

KANSAS

Commercial Vehicle Safety Plan for the Federal Motor Carrier Safety Administration's Motor Carrier Safety Assistance Program Fiscal Years 2018 - 2020

Date of Approval: Sep 18, 2018

Final CVSP

Part 1 - MCSAP Overview

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.”

For FY 2018, the primary difference in the single year and multi-year CVSP formats, is that objectives, projected goals and activities in the multi-year CVSP will cover the entire multi-year period of FYs 2018 - 2020. The financial information and certifications will be updated each fiscal year.

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 2018 - 2020)
- Part 3: National Emphasis Areas and State Specific Objectives (FY 2018 - 2020)
- Part 4: Financial Information (FY 2018)
- 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 either a single year, or 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.

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.*

The Kansas Highway Patrol (KHP) is designated as the lead agency for commercial vehicle enforcement by the Governor of Kansas. The Patrol administers all CMV enforcement programs, inspections, accidents and uploads the information to Safer. The Patrol's enforcement began as one of the first States to participate in the MCSAP Pilot State Motor Carrier Safety Plan. In recognition of the Federal Motor Carrier Safety Administration's (FMCSA) goal of the reduction of the Large Truck Fatality collision rates and in keeping consistent with the Kansas Highway Patrol Mission and Goals, Troop I will strive to attain the following goals:

- To ensure our commitment of enforcement actions on accident causing violations. This will be accomplished by continuously monitoring reports of State and Federal highway collisions, in an attempt to identify high crash areas and direct enforcement actions accordingly. Kansas MCSAP inspectors will vigorously enforce driver violations, striving to enforce traffic violations and detect impaired drivers operating CMVs. Additionally, all Troop I personnel will actively promote Seat Belt usage, through a combination of enforcement and educational programs.
- Increase contact with other enforcement agencies. Troop I personnel will participate in "Selective Enforcement" events throughout the state. Each Troop I supervisor will strive to conduct one enforcement effort per quarter throughout their respective coverage areas, as well as participate in Regional Enforcement efforts.
- Promote positive public awareness of the Mission of the Kansas Highway Patrol and the MCSAP program, through the Troop I Public Resource Officers. Education will be presented through media, safety programs and public appearances for industry, public, and other enforcement agencies.
- Increase protection of the Citizens of Kansas through an enhanced Homeland Security presence. This will be accomplished with the distribution of additional equipment for advanced interdiction efforts and participation in coordinated enforcement efforts.
- Troop I safety audit personnel will work to assure all Kansas Motor Carrier New Entrants have a Federally mandated safety audit within 12 months of beginning operation.
- Strive for improvement and maintenance, of high quality roadside inspections. This will be accomplished through continued annual training in new CVSA regulations and changes, HM recertification, and monitoring of roadside inspections by the Troop I SafetyNet department.

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 Kansas Highway Patrol (KHP) is designated as the lead agency for commercial vehicle enforcement by the Governor of Kansas. The Patrol administers all CMV enforcement programs, inspections, accidents and uploads the information to Safer. The Patrol's enforcement began as one of the first States to participate in the MCSAP Pilot State Motor Carrier Safety Plan.

MCSAP directly encompasses a Captain, seven Lieutenants, 25 full time Technical Troopers dedicated to inspections, one Law Enforcement Officer dedicated to inspections, seven accident reconstructionists, five part time inspectors, one compliance review officer, one full time safety auditor, one part time safety auditor and five administrative positions to provide the support for all activities. MCSAP also contains one accounting specialist as a support position as well as four part time IT specialists.

The Patrol dedicates one full-time position to the compliance review (CR) program. This Investigator will focus primarily on passenger carriers (party bus) reviews or other significant investigations. In addition to conducting CR's based on the CSA model, we will also investigate complaints to determine if CR's are necessary on those carriers. Kansas will continue evaluating all CMV fatalities to determine if a compliance review is needed based on the collision circumstances and post-crash inspection. The MCSAP funded CR program remains focused on Kansas based interstate carriers. Through non-funded, the Kansas Corporation Commission conducts compliance reviews on intrastate operations to provide greater continuity with effective enforcement of the FMCSRs upon all motor carriers operating in the state.

Of the personnel above the Kansas New Entrant program is comprised of an Administrative Lieutenant, Administrative Specialist, and two Safety & Health Inspectors. One of the Safety & Health Inspectors is a full time employee while the other is part-time; both of which are civilians and conduct New Entrant Safety Audits. The New Entrant program is supplemented by four troopers and a Law Enforcement Officer who completes audits on a part time basis. In addition, all New Entrant personnel with the exception of the civilian support position are trained in CVSA Level I, Bulk Packaging, Cargo Tank, Hazardous Materials inspections. The employees must meet and sustain all qualifications to the Federal and State standards to maintain their employment.

Kansas has a Public Resource Officer (PRO) program, which has assisted the industry as well as our inspectors with different types of safety issues. We have one full time Motor Carrier Lieutenant and one part time PRO assigned supplementing our outreach efforts with other MCSAP personnel as necessary to meet industry requests.

The Patrol has trained numerous agencies over the past 34 years. The Patrol partners through memorandum of understandings (MOUs) with 27 other local enforcement agencies. Through the MOUs the Patrol has added 47 additional enforcement personnel throughout the state who participate in CMV inspections and enforcement. If these inspectors receive their inspector training at the Patrol's training facility, the training, overnight stay, and training materials are covered by MCSAP funding. All other operating expenses for our MOU partners are paid by the MOU agency. Through FMCSA's MCSAP Programs, the Patrol currently employs or partners through MOUs with local agencies, 350 NAS certified inspectors.

Kansas continues to enhance awareness of hazardous materials transportation and violations through annual training. We conduct annual General Hazardous Materials (GHM) recertification and refresher training, as well as a GHM class every summer. There are currently 89 Troopers and local inspectors fully trained in the hazardous materials regulations, with 71 of those also certified to conduct Cargo Tank/Other Bulk Packaging inspections.

OneMCSAP Troopers are certified by the NTC as both hazardous materials instructors and RAM instructor. We currently send at least two MCSAP Troopers to the annual COHMED conference and we are active in the Uniform Forms and Procedures Working Group. Kansas MCSAP inspectors are directed to perform a minimum of 10% of their total inspections on hazardous materials carriers.

Enhanced monitoring of out-of-service vehicles and drivers insures that only safe CMVs continue to operate in Kansas. We continue to monitor out-of service violations by use of covert activities, re-inspection procedures, and follow-up with motor carriers. At fixed sites, we survey vehicles and drivers to ensure violations have been corrected. Additionally, we monitor violations of out-of-service orders for problem drivers and motor carriers. We currently have a procedure to notify and contact motor carriers to ensure driver/vehicle inspection violations are corrected.

All Kansas officers have been trained and instructed to issue misdemeanor citations to drivers for the applicable out-of-service violations, as well as other applicable violations, of the Federal Motor Carrier Safety Regulations (FMCSR) discovered during roadside inspections. This change in policy emphasizes the driver's increased role, understanding, responsibility, and holds them accountable and liable for areas under their purview.

The KCC will assess civil penalties to all motor carriers for the applicable OOS violations of the FMCSRs discovered during roadside

inspection as determined by the CVSA North American Standard Out-Of-Service criteria. This program emphasizes the increased role, understanding, and responsibility of motor carriers and holds them accountable and liable for areas under their purview.

Commercial Vehicle Drug Interdiction/Homeland Security programs will continue to be stressed during the upcoming year. When schedules allow, we will send selected personnel to DIAP/Homeland Security approved training. We will continue to have personnel participate in HIDTA (High Intensity Drug Trafficking Area) funded lanes and enforcements during the upcoming year and will emphasize drug interdiction activities during statewide efforts.

The Kansas Highway Patrol utilizes a Performance Based Brake Tester (PBBT). This equipment was purchased in CY2010. Training on the equipment was held in Kansas in early CY2011. The CMVs are screened for braking efficiency. Due to wear and tear on the PBBT during travel across the state over the years, Kansas has placed this PBBT at the Liberal, Kansas scale facility, where it will be utilized at the direction of the scale facility Lieutenant.

During FFY 2018, Kansas will train and equip selected Technical Troopers in the area of post-crash inspections. These individuals will complete in-depth post crash inspections for serious injury and fatality crashes involving CMVs, with the hope of identifying any violations which may have been causation factors in the crash and documenting those violations in a detailed post-crash inspection report.

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:	KANSAS HIGHWAY PATROL
Enter total number of personnel participating in MCSAP activities	303
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	303
Traffic Enforcement Activities	303
Investigations*	8
Public Education and Awareness	2
Data Collection and Reporting	5
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Non-funded Agency Information	
Total number of agencies:	27
Total # of MCSAP Participating Personnel:	47

Part 2 - Crash Reduction and National Program Elements

1 - Overview

Part 2 allows the State to provide past performance trend analysis and specific goals for FY 2018 - 2020 in the areas of crash reduction, roadside inspections, traffic enforcement, audits and investigations, safety technology and data quality, and public education and outreach.

In past years, the program effectiveness summary trend analysis and performance goals were separate areas in the CVSP. Beginning in FY 2018, these areas have been merged and categorized by the National Program Elements as described in [49 CFR 350.109](#). This change is intended to streamline and incorporate this information into one single area of the CVSP based upon activity type.

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 State Quarterly Report and CVSP Data Dashboard, and/or the CVSP Toolkit on the A&I Online website. The Data 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/StatePrograms/Home.aspx>. 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.

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 2012 - 2016

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 # Fatal Crashes

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			
01/01/2016	12/31/2016	62	51	61
01/01/2015	12/31/2015	44	52	62
01/01/2014	12/31/2014	64	53	44
01/01/2013	12/31/2013	49	54	64
01/01/2012	12/31/2012	54	55	49

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 # Fatal Crashes

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			
01/01/2016	12/31/2016	0	0	0
01/01/2015	12/31/2015	0	0	0
01/01/2014	12/31/2014	1	0	1
01/01/2013	12/31/2013	1	0	1
01/01/2012	12/31/2012	2	0	2

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 # Fatal Crashes

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			
01/01/2016	12/31/2016	0	0	0
01/01/2015	12/31/2015	0	0	0
01/01/2014	12/31/2014	0	0	0
01/01/2013	12/31/2013	0	0	0
01/01/2012	12/31/2012	0	0	0

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

KDOT/FARS Data and MCMIS - June 2017

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

The challenge for Kansas will always be how to reduce already low number of fatality collisions when combined with the number of Kansas rural road miles and two lane roads. The Kansas Legislature provided an additional challenge to Kansas during the 2014 Legislative Session, when they passed a bill which was ultimately signed into law. This law exempted CMVs engaged in intrastate commerce, with a GVWR of 26,000 pounds or less, of all applicable safety regulations with the exception of load securement and annual inspection requirements.

This law went into effect on July 1, 2014, and a negative impact on the motoring public was realized, which caused the legislature to make changes to the law in 2015. During the 2015 Kansas Legislative Session, due to numerous crashes involving CMVs with a GVWR of 26,000 pounds or less engaged in intrastate commerce, the legislature brought back in "For Hire" carriers in their entirety, load securement, annual inspection, and coupling device regulations for "Private Carriers". There were no further changes during the 2016 or 2017 Kansas Legislative Sessions.

