Comprehensive Safety Analysis (CSA) 2010

Status Update

Motor Carrier Safety Advisory Committee
June 2010

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MCSAC, June 2010

Agenda

- The Challenge

- Current Enforcement Model

- Better Way – CSA 2010

- Nine-State Field Test and Result

- Outreach

- Rollout Timeline

- Summary

The Challenge

- Mandate: Motor carriers' safety fitness – *Motor Carrier Safety Act of 1984*

- Large & varied industry: 500K active bus & truck companies

- Limited Agency resources

- Result: We assess < 2 percent of industry/year

Current Enforcement Model

- Over 3 million roadside inspections annually

- Today, we use only a portion of this safety data in carrier assessments

  – SafeStat

- Major tool --- On-site compliance review

  – At a motor carrier's facility; very labor intensive

  – Compliance review is required to issue a safety rating

  – Result: Contact only small percentage of carriers each year

A Better Way – CSA 2010

- Major proactive FMCSA safety initiative
  - Increase our contact with industry through increased efficiencies *(Evidence: Contact by Government increases compliance)*

  - Maximize FMCSA and State partner resources

  - Assess safety fitness of greater segment of industry

  - Bring about greater reduction in large truck and bus crashes

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Everyone Else

High Risk Carriers

Better Carriers

Entities Addressed By
Current Process:
Resource Limited

Additional Entities to be
Influenced by CSA 2010

< Majority of crashes occur here >

CSA 2010 - <u>Three</u> Major Elements

- New Safety Measurement System (SMS)
  - More comprehensive than SafeStat and provides more detailed assessments

- Broader array of compliance interventions
  - To supplement the compliance review (CR)

- New safety fitness methodology
  - To decouple safety ratings from onsite reviews

Today

- SafeStat is used to prioritize carriers
- Identified carriers receive onsite CRs
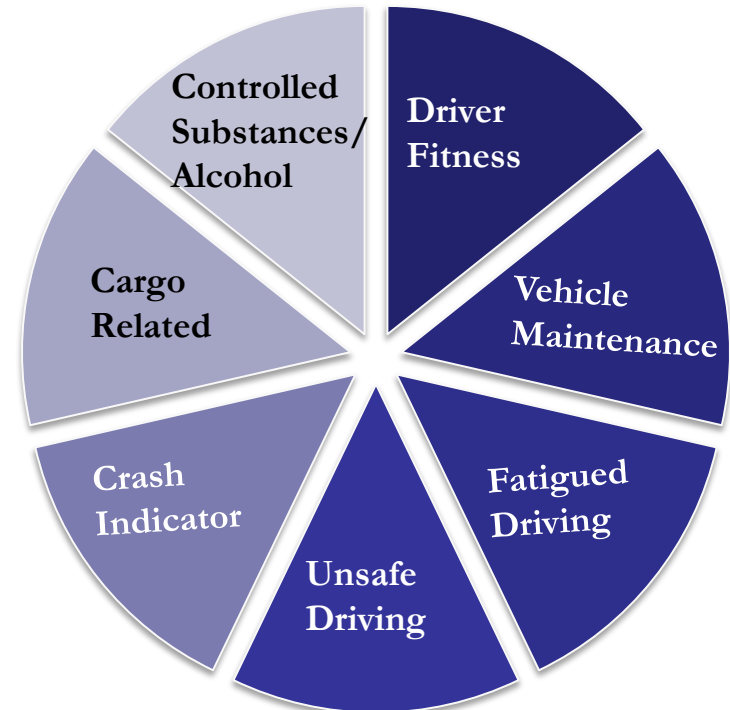- Only CRs yield safety ratings

1st component: **Current Measurement System vs. New**

SafeStat Safety Evaluation Areas (SEAs)

- Out-of-Service Violations
- Certain Moving Violations
- Crash Reports

SMS Behavior Analysis Safety Improvement Categories (BASICs)

- All Safety Based Violations
- Weighted to Crash Risk
- Crash Reports

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2nd component: Broader Array of Interventions

- **Early Interventions**
  - Warning Letters
  - Targeted Roadside Inspections
- **Investigations**
  - Offsite
  - Onsite focused
  - Onsite comprehensive

