

NEBRASKA

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

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 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
- Part 3: National Emphasis Areas and State Specific Objectives
- Part 4: Financial Information
- 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 mission of the Nebraska State Patrol (NSP) is to provide law enforcement of the highest quality to ensure a safe and secure Nebraska. This includes protecting the rights of all persons by respecting and preserving the dignity of all individuals. Through innovation and cooperation, we strive to promote and maintain the spirit of teamwork that is the tradition of the NSP. The NSP is committed to professional public service reflecting recognition of the inherent value of each individual in our society. Our troopers strive to earn and maintain trust, respect, and confidence by exemplifying the belief that the freedoms, rights, and dignity of all person(s) must be protected and preserved to this and we pledge ourselves to the highest standards of morality, fairness, dedication, professionalism, and courage.

According to the Nebraska Office of Highway Safety, the Commercial Motor Vehicle Fatality Rate for calendar year 2015 was 0.16 per 100 million miles traveled, with 33 fatalities in 28 fatal crashes in which a commercial motor vehicle was involved. For calendar year 2016, the rate was 0.27 with 58 fatalities in 42 fatal crashes involving a commercial motor vehicle. The total miles driven for calendar year 2016 was 21,177 million vehicle miles traveled.

The Nebraska State Patrol's goal is a reduction of an overall fatality rate involving Commercial Motor Vehicles (CMVs) by focusing on the Critical Emphasis Areas outlined in the State Highway Safety Plan. These critical emphasis areas are identified as being the primary causes of fatalities in accidents. The emphasis areas are increased seat belt use, reducing roadway departure crashes, reducing impaired driver crashes, and reducing intersection crashes. The Nebraska Strategic Highway Safety Plan has a stated goal of an overall fatality rate of 0.90 fatalities per 100 million VMT by calendar end 2021, inclusive of CMV crashes. The current CMV rate is below the stated goal of .90 in the State Highway Safety plan and contributes to lowering the overall rate each year.

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 Governor of the State of Nebraska has designated the Nebraska State Patrol (NSP) as the "lead agency" of the Motor Carrier Safety Assistance Program (MCSAP) since the inception of MCSAP in 1987. The Carrier Enforcement Division within NSP administers the MCSAP and has an authorized strength of 89 Troopers that conduct Roadside Inspections (fixed and portable), Compliance Reviews, and Safety Audits. Approximately 200 Traffic Troopers conduct Level III roadside inspections that are not funded by MCSAP however their hours are utilized as part of NSP's Maintenance of Effort. In addition, nine civilians support the MCSAP either in a full or part-time basis.

The Safety Audit and Compliance Review section began in 1989. The task of this section is to conduct in-depth reviews of Carrier and Shipper Compliance with the applicable safety regulations, to include those involving hazardous material regulations. One Lieutenant and one Sergeant oversee the three investigators assigned to the Compliance Review program and three investigators assigned to the New Entrant Safety Audit program.

The Commercial Vehicle Enforcement (CVE) team was formed in 1997 and focuses on enforcement of moving violations committed by commercial motor vehicles and performing inspections on all CMV's stopped. Work efforts are concentrated in specific high accident counties which are determined by the Nebraska Department of Roads Accident Records Data Base.

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:	NEBRASKA STATE PATROL
Enter total number of personnel participating in MCSAP activities	80
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	280
Traffic Enforcement Activities	280
Investigations*	6
Public Education and Awareness	80
Data Collection and Reporting	8
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

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

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 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: Large Truck Fatal Crashes per 100M VMT

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	44	0.50	0.27
01/01/2015	12/31/2015	33	0.50	0.16
01/01/2014	12/31/2014	41	0.50	0.26
01/01/2013	12/31/2013	24	0.50	0.12
01/01/2012	12/31/2012	33	0.50	0.17

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	2	0	2
01/01/2012	12/31/2012	5	0	5

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	4	0	4
01/01/2015	12/31/2015	1	0	1
01/01/2014	12/31/2014	1	0	1
01/01/2013	12/31/2013	1	0	1
01/01/2012	12/31/2012	1	0	1

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

Nebraska Office of Highway Safety (Motor Vehicles Traveled in Nebraska) and the Nebraska Department of Roads Accidents and Records Division July 28, 2017 Safetynet: July 25, 2017

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

Note that crashes are often difficult to predict and involve many factors. Nebraska has seen an increase in million miles driven within our State.