Another difficulty is our states speed limits, which is 75 miles per hour on the interstate. The increased speeds on interstates mean crash severity is exponentially exacerbated when a crash occurs.

Narrative Overview for FY 2018 - 2020**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.

Over the past decade of FARS accident data (CY2007 – CY2016), Kansas has achieved significant improvements regarding CMV safety. Kansas has been successful in reducing all CMV accidents over the last decade but continues to have difficulty maintaining a reduced number of deaths. Within the past ten years, Kansas has reported 72 fatal accidents in CY2007 compared to 44 fatal accidents in CY2014 which was Kansas' best reporting year showing a 25% reduction in fatal accidents from the ten year average.

Kansas does not have an isolated CMV crash corridor. KS FARS Data - June 2017, analyzed from CY 2111 through CY 2015, indicated that Johnson, Sedgwick, Wyandotte, and Shawnee counties represent 37% of all KS CMV collisions.

KS FARS Data - June 2017, indicated Johnson, Sedgwick, Shawnee and Wyandotte counties represented 48.7 % of all Kansas crashes, 41% of CMV crashes and 10% of CMV fatality crashes in CY 2015. CY2015 KDOT FARS Data also revealed that the largest percentage of all accidents (16.8%) in Kansas occurs on Fridays, during the time period of 5:00 p.m. to 5:59 p.m., which represents the largest time frame (8.7%) during the twenty-four hour day. Each of these counties have major metropolitan areas with the highest traffic counts in Kansas.

Kansas Accidents Involving CMV's								
KDOT								
Year	2009	2010	2011	2012	2013	2014	2015	2016
Johnson	419	432	542	437	463	543	627	654
Sedgwick	310	291	332	281	355	356	299	345

Wyandotte	171	209	212	200	226	244	272	166
Shawnee	102	131	156	134	128	125	129	112
Total	1002	1063	1242	1052	1172	1268	1327	1277

Kansas set a goal to reduce the number of CMV accidents in these four high crash counties by 55 from CY2013-CY2017, with an annual benchmark of 11 fewer crashes per year. These high collision areas prove challenging and Kansas is working hard to meet this goal by scheduling selective enforcement lanes specifically within these high collision areas.

Moving hazardous violations such as following too close, improper passing, failing to signal lane changes are examples of accident causing violations that Kansas focuses on to help reduce the number and severity of crashes. In addition to the moving hazardous violations, speed is often a major contributing factor in traffic accidents. Again, Kansas will also focus on speed to help reduce the number and severity of crashes.

Kansas' safety restraint usage has maintained consistent over the past decade. In CY2007, 85.6% of drivers of large vehicles involved in collisions were wearing safety belts. In CY2016, this percentage rose to 86.9%, a 1% increase. Kansas expects the usage of safety belts to either increase or maintain current levels based upon the last five years data trend.

Enter the data source and capture date:

KDOT FARS/Accident Data 2011 through 2015, captured June 2017.

Projected Goal for FY 2018 - 2020:

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
2018	1
2019	1
2020	1

Kansas expects to reduce the average crashes (56) from CY 2011-2015 by 3% from CY2018 until 2020, with an annual benchmark reduction of 1%.

Program Activities for FY 2018 - 2020: 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.

Kansas will dedicate 160 hours of directed patrol activities to this crash reduction objective each quarter of FY2018. These hours will be dedicated to the high crash locations within the four focus counties. Violations will be noted on inspection reports with citations issued as appropriate.

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.

Kansas will dedicate 40 hours per quarter in each of the following counties: Johnson, Sedgwick, Wyandotte, and Shawnee. Kansas expects a 1% reduction in the total number of crashes occurring in the combined mentioned counties based on the average number of crashes from CY2011 to CY2015. Kansas will evaluate the inspection activity generated in each county on a quarterly basis. The grant manager will report the total number of inspections per deployment for each county, the total number of CMV crashes, and the total number of inspections completed in the MCSAP annual reports. The reduction of crashes will be evaluated when annual CY data is released.

3 - Roadside Inspections

In this section, provide a trend analysis, an overview of the State's roadside inspection program, and projected goals for FY 2018 - 2020.

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 2012 - 2016

Inspection Types	2012	2013	2014	2015	2016
Level 1: Full	8936	8902	7852	8227	7704
Level 2: Walk-Around	25651	24308	23448	22319	21654
Level 3: Driver-Only	21596	23290	23498	21622	18364
Level 4: Special Inspections	62	24	34	15	3
Level 5: Vehicle-Only	106	91	99	57	91
Level 6: Radioactive Materials	0	0	0	0	0
Total	56351	56615	54931	52240	47816

Narrative Overview for FY 2018 - 2020

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.

In addition to our roadside inspectors, the KHP currently has 8 fixed scale house locations located across the state. The scale houses are cumulatively staffed by approximately 23 NAS certified Motor Carrier Inspectors. All Kansas inspectors utilize insPECT software to complete CMV inspections. The transition from Aspen and hand written inspections to insPECT was completed during CY 2016. Having all inspectors in Kansas utilize insPECT alleviated the need for inspections to be hand entered into SAFETNET by KHP personnel.

KHP personnel utilize Digiticket software to issue citations to motorists. Digiticket is a computer based program that enables Officers to fill out citations, via their Mobile Data Units (MDU) at the completion of the enforcement action. The Officer can then electronically forward those citations to the respective District Court jurisdiction for processing, while further advancing paper reduction efforts. Digiticket will ensure timely routing of CMV citations to the courts causing traffic violation conviction data to be more expeditiously disseminated.

Kansas Inspectors use insPECT, ISS, and CVIEW programs to conduct inspection with their MDUs. During these inspections, the driver's license is checked for validity, the motor carrier's USDOT number is checked to ensure that they are not operating under any out of service orders (OOSO) and if so, we impound if conditions warrant. KHP policy is set forth in outlining the number of CVSA inspections each KHP certified NAS Inspector is to obtain and maintain both quarterly and yearly. This information is monitored at the first line-supervisor level, as well as by MCSAP Command Staff. Inspections are to be uploaded daily at the completion of the Officer's shift. Annual CVSA refresher training is provided to NAS inspectors and provided by KHP NAS certified instructors. KHP SafetyNet staff monitors, via the FMCSA Portal, its state data quality rating intermittently throughout the quarter as a quality control measure in order to stave off issues as they may arise.

Projected Goals for FY 2018 - 2020

Instructions for Projected Goals:

Complete the following tables in this section indicating the number of inspections that the State anticipates conducting during Fiscal Year 2018 - 2020. For FY 2018 - 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: KANSAS HIGHWAY PATROL

Enter the total number of certified personnel in the Lead agency: 303

Projected Goals for FY 2018 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	6300	1200	15	7515	14.49%
Level 2: Walk-Around	24500	2000	40	26540	51.17%
Level 3: Driver-Only	17500	70	30	17600	33.93%
Level 4: Special Inspections	30	5	5	40	0.08%
Level 5: Vehicle-Only	100	10	60	170	0.33%
Level 6: Radioactive Materials	0	0	0	0	0.00%
Sub-Total Lead Agency	48430	3285	150	51865	

MCSAP subrecipient agency

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

You have not entered any subrecipient information. Visit Part 1, MCSAP Structure to add subrecipient information.

Non-Funded Agencies

Total number of agencies:	27
Enter the total number of non-funded certified officers:	47
Enter the total number of inspections projected for FY 2018:	1600

Summary

Projected Goals for FY 2018 - Roadside Inspections Summary

Projected Goals for FY 2018 Summary for All Agencies					
MCSAP Lead Agency: KANSAS HIGHWAY PATROL					
# certified personnel: 303					
Subrecipient Agencies:					
# certified personnel: 0					
Number of Non-Funded Agencies: 27					
# certified personnel: 47					
# projected inspections: 1600					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	6300	1200	15	7515	14.49%
Level 2: Walk-Around	24500	2000	40	26540	51.17%
Level 3: Driver-Only	17500	70	30	17600	33.93%
Level 4: Special Inspections	30	5	5	40	0.08%
Level 5: Vehicle-Only	100	10	60	170	0.33%
Level 6: Radioactive Materials	0	0	0	0	0.00%
Total ALL Agencies	48430	3285	150	51865	

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.

The Kansas Highway Patrol has 50 full time Level 1 certified inspectors who are required to complete at least 30 percent Level 1 inspections per Federal Fiscal Year (FFY) . These inspectors are also required to complete 34 percent Level 3 inspections and 10 percent Hazardous Materials inspections per FFY. Additionally, Kansas has an additional 30 local (non-funded and non-full time) inspectors who are Level 1 certified and required to complete 32 Level 1 inspections per FFY and any amount of Level 2 and Level 3 inspections they deem appropriate. The remaining 270 inspectors in Kansas are not full-time and are only required to complete Level 2 and/or Level 3 inspections.

Projected Goals for FY 2019 Roadside Inspections	Lead Agency	Subrecipients	Non-Funded	Total
Enter total number of projected inspections	48430	0	1600	50030
Enter total number of certified personnel	350	0	47	397
Projected Goals for FY 2020 Roadside Inspections				
Enter total number of projected inspections	48430	0	1600	50030
Enter total number of certified personnel	350	0	47	397

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 2012 - 2016

Investigative Types - Interstate	2012	2013	2014	2015	2016
Compliance Investigations		0			0
Cargo Tank Facility Reviews	1		0	1	1
Non-Rated Reviews (Excludes CSA & SCR)	22	19	18	18	16
CSA Off-Site		0	0	0	0
CSA On-Site Focused/Focused CR	0	0	0	1	2
CSA On-Site Comprehensive	9	18	7	8	5
Total Investigations	32	37	25	28	24
Total Security Contact Reviews	1	5	0	1	0
Total Terminal Investigations			0	0	0

Investigative Types - Intrastate	2012	2013	2014	2015	2016
Compliance Investigations					
Cargo Tank Facility Reviews					
Non-Rated Reviews (Excludes CSA & SCR)	1	6			
CSA Off-Site					
CSA On-Site Focused/Focused CR					
CSA On-Site Comprehensive	1				
Total Investigations	2	6	0	0	0
Total Security Contact Reviews	1				
Total Terminal Investigations					

Narrative Overview for FY 2018 - 2020**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 2018 - 2020

Complete the table below indicating the number of investigations that the State anticipates conducting during FY 2018 - 2020.

Projected Goals for FY 2018 - 2020 - Investigations						
Investigation Type	FY 2018		FY 2019		FY 2020	
	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
Compliance Investigations	2	0	2	0	2	0
Cargo Tank Facility Reviews	0	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	5	0	5	0	5	0
CSA Off-Site	13	0	13	0	13	0
CSA On-Site Focused/Focused CR	5	0	5	0	5	0
CSA On-Site Comprehensive	5	0	5	0	5	0
Total Investigations	30	0	30	0	30	0
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.

Due to having only one Investigator, the estimates for each category are intended to enable the investigator to work on more than one review at a time.

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

Both the FMCSA FPM and the Kansas Highway Patrol Administrative Lieutenant assign Compliance Reviews. Reviews will be assigned based on the Safety Measurement System (SMS) or an internally or externally generated complaint. Additionally, reviews are assigned for Kansas carriers if they are involved and potentially at fault in a fatality collision.

The Kansas Highway Patrol has one full time employee dedicated to completing compliance reviews (CR's). Kansas will work with the FMCSA Kansas Division to conduct compliance reviews of high- risk motor carriers as identified on the high-risk carrier assignment list. The division will continue to conduct compliance reviews on interstate carriers that are identified as high-risk carriers on the FMCSA investigation prioritization list.