- **Follow-On Corrective Actions**
  - Cooperative Safety Plan
  - Notice of Violation
  - Notice of Claim
  - Out-of-Service Order

Going from "What" to "Why"

- Less time consuming and less resource intensive

- More carriers contacted; earlier

- Emphasis is on achieving compliance

3rd component: New Safety Fitness Determination

- SFD rule would de-couple safety ratings from compliance reviews
- SFD would be determined by safety violations:
  - Found through on-road safety performance – roadside inspections
  - Found through CSA 2010 interventions
  - Including Essential Safety Management and Fundamental Unfit Violations
- Updated monthly
- Projected increase in annual proposed "Unfit" SFDs
  - Current rating process: ~1,400
  - New SFD methodology: ~7,000
    - Five-fold increase

Example Carrier – Proposed Unfit under SFD

FMCSA Review Date:	6/24/2009	FMCSA Review Type:	Compliance Review
Safety Rating:	SATISFACTORY	Date of Last MCS-150 Update:	05/14/2010
SafeStat Category:	B	HM 70 SafeStat Category:	
Accident SEA:	98.9	Vehicle SEA:	42.62
Driver SEA:	97.74	Safety Management SEA:	

CARRIER SAFETY MEASUREMENT				
BASIC	**ON-ROAD PERFORMANCE ***		**INVESTIGATION DEFICIENT DATE***	**SAFETY ASSESSMENT**
Unsafe Driving	100.0	AND/ OR	N/A	DEFICIENT
Fatigued Driving (Hours-of-Service)	99.6		N/A	DEFICIENT
Driver Fitness	93.9		6/24/2009	DEFICIENT
Controlled Substances and Alcohol	89.4		N/A	DEFICIENT
Vehicle Maintenance	55.5		N/A	☑
Cargo Related	40.7		N/A	☑
Crash Indicator †	99.8			DEFICIENT
Insurance/Other			N/A	☑

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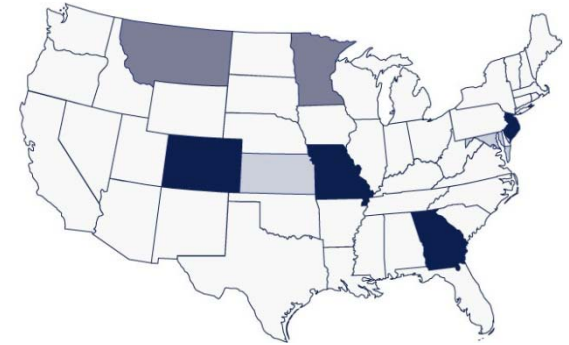CSA2010
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3rd component: Safety Fitness Methodology (Cont'd)

- Draft NPRM withdrawn from OST Mar-22-2010
  - Evaluating options based on feedback from partners, stakeholders, and field test
  - Exposure metric for Unsafe Driving and Crash BASICs – vehicle miles travelled vs. power units
  - To ensure most effective SMS for identifying high risk carriers.

- May DOT Report on Significant Rulemakings
  - To OMB Oct-4-2010
  - Publish Jan-18-2011

Field Test and Results

Nine Test States:

- 30 month test initiated Jan-08
- Designed to test 2 of the 3 components
  - SMS
  - Interventions Process
- Original test states included 50% of CO, GA, MO, and NJ
- Added 100% states in spring and fall 2009 MT, MN, KS, MD, and DE
- Test validity, efficiency and effectiveness
- Evaluation by University of Michigan (UMTRI)

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Field Test and Results (Cont'd)

- **Warning letters are having a positive impact:**
  - Over **6,600** sent
  - Over **50%** of recipients logged in to view their data and safety assessments
  - Feedback from test states indicate that some carriers appreciate the early alert and are modifying safety practices

