

THE COMPREHENSIVE SAFETY ANALYSIS 2010 SPEND PLAN REPORT TO CONGRESS

Pursuant to the Explanatory Statement accompanying the
Transportation, Housing and Urban Development, and
Related Agencies Appropriations Act, 2009 (P.L. 111-8)
June 2009

The Explanatory Statement accompanying the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2009 (P.L. 111-8, division I), requested the Federal Motor Carrier Safety Administration (FMCSA) to submit a spend plan to the Committees on Appropriations that details the timeline, cost, and capability of the Comprehensive Safety Analysis (CSA) 2010 through full deployment.

The CSA 2010 is a major FMCSA initiative to improve the effectiveness of the Agency's compliance and enforcement programs. The ultimate goal is to achieve a greater reduction in large truck and bus crashes, injuries, and fatalities, while more efficiently using the resources of FMCSA and its State partners. In contrast to the Agency's current operational model, CSA 2010 is characterized by a more comprehensive measurement system, a broader array of interventions, and a safety fitness methodology based on performance data and not necessarily tied to an onsite compliance review. The CSA 2010 will help the Agency assess the safety performance of a greater segment of the industry and intervene with more carriers to change unsafe behavior earlier.

The FMCSA has made great strides toward the deployment of CSA 2010. In responding to the Committees, this report contains three sections: Major Accomplishments, Capability and Timeline for Deployment, and Costs through Deployment.

MAJOR ACCOMPLISHMENTS

Safety Measurement System

The FMCSA has developed a Safety Measurement System (SMS), which includes a motor carrier safety measurement system and driver safety measurement system. The CSA 2010 will ultimately replace the FMCSA's current measurement system, SafeStat, with SMS. This will enable FMCSA and its State partners to more efficiently and effectively target the safety performance of high-risk motor carriers and drivers.

The role of SMS is to monitor and quantify the safety performance of commercial motor carriers and drivers through a more powerful use of existing motor carrier data. The SMS captures data related to violations discovered at the roadside and crash and intervention data. The system provides scores for motor carriers across seven Behavioral Analysis Safety Improvement Categories (BASICS). The BASICS are unsafe driving, fatigued driving, driver fitness, controlled substances and alcohol, vehicle maintenance, improper loading and cargo securement, and crash indicator.

Broader Array of Interventions

The FMCSA has developed a broader array of compliance and enforcement interventions to help the Agency assess the safety performance of a larger segment of the motor carrier industry and to change unsafe behavior earlier. The use of targeted interventions to improve unsafe behavior is the cornerstone of the CSA 2010 operational model. Interventions are actions taken by FMCSA or its State partners to address a motor carrier or driver safety deficiency as indicated by SMS. Currently, FMCSA relies on compliance reviews to determine a motor carrier's compliance, to determine follow-up enforcement action, and to assess safety fitness. In contrast, CSA 2010 interventions are selected consistent with the level of safety performance. The CSA 2010 interventions include the following:

1. Warning Letter.
2. Targeted Roadside Inspection.
3. Offsite Investigation.
4. Onsite Focused Investigation.
5. Onsite Comprehensive Investigation.¹
6. Cooperative Safety Plan.
7. Notice of Violation.
8. Notice of Claim.
9. Out-of-Service Order.

Safety Fitness Determination Methodology

The FMCSA is developing a safety fitness determination (SFD) methodology that will (1) allow it to assess the safety performance of a larger segment of the motor carrier industry, (2) not be tied to onsite compliance reviews, and (3) take into account virtually all FMCSA safety regulations. This ongoing rulemaking is important to maintaining FMCSA's "open-acceptable" status with regard to the National Transportation Safety Board recommendation H-99-6. The FMCSA's goal is to publish a notice of proposed rulemaking in 2009.

The safety fitness determination of an estimated 175,000 carriers will be assessed on a routine basis if the SFD rule is made effective, compared with the approximately 12,000 carriers that are presently rated annually as a result of the compliance review. However, the CSA 2010 implementation does not depend on this rulemaking. In the meantime, motor carriers can receive ratings using the current rating system in Part 385 of Title 49 of the Code of Federal Regulations based on the CSA 2010 interventions and SMS. In advance of the SFD rulemaking, the Agency will rate motor carriers using the current process as interventions are rolled out across the Nation.