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.

The full time compliance review officer will be required to average at a minimum, two compliance reviews per month. While these reviews are a minimum number, we will strive to increase our "carrier touches" during on site focused, and off site reviews. The Kansas Highway Patrol Commander and Administrative Lieutenant are both committed to the successful application of the CSA process.

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 2012 - 2016

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		
01/01/2016	12/31/2016	3334	
01/01/2015	12/31/2015	3739	
01/01/2014	12/31/2014	5123	
01/01/2013	12/31/2013	6155	
01/01/2012	12/31/2012	6202	

☒ **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.

Data from KHP internal sources - June 2017 Kansas does not conduct CMV Traffic Enforcement Stops without Inspection and has no mechanism at this time to determine how many citations and warnings were written for each stop without looking at each inspection individually. Kansas does conduct traffic stops on Non-CMV's which are operating around CMV's. However, Kansas had no mechanism for tracking the number of citations and warnings issued during these stops prior to 2014.

Narrative Overview for FY 2018 - 2020**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](#).

Projected Goals for FY 2018 - 2020

Using the radio buttons in the table below, indicate the traffic enforcement activities the State intends to conduct in FY 2018 - 2020. 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 2018	FY 2019	FY 2020
<input checked="" type="radio"/>	<input type="radio"/>	CMV with Inspection	3000	3000	3000
<input type="radio"/>	<input checked="" type="radio"/>	CMV without Inspection	0	0	0
<input checked="" type="radio"/>	<input type="radio"/>	Non-CMV	6000	6000	6000
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	18	18	18

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 2018 Planned Safety Activities				
Inspections	Investigations	New Entrant Safety Audits	Sum of FY 2018 Activities	Average 2004/05 Activities
53465	30	407	53902	53021

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

Kansas enters traffic enforcement data after each deployment outlined above as well as every 15 days of the month. This activity is calculated monthly for review by all MCSAP supervisors and senior command staff as well as the MCSAP Commander for compliance with the FMCSA national traffic enforcement priorities. This information is also reported to the Kansas Division of FMCSA monthly.

6 - Safety Technology

The FAST Act made Performance and Registration Information Systems Management (PRISM) a condition for MCSAP eligibility. ([49 CFR 350.201 \(aa\)](#)) States must achieve full participation (Step 6) by October 1, 2020. 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\(cc\)](#).)

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 at least Step 6 in PRISM, O&M costs are eligible expenses.

These expenses must be included in the Spending Plan section per the method these costs are handled in the State's accounting system (e.g., contractual costs, other costs, etc.).

Safety Technology Compliance Status

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

Technology Program	Current Compliance Level	Include O & M Costs?
ITD	Core CVISN Compliant	No
PRISM	Step 8	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:

Enter the agency name responsible for PRISM in the State, if other than the Lead MCSAP Agency: Kansas Department of Revenue

Narrative Overview for FY 2018 - 2020

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.

Program Activities for FY 2018 - 2020: Describe any actions that will be taken to implement full participation in PRISM.

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.

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 2012 - 2016

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

Public Education and Outreach Activities	2012	2013	2014	2015	2016
Carrier Safety Talks	89	99	68	72	73
CMV Safety Belt Education and Outreach	89	99	68	72	73
State Trucking Association Meetings	4	4	4	4	4
State-Sponsored Outreach Events	1	1	1	1	1
Local Educational Safety Events					
Teen Safety Events			6	6	11

Narrative Overview for FY 2018 - 2020

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.

Kansas will continue to conduct educational programs. The Kansas Highway Patrol serves as a resource to the industry for CMV related questions and educational materials. This greatly reduces requests as well as the need for the lead MCSAP agency to provide educational programs. Public education and awareness activities are essential in educating the general public about sharing the road safely with CMVs. Our PROs disseminate information to carriers and the public through training classes and information booths at the state fair, farm shows, industrial associations, CDL truck driving schools, and similar events. The Kansas Highway Patrol PROs and MCSAP officers will strive to maintain a level of 75 programs annually. Kansas did not break down its safety and outreach tracking into each of the activity types listed in the above chart, but will do so in the future. Kansas did report the activity types it did track from 2012 through 2016.

Projected Goals for FY 2018 - 2020

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 2018	FY 2019	FY 2020
<input checked="" type="radio"/>	<input type="radio"/>	Carrier Safety Talks	75	75	75
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	75	75	75
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	4	4	4
<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	5	5	5
<input checked="" type="radio"/>	<input type="radio"/>	Teen Safety Events	5	5	5

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.

The number of students, programs given, and hours spent are reported to the SPM through the MCSAP quarterly review. Kansas has not tracked the activity types as listed above in the projected goals in the past, but will do so starting in FFY 2018.

8 - State Safety Data Quality (SSDQ)

The FAST Act allows MCSAP lead agencies to use MCSAP funds for Operations and Maintenance (O&M) costs associated with Safety Data Systems (SSDQ) if the State meets accuracy, completeness and timeliness measures regarding motor carrier safety data and participates in the national data correction system (DataQs).

SSDQ Compliance Status

Please verify the current level of compliance for your State in the table below using the drop-down menu. If the State plans to include O&M costs in this year's CVSP, select Yes. These expenses must be included in the Spending Plan section per the method these costs are handled in the State's accounting system (e.g., contractual costs, other costs, etc.).

Technology Program	Current Compliance Level	Include O & M Costs?
SSDQ	Good	Yes

Available data sources:

- [FMCSA website SSDQ information](#)

In the table below, use the drop-down menus to indicate the State's current rating within each of the State Safety Data Quality categories, and the State's goal for FY 2018 - 2020.

SSDQ Category	Current SSDQ Rating	Goal for FY 2018	Goal for FY 2019	Goal for FY 2020
Crash Record Completeness	Good	Good	Good	Good
Fatal Crash Completeness	Good	Good	Good	Good
Crash Timeliness	Good	Good	Good	Good
Crash Accuracy	Good	Good	Good	Good
Crash Consistency	No Flag	No Flag	No Flag	No Flag
Inspection Record Completeness	Good	Good	Good	Good
Inspection VIN Accuracy	Good	Good	Good	Good
Inspection Timeliness	Good	Good	Good	Good
Inspection Accuracy	Good	Good	Good	Good

Enter the date of the A & I Online data snapshot used for the "Current SSDQ Rating" column.

A&I May 26, 2017

Narrative Overview for FY 2018 - 2020

Problem Statement Narrative: Describe any issues encountered for any SSDQ category not rated as "Good" in the Current SSDQ Rating category column above (i.e., problems encountered, obstacles overcome, lessons learned, etc.). If the State is "Good" in all categories, no further narrative or explanation is necessary.

Program Activities for FY 2018 - 2020: Describe any actions that will be taken to achieve a "Good" rating in any category not currently rated as "Good," including measurable milestones.

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.

9 - New Entrant Safety Audits

The FAST Act states that conducting interstate New Entrant safety audits is now a requirement to participate in the MCSAP ([49 CFR 350.201](#).) The Act allows a State to conduct intrastate New Entrant safety audits at the State's discretion. States that choose to conduct intrastate safety audits must not negatively impact their interstate new entrant program.

Note: The FAST Act also says that a State or a third party may conduct New Entrant safety audits. If a State authorizes a third party to conduct safety audits on its behalf, the State must verify the quality of the work conducted and remains solely responsible for the management and oversight of the New Entrant activities.

Yes	No	Question
<input type="radio"/>	<input type="radio"/>	Does your State conduct Offsite safety audits in the New Entrant Web System (NEWS)? NEWS is the online system that carriers selected for an Offsite Safety Audit use to submit requested documents to FMCSA. Safety Auditors use this same system to review documents and communicate with the carrier about the Offsite Safety Audit.
<input type="radio"/>	<input type="radio"/>	Does your State conduct Group safety audits at non principal place of business locations?
<input type="radio"/>	<input type="radio"/>	Does your State intend to conduct intrastate safety audits and claim the expenses for reimbursement, state match, and/or Maintenance of Effort on the MCSAP Grant?

Trend Analysis for 2012 - 2016

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

New Entrant Safety Audits	2012	2013	2014	2015	2016
Interstate	486	450	561	611	403
Intrastate					
Total Audits	486	450	561	611	403

Note: Intrastate safety audits will not be reflected in any FMCSA data systems—totals must be derived from State data sources.

Narrative Overview for FY 2018 - 2020

Enter the agency name conducting New Entrant activities, if other than the Lead MCSAP Agency: Kansas Highway Patrol

Program Goal: Reduce the number and severity of crashes, injuries, and fatalities involving commercial motor vehicles by reviewing interstate new entrant carriers. At the State's discretion, intrastate motor carriers are reviewed to ensure they have effective safety management programs.

Program Objective: Statutory time limits for processing and completing interstate safety audits are:

- If entry date into the New Entrant program (as shown in FMCSA data systems) September 30, 2013 or earlier—safety audit must be completed within 18 months.
- If entry date into the New Entrant program (as shown in FMCSA data systems) October 1, 2013 or later—safety audit must be completed within 12 months for all motor carriers and 120 days for motor carriers of passengers.

Projected Goals for FY 2018 - 2020

For the purpose of completing the table below:

- **Onsite safety audits** are conducted at the carrier's principal place of business.
- **Offsite safety audit** is a desktop review of a single New Entrant motor carrier's basic safety management controls and can be conducted from any location other than a motor carrier's place of business. Offsite audits are conducted by States that have completed the FMCSA New Entrant training for offsite audits.
- **Group audits** are neither an onsite nor offsite audit. Group audits are conducted on multiple carriers at an alternative location (i.e., hotel, border inspection station, State office, etc.).

Projected Goals for FY 2018 - 2020 - New Entrant Safety Audits						
	FY 2018		FY 2019		FY 2020	
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
# of Safety Audits (Onsite)	107	0	107	0	107	0
# of Safety Audits (Offsite)	300	0	300	0	300	0
# Group Audits	0	0	0	0	0	0
TOTAL Safety Audits	407	0	407	0	407	0
# of Non-Audit Resolutions	190	0	190	0	190	0

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

Kansas will conduct Safety Audits as determined by New Entrant entry dates and based on the carriers type of operation. The New Entrant Auditors are strategically placed throughout the state to ensure maximum effectiveness. Carriers requiring Onsite audits will be assigned to the nearest Auditor, reducing the travel expense and completion delays.

In addition to the completion guidelines based on the carriers new entrant date, auditors will focus on carriers in their inventory that are in an expedited status, have crashes, transport hazardous materials, and passengers. Focusing on these carriers is critical due to the potential impact that they have in the event of a catastrophic event. Carriers eligible for Offsite audits will be assigned according to Auditor workload and inventory. This will prevent carriers from becoming overdue and reduce the number of overdue carriers in our metropolitan area that generate greater numbers of New Entrant Carriers than the rural areas of the state.

Activity Plan for FY 2018 - 2020: Include a description of the activities proposed to help achieve the objectives. If group audits are planned, include an estimate of the number of group audits.

The MCSAP New Entrant Lieutenant assigns Safety Audits on a weekly basis. The assignments will be based on the location of the carrier, the carriers' New Entrant entry date, and any special status applicable to the carrier.