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- **Reaching its goal of contacting more carriers**
  - Research shows more contacts equals improved safety performance
  - Up to 35% more carrier investigations
    - Test: **4.0** Investigations/Safety Investigator
    - Non-test: **2.5** Investigations/Safety Investigator
- **Employing the full array of investigations**
  - Investigations in test states have been done in the following proportions
    - Onsite Investigations – Comprehensive **(~30%)**
    - Onsite Investigations –Focused **(~45%)**
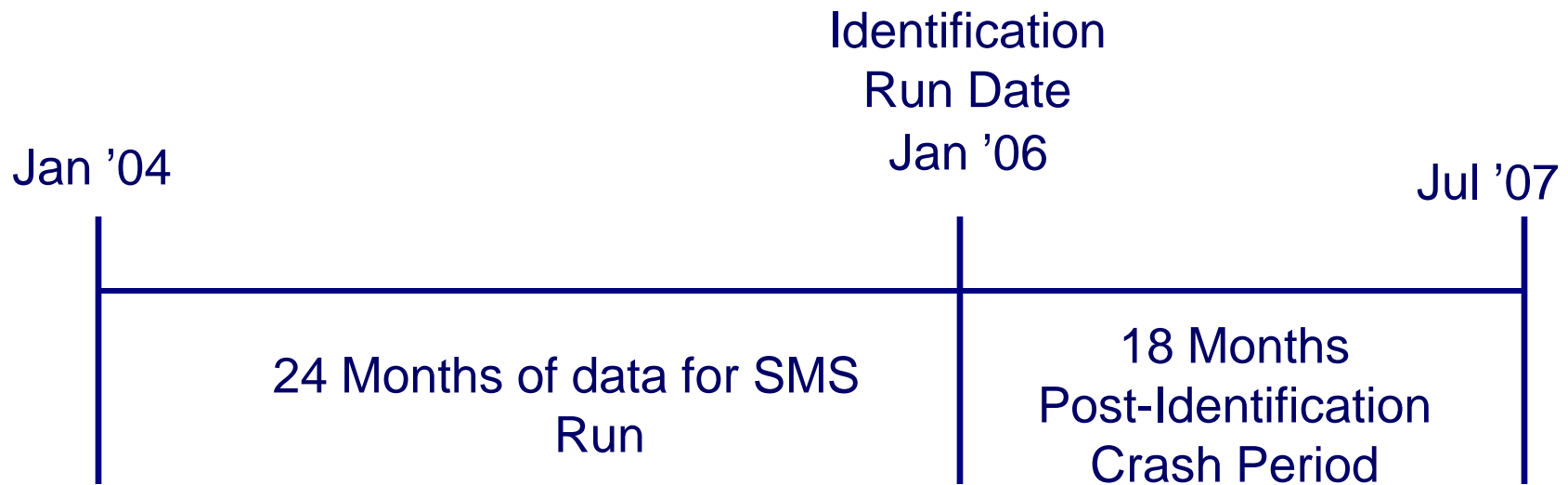   - Offsite Investigations **(~25%)**

Field Test and Results (Cont'd)

- **Following up with carriers**
  - Nearly **50%** of investigations result in one of following: Notice of Claim or Violation, Cooperative Safety Plan
  - Increased enforcement targeting Fatigued Driving and Vehicle Maintenance BASICs