Nebraska recognizes work zone crashes are proportionally more dangerous when CMV's are involved. Emphasis will be placed on High Accident Counties and work zone enforcement.

Narrative Overview for FY 2018**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.

Nebraska has a total of 93 counties, with an over representation of CMV accidents in identified high accident Counties (HACs). In the calendar year 2016, the top 10 HACs represented 59.6% or 677 CMV crashes compared to 40.4% or 458 CMV crashes in all other counties within the state.

NSP Carrier Enforcement has determined the top 10 High Accident Counties to monitor in FY 2018 are: Douglas, Lancaster, Lincoln, Sarpy, Buffalo, Hall, York, Platte, Dawson and Hamilton counties.

Nebraska has also seen a rise in CMV accidents in less populous areas of the state in recent years and 3 of the next 5 counties, in terms of total CMV accidents, are areas of concern for Carrier Enforcement. Those counties are Kimball, Deuel and Scottsbluff. Due to the statistically low traffic count, combined with higher than average CMV accidents, the Nebraska Carrier Enforcement division has determined that these counties will also be considered areas of focus for additional patrolling efforts related to a reduction of commercial motor vehicle accidents.

Enter the data source and capture date:

FMCSA A&I Downloadable Crash Data 06/30/2017

Projected Goal for FY 2018**Enter Crash Reduction Goal:**

Nebraska's 5 year average for fatalities per 100 Million VMT is currently at .196. Nationally, there was an 5% increase in fatalities from 2014-2015. (2015 Annual Truck/Bus Crash Facts). At .27, Nebraska's 2016 results were above the previous year, and Nebraska seeks to reduce fatalities to rate not above the 5 year average. To accomplish this rate, Nebraska seeks a reduction of accidents to 39 from 44 for an annual average of .184 fatalities/100M VMT, putting it below the 5 year average.

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

1. Perform Commercial Motor Vehicle Level I, II, and III inspections in HACs.
2. Perform Traffic Enforcement with Level I, II, and III inspections in HACs.
3. Metropolitan and Preventive Selectives (MAPS) on CMVs with the majority of these selectives being conducted in HACs.

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

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

1. Perform 6,800 CMV Level I – III inspections in HACs.
2. Maintain the number of Traffic Enforcement inspections in HACs at 2,700 inspections.
3. Conduct 14 MAPS selectives, including a MAPS event held in all of the top 10 HACs. Each MAPS season includes average of 10 troopers per selective; 1,000 hours and 1,000 inspections total for the MAPS effort each year.

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.

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	6913	7197	6385	6344	5928
Level 2: Walk-Around	2259	2533	2254	2156	1899
Level 3: Driver-Only	19346	20613	19562	19114	16954
Level 4: Special Inspections	0	0	59	419	128
Level 5: Vehicle-Only	278	436	393	384	378
Level 6: Radioactive Materials	0	1	0	1	3
Total	28796	30780	28653	28418	25290

Narrative Overview for FY 2018

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 1987, NSP implemented the MCSAP program which implemented the conducting of roadside inspection program which examines the driver, the vehicle, and the load for 13 critical items including hazardous materials.

The NSP Carrier Division administers the roadside inspection program which operates thirty one (31) portable units and ten (10) stationary weigh stations. NSP utilized six of these sites as weigh in motion (WIM) and PrePass sites which meet the CVISN Level 1 Core Compliance requirements. These sites are located at North Platte Eastbound I-80, North Platte Westbound I-80, Waverly Eastbound I-80, Waverly Westbound I-80 and Nebraska City both Eastbound and Westbound on Route 2.

Additional scale sites include two near Hebron, one near Fremont, Highway 30 near North Platte and Highway 6 near Waverly. The North Platte and Waverly sites are utilized to monitor carriers which are bypassing the interstate scale system. All Carrier Enforcement and Traffic Troopers are issued Mobile Data Computers which are equipped with ASPEN including access to FMCSA's portal. In addition, all Troopers record their citations in TraCs. Carrier Enforcement Troopers in the field conduct all Levels of roadside inspections. Traffic Troopers only conduct Level III inspections.