Thirty-Month Field Test

In January 2008, FMCSA launched a 30-month field test of the CSA 2010 operational model with the States of Colorado, Georgia, Missouri, and New Jersey. The test will conclude on June 30, 2010. Motor carriers domiciled in the four test States were randomly placed into a test

¹ The CSA 2010 comprehensive investigation is similar to the traditional compliance review with the addition of finding the root cause of the safety problem to facilitate corrective action.

or control group with approximately 34,000 carriers in each group. Carriers in the test group are receiving the new CSA 2010 interventions using SMS, while those in the control group are receiving compliance reviews using SafeStat.

In preparation for the field test, FMCSA developed an in-depth training course and trained Federal and State safety specialists in the new CSA 2010 processes. The training materials will serve as the basis for a new Agency Field Operations Training Manual. In addition, the prototype Comprehensive Safety Information system was established for the operational model test. This system supports the safety investigator in the selection of motor carrier interventions and allows test motor carriers to review their safety performance data.

The FMCSA launched the field test in two phases. Phase I involved three of the seven BASICS including unsafe driving, fatigued driving, and vehicle maintenance. Phase I did not include SafeStat A or B motor carriers. This startup phase helped the Agency begin slowly to ensure all systems were in place and operating properly before full launch of the test.

A key aspect of Phase I was the Agency's test of the offsite investigation, which is a new intervention designed under CSA 2010. The FMCSA emphasized this intervention in Phase I to test its viability. This intervention was not conducive to the fatigued driving BASIC due to the amount of documentation involved. However, use of the offsite investigation for other BASICS has proven to be extremely efficient, and the Agency has generated enforcement actions as a result of offsite investigations.

Phase II of the test began in October 2008 making the field test fully operational. Phase II incorporates the four remaining BASICS including driver fitness, controlled substances and alcohol, improper loading and cargo securement, and crash indicator. SafeStat A and B motor carriers are included in Phase II. In addition, in Phase II, the Agency is issuing ratings for motor carriers in the test group in accordance with Part 385 of Title 49 by using the FMCSA's current rating process in conjunction with the CSA 2010's SMS and interventions.

Because of the operational model test and the Agency's outreach efforts, additional State partners have expressed interest in joining the field test. Accordingly, FMCSA is planning to add two States in the spring of 2009 and possibly two States in the fall of 2009. The first two States, Montana and Minnesota, should be fully trained and functioning by June 2009.

The University of Michigan Transportation Research Institute (UMTRI) is analyzing the results of the operational model test on an ongoing basis. Convened in January 2008, a Federal-State Working Group is charged with governing the daily operations of the test and with identifying, documenting, and addressing any operational problems that arise during the test. This working group includes an UMTRI representative, and test results are reported to the group on a regular basis.

The FMCSA has received encouraging results from the operational model test. The Agency is reaching more motor carriers more efficiently due to the use of the offsite investigation and

focused onsite investigation. Preliminary results show that the Agency has been able to contact more motor carriers in the test group as compared to motor carriers in the control group and also conducted more investigations and follow-on corrective actions.

Fifty percent of the motor carriers in the test group receiving warning letters have logged on to the Agency Web site to view their performance data. In addition, motor carriers have provided FMCSA with written feedback, expressing their appreciation for receiving notice of safety deficiencies and advising FMCSA of their implemented corrective actions.

Communication and Change Management

Over the past 5 years, FMCSA has conducted nine CSA 2010 public listening sessions to provide its partners and stakeholders with the Agency's progress and to obtain feedback. The FMCSA will continue to conduct listening sessions in fiscal year (FY) 2010 and FY 2011.

CAPABILITY AND TIMELINE FOR DEPLOYMENT

The FMCSA will fully deploy CSA 2010 by December 2010.² Eight critical elements, including four core elements and four enabling elements, must be in place for successful deployment by this date. The elements and the associated deployment dates are described below. In addition, Figure 1 provides an illustrated timeline for deployment.

Core Elements

1. *Replacing SafeStat:* The FMCSA will replace SafeStat with SMS. July 2010.
2. *Final Interventions Development:* The FMCSA will complete all development and fine-tuning of its broader array of interventions. July 2010.
3. *Sending Warning Letters Nationwide:* The FMCSA will send warning letters to motor carriers whose safety performance as measured through deficient BASICs warrant the warning letter intervention. July 2010.
4. *Sending BASICs to Roadside:* The FMCSA will send information on deficient motor carrier BASICs to roadside inspectors nationwide to facilitate inspection selection. The seven BASICs will replace the four SafeStat safety evaluation areas currently used. July 2010.