Each full time Auditor is expected to complete a minimum of 10 audits per month. Each part time Auditor should average 3-4 audits per month, dependent upon the existing inventory at the time.

Kansas will provide overtime for new entrant auditors for expedited action and carriers within 30 days of being due or over due carriers.

Performance Measurement Plan: Describe how you will measure progress toward meeting the objective, such as quantifiable and measurable outputs (staffing, work hours, carrier contacts, inspections, etc.). The measure must include specific benchmarks to be reported on in the quarterly progress report, or as annual outputs.

Each Auditor completes a monthly activity sheet, which is monitored by the Kansas Highway Patrol MCSAP New Entrant Lieutenant. The activity sheet monitors the number of audits completed in addition to carrier contacts, inactivations, authority changes, failures, no contacts, and farm vehicles exempted due to FAST Act to provide a detailed picture of work output. The Auditor activities are reported both quarterly and annually to the SPM.

Part 3 - National Emphasis Areas and State Specific Objectives

FMCSA establishes annual national priorities (emphasis areas) based on emerging or continuing issues, and will evaluate CVSPs in consideration of these national priorities. Part 3 allows States to address the national emphasis areas/priorities outlined in the Notice of Funding Opportunity (NOFO) and any State-specific objectives as necessary. Specific goals and activities must be projected for the three fiscal year period (FYs 2018 - 2020).

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.

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.

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

Describe any State-specific CMV problems that were addressed with FY2017 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 2017 CVSP.

Progress Report on State Specific Objectives(s) from the FY 2017 CVSP

Please enter information to describe the year-to-date progress on any State-specific objective(s) identified in the State's FY 2017 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.**

KS did not have a State Specific activity in last years CVSP.

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

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

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

4 - State Specific Objectives – Future**Instructions:**

The State may include additional objectives from the national priorities or emphasis areas identified in the NOFO 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 2018 - 2020. 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.

Narrative Overview for FY 2018 - 2020

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

Projected Goals for FY 2018 - 2020:

Enter performance goal.

Program Activities for FY 2018 - 2020: Describe the activities that will be implemented including level of effort.

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.

Part 4 - Financial Information

1 - Overview

The spending plan is a narrative explanation of each budget component, and should support the cost estimates for the proposed work. The plan should focus on how each item will achieve the proposed project goals and objectives, and justify how costs are calculated. The spending plan should be clear, specific, detailed, and mathematically correct. Sources for assistance in developing the Spending Plan include [2 CFR part 200](#), [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 ([2 CFR §200.404](#)), and allocable ([2 CFR §200.405](#)).

- **Allowable** costs are permissible under the OMB Uniform Guidance, DOT and FMCSA directives, MCSAP policy, and all other relevant legal and regulatory authority.
- **Reasonable** 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.
 - 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 data forms are displayed by budget category. 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 cannot exceed 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 must be at least 15 percent of the total project costs for this FMCSA grant program. A State is only required to contribute 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** expenditures will be entered in a separate line below each budget category table for FY 2018. MOE expenditures will not, and should not, be included in the calculation of Total Project Costs, Federal share, or State share line items.

New for FY 2018

- **Incorporation of New Entrant and Border Enforcement into MCSAP**

The FAST Act consolidated new entrant and border enforcement under the MCSAP grant. For FY 2018, costs for New Entrant safety audits and border enforcement activities will no longer be captured in separate spending plans. States may opt to identify new entrant and border enforcement costs separately in the budget tables, but are not required to do so.

- **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 for States 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.

States may change or delete the system-calculated Federal and State share values at any time to reflect actual allocation for any line item. For example, States may allocate 75 percent of an item to Federal share, and 25 percent of the item to State share. 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.

- **Expansion of 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.

The system will confirm that:

- Federal share plus State share equals Total Project Costs on each line item
- Accounting Method is selected in Personnel, Part 4.2
- Overtime value does not exceed the FMCSA limit
- Planned MOE Costs equal or exceed FMCSA limit
- Proposed Federal and State share totals are each within \$5 of FMCSA's Federal and State share estimated amounts
- Territory's proposed Total Project Costs are within \$5 of \$350,000

For States completing a multi-year CVSP, the financial information should be provided for FY 2018 only.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$4,517,237.00	\$797,160.00	\$5,314,397.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP award amount):	\$797,160.00
MOE Baseline:	\$341,825.51

2 - Personnel

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

List grant-funded staff who will complete the tasks discussed in the narrative descriptive sections of the eCVSP.

Note: *Do not include any personally identifiable information in the eCVSP.*

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 of 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. For example, a MCSAP officer spent approximately 35 percent of his 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 annual salary column, enter the annual salary for each position.

Total Project Costs are calculated by multiplying # of Staff X % of Time X Annual 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, 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):	\$797,160.00

Personnel: Salary and Overtime Project Costs						
Salary Project Costs						
Position(s)	# of Staff	% of Time	Annual Salary	Total Project Costs	Federal Share	State Share
Administrative Specialist	1	100.0000	\$33,000.00	\$33,000.00	\$28,050.00	\$4,950.00
Safety & Health Inspector NE	1	100.0000	\$40,000.00	\$40,000.00	\$34,000.00	\$6,000.00
Safety & Health Inspector NE 999	1	100.0000	\$20,000.00	\$20,000.00	\$17,000.00	\$3,000.00
Safety & Health Inspector CR	1	100.0000	\$40,000.00	\$40,000.00	\$34,000.00	\$6,000.00
Technical Trooper PT NE	5	25.0000	\$65,000.00	\$81,250.00	\$69,062.50	\$12,187.50
Technical Trooper PT MCSAP	4	75.0000	\$65,000.00	\$195,000.00	\$165,750.00	\$29,250.00
Technical Trooper	25	100.0000	\$68,000.00	\$1,700,000.00	\$1,445,000.00	\$255,000.00
Captain	1	100.0000	\$100,000.00	\$100,000.00	\$85,000.00	\$15,000.00
Lieutenant	7	100.0000	\$82,000.00	\$574,000.00	\$487,900.00	\$86,100.00
Accounting Support	1	100.0000	\$40,000.00	\$40,000.00	\$34,000.00	\$6,000.00
IT Support	4	25.0000	\$60,000.00	\$60,000.00	\$51,000.00	\$9,000.00
Administrative Staff	3	100.0000	\$32,000.00	\$96,000.00	\$81,600.00	\$14,400.00
Safety and health Inspector 999	5	100.0000	\$20,000.00	\$100,000.00	\$85,000.00	\$15,000.00
Law Enforcement Officer II	1	100.0000	\$67,000.00	\$67,000.00	\$56,950.00	\$10,050.00
PSA (SafetyNet Supervisor)	1	100.0000	\$38,000.00	\$38,000.00	\$32,300.00	\$5,700.00
Subtotal: Salary				\$3,184,250.00	\$2,706,612.50	\$477,637.50
Overtime Project Costs						
MCSAP Troopers	50	100.0000	\$2,115.57	\$105,778.50	\$89,911.72	\$15,866.78
Subtotal: Overtime				\$105,778.50	\$89,911.72	\$15,866.78
TOTAL: Personnel				\$3,290,028.50	\$2,796,524.22	\$493,504.28
Accounting Method:	Modified Accrual					
Planned MOE: Personnel	\$153,723.00					

Enter detailed explanation of how you came up with the personnel costs.

The MCSAP grant funds one Captain, seven Lieutenants, 21 full time Technical Troopers, one Motor Carrier Inspector dedicated to inspections, seven accident reconstructionists and three administrative positions to provide the support for all activities. MCSAP also contains one accounting specialist and four part time IT specialists.

The salary and fringe request assumes all positions filled for an entire year. Any expended overage will be counted as MOE.

The MCSAP Captain supervises activities of all MCSAP personnel and projects. He spends his time implementing this project, supervising staff, and conducting activities to meet the objectives of this project. Activities include: supervising daily operation of projects and staff, grant writing and compliance, providing staff training/technical assistance, coordinating staff work schedule/assignments, ensuring data entry, tracking and following-up on procedures to meet quality assurance, and tracking policy to ensure compliance.

The Technical Troopers and Lieutenants are average hourly wages for each position; as is the administrative staff:

The seven field Lieutenants directly supervise MCSAP Technical Troopers as well as the part time civilian employees. They spend 100% of their time implementing this project, supervising staff, and conducting activities to meet the objectives of this project. Activities include: roadside inspections, supervising daily operation of projects and staff, grant writing and compliance, providing staff training/technical assistance, coordinating staff work schedule/assignments, ensuring data entry, tracking and following-up on procedures to meet quality assurance, and tracking policy to ensure compliance.

There are 21 Technical Troopers who conduct roadside inspections to fulfill MCSAP reporting requirements. Activities include: roadside inspections, safety programs, and participating in FMCSA directed activities for grant compliance, instructing NSA classes to include A and B week, HM, Cargo Tank, Hazardous Materials, PBBT and Other Bulk annual recertification for over 346 Kansas inspectors.

Seven of the 28 Technical Troopers are members of the Patrol's accident reconstruction team. They complete all of the above activities as well as reconstruct collisions involving CMVs as the severity of the collision dictates. There are an additional four Technical Troopers and one Lieutenant who supervise the statue breath alcohol program, which instructs all officers throughout the state on the

detection of drug and alcohol impaired drivers.

One MCI OFCR conducts roadside inspections to fulfill MCSAP reporting requirements. Activities include: roadside inspections.

Five Safety Inspectors conduct roadside inspections.

One Health and Safety Inspector is dedicated to entering and reviewing all accidents uploaded through SafetyNet.

There are two Administrative staff who administer the Kansas SafetyNet program. They enter all handwritten inspections as well as review all Federally reportable accidents. The other administrative position completes time sheets, activity reports and is a primary call taker for MCSAP and New Entrant calls.

We have one accounting support staff full time whose duties include the monthly expenditures, vouchers and monitoring/reporting to the fiscal outlook to the Troop Commander.

We utilize four IT support staff to monitor the connectivity and programs for, INSPECT, CVIEW, and all supporting IT forms.

The Patrol has never paid overtime costs. These costs are associated with overtime accrued when placing vehicles OOS or inspectinos when over 80 hours in a pay period.

The NE program has has an overtime budget to deal with expedited carriers and carriers within 30 days of being over due or carriers returning to the program who are overdue for the audit.

3 - Fringe Benefits

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. For more information on this item see [2 CFR §200.431](#).

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 have an 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\(b\)](#).

Include 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 costing each type of leave is consistently followed by the non-Federal entity or specified grouping of employees

Depending on the State, there are set 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 to 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, then that is the amount the fringe rate of 64.8 (from the example above) will be applied. The calculation is: $\$150,000 \times 64.8/100 = \$97,200$ Total Project Costs.

The Total Project Costs equal Fringe Benefit Rate X Base Amount divided by 100.

Fringe Benefits Project Costs					
Position(s)	Fringe Benefit Rate	Base Amount	Total Project Costs	Federal Share	State Share
Law Enforcement	23.7550	\$2,717,250.00	\$645,482.73	\$548,660.32	\$96,822.41
Civilian Members	24.1150	\$367,000.00	\$88,502.05	\$75,226.74	\$13,275.31
INS Civilian	100.0000	\$104,590.20	\$104,590.20	\$88,901.67	\$15,688.53
INS Law Enforcement	100.0000	\$423,618.78	\$423,618.78	\$360,075.96	\$63,542.82
TOTAL: Fringe Benefits			\$1,262,193.76	\$1,072,864.69	\$189,329.07
Planned MOE: Fringe Benefits	\$86,646.00				

Enter detailed explanation of how you came up with the fringe benefits costs.