- **Increased driver enforcement**
  - Applying NOVs and NOCs
    - Test: **3.5** Driver Enforcement/Safety Investigator
    - Non-test: **3.2** Driver Enforcement/Safety Investigator
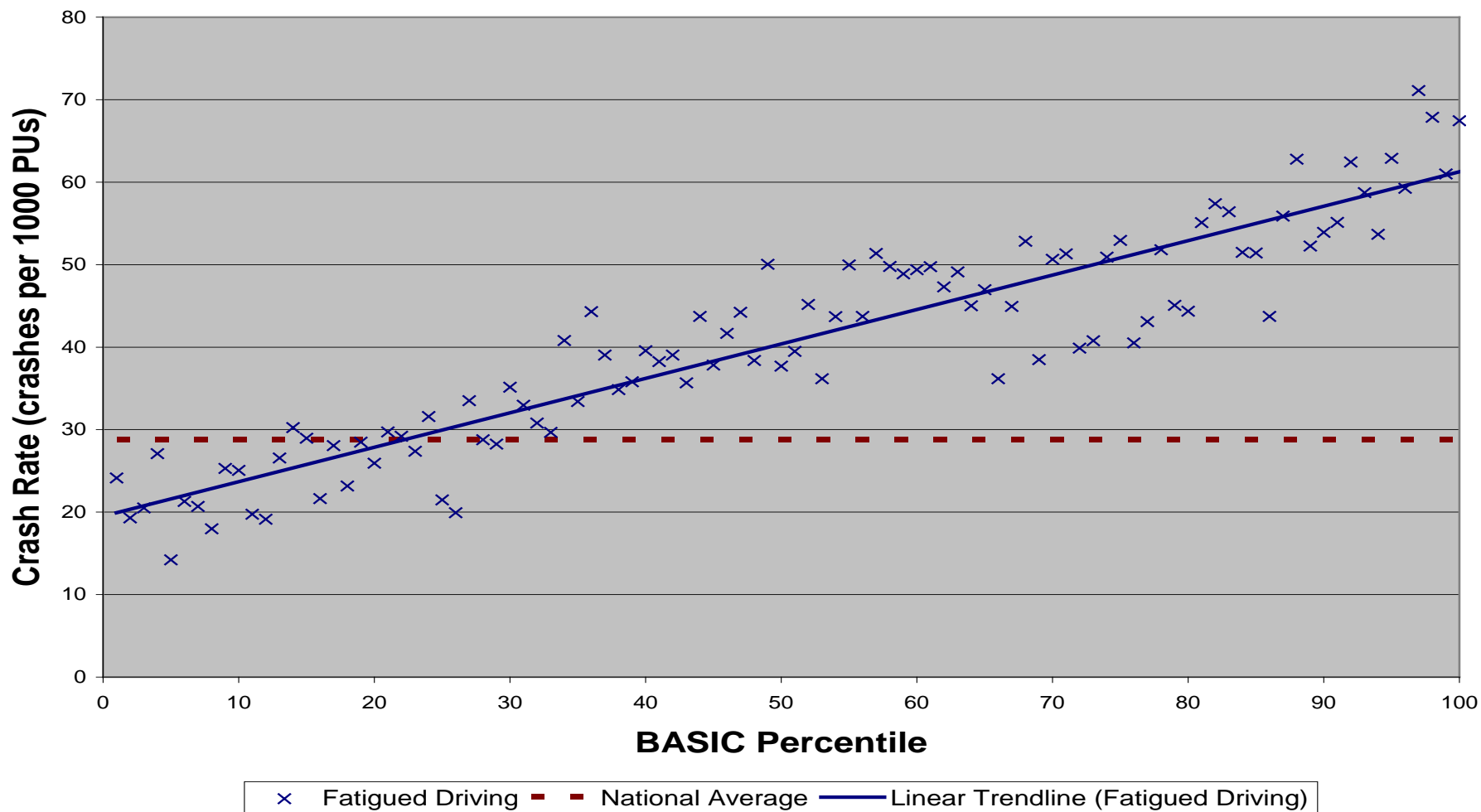
SMS Effectiveness Testing: Timeline

Identification
Run Date
Jan '06

Jan '04

Jul '07

24 Months of data for SMS Run

18 Months
Post-Identification
Crash Period

Field Test: SMS Effectiveness Results

Fatigue BASIC and high risk carriers

Field Test Next Steps

- Formal test data collection in the four 50/50 States concludes June 2010
  - Remaining personnel fully trained in July
- Evaluation and metrics to date
  - Focused on efficiency
  - Designed to ensure uniform processes in test states, and
  - Overall management of the Field Test

Field Test Evaluation

- Independent 3rd party evaluator to analyze Field Test Results
  - Limited to evaluating SMS and Interventions process
    - Field test results exclude SFD impact from full model
- Evaluation will include:
  - How effective are interventions in improving the crash rates of carriers: CSA 2010 vs. SafeStat/CR model?
  - How effective are various interventions in getting carriers into compliance?
  - Are particular intervention types more effective with particular BASICs?