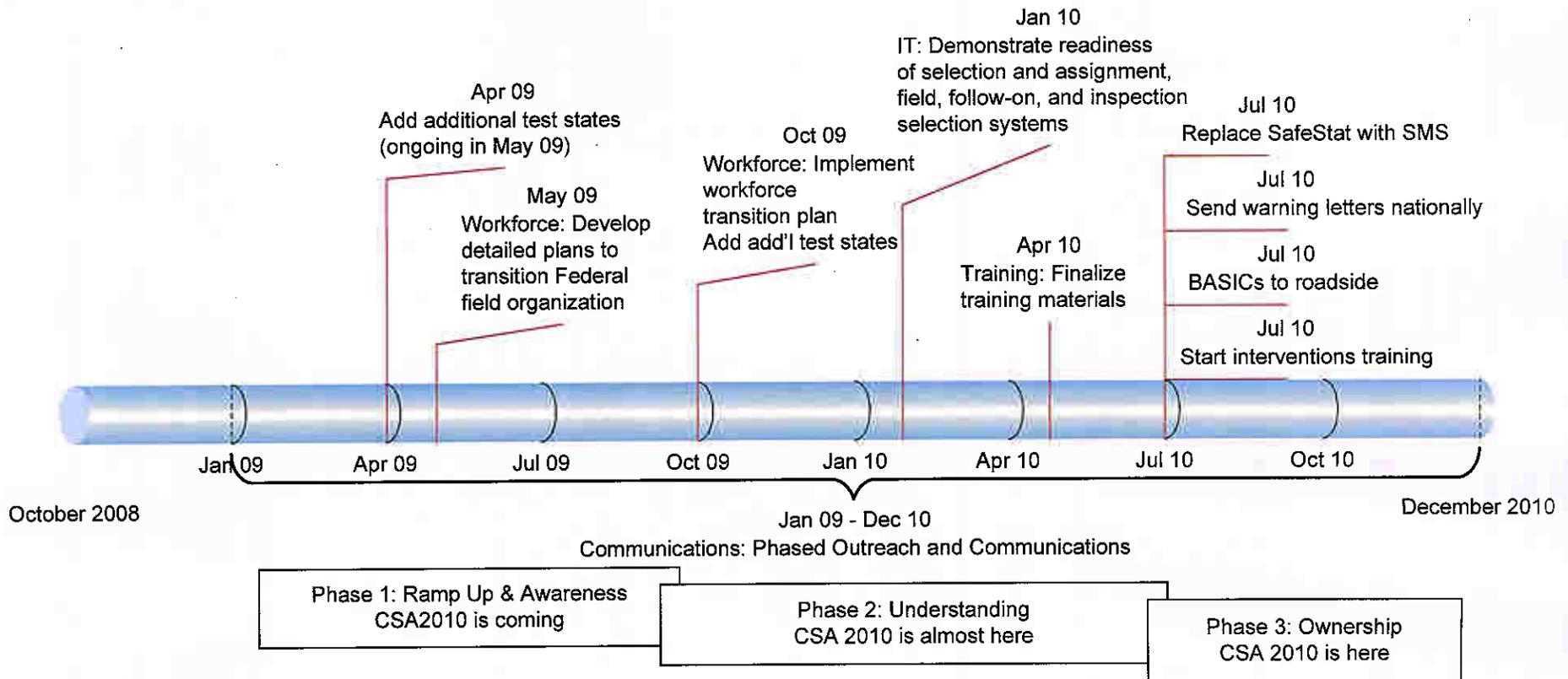
Enabling Elements

1. *Communication and Change Management:* In addition to the public listening sessions referenced above, FMCSA is executing a strategic approach to communicate to its partners and stakeholders the changes that are coming through deployment of CSA 2010. The approach consists of three phases including (1) Awareness – CSA 2010 is coming, (2) Understanding – CSA 2010 is almost here, and (3) Ownership – CSA 2010 is here. April 2009 – December 2010.

² The operational model test will end by June 2010. The FMCSA is conducting an evaluation and analysis throughout the 30-month test. Initial results are encouraging, and FMCSA expects the program to be validated by the end of the test. Accordingly, FMCSA is planning for implementation now, so that CSA 2010 can be deployed by December 2010.