The Patrol's fringe benefit rate is approved by the Kansas Department of Administration. Health insurance is not included in the fringe rate. The cost for this benefit is \$417.77 for uniformed personnel and 402.27 for civilian personnel for 26 pay periods.

The five health and safety inspectors from Salary and Overtime Projects do NOT receive fringe as they are part time employees.

Fringe benefits for LEOs are:

Kansas police and fire, FICA/MEDICARE, Workers Comp, Unemployment Comp.

Civilians: KEPRS, FICA/Medicare, Workers Comp, Unemployment Comp.

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, 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 input in the table below.

Travel Project Costs					
Purpose	# of Staff	# of Days	Total Project Costs	Federal Share	State Share
Routine Travel	20	15	\$30,000.00	\$25,500.00	\$4,500.00
DIAP	2	5	\$4,000.00	\$3,400.00	\$600.00
Grant Training	3	5	\$5,750.00	\$4,887.50	\$862.50
NAIC	3	5	\$5,750.00	\$4,887.50	\$862.50
COMHED	3	5	\$5,750.00	\$4,887.50	\$862.50
CVSA Annual Conference	20	5	\$40,000.00	\$34,000.00	\$6,000.00
Annual Training Certifications and Recertifications A/B/HM	325	5	\$40,000.00	\$34,000.00	\$6,000.00
Reconstruction Conference	8	5	\$16,000.00	\$13,600.00	\$2,400.00
CVSA Workshop	7	5	\$14,000.00	\$11,900.00	\$2,100.00
Zone New Entrant Meeting	8	2	\$3,000.00	\$2,550.00	\$450.00
TOTAL: Travel			\$164,250.00	\$139,612.50	\$24,637.50
Planned MOE: Travel	\$44,112.00				

Enter detailed explanation of how you came up with the travel costs.

Routine MCSAP travel includes annual Road Check as well as the National HM lane and the KMCA annual championships. In an effort to keep travel costs at a minimum, Kansas strategically stages these annual events throughout the state, typically Wichita, Kansas City and Salina, where the majority of our inspectors reside in order to keep per diem and overnight stays at a minimum. Approximately 20 people travel to each deployment and have overnight stays with per diem. The additional program travel is for the 100 plus programs MCSAP annually provides throughout the year. All routine travel methods are by KHP state owned vehicles. Per Diem in state is \$51.00 per day and the lodging maximum is \$91.00 per night. This expense annually is projected to be \$30,000.00 based on projected 2018 Roadcheck, HM lane, championships and programs.

Annual training and certifications for A,B,HM, Cargo Tank and Other Bulk will be held at the Kansas Highway Patrol Training Center, Kansas City, and Wichita. We will recertify or train over 300 members (325 estimated) in the FFY.

The Patrol will send 20 personnel to the CVSA annual conference as it is hosted in Kansas City, allowing for advanced training for MCSAP personnel with little travel costs. We will send 7 people to the CVSA workshop as voting members of vehicle, driver, HM, training, passenger carrier, PBBT users forum, PG&RA.

We plan to send three members of MCSAP to NAIC, Grant Trainnig, DIAP and COMHED.

Reconstruction conference for all MCSAP accident reconstructionist's. The focus of these conferences will be the best practices, braking efficiencies, ECM downloads, evidentiary procedures, and wireless devices. These conferences are more important than ever with the exponential increase in technology being used for ELD, and other advanced safety measures placed in CMVs to reduce collisions. Expertise must be maintained to determine the factors associated with these crashes.

5 - Equipment

Equipment is tangible 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 threshold is below \$5,000, check the box below and provide the equipment 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 how many of each item, the full cost of each item, and the percentage of time this item will be dedicated to MCSAP activities.

The Total Project Costs equal # of Items x Full Cost per Item x Percentage of Time Dedicated to MCSAP.

Equipment Project Costs						
Item Name	# of Items	Full Cost per Item	% Time Dedicated to MCSAP	Total Project Costs	Federal Share	State Share
Mapping UAV	1	\$45,000.00	100	\$45,000.00	\$38,250.00	\$6,750.00
Crash Data Recorder download system (for airbags)	1	\$18,000.00	100	\$18,000.00	\$15,300.00	\$2,700.00
Sokkia IX Robotic Total Stations	2	\$25,000.00	100	\$50,000.00	\$42,500.00	\$7,500.00
TOTAL: Equipment				\$113,000.00	\$96,050.00	\$16,950.00
Equipment threshold is greater than \$5,000.						
Planned MOE: Equipment	\$25,458.00					

Enter detailed explanation of how you came up with the equipment costs.

Robotic total Stations: The Patrol has reconstruction teams throughout the state. Each with their own total station. Last year we upgraded five of them this year we plan to upgrade two additional stations. The previous total stations are over five years old and they are not robotic. The upgrade will allow quicker scene clean up providing a detailed forensic map of the crash site to determine causal factors in the crash investigation.

Rec-Tec software: Software is required to complete complex accident reconstruction calculations. This is a lifetime purchase.

Crash data recorder (CDR) for vehicle airbag sensors will be utilized to determine recorded airbag information in passenger verses CMV crashes much like the ECM download.

Unmanned aerial vehicle: Will be utilized to supplement and test for possible replacement of total stations. The benefit to these vehicles will be enhanced ability to quickly map a scene with little safety risk. Quicker scene clean up will reduce secondary crashes and minimize loss of life.

The UAV will be placed either in Kansas City, or Wichita as a demonstration project. The UAV will be deployed in conjunction with a total station during the demonstration period. The mapping data the UAV collects will be compared against a total station to measure it's accuracy, speed and ability to be utilized in reconstruction programs as a tool to determine crash causation. If successful the Patrol hopes to significantly reduce the time necessary for crashes scene documentation and clean up.

This will be a full year review of the "drone" and it's output. The Patrol will complete a detailed narrative of the successes and any areas of improvement to FMCSA to determine the viability of the "drone" in reconstruction work

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.

List a description of each item requested, including the number of each unit/item, the unit of measurement for the item, and the cost of each item/unit.

Total Project Costs equal #of Units x Cost per Unit.

Supplies Project Costs						
Item Name	# of Units/Items	Unit of Measurement	Cost per Unit	Total Project Costs	Federal Share	State Share
UAV for aerial photos of crash scenes	5		\$1,000.00	\$5,000.00	\$4,250.00	\$750.00
SHC 5000 Data Collectors for Total Stations	8		\$2,200.00	\$17,600.00	\$14,960.00	\$2,640.00
New Entrant Printers	6		\$300.00	\$1,800.00	\$1,530.00	\$270.00
NE Scanners	6		\$300.00	\$1,800.00	\$1,530.00	\$270.00
Office Supplies	1	Annual	\$30,000.00	\$30,000.00	\$25,500.00	\$4,500.00
Uniforms	200		\$106.70	\$21,340.00	\$18,139.00	\$3,201.00
Instruction Materials (books for new inspectors)	1	Annual	\$7,000.00	\$7,000.00	\$5,950.00	\$1,050.00
Post Crash Reconstruction Tool Kits for Level I post crash	7	Annual	\$4,800.00	\$33,600.00	\$28,560.00	\$5,040.00
Uniform Boots	60	1	\$251.06	\$15,063.60	\$12,804.06	\$2,259.54
TOTAL: Supplies				\$133,203.60	\$113,223.06	\$19,980.54
Planned MOE: Supplies	\$5,168.00					

Enter detailed explanation of how you came up with the supplies costs.

Five unmanned aerial vehicles for photography only. Scene photography is a critical component of accident reconstruction. Currently this requires a KHP plane, or fire department with a high enough ladder to be mobile through a crash scene.

UAV's will be deployed over a crash scenes thought KS to take ariel photographs. The results of the project will be reported to FMCSA in conjunction with the UAV mapping project.

Eight data collectors will equip all 8 total stations with updated collectors.

New Entrant scanners and printers were purchases three and four years ago, they have outlived their normal life span and we plan to replace them for all NE auditors.

Training costs: The only relevant training cost incurred not listed in the training travel budget category are Level I and HM books fo rnew inspectors. These books are required as computers and internet connectivity may fail or in some areas of Kansas no connectivity exists.

Uniforms are ordered annually and include the BDU tactical uniform shirts and long and short sleeve pants. Additional uniform items are ballistic vests which are ordered on a roatation every five years at the end of the vests protective period.

Office supplies consist of printer cartridges for office computers, thermal paper for MCSAP mobile units, and Xerox copier charges. Our Xerox copier is a multipurpose fax, scanner, copier, linking to our SafetyNet and ImageNow systems for challenges and to scan in returned inspectinos from carriers and other misc challenge documents.

Additional items in this category include: DVDs utilized in our in car video systems, DCs, pens, paper, copyp paper, bathroom supplies, rubber gloves (utilized during searches and when contraband is discovered) additional uses include handling of urine, blood and other contagions. other misc. office supplies utilized throughout th eyear.

Post Crash Reconstruction Tols, include normal tools in order to measure and remove vehicle components:

S80A STANDARD HNDL 1 154.95 84.26 84.26

Socket Set, Impact, Shallow, 6-Point, 11

pcs.

311HMYA 1 208.00 113.11 113.11

Set, Socket, Metric, Impact, Shallow,

6-Point (15 pcs.) (10 to 24 mm)

315IMMYA 1 265.00 144.11 144.11

Set, Socket, Metric, Impact, Deep, 6-Point

(15 pcs.) (10 to 24 mm)

315SIMMYA 1 425.00 231.11 231.11

Set, Socket, Impact, Deep, 6-Point (13 pcs.)

(1/2" to 1 1/4")

313SIMA 1 435.00 236.55 236.55

PS5 Extension, Power, Lock Button, 5in 1 28.75 15.63 15.63

PS10 Extension, Power, Lock Button, 10in 1 40.25 21.89 21.89

CT8850 18v Li-ION 1/2 DRIVE IMPACT 1 739.95 487.48 487.48

HBBD40 Hammer, Dead Blow, Ball Peen, 40 oz. 1 115.00 62.54 62.54

Prybar, Heavy Duty, Gooseneck, Single

Chisel/Claw, 48"

PBHG48 1 107.00 70.49 70.49

PWC60 Cutter, Compound Leverage Hose, 8 1/2" 1 65.25 41.62 41.62

TC28C Cutter, Tubing (1/8" - 1 1/8" O.D. capacity) 1 55.00 36.23 36.23

YA875B Jack Stands (2), 6-Ton Capacity (per pair) 1 211.00 139.01 139.01

Jack, Hydraulic Bottle, High Lift, 20-Ton

(18 5/8" max. lift)

YA1233A 1 171.00 112.65 112.65

CTRS8850DB 18v Li-ION RECIP SAW PWR UNIT 1 329.95 217.37 217.37

CDR8850H 18v Li-ION HAMMER DRILL 1 649.95 428.19 428.19

BLP404 Set, Locking Pliers, Standard Grip, 4 pcs. 1 62.75 41.34 41.34

Set, Wrench, Combination, 12-Point (14

pcs.) (3/8" to 1 1/4")

OEX714K 1 763.95 415.44 415.44

Wrench, Combination, Standard Length,

1/4", 12-Point

OEX8B 1 31.00 16.86 16.86

Wrench, Combination, Standard Length,

5/16", 12-Point

OEX10B 1 31.00 16.86 16.86

Wrench, Combination, Standard Length,

11/32", 12-Point

OEX11B 1 31.00 16.86 16.86

Set, Power Bit, Fractional, 1/4" Hex Shank

(32 pcs.)