To improve the Safety Compliance and Performance of Commercial drivers and vehicles the goal of the Nebraska State Patrol is to conduct 28,000 Roadside Inspections. Of this goal approximately 6,400 Level III inspections will be conducted by Traffic Division personnel during roadside stops of commercial motor vehicles. The remaining 21,600 inspections will be completed by personnel assigned to the Carrier Enforcement Division and be inclusive of any overtime projects.

ELD training will be attended by Nebraska State Patrol training personnel for updated information concerning ELD's. Training personnel will conduct ELD training to 89 uniform Carrier Enforcement Troopers during in service training.

Please note the FMCSA encourages Nebraska to meet a total of 31,656 safety activities for FY18 to be reimbursed for non-CMV traffic enforcement activities. NSP has documented Safetynet extractions of data from 2006 indicating a different result than outlined for the 04/05 fiscal years. Our documented average from that period shows an average of approximately 27,328 inspections for the 2 year period. NSP believes the 28,540 safety activities meet the mandated requirement of exceeding the performance of those two years. The 2 year results are published in the Nebraska approved 2006 CVSP on page 32 of the document. In addition, NSP would like to note, the 28,540 safety activity goal was acceptable in the 2017 eCVSP while able to participate in non-CMV Traffic Enforcement activities.

Projected Goals for FY 2018

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. For FY 2018, 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: NEBRASKA STATE PATROL

Enter the total number of certified personnel in the Lead agency: 80

Projected Goals for FY 2018 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	4414	850	10	5274	18.84%
Level 2: Walk-Around	1250	0	0	1250	4.46%
Level 3: Driver-Only	21266	0	0	21266	75.95%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	209	209	0.75%
Level 6: Radioactive Materials	0	1	0	1	0.00%
Sub-Total Lead Agency	26930	851	219	28000	

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:	
Enter the total number of non-funded certified officers:	
Enter the total number of inspections projected for FY 2018:	

Summary

Projected Goals for FY 2018 - Roadside Inspections Summary

Projected Goals for FY 2018 Summary for All Agencies					
MCSAP Lead Agency: NEBRASKA STATE PATROL					
# certified personnel: 80					
Subrecipient Agencies:					
# certified personnel: 0					
Number of Non-Funded Agencies:					
# certified personnel:					
# projected inspections:					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	4414	850	10	5274	18.84%
Level 2: Walk-Around	1250	0	0	1250	4.46%
Level 3: Driver-Only	21266	0	0	21266	75.95%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	209	209	0.75%
Level 6: Radioactive Materials	0	1	0	1	0.00%
Total ALL Agencies	26930	851	219	28000	

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.

Approximately 6400 of the inspections are conducted under MOE by the traffic division. The remaining 21600 inspections are conducted by the Carrier Enforcement Division under MCSAP funding. A goal of 5274 Level One inspections represents 24.4% of all MCSAP funded inspections.

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	2	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	0	0	0	0
CSA Off-Site	0	0	0	0	0
CSA On-Site Focused/Focused CR	1	3	0	0	0
CSA On-Site Comprehensive	0	0	0	0	0
Total Investigations	1	5	0	0	0
Total Security Contact Reviews	0	0	0	0	0
Total Terminal Investigations	0	0	0	0	0

Investigative Types - Intrastate	2012	2013	2014	2015	2016
Compliance Investigations	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	31	52	9	59	45
CSA Off-Site	0	0	0	0	0
CSA On-Site Focused/Focused CR	38	20	11	0	32
CSA On-Site Comprehensive	6	0	18	2	0
Total Investigations	75	72	38	61	77
Total Security Contact Reviews	0	0	0	0	0
Total Terminal Investigations					

Narrative Overview for FY 2018**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

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

Projected Goals for FY 2018 - Investigations		
Investigative Type	Interstate Goals	Intrastate Goals
Compliance Investigations	0	0
Cargo Tank Facility Reviews	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	65
CSA Off-Site	0	0
CSA On-Site Focused/Focused CR	0	30
CSA On-Site Comprehensive	0	25
Total Investigations	0	120
Total Security Contact Reviews	0	0
Total Terminal Investigations	0	0

Add additional information as necessary to describe the carrier investigation estimates.