2. *Information Technology:* The FMCSA is developing through its information technology (IT) modernization effort, Creating Opportunities, Methods, and Processes to Secure Safety (COMPASS) program, the IT systems necessary to support deployment of the CSA 2010 operational model. December 2010.
3. *Training:* Upon finalization of the CSA 2010 interventions, FMCSA will launch a training program to train all Federal and State safety investigators in the CSA 2010 processes and procedures. July 2010 – December 2010.
4. *Field Workforce Transition:* The FMCSA is implementing plans to facilitate the transition of its field workforce from the current business model to CSA 2010. These plans address the identification of and training for new skill sets required under the CSA 2010 operational model. April 2009 – December 2010.

Figure 1. CSA 2010 Deployment Timeline



In addition, there are three other elements that are not critical to CSA 2010 deployment by December 2010. Nevertheless, they are essential for optimal operation of the CSA 2010 business model.

Safety Fitness Determination Rulemaking: The FMCSA must implement its new SFD methodology through notice and comment rulemaking. The Agency anticipates publishing a notice of proposed rulemaking in the summer of 2009 and publishing a final rule by December 2010. However, if the rulemaking is delayed, the Agency will deploy CSA 2010 by issuing ratings under the current system through use of the CSA 2010 interventions and SMS. The safety ratings would still be tied to an onsite compliance review, which would continue to limit the number of motor carriers for which the Agency can determine safety fitness. Implementation of the new SFD methodology will enable FMCSA to issue safety fitness determinations on a significantly larger number of carriers, and thereby optimize the CSA 2010 model.

Roadside Inspection Uniformity: The FMCSA and its State partners are working with the Commercial Vehicle Safety Alliance to address roadside inspection uniformity issues. A major factor in assessing the safety performance of motor carriers under CSA 2010 is roadside inspection data. Under CSA 2010, all safety-based roadside violations will be considered by SMS in assessing a motor carrier's safety performance. Thus, it is critical for the success of CSA 2010 that roadside inspection data among the States be complete and uniform.

Crash Accountability: To efficiently assess the safety performance of motor carriers, it is essential that accountability for large truck and bus crashes be determined before the crash data are entered into SMS. The FMCSA is currently conducting an analysis to determine the feasibility of using police accident reports to determine accountability for all motor carrier crashes before they are entered into SMS. Preliminary results are positive; however, the resources for implementation will not be in place by December 2010. Ultimately, the goal is to determine accountability before the crash data for a given carrier is entered into SMS, and thereby optimize the CSA 2010 model.

Until accountability can be determined for all carriers nationwide, SMS will display a Crash BASIC result derived from all crashes in which a carrier was involved, whether the carrier was accountable or not. Currently, in operational model test States and when CSA 2010 interventions are rolled out in other States, carriers with above-threshold Crash BASIC results will be subject to a Crash BASIC Investigation (CBI). The CBI aims to connect crashes to the unsafe behaviors that caused them – in some cases other BASICs – and to modify carrier behavior to avoid future crashes.

COSTS THROUGH DEPLOYMENT

Table 1 reflects FMCSA's FY 2009 appropriation for CSA 2010 and FMCSA's request for FY 2010. Although CSA 2010 deployment encompasses the first quarter of FY 2011, those figures are not included because they have not yet been determined. When the FY 2011 budget is released, these figures will be available.

Table 1: CSA 2010 Estimated Costs through Deployment

Item	FY 2009	FY 2010
Program Planning/Deployment Management	\$ 625,000	\$1,068,000
Measurement System Development	\$657,000	\$673,000
Finalize Interventions Development	\$726,000	\$ 336,000
Communication/Change Management	\$935,000	\$ 445,000
Information Technology ³ (Prototype)	\$704,000	\$688,000
Operational Model Field Test ⁴	\$1,009,000	\$1,034,000
Training ⁵	\$ 590,000	\$1,077,000
Field Workforce Transition Analysis	\$ 156,000	\$ 153,000
Crash Accountability	\$ 298,000	\$ 326,000
Total	\$5,700,000	\$5,800,000

³ Costs represent IT support for the operational model field test and do not reflect IT modernization/COMPASS deployment costs, which are included in the COMPASS program.

⁴ Includes travel expenses incurred by the Federal State Working Group.

⁵ Includes travel expenses incurred by Federal and State training participants.