PTB32K 1 48.95 32.25 32.25

Set, Wrench, L-Shape, Ball Hex, Standard

(13 pcs.) (.050" to 3/8")

BHS13A 1 44.50 29.32 29.32

Set, Metric, Wrench, L-Shape, Ball Hex,

Standard (9 pcs.) (1.5 to 10 mm)

BHM9A 1 29.25 19.27 19.27

Set, Screwdriver, Combination, Instinct™

Hard Handle, Green, 6pcs.

SHDX60G 1 124.95 67.95 67.95

PL400B Set, Cutters/Pliers, 4 pcs. 1 164.50 89.46 89.46

1250 Prybar, 12in 1 50.50 27.46 27.46

AD704B 4 PC ADJ WRENCH SET 1 260.45 141.63 141.63

HBBD16 Hammer, Dead Blow, Ball Peen, 16 oz. 1 74.25 40.38 40.38

UTK100 Knife, Utility, Retractable Blade 1 25.75 16.96 16.96

TPMA25 Tape Rule, Inches/Stud Markings, 25 ft. 1 33.75 22.23 22.23

Set, General Service, Metric, 6-Point (22

tools in plastic box)

222AFSMP 1 694.70 377.78 377.78

Set, General Service, 6-Point (22 pcs. in

storage box)

222AFSP 1 689.30 374.84 374.84

Mirror, Round, 14" extension (Mirror: 2

1/4" Diameter)

GA295 1 13.40 8.55 8.55

CTTOTEA Tote Bag, Power Tool 1 65.00 42.82 42.82

SIML240 Socket, Impact, Extra Deep, 3/4in, 6-Point 1 69.25 37.66 37.66

SPBS704AR 4PC STRIKING PRYBAR SET RED 1 208.00 113.11 113.11

7 - Contractual and Subaward

This section includes both 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](#), [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.

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 used to support (i.e. ITD, PRISM, SSDQ or other services).

Contractual and Subaward Project Costs						
Legal Name	DUNS/EIN	Number	Instrument Type	Total Project Costs	Federal Share	State Share
TOTAL: Contractual and Subaward				\$0.00	\$0.00	\$0.00
Planned MOE: Contractual and Subaward	\$28,425.00					

Enter detailed explanation of how you came up with the contractual and subaward costs.

8 - Other Costs

Other costs are those not classified elsewhere, such as communications or utility costs. As with other expenses, these must be allocable to the Federal award. The total costs and allocation bases must be shown 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.) and unit cost must be included. All Other costs must be specifically itemized and described.

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.

Enter a description of each requested Other Cost.

Enter the number of items/units, the unit of measurement, and the cost per unit/item 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 Number of Units x Cost per Item.

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 not claim reimbursement for Indirect Costs.

Other Costs Project Costs						
Item Name	# of Units/Items	Unit of Measurement	Cost per Unit	Total Project Costs	Federal Share	State Share
Vehicle Insurance	1	Annual	\$15,000.00	\$15,000.00	\$12,750.00	\$2,250.00
Communication (Cell phones)	1	Annual	\$24,804.00	\$24,804.00	\$21,083.40	\$3,720.60
MDU Air Cards	1	Annual	\$18,724.68	\$18,724.68	\$15,915.98	\$2,808.70
Fuel	1	Annual	\$190,000.00	\$190,000.00	\$161,500.00	\$28,500.00
Vehicle Maintenance	1	Annual	\$34,000.00	\$34,000.00	\$28,900.00	\$5,100.00
Membership Dues (CVSA)	1	Annual	\$12,900.00	\$12,900.00	\$10,965.00	\$1,935.00
Copier Rental	1	Annual	\$4,500.00	\$4,500.00	\$3,825.00	\$675.00
Office Rent	1	Annual	\$50,000.00	\$50,000.00	\$42,500.00	\$7,500.00
CVSA Decals	1	Annual	\$1,792.00	\$1,792.00	\$1,523.20	\$268.80
TOTAL: Other Costs				\$351,720.68	\$298,962.58	\$52,758.10
Planned MOE: Other Costs	\$32,796.00					

Enter detailed explanation of how you came up with the other costs.

CVSA Decals 6,400 at \$.028 = \$1,792.00

Our Xerox copier is a multipurpose fax, scanner, copier, linking to our Safetynet and ImageNow systems for challenges and complete accident reports. The machine will also be utilized to scan returned inspections from carriers and other misc. documents.

MCSAP office rent are for KHP MCSAP offices which encompasses eight administrative personnel. There are five offices, conference room and five cubicles. The office is the central hub for all Kansas certified inspectors as well as the New Entrant Program.

Fuel costs are encumbered two ways, through our KHP UMB Visa issued to individual MCSAP personnel, and bulk fuel purchases from KDOT pumps throughout the state. Routinely, MCSAP attempts to purchase our fuel from the KDOT pumps where fuel is purchased at a less expensive bulk rate. These purchases are individually tracked by each purchase recording the mileage between purchases, purchase amount, method and gallons.

Vehicle insurance is \$15,000.00 annually. The Patrol is self-insured and the cost is for the insurance company to manage the self-insurance policy.

Maintenance of vehicles includes services to KHP owned vehicles (not under contract) such as windshield wipers, tires and scheduled maintenance to our vehicle fleet.

Communications are comprised of air cards and mobile phones and service plans. MCSAP has 39 users.

9 - Comprehensive Spending Plan

The comprehensive spending plan is auto-populated from all line items in the tables and is in read-only format.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$4,517,237.00	\$797,160.00	\$5,314,397.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of Basic award amount):	\$797,160.00
MOE Baseline:	\$341,825.51

Estimated Expenditures			
Personnel			
	Federal Share	State Share	Total Project Costs
Administrative Specialist	\$28,050.00	\$4,950.00	\$33,000.00
Safety & Health Inspector NE	\$34,000.00	\$6,000.00	\$40,000.00
Safety & Health Inspector NE 999	\$17,000.00	\$3,000.00	\$20,000.00
Safety & Health Inspector CR	\$34,000.00	\$6,000.00	\$40,000.00
Technical Trooper PT NE	\$69,062.50	\$12,187.50	\$81,250.00
Technical Trooper PT MCSAP	\$165,750.00	\$29,250.00	\$195,000.00
Technical Trooper	\$1,445,000.00	\$255,000.00	\$1,700,000.00
Captain	\$85,000.00	\$15,000.00	\$100,000.00
Lieutenant	\$487,900.00	\$86,100.00	\$574,000.00
Accounting Support	\$34,000.00	\$6,000.00	\$40,000.00
IT Support	\$51,000.00	\$9,000.00	\$60,000.00
Administrative Staff	\$81,600.00	\$14,400.00	\$96,000.00
Safety and health Inspector 999	\$85,000.00	\$15,000.00	\$100,000.00
Law Enforcement Officer II	\$56,950.00	\$10,050.00	\$67,000.00
PSA (SafetyNet Supervisor)	\$32,300.00	\$5,700.00	\$38,000.00
Salary Subtotal	\$2,706,612.50	\$477,637.50	\$3,184,250.00
MCSAP Troopers	\$89,911.72	\$15,866.78	\$105,778.50
Overtime subtotal	\$89,911.72	\$15,866.78	\$105,778.50
Personnel total	\$2,796,524.22	\$493,504.28	\$3,290,028.50
Planned MOE	\$153,723.00		

Fringe Benefits			
	Federal Share	State Share	Total Project Costs
Law Enforcement	\$548,660.32	\$96,822.41	\$645,482.73
Civilian Members	\$75,226.74	\$13,275.31	\$88,502.05
INS Civilian	\$88,901.67	\$15,688.53	\$104,590.20
INS Law Enforcement	\$360,075.96	\$63,542.82	\$423,618.78
Fringe Benefits total	\$1,072,864.69	\$189,329.07	\$1,262,193.76
Planned MOE	\$86,646.00		

Travel			
	Federal Share	State Share	Total Project Costs
Routine Travel	\$25,500.00	\$4,500.00	\$30,000.00
DIAP	\$3,400.00	\$600.00	\$4,000.00
Grant Training	\$4,887.50	\$862.50	\$5,750.00
NAIC	\$4,887.50	\$862.50	\$5,750.00
COMHED	\$4,887.50	\$862.50	\$5,750.00
CVSA Annual Conference	\$34,000.00	\$6,000.00	\$40,000.00
Annual Training Certifications and Recertifications A/B/HM	\$34,000.00	\$6,000.00	\$40,000.00
Reconstruction Conference	\$13,600.00	\$2,400.00	\$16,000.00
CVSA Workshop	\$11,900.00	\$2,100.00	\$14,000.00
Zone New Entrant Meeting	\$2,550.00	\$450.00	\$3,000.00
Travel total	\$139,612.50	\$24,637.50	\$164,250.00
Planned MOE	\$44,112.00		

Equipment			
	Federal Share	State Share	Total Project Costs
Mapping UAV	\$38,250.00	\$6,750.00	\$45,000.00
Crash Data Recorder download system (for airbags)	\$15,300.00	\$2,700.00	\$18,000.00
Sokkia IX Robotic Total Stations	\$42,500.00	\$7,500.00	\$50,000.00
Equipment total	\$96,050.00	\$16,950.00	\$113,000.00
Planned MOE	\$25,458.00		

Supplies			
	Federal Share	State Share	Total Project Costs
UAV for aerial photos of crash scenes	\$4,250.00	\$750.00	\$5,000.00
SHC 5000 Data Collectors for Total Stations	\$14,960.00	\$2,640.00	\$17,600.00
New Entrant Printers	\$1,530.00	\$270.00	\$1,800.00
NE Scanners	\$1,530.00	\$270.00	\$1,800.00
Office Supplies	\$25,500.00	\$4,500.00	\$30,000.00
Uniforms	\$18,139.00	\$3,201.00	\$21,340.00
Instruction Materials (books for new inspectors)	\$5,950.00	\$1,050.00	\$7,000.00
Post Crash Reconstruction Tool Kits for Level I post crash	\$28,560.00	\$5,040.00	\$33,600.00
Uniform Boots	\$12,804.06	\$2,259.54	\$15,063.60
Supplies total	\$113,223.06	\$19,980.54	\$133,203.60
Planned MOE	\$5,168.00		

Contractual and Subaward			
	Federal Share	State Share	Total Project Costs
Contractual and Subaward total	\$0.00	\$0.00	\$0.00
Planned MOE	\$28,425.00		

Other Costs			
	Federal Share	State Share	Total Project Costs
Vehicle Insurance	\$12,750.00	\$2,250.00	\$15,000.00
Communication (Cell phones)	\$21,083.40	\$3,720.60	\$24,804.00
MDU Air Cards	\$15,915.98	\$2,808.70	\$18,724.68
Fuel	\$161,500.00	\$28,500.00	\$190,000.00
Vehicle Maintenance	\$28,900.00	\$5,100.00	\$34,000.00
Membership Dues (CVSA)	\$10,965.00	\$1,935.00	\$12,900.00
Copier Rental	\$3,825.00	\$675.00	\$4,500.00
Office Rent	\$42,500.00	\$7,500.00	\$50,000.00
CVSA Decals	\$1,523.20	\$268.80	\$1,792.00
Other Costs total	\$298,962.58	\$52,758.10	\$351,720.68
Planned MOE	\$32,796.00		

Total Costs			
	Federal Share	State Share	Total Project Costs
Subtotal for Direct Costs	\$4,517,237.05	\$797,159.49	\$5,314,396.54
Total Costs Budgeted	\$4,517,237.05	\$797,159.49	\$5,314,396.54
Total Planned MOE	\$376,328.00		

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.

