHEREAS, regulations based on these definitions can now be instituted to help keep our highways safer.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. 19.0101 is amended to read:

"19.0101 Definitions.

As used in this title unless the context otherwise requires, the following meanings apply:

(a) "Commercial carrier" means a person operating a commercial means of conveyance on or between the islands of American Samoa, excluding aircraft, vessels, or a tramway.

(b) "Commercial transportation" means the transportation of passengers for compensation or property. Commercial transportation does not include:

(1) transportation performed by any subdivision, including any semi-autonomous agency, of the American Samoa Government or the United States Government; or

(2) occasional transportation of personal property by individuals not for compensation and not in the furtherance of a commercial enterprise; or

(3) transportation of human corpses; or

(4) transportation of sick or injured persons.

(c) "Commercial vehicle" means any automobile, automobile truck, motorbus, or other self-propelled or towed means of overland conveyance, including but not limited to any trailer, semitrailer or other device used as a means of conveyance, not operated upon fixed rails or tracks and; ~~used for the transportation of passengers for compensation.~~

(1) is used for commercial transportation; or

(2) has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or

(3) is designed or used to transport more than fifteen (15) passengers, including the driver, regardless of whether it is used for compensation; or

(4) is used to transport material designated as hazardous in accordance with 40 U.S.C. 5103 and is required to be placarded in accordance with regulations under 49 C.F.R., Subtitle B, Chapter I, Subchapter C.

(d) "Commission" means the Government Commerce Commission.

(e) "Vessel" means a watercraft, except longboats and paopaos, used or intended to be used as a means of transporting passengers or freight for profit."

Sec 2. 19.0104 is amended to read:

"19.0104 Regulations of and inspections by, Division of Public Safety.

(a) The Department of Public Safety may prescribe and enforce safety regulations for the operation of commercial carriers and require a periodic inspection of the equipment of every commercial carrier from the standpoint of enforcement of safety regulations. Such equipment shall be at all times subject to inspection by properly authorized representatives of the department.

(b) Vehicles used to transport eight or fewer passengers, including the driver, for commercial transportation shall not be subject to Federal Motor Carrier Safety Regulations or Federal Hazardous Material Regulations that are adopted by statute or regulation."

Sec 3. Effective date.

In accordance with Article II, Section 19 of the Revised Constitution of American Samoa this bill shall become effective 60 days after the end of the session at which it has been passed.



GAOTEOTE PALAIE TOFAU
President of the Senate



SAVALI TALAVOU ALE
Speaker, House of Representatives

Hereby Approved this 17 day of March 2019

(3) fela'ua'ia o ni tino maliu: poo

(4) fela'ua'ia o ni gasegase poo ni tagata manunu'a.

(i) "Taavale la'upasese" o lona uiga soo se ituaiga taavale lava, loli, pasi poo se isi lava masini e alu lava ia pe toso o lona uiga o se auala o fela'ua'iga i le eleele, e aofia ai ae le gata ai foi soo taavale e toso uta, poo se isi lava mea e fa'aaoga e fela'ua'i ai, e le fa'aaoga ai ni auala u'amea ua uma ona faia poo isi auala ma; faaoga mo le faavea'ia o pasese mo se totogi.

(1) e fa'aaoga mo fela'ua'iga faapisinisi: poo

(2) e maua sona mamafa poo le mamafa tuufaatasi e 4.536 kilokalama (10.001 pauna) pe sili atu. poo le fea lava e maualuga: poo

(3) e fa'aagaaga pe fa'aaoga foi e felauai ai le silia i le to'a 15 le pasese. e aofia ai le avetaavale, e le taulia ai lona fa'aaogaina pe totogi: poo

(4) e fa'aaoga e felaua'ia ai ni mea ua faatulaga e ono afaina ai e tusa ai ma le 40 T.T.I.S. 5103 ma e manaomia ona tusia ai se faailoilo faapena ina ia tusa ai ma aiaiga i lalo o le Lesitala a le Feterale C.F.R. 49. Soamaga E. Mataupu I. Soamataupu I.

(o) "Komisi" o lona uiga o le Komisi o Fefaataua'iga a le Malo.

(u) "Vaa" o lona uiga o se vaa o le sami, vagana ai fautasi ma paopao, e fa'aaoga pe faamoemoe foi e fa'aaoga e fela'ua'ia ai ni pasese poo ni uta mo se tupe faasili."

Maga 2. 19.0104 ua suia e faitauina:

"19.0104 Aiaiga ma asiasiga e faia e le Matagaluega o le Saogalemu Lautele.

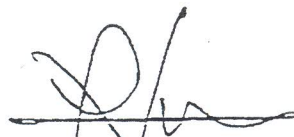
(a) E mafai ona faatonu e le Matagaluega o le Saogalemu Lautele ma faamalositia aiaiga mo le saogalemu i le faagaioia o auala la'upasese ma manaomia ai le asiasia faavaitaimi o auala e fa'aaoga mo soo se fela'ua'iga faapisinisi mai luga o tuutuuga o le faamalositia o le saogalemu. O auala ma masini nei e mafai ona sauni lava mo le asiasiga e faia e sui faatagaina o le matagaluega.

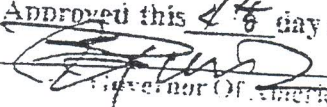
(e) O taavale e fa'aaoga faapisinisi mo le fela'ua'ia o pasese e toavalu pe itiiti ifo foi. mo fela'ua'iga faapisinisi e le afaina fua lava i Aiaiga a le Feterale poo Aiaiga foi a le Feterale mo le Fela'ua'ia o Uta faamata e ono Afaina ai pe afai ua faatulafonoina mea ia poo faia ai foi ni tuutuuga."

Maga 3. Aso e taualoa ai.

Ina ia tusa ai ma le Mataupu II, Maga 19 o le Faavae Toe Teuteu o Amerika Samoa, o le a taualoa lenei pili i totonu o le 60 aso talu ona mae'a le tauaofiaga na pasia ai.


GAOTEOTE PALAIE TOFAU
Peresetene, MaotaMaualuga


SAVALI TALAVOU ALE
FofogaFetalai, Maota o Sui

Hereby Approved this 4th day of MAR 2019

Governor Of American Samoa