The State of Nebraska utilizes the intrastate non-HM prioritization list when making investigatory assignments and follows CSA policy/methodology for all assignments, inclusive of complaint-based investigations (internal and external) with the following exception: The State of Nebraska requires that carriers selected for review who have no prior review history have a comprehensive review conducted upon their operations. All CR personnel received training in Enhanced Investigative Techniques (EIT). EIT will be utilized to pursue, verify records with additional sources, and invest the requisite time to ensure the safe on-road performance of passenger and high-risk carriers is being investigated.

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

Current staffing is three full-time investigators and one sergeant. Activities include the examination of a motor carrier's transportation and safety records, training requirements, controlled substance and alcohol program, commercial driver license records, financial responsibility, hours of service, and inspection and maintenance programs. The investigators goal is to conduct 120 Intrastate Compliance Reviews and/or CSA Investigations with enforcement as warranted per the Field Operations Training Manual. The investigators will conduct Intrastate Compliance Reviews and/or CSA Investigations on motor carriers with BASICs above threshold and/or which have had non-frivolous complaints made against them with enforcement as warranted, per the Field Operations Training Manual.

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.

Track and evaluate the number of Compliance Reviews and/or CSA Investigations conducted inclusive of the number of critical and acute violations discovered per investigation. The Compliance Review Investigative Sergeant will review Compliance Reviews conducted by Investigators to ensure consistency among investigators and adherence to the eFOTM.

The State will conduct a total of 120 Intrastate Compliance Reviews and/or CSA Investigations as a unit a year. The State will monitor progress on a quarterly basis as each investigator will conduct a minimum of 10 investigations a quarter for four quarters. On a quarterly basis, the CR Sergeant will meet with each investigators to monitor progress towards this goal and the CR Sergeant will meet with the investigators as a group to monitor their overall progress towards the goal as a unit.

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		
10/01/2015	09/30/2016	5999	6472
10/01/2014	09/30/2015	5373	8281
10/01/2013	09/30/2014	5354	8990
10/01/2012	09/30/2013	6443	9365
10/01/2011	09/30/2012	8577	9505

☒ **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.**

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented Non-CMV Traffic Enforcement Stops	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2016	12/31/2016		
01/01/2015	12/31/2015		
01/01/2014	12/31/2014		
01/01/2013	12/31/2013		
01/01/2012	12/31/2012		

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

Number of CMV Traffic Enforcement Stops with an Inspection: Safetynet, July 26, 2017 Number of Citations and Warnings - CMV: Safetynet query August 18, 2017 *** Nebraska is unable to collect the Traffic Enforcement table data as requested. Safetynet is utilized to gather the number of CMV Traffic Enforcement stops with an inspection. TraCS is utilized to gather the number of citations and warnings issued. TraCS is unable to gather the data needed for the exact violation which does not indicate if an inspection was completed or not. Continued efforts are being made to identify a means of capturing the requested data. The NSP implemented grant code (0757) during calendar year 2017 which would be used for traffic enforcement involving both Carrier and Traffic Troopers which would enforce moving violations of CMVs and vehicles traveling in close proximity of a CMV. The utilization of the grant code (0757) should allow the NSP to track CMV traffic enforcement stops with an inspection, number of non-CMV traffic enforcement stops and the number of citations and warnings issued from these stops.

Narrative Overview for FY 2018***Instructions:***

Describe the State's proposed level of effort (number of personnel) to implement a statewide CMV (in conjunction with and without an inspection) and/or non-CMV traffic enforcement program. If the State conducts CMV and/or non-CMV traffic enforcement activities only in support of the overall crash reduction goal, describe how the State allocates traffic enforcement resources. Please include number of officers, times of day and days of the week, specific corridors or general activity zones, etc. Traffic enforcement activities should include officers who are not assigned to a dedicated commercial vehicle enforcement unit, but who conduct eligible commercial vehicle/driver enforcement activities. If the State conducts non-CMV traffic enforcement activities, the State must conduct these activities in accordance with the [MCSAP Comprehensive Policy](#).

The mission of the Nebraska State Patrol (NSP) shall be to provide law enforcement of the highest quality to ensure a safe and secure Nebraska. The goals of NSP are to exemplify our values by providing the highest quality of law enforcement and service to all person(s).