- 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			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$4,517,237.00	\$797,160.00	\$5,314,397.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of Basic award amount):	\$797,160.00
MOE Baseline:	\$341,825.51

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs	Planned MOE Costs
Salary Subtotal	\$2,706,612.50	\$477,637.50	\$3,184,250.00	NA
Overtime Subtotal	\$89,911.72	\$15,866.78	\$105,778.50	NA
Personnel Total	\$2,796,524.22	\$493,504.28	\$3,290,028.50	\$153,723.00
Fringe Benefits Total	\$1,072,864.69	\$189,329.07	\$1,262,193.76	\$86,646.00
Travel Total	\$139,612.50	\$24,637.50	\$164,250.00	\$44,112.00
Equipment Total	\$96,050.00	\$16,950.00	\$113,000.00	\$25,458.00
Supplies Total	\$113,223.06	\$19,980.54	\$133,203.60	\$5,168.00
Contractual and Subaward Total	\$0.00	\$0.00	\$0.00	\$28,425.00
Other Costs Total	\$298,962.58	\$52,758.10	\$351,720.68	\$32,796.00
	85% Federal Share	15% State Share	Total Project Costs	Planned MOE Costs
Subtotal for Direct Costs	\$4,517,237.05	\$797,159.49	\$5,314,396.54	\$376,328.00
Indirect Costs	\$0.00	\$0.00	\$0.00	NA
Total Costs Budgeted	\$4,517,237.05	\$797,159.49	\$5,314,396.54	\$376,328.00

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.

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? Christopher Turner
2. What is this person's title? Captain
3. Who is your Governor's highway safety representative? Chris Bortz
4. What is this person's title? Program Manager

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

- ☒ Yes
- ☐ No

State Certification declaration:

I, Christopher Turner, Captain, on behalf of the State of KANSAS, as requested by the Administrator as a condition of approval of a grant under the authority of [49 U.S.C. § 31102](#), as amended, certify that the State satisfies all the conditions required for MCSAP funding, as specifically detailed in [49 C.F.R. § 350.211](#).

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? Christopher Turner
2. What is the title of your certifying State official? Captain
3. What are the phone # and email address of your State official? 700 SW Jackson Suite 704 Topeka, KS 66603 785-291-3057 chris.turner@ks.gov

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

☒ Yes

☐ No

I, Christopher Turner, certify that the State has conducted the annual review of its laws and regulations for compatibility regarding commercial motor vehicle safety and that the State's safety laws remain compatible with the Federal Motor Carrier Safety Regulations (49 CFR parts 390-397) and the Hazardous Materials Regulations (49 CFR parts 107 (subparts F and G only), 171-173, 177, 178, and 180) and standards and orders of the Federal government, except as may be determined by the Administrator to be inapplicable to a State enforcement program. For the purpose of this certification, Compatible means State laws or regulations pertaining to interstate commerce that are identical to the FMCSRs and HMRs or have the same effect as the FMCSRs and identical to the HMRs and for intrastate commerce rules identical to or within the tolerance guidelines for the FMCSRs and identical to the HMRs.

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

Regulatory Compatibility Review The below listed regulations have compatibility issues with the adopted regulations through July 31, 2017. All highlighted entries are additions to the July 2016 compatibility review. Hazardous Materials Regulations; (KAR 82-4-20): The KCC has adopted the federal regulations into the KAR as of 10/01/2013. The following are still outdated until further adoptions. 49 CFR Part 107 – Sections 601 to 620 have not been adopted. Part 107 has also been affected by final rules published: • 10/02/2013 • 03/18/2014 • 11/09/2015 • 02/22/2016 • 06/02/2016 • 03/30/2017 49 CFR Part 171 – due to final rules published: • 10/02/2013 • 10/31/2013 • 03/18/2014 • 07/11/2014 • 08/06/2014 • 01/08/2015 • 11/09/2015 • 12/23/2015 • 01/20/2016 • 02/22/2016 • 03/31/2016 • 06/02/2016 • 03/30/2017 49 CFR Part 172 – due to final rules published: • 10/02/2013 • 10/31/2013 • 03/18/2014 • 07/11/2014 • 08/06/2014 • 01/08/2015 • 12/23/2015 • 01/20/2016 • 02/22/2016 • 06/02/2016 • 03/30/2017 49 CFR Part 173 – due to final rules published: • 10/02/2013 • 10/31/2013 • 03/18/2014 • 07/11/2014 • 08/06/2014 • 01/08/2015 • 12/23/2015 • 01/20/2016 • 02/22/2016 • 03/31/2016 • 06/02/2016 • 03/30/2017 49 CFR Part 177 – due to final rule published: • 10/02/2013 • 07/11/2014 • 12/23/2015 • 01/20/2016 • 02/22/2016 • 06/02/2016 49 CFR Part 178 – due to final rule published: • 10/02/2013 • 10/31/2013 • 03/18/2014 • 07/11/2014 • 01/08/2015 • 12/23/2015 • 02/22/2016 • 06/02/2016 • 03/30/2017 49 CFR Part 179 – due to final rule published: • 10/05/2012 • 10/02/2013 • 06/02/2016 Based on a review of the KAR, it appears 49 CFR Part 179, Specifications for Tank Cars (DOT106/110 multi-unit tank car tanks), has not been adopted. 49 CFR Part 180 – due to final rule published: • 10/02/2013 • 01/08/2015 • 12/23/2015 • 02/22/2016 • 06/02/2016 • 03/30/2017 Part 40; (KAR 82-4-3b): The current adoption update does not address this Part and will only remain current through 10/01/2011. Since that date there have been additional final rules. KCC has advised that they will be adopting the new control custody form. Most current KAR dated 05/06/2016, still not updated with change. Part 382: (KAR 82-4-3c): The current adoption update process will make all adopted regulations current to 01/30/2012. However, Part 382 was subject to additional final rules since that date and thus will not be current to date. Most current KAR dated 05/06/2016, still not updated with change. Final Rules published affecting Part 382 dated: • 02/22/2012 • 09/10/2012 • 03/14/2013 • 09/24/2013 • 10/04/2016 • 10/14/2016 • 12/05/2016 Part 383; (KSA 8-2,125 through 8-2,153): Several Final Rules published between 12/02/2011 and 07/01/2015, have affected the Kansas CDL Act. Some of the changes include several new definitions and restrictions. Several of these changes have been adopted through the legislation process. We do not know about the penalties and testing procedures or other regulations from the previous rulemakings. Final Rules published affecting Part 383 dated: • 10/01/2015 • 03/07/2016 • 03/16/2016 • 07/22/2016 • 10/04/2016 • 10/13/2016 • 10/14/2016 • 12/05/2016 • 12/08/2016 Part 385; (KAR 82-4-3d) The current adoption update process will make all adopted regulations current to 12/27/2011. However, Part 385 was subject to several final rules since that date and

thus will not be current to date. Final Rules published affecting Part 385 dated: • 05/08/2012 • 05/14/2012 • 09/10/2012 • 10/23/2012 • 09/24/2013 • 10/01/2013 • 01/22/2014 • 10/02/2014 • 10/01/2015 • 10/21/2015 • 12/16/2015 • 01/21/2016 • 06/17/2016 • 07/28/2016 • 10/04/2016 • 01/17/2017 Part 386; (KAR 82-4-3o) The current adoption update process will make all adopted regulations current to 10/01/2013. However, Part 386 was subject to several final rules since that date and thus will not be current to date. Final Rule published affecting Part 386 dated: • 01/22/2014 • 04/03/2015 • 11/30/2015 • 12/16/2015 • 01/29/2016 • 02/16/2016 • 06/27/2016 • 10/04/2016 • 04/12/2017 Part 387; (KAR 82-4-3n) The current adoption update process will make all adopted regulations current to 10/01/2013. However, Part 387 was subject to several final rules since that date and thus will not be current to date. Final Rule published affecting Part 387 dated: • 10/02/2014 • 04/03/2015 • 10/01/2015 • 10/21/2015 • 07/28/2016 • 01/17/2017 Part 390; (KAR 82-4-3f) The current adoption update process will make all adopted regulations current to 10/01/2013. However, Part 390 was subject to several final rules since that date and thus will not be current to date. Final Rules published affecting Part 390 dated: • 10/23/2013 • 03/19/2014 • 04/10/2014 • 06/05/2014 • 10/02/2014 • 10/22/2014 • 03/26/2015 • 05/27/2015 • 10/01/2015 • 10/21/2015 • 11/30/2015 • 12/16/2015 • 02/16/2016 • 03/16/2016 • 07/22/2016 • 07/28/2016 • 10/04/2016 • 01/17/2017 • 06/16/2017 Part 391; (KAR 82-4-3g) The current adoption update process will make all adopted regulations current to 10/01/2013. However, Part 391 was subject to several final rules since that date and thus will not be current to date. Final Rules published affecting Part 391 dated: • 01/14/2014 • 10/01/2014 • 10/02/2014 • 04/23/2015 • 06/22/2015 • 10/01/2015 • 12/21/2015 • 07/22/2016 • 10/04/2016 • 10/27/2016 • 12/05/2016 Part 392; (KAR 82-4-3h) The current adoption update process will make all adopted regulations current to 10/01/2013. Part 392 has been subject to several final rules since said date. Final Rules published affecting Part 392 dated: • 10/02/2014 • 12/18/2014 • 10/21/2015 • 06/07/2016 • 07/06/2016 • 07/22/2016 • 07/28/2016 • 10/04/2016 Part 393; (KAR 82-4-3i) The current adoption update process will make all adopted regulations current to 10/01/2013. Part 393 was subject to several final rules since that date and thus will not be current to date. Final Rules published affecting Part 393 dated: • 10/01/2015 • 07/22/2016 • 09/02/2016 • 09/23/2016 Part 395; (KAR 82-4-3a) The current adoption update process will make all adopted regulations current to 10/01/2013. However, Part 395 was subject to several final rules since that date and thus will not be current to date. Final Rules published affecting Part 395 dated: • 10/28/2013 • 12/19/2013 • 05/12/2014 • 07/10/2014 • 10/02/2014 • 12/22/2014 • 10/01/2015 • 10/02/2015 • 12/16/2015 • 02/16/2016 • 07/22/2016 • 09/23/2016 • 10/04/2016 • 11/01/2016 Part 396; (KAR 82-4-3j) The current adoption update process will make all adopted regulations current to 10/01/2013. However, Part 396 was subject to several final rules since that date and thus will not be current to date. Final Rule published affecting Part 396 dated: • 12/18/2014 • 10/01/2015 • 07/22/2016 Part 397; (KAR 82-4-3k) The current adoption update process will make all adopted regulations current to 10/01/2013. However, Part 397 was subject to several final rules since that date and thus will not be current to date. Final Rule published affecting Part 397 dated: • 10/02/2014 • 10/01/2015 • 10/04/2016 Kansas will continue our annual processes of correcting incompatibility issues during our annual regulation reviews and each new legislative session. A complete review of all Kansas laws was conducted in accordance with 49 CFR, parts 350 and 355. Kansas adopts the Federal Motor Carrier Safety Regulations and Federal Hazardous Material Regulations directly into law. CHRISTOPHER J. TURNER, CAPTAIN Troop I, MCSAP

