

MOTOR CARRIER SAFETY ADVISORY COMMITTEE CHARTER

1. **ADVISORY COMMITTEE'S OFFICIAL DESIGNATION:** The committee's official designation is the Motor Carrier Safety Advisory Committee (MCSAC).

2. **AUTHORITY:** The Committee is renewed as a statutory committee pursuant to Section 4144 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU, Pub. L. 109-59), as amended by Section 23002 of the Infrastructure Investment and Jobs Act (IIJA, Pub. L. 117-58), and under the authority of the U.S. Department of Transportation (DOT), established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. ch. 10. The formation and use of MCSAC are determined to be in the public interest.

3. **OBJECTIVES AND SCOPE OF ACTIVITIES:** The Federal Motor Carrier Safety Administrator, or his or her designee, presents MCSAC with tasks on matters relating to motor carrier safety. The Committee provides advice and recommendations to the Secretary of Transportation (the Secretary) through the Administrator of the Federal Motor Carrier Safety Administration (FMCSA) about needs, objectives, plans, approaches, content, and accomplishments of the motor carrier safety programs carried out by the Administration and motor carrier safety regulations.

4. **DESCRIPTION OF DUTIES:** The committee will:
 - a. Gather information as necessary to discuss issues presented by the Designated Federal Officer (DFO);
 - b. Deliberate on issues relevant to commercial motor vehicle safety; and
 - c. Provide written consensus advice to the Secretary through FMCSA Administrator.

5. **AGENCY OR FEDERAL OFFICER RECEIVING THE ADVISORY COMMITTEE'S ADVICE/RECOMMENDATIONS:** The Committee reports to the Secretary of Transportation through the FMCSA Administrator.

6. **SUPPORT:** FMCSA's Office of Policy provides necessary funding, logistics, and administrative support for the committee.

7. **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS:** The annual operating costs associated with the Committee's functions are estimated to be \$150,000 including all direct and indirect expenses. The cost estimate includes 1.2 full-time equivalent positions that are required to support the Committee.

8. **DESIGNATED FEDERAL OFFICER (DFO)**
 - a. The DFO for the Committee is FMCSA's Associate Administrator for Policy or

his or her designee.

- b. The DFO must perform the following duties: ensure advisory committee activities comply with FACA, the FACA Final Rule, agency administrative procedures, and any other applicable laws and regulations; approve or call all meetings of the advisory committee or subcommittee; prepare and approve the agenda; attend all advisory committee and subcommittee meetings for their duration; fulfill the requirements under § 10(b) of FACA (codified at 5 U.S.C. 1009(b)); adjourn any meeting when the DFO determines it to be in the public interest; chair any meeting when so directed by the Secretary; maintain information on advisory committee activities and provide such information to the public, as applicable; and ensure advisory committee members and subcommittee members, as applicable, receive the appropriate training (e.g., FACA overview, ethics training) for efficient operation and compliance with FACA and the FACA Final Rule.
9. **ESTIMATED NUMBER AND FREQUENCY OF MEETINGS:** Committee meetings will be held approximately twice a year. As necessary, the DFO may call subcommittee meetings. Unless otherwise required by law or approved by the Secretary, all meetings will be held virtually (or in a hybrid forum that does not require additional use of Federal funds).
10. **DURATION:** Continuing.
11. **TERMINATION:** The committee will terminate 2 years from the charter filing date unless the charter is renewed in accordance with FACA and other applicable requirements.
12. **MEMBERSHIP AND DESIGNATION**
 - a. The committee comprises no more than 20 members appointed by the Secretary for up to 2-year terms.
 - b. Members serve at the pleasure of the Secretary. The Secretary may extend appointments and may appoint replacements for members who have resigned outside a stated term, as necessary.
 - c. The Secretary may reappoint members.
 - d. The membership includes representatives of the motor carrier industry, safety advocates, and safety enforcement officials. Other interests (e.g., labor organizations) may be recognized at the Secretary's discretion as deemed appropriate. Individuals appointed solely for their expertise will be appointed as special government employees (SGEs). No single interest group may constitute a majority of the committee.

- e. Members may continue to serve until their replacements have been appointed.
 - f. The Secretary will designate a chair and vice chair from among members of the committee. They will serve 2-year nonrenewable terms. The vice chair will succeed the chair at the end of the term.
13. **SUBCOMMITTEES**: The FMCSA Administrator is authorized to establish subcommittees. Subcommittees may not work independently of the chartered MCSAC and report their recommendations and advice to the full MCSAC for deliberation and discussion. Subcommittees must not provide advice or work products directly to FMCSA or DOT.
14. **RECORDKEEPING**: The records of the Committee, formally and informally established subcommittees, or other subgroups of the Committee, are handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records must be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.
15. **FILING DATE**: The charter is effective September 27, 2023, which is its filing date. This amended charter is effective on June 9, 2025. The charter will expire 2 years after this date unless sooner terminated or renewed.