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Outreach - Transparency

- Foundation laid for systematic CSA 2010 rollout
  - Implemented national outreach program
  - 11 public listening sessions; Federal Register notices
  - Website (660,000+) and email subscribers (9,785)
  - Radio and print media
  - Partner and stakeholder briefings nationwide
  - Field workforce readiness initiatives
- Listened carefully to partners, stakeholders, and field staff feedback
- Rollout schedule designed so "we do it right"

Rollout Timeline

- Revised rollout timeline from summer to fall 2010

  - In response to stakeholder input and field test "lessons learned"

- Apr-Nov 2010 --- Motor carrier Data Preview

  - Opportunity to correct unsafe behavior

  - Submit requests for data review

- July-2010 --- Train remaining personnel in four 50-50 test States

  - Nine States fully operating w/SMS and CSA 2010 interventions

Rollout Timeline

- Nov-Dec 2010 ---
  - Replace SafeStat with new SMS; available to public
  - Begin sending warning letters nationwide
  - Update roadside inspection selection system nationwide
  - Begin to phase-in four new elements into CR process in 41 States
    - **Focused compliance reviews** to reach more carriers
    - **Direct Notices of Violation** (NOV) to carriers with deficient Driver Fitness BASIC
    - **Red Flag Driver** process to increase driver focus
    - **New DSMS sampling** procedures to increase driver focus and improve carrier investigations

Rollout Timeline (Cont'd)

- Jan-2011 --- Publish NPRM

- Jan-Nov 2011 ---
    - Continue comprehensive partner/stakeholder outreach
    - Continue field workforce preparation
    - Complete interventions training & implementation – 41 States

Summary

- A fully implemented CSA 2010 ---
    - Better achieves our safety mandate
    - Achieves greater efficiency for FMCSA/States
    - Enables us to take more unsafe motor carriers off the road
    - Requires greater on-road safety accountability
    - Expect greater reduction in CMV crashes, fatalities, and injuries

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Frequently Asked Questions

FAQs

- **Will FMCSA or the CSA 2010 initiative assign safety ratings to individual CMV drivers?**

  - **No**

- **What is the Driver Safety Measurement System (DSMS)?**

  - **Internal enforcement tool used during motor carrier investigations**

  - **Results not available to employing motor carriers or public**

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FAQs

- **What is the Pre-Employment Screening Program (PSP)?**
  - **Mandated by Congress irrespective of CSA 2010 effort**
  - **Screening tool that allows motor carriers and drivers to purchase inspection and crash history**
    - **5 years Crashes, 3 years inspections**
    - **No rating or DOT assessment**
  - **Requires driver consent**
  - **http://www.psp.fmcsa.dot.gov**

- **Does a driver's violation history at a previous employer impact a carriers Safety Measurement System (SMS) evaluation?**
  - **No**

FAQs

- **Do tickets or warnings that drivers receive while operating their personal vehicles impact the new Safety Measurement System (SMS)?**

  - **No**

- **Will the Safety Measurement System (SMS) data related to carriers be available to the public?**

  - **Yes, beginning in late November or early December**

  - **Crash evaluation restricted from public view**

FAQs

- **Is there a way to request a review of potentially erroneous or improper violations on carrier and/or driver records**
    - **Yes, DataQs**
    - https://dataqs.FMCSA.dot.gov/login.asp.

- **Do "clean inspections" count in the SMS?**
    - **Yes, they have a positive influence on results**
    - **FY 2009: One third of the over 3.5 million inspections had no violations**

FAQs

- **Why doesn't the current CSA 2010 Data Review Website provide motor carriers with a good or bad "assessment" in the Safety Measurement System (SMS)BASICs?**

  - **SMS is still being refined based on the Operational Model Test**

  - **SMS results may differ based on these refinements**

SMS Refinements Currently Under Consideration

- Effective and equitable measure of exposure for the Crash and Unsafe Driving BASICs
    - Power Units and Vehicle Miles Travelled (VMT)
- Safety Event Grouping
- Violation Severity Weights
- Other

In Summary:
CSA 2010 Roll-out Schedule – One More Time

April to August 2010:   National Data Review

- Carrier review of violations by BASIC and crash data (April)
- Carrier preview of SMS results and safety assessment in BASICs (August)

Late November thru December 2010:   SMS Replaces SafeStat

- FMCSA/States prioritize enforcement with SMS
- SMS results are available to industry/public
- Warning Letters are issued to carriers with deficient BASICs
- Roadside inspectors use SMS results to identify carriers for inspection
- Apply some key on-site investigation concepts from the operational model

2011:   Interventions Implemented State-by-State and SFD NPRM

- SFD NPRM published
- Systematic introduction of new investigation types (e.g. off-site) and
- National training program to support new interventions process