3 - New Laws/Legislation/Policy Impacting CMV Safety

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

☐ Yes ☒ No

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

☐ Yes ☒ No

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

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

Statutory/Regulatory Authorities

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

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

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

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

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

General Assurances

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

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

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

Specific Assurances

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

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

*“The **Kansas Highway Patrol**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into*

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

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

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

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

Kansas Highway Patrol
(Name of Recipient)

by _____
(Signature of Authorized Official)

DATED _____ 08/07/2017 _____

APPENDIX A

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

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

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

APPENDIX B

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

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

(HABENDUM CLAUSE)

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

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

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

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

APPENDIX C

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the (**Title of Recipient**) pursuant to the provisions of Assurance 7(a):

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

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

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

APPENDIX D

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by **(Title of Recipient)** pursuant to the provisions of Assurance 7(b):

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

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

APPENDIX E

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

- Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. § 2000d *et seq.*), (prohibits discrimination on the basis of race, color, national origin), as implemented by 49 C.F.R. § 21.1 *et seq.* and 49 C.F.R. part 303;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601) (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973 (23 U.S.C. § 324 *et seq.*) (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794 *et seq.*) (prohibits discrimination on the basis of disability); and 49 C.F.R. part 27;
- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*) (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982 (Pub. L. 97-248 (1982)), as amended (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987 (102 Stat. 28) (“...which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.”);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189), as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. § 1681 *et seq.*).



Kansas
Highway
Patrol
Motor
Carrier
Safety
Assistance
Program
Title VI
Compliance
Plan

February 8

2016

KANSAS HIGHWAY PATROL MOTOR CARRIER SAFETY ASSISTANCE PROGRAM TITLE VI PROGRAM PLAN

Part I. Title VI Policy Statement

Title VI of the Civil Rights Act of 1964, and the rules promulgated in 49 CFR Part 21, and 49 CFR Part 303, protects individuals, groups and organizations from discrimination on the basis of race, color or national origin in all programs and activities. Based on the above criteria, the Kansas Highway Patrol (KHP) program is referred to as the Title VI Compliance Program.

The policy of the KHP is to ensure that no person or group of persons shall, on the grounds of race, color, national origin, sex, age, disability, including low income or Limited English Proficiency LEP, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity administered by the KHP, in accordance with the Title VI Program Assurances set forth in Part II.

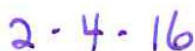
To ensure compliance with Title VI, as Superintendent of the Kansas Highway Patrol, I have designated Captain Christopher J. Turner as the KHP's Title VI Program Coordinator. Contact information is as follows:

Captain Christopher J. Turner
Kansas Highway Patrol
Motor Carrier Safety Assistance Program
700 S.W. Jackson, Suite 704
Topeka, Kansas, 66603
Phone: 785-296-7189 Fax: 785-296-2858
Email: cturner@khp.ks.gov

As Superintendent of the Kansas Highway Patrol, I delegate the responsibility and authority to assure the implementation of the Title VI Program to the Title VI Program Coordinator and to all other personnel involved with activities impacted by Title VI and related statutes and regulations.



Mark Bruce, Superintendent
Kansas Highway Patrol



Date

Part II. FMCSA Title VI Program Assurance

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

Statutory/Regulatory Authorities

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

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

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898, 3 C.F.R. 859 (1995), entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI, to ensure Non-discrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and Federal Highway Administration (FHWA) intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations. See the following FHWA website for more information and facts about Environmental Justice:

<http://www.fhwa.dot.gov/environment/ejustice/facts/index.htm.;>

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

General Assurances

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

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

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

Specific Assurances

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

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

“The KHP in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner’s race, color, national origin, sex, age, disability, income-level, or LEP in consideration for an award.”;

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations;
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient;
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in

connection therewith;

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

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

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

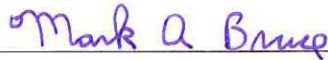
The KHP gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the **FMCSA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



Christopher J. Turner, Captain
Kansas Highway Patrol Motor Carrier Safety Assistance Program



Date



Mark Bruce, Superintendent
Kansas Highway Patrol



Date

ASSURANCE APPENDIX A

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

- 1. Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
- 2. Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations as set forth in Appendix E, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
- 3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP.
- 4. Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FMCSA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the

contractor will so certify to the Recipient or the FMCSA, as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Non-compliance: In the event of a contractor's non-compliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FMCSA may determine to be appropriate, including, but not limited to:

- a. withholding payments to the contractor under the contract until the contractor complies; and/or
- b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FMCSA may direct as a means of enforcing such provisions including sanctions for non-compliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

ASSURANCE APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

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

(HABENDUM CLAUSE)

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

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

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

ASSURANCE APPENDIX C

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

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

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

(*Reverter clause and related language to be used only when it is determined that such a clause is

necessary to effectuate the purpose of Title VI.)

ASSURANCE APPENDIX D

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

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

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

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

ASSURANCE APPENDIX E

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

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin), as implemented by 49 C.F.R. § 21.1 *et seq.* and 49 C.F.R. § 303;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (102 Stat. 28.), (“....*which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.*”);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against

minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;

- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English Proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq), as implemented by 49 C.F.R. § 25.1 et seq.

Part III. Description of Federal-Aid Programs

The Kansas Highway Patrol (KHP) is the regulatory agency tasked with the enforcement of laws, rules, and regulations pertaining to intrastate and interstate motor carriers. The KHP receives federal funding assistance from the Federal Motor Carrier Safety Administration (FMCSA) through the Motor Carrier Safety Assistance Program (MCSAP). The MCSAP program provides federal funds to assist states in the enforcement of federal regulations pertaining to motor carriers, drivers of commercial motor vehicles, and equipment requirements of commercial motor vehicles.

The KHP also receives federal funds under the New Entrant Safety Assurance program from the FMCSA. This program reviews regulations with new motor carrier companies to assure future compliance with carrier management regulations. The KHP serves the general populace of Kansas and the United States by virtue of regulating interstate motor carriers by providing public safety services. While not federally funded, the KHP also provides commercial carriers with oversize, overweight, and credentialing permits. Since the KHP is a public safety provider, all majority and minority groups are beneficiaries of the program. There are no direct benefit programs administered by the KHP.

Part IV. Notification to Beneficiaries/Participants

Title VI information will be posted at KHP facilities in public common areas. The posted information will include statements that the program operates without regard to race, color, national origin, sex, age, or disability, including income-level and LEP. The posted information will include contact information for the Title VI program coordinator to include mailing address, phone number, and email address. It will also include procedures to request the Agency's Non-discrimination obligations and identify procedures for the members of the public to file a complaint against the Agency.

The same information will be made available on the KHP website at www.kansashighwaypatrol.org.

Reports regarding Title VI activities and complaints will be made available on the KHP website as well as being available by request from the Title VI Program Coordinator.

Part V. Sub-Recipient Compliance Reports

The KHP does not have sub-recipients of federal funding.

Part VI. Training

Staff of the KHP will be trained on Title VI awareness in conjunction with all state and agency anti-discrimination policies as part of their initial Kansas Corporation Commission regulatory training. They will be made aware of Title VI complaint procedures and processes should a complaint be identified. They will be trained in the use of language identification materials as well as interpreting services.

Biennial training will be conducted for KHP personnel as continuing education.

Training will consist of videos provided by the U.S. Department of Justice for explanation of the scope and purpose of Title VI, as well as the internal complaint procedures and processes should a discriminatory practice be identified or a complaint filed. Additional training for language identification and interpreting services will be provided as changes to those procedures are made.

Part VII. Access to Records

All records regarding Tittle VI activities will be collected and maintained at the Troop I office of the Kansas Highway Patrol. These records will be made available to the FMCSA officials in person upon request or reports will be transmitted by computer file.

Part VIII. Community Participation Process

The KHP does not have any motorist licensure/motor vehicle registration related services/activities (including knowledge tests, skills tests, etc.) This section is not applicable to the KHP.

Part IX. Complaint Disposition Process

1. The Title VI Program Coordinator will make himself/herself known to all office and program managers within the KHP and, with the assistance of these managers, will attempt to resolve all Civil Rights complaints arising from KHP activities.

2. In addition, the Title VI Program Coordinator will make periodic visits to any locations and/or areas determined to be problematic in an attempt to alleviate any problems in advance of a complaint.

3. The following complaint procedures are applicable to all KHP activities:

i. Any person or group claiming to be aggrieved by an unlawful discriminatory practice based on race, color, national origin, sex, age, disability, including low income or LEP, may by himself/herself or through his/her legally authorized representative, make and sign a complaint and should file such complaint with the KHP within 300 calendar days (180 days if a company has less than 15 employees or if this involves age discrimination) following the date of the alleged discriminatory action. All complaints will be filed with the Title VI Program Coordinator who will evaluate the complaint and gather additional information from the complainant if necessary. The appropriate manager and area supervisor will be notified of the complaint.

ii. The Title VI Program Coordinator or designee has 60 calendar days to conduct an investigation of the allegations and prepare preliminary findings. The Title VI Program Coordinator or designee may refer the matter to the appropriate program area to make every reasonable effort to resolve the complaint as quickly as possible or attempt informal resolution through other methods.

iii. All complaints that cannot be quickly (within 30 calendar days from the preliminary findings being issued) resolved will be reviewed by a committee consisting of the Superintendent or his or her designee, the Assistant Superintendent or his or her designee and the Title VI Program Coordinator . The committee will hold an informal hearing with the complainant seeking resolution and will render a decision regarding the complaint within 15 working days of the hearing.

iv. When the KHP arrives upon a final decision regarding the complaint filed with the KHP, it will notify the complainant in writing of the decision and of the complainant's rights, if dissatisfied with the decision, to bring the matter to the attention of the appropriate federal agency, typically the Federal Motor Carrier Safety Administration. The KHP will advise the complainant of the name and address of the agency and/or individual to contact.

v. The KHP will provide the federal agency with a copy of the complaint along with any investigatory report within 60 calendar days of the filing of the complaint. The KHP will also furnish the federal agency a report indicating final disposition of the complaint within 5 working days of advising the complainant of the disposition.

vi. The KHP, acting through the Title VI Program Coordinator, will expedite all discrimination complaints filed by individuals, business, group or institution. Information regarding the complaint process will be provided through KHP publications, KHP program activities, and individual personal contact with persons affected by KHP activities.

4. A log of all complaints and investigations will be kept. The log will identify the race, color, sex, national origin, age, disability, including low income or LEP, of the individual making the complaint; recipient of the complaint; date filed; investigation completion date; disposition and other pertinent information.

**Part X. Status of Corrective Actions Implemented by Applicant to
Address Deficiencies Previously Identified During a Title VI Program
Compliance Review**

The KHP has had no Title VI deficiencies identified by any previous FMCSA OCR or other federal agency review.