The NSP has approximately 80 Troopers assigned to the Carrier Enforcement Division which are certified to conduct NAS Level 1 through 4 inspections. Approximately 200 Troopers are assigned to the Traffic Division which are certified to conduct NAS Level 3 inspections. All NSP Troopers are to enforce CMV traffic enforcement in conjunction with overall highway safety goals and the reduction of highway fatalities.

In 1987 NSP implemented the MCSAP roadside inspection program which examines the driver, the vehicle, and the load for 13 critical items including hazardous materials. The NSP Carrier Division administers the roadside inspection program which operates thirty (31) portable units and ten (10) stationary weigh stations.

NSP utilized seven primary sites. Four of the primary sites include North Platte Eastbound I-80, North Platte Westbound I-80, Waverly Eastbound I-80, and Waverly Westbound I-80. Additional primary sites include Nebraska City, Hebron, and Fremont. Two (2) secondary scales located on Highway 30 near North Platte, and Highway 6 near Waverly are utilized to monitor carriers which are bypassing the interstate scale system.

All Carrier Enforcement and Traffic Troopers are issued Mobile Data Computers which are equipped with ASPEN including access to FMCSA's portal. In addition all Troopers record their citations in TraCs.

There is a need to focus on the "driver" aspects of the CMV safety program. There continue to be traffic enforcement violations discovered on both CMV's and non-CMV's that are likely to increase the likelihood of a motor vehicle crash. Concentrating on driver violations will assist in continuing to reduce the fatality rate to an ultimate State goal (all motor vehicles) of 1.07 fatalities per 100,000,000 vehicle miles traveled.

The NSP MCSAP Program Lieutenant will review data and provide field supervisory personnel with monthly reports as well as Quarterly Statistics on the number of Traffic Enforcement Inspections and selective being conducted. Additionally these statistics are reviewed during quarterly supervisor meetings.

All NSP Troopers enforce highway safety laws and regulations either on a full time or part time basis (traveling to and from the scale facility assigned). Additionally, the Commercial Vehicle Enforcement (CVE) team was formed in 1997 and will have six Carrier Enforcement Troopers assigned. The CVE team is trained to address traffic enforcement laws in areas designated as High Accident Counties (HAC's). Currently, the most accurate reporting of non-CMV traffic enforcement contacts comes from this subgroup of officers, because of their unique role coding. Non-CMV traffic enforcement goals are being set based on documented activity of the CVE team, and may be exceeded based on the success of newly implemented reporting mechanisms.

A challenge NSP faces is the inability to collect Traffic Enforcement table data. Safetynet is utilized to gather the number of CMV Traffic Enforcement stops with an inspection. TraCS is utilized to gather the number of citations a warning issued. TraCS is unable to gather the data needed for the exact violation which does not indicate if an inspection was completed or not. Nebraska is continually working to develop the ability to capture this information.

Projected Goals for FY 2018

Using the radio buttons in the table below, indicate the traffic enforcement activities the State intends to conduct in FY 2018. 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
<input checked="" type="radio"/>	<input type="radio"/>	CMV with Inspection	6400
<input type="radio"/>	<input checked="" type="radio"/>	CMV without Inspection	
<input checked="" type="radio"/>	<input type="radio"/>	Non-CMV	500
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	48

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
28000	120	420	28540	31656

The sum of your planned FY 2018 safety activities must equal or exceed the average number of 2004/2005 activities to be reimbursed for non-CMV traffic enforcement activities. Update the number of FY 2018 roadside inspections, investigations, and/or new entrant safety audits to be eligible for reimbursement.

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

The Nebraska State Patrol derives Traffic Enforcement statistics from Safetynet, TraCS (electronic citation program), and manual collection during enforcement efforts. In the last year, a tracking code has been developed that is used on daily timesheet logs that should help us identify traffic enforcement activities when not associated with an inspection on a commercial vehicle. The State of Nebraska has documented Safetynet extractions of data from 2006 indicating a far different result than outlined for the 2004/2005 fiscal years. Our documented average from that time period shows an average of approximately 27,328 inspections for the 2 year period. We believe that 28,540 inspections meets the mandated requirement of exceeding the performance of those 2 years. The 2 year results are published in Nebraska's approved 2006 CVSP on page 32. NSP will continue to monitor Safety Activities on a monthly and quarterly basis to increase the number of Safety Activities. The Carrier Enforcement Commander will be kept apprised of the progress in achieving the 2004/2005 Average Activities. The Activities will be monitored and the Divisional Goals may be reviewed to reduce Level 1 activity and increase Level 3 activity if necessary.

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:

Narrative Overview for FY 2018

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.

Currently PRISM Compliant.

Program Activities: Describe any actions that will be taken to implement full participation in PRISM.

Currently PRISM Compliant.

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.

Currently PRISM Compliant.

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	58	39	61	60	76
CMV Safety Belt Education and Outreach					
State Trucking Association Meetings	14	14	14	14	14
State-Sponsored Outreach Events	13	7	14	13	1
Local Educational Safety Events	3	6	2	6	9
Teen Safety Events	1	5	1	0	1

Narrative Overview for FY 2018

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 safety initiatives. Include the number of personnel that will be participating in this effort.

Laws and regulations concerning the safe operation of commercial motor vehicles can be complicated and confusing to industry and allied agencies. The Nebraska State Patrol Carrier Enforcement Division serves as a resource to other agencies and industry in order to encourage voluntary compliance and promote highway safety. Community based policing is fundamental in maintaining the trust and support, as well as the confidence of those that we serve. The Division will maintain a proactive relationship with the general public and to always present an open line of communication.

The Nebraska State Patrol Carrier Enforcement Division will conduct 90 seminars annually for the Motor Carrier industry. Additionally Sworn and non-sworn personnel shall attend community functions, school events and other public gatherings while representing the Nebraska State Patrol. Engaging in interaction with community members and increasing the support, trust and confidence of the Agency. We will promote the use of the NSP Website and utilize webinars to educate the public on laws, regulations and safety. As a Division, the Carrier Enforcement will conduct 2,000 hours of community outreach (annually).

Trend information listed above is provided with caveats. The Nebraska State Patrol does not categorize all of our public information and awareness in the manner listed above. The actual number of total programs is accurate, but the breakdown by interaction type is somewhat subjective to determine which of the categories the activity most closely matched. CMV seat belt education is not easily separated from other Carrier Safety Talks, so that category is left blank, and totals for both criteria are combined in a single total listed on the Safety Talks line. State sponsored outreach used to involve several staff members from the Carrier Enforcement Division travelling throughout the state providing information in a "town hall" type setting. The cost effective nature of the internet and video streaming have seen these town hall outreach events converted to web based informational videos, with an apparent observed decline in activity. Current tracking systems do not provide us an accurate way to quantify internet usage of our videos and web-based outreach, but we believe that industry uses the videos and finds them more convenient for the end user due to lack of time and location constraints.

Projected Goals for FY 2018

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
<input checked="" type="radio"/>	<input type="radio"/>	Carrier Safety Talks	45
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	12
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	14
<input checked="" type="radio"/>	<input type="radio"/>	State-Sponsored Outreach Events	2
<input checked="" type="radio"/>	<input type="radio"/>	Local Educational Safety Events	10
<input checked="" type="radio"/>	<input type="radio"/>	Teen Safety Events	7

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.

1. Maintain the number of seminars at 57, which is inclusive of Safety Talks and Seat Belt Education and Outreach. Distribute Nebraska Truck Information Guide Books and educational materials regarding general compliance issues, ELDs, and hazardous materials.
2. Utilize seat belt convincer / rollover machine at State Fair and Husker Harvest days
3. A representative or representatives from the Carrier Division will be in attendance at the monthly Trucking Association Meetings in addition to other meetings as needed based on current events and issues.
4. Conduct two online educational webinars which will replace the Town Hall meetings.
5. Troopers will attend local public education safety events as requested. (i.e. schools).

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	No

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.

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

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

Data current as of June 30, 2017 report generated on July 25, 2017

Narrative Overview for FY 2018

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.

Per the SSDQ Report:

Your rating is 'no flag', which indicates that the estimated number of non-fatal crash records reported is greater than or equal to 50%. The crashes evaluated occurred between 01/01/2015 and 12/31/2015 and were compared to the previous three year reporting average. Your 99% value indicates that your State is consistently reporting non-fatal crash records.

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.

According to the SSDQ report, "No flag" indicates that our performance is at an approved performance level.

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.

The state reviews SSDQ information on a monthly basis in an effort to identify deficiencies that may appear after monthly updates. The state will utilize resources available from FMCSA, including the State Data Quality Specialist as well as data analysis within individual rating categories, to pinpoint problem areas and work cooperatively with FMCSA to assure improvements as necessary.

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	562	614	582	590	504
Intrastate	0	0	0	0	0
Total Audits	562	614	582	590	504

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

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

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

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 - New Entrant Safety Audits		
	FY 2018	
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate
# of Safety Audits (Onsite)	20	0
# of Safety Audits (Offsite)	400	0
# Group Audits	0	0
TOTAL Safety Audits	420	0
# of Non-Audit Resolutions	160	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.

New motor carriers / New Entrant carriers are required to complete a safety monitoring period of 18 months with an allowance of 12 months to complete / pass a safety audit. FMCSA request the safety audit be completed after 90 days of operation but within 6 months of operation and not to exceed 12 months.

Investigators provide New Entrant motor carriers with the knowledge and resources to reduce the number and severity of crashes, injuries and fatalities within the statutory limits. New Entrant Investigators utilize the safety audit program to provide a setting for the motor carrier to understand and implement safety regulations, pinpoint safety management needs and review other areas that need improvement.

Federal programs will be utilized to ensure that all safety audits are completed within the 12 month period (120 days for passenger carriers). FMCSA resources are monitored on a weekly basis to ensure all New Entrant Carriers are accounted for by running reports in MCMIS and A & I on line then creating assignments for the investigators. Staff Assistant II utilizes MCMIS, A & I on line and GOTHAM to monitor approaching dates along with obtaining driver, vehicle, company profiles and inspection information.

State and Federal programs are utilized to gather information before/after the investigator meets for a safety audit. CDLIS, CJIS, MCMIS, A & I on line, GOTHAM are utilized to obtain driver, vehicle and inspection information.

According to A & I (08-11-17) Nebraska currently has an inventory of 347 in the New Entrant pool with no past due carriers.

In addition to safety audits, the Investigators will conduct at a minimum, 32 vehicle inspections with at least 18 inspections being hazardous material carrier inspections.

Activity Plan: 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 New Entrant program will utilize 3 full-time investigators to conduct approximately 420 new entrant safety audits and 160 non-audit resolutions for new entrant interstate motor carriers. Priority will be given to carriers of passengers to ensure safety audits are conducted within 120 days. Approximately 95 percent (95%) of the safety audits will be conducted offsite reducing travel time and cost. Approximately 5 percent (5%) of the safety audits will be conducted onsite at the carrier's principle place of business. If a backlog is created due to a sudden or unexpected influx of onsite carriers, group audits will be conducted at a central or alternate locations to reduce cost, maximize efficiency, and reduce or eliminate travel time. Currently no group audits have been required.

To maximize efficiency of the program, offsite eligible carriers will be contacted as soon as possible after the required documents are uploaded to the NEWS website. Auditors will adhere to the New Entrant Safety Audit Process Document for procedures and timelines when conducting offsite safety audits. Assistance with uploading documents will be provided only as needed.

The New Entrant office will monitor the number of safety audits completed to ensure requirements are met. The Staff Assistant II

will complete weekly reports to reflect any carriers within 90 days of the due date to send to the New Entrant Investigators and New Entrant Sergeant. The Staff Assistant II will compile data monthly to track safety audits completed, passed, or failed. The data compiled will be placed on a tracking documents to be utilized for monthly, quarterly, and annual reports.

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.

The New Entrant Sergeant will review all safety audits for quality, completeness, and accuracy. The New Entrant Sergeant will monitor activity throughout the quarter to guide the program to the established goals. The New Entrant Sergeant will ensure the Staff Assistant II is assigning and scheduling passenger carrier's audits as soon as practical. Scheduling and assignments will be given/monitored to ensure the most efficient use of time and travel.

The Staff Assistant II will review the new entrant inventory on a monthly basis and make assignments based on due dates. Priority will be given to past due carriers, passenger carriers, and hazardous material carriers. Assignments will be planned to maximize audit completion for onsite audits when travel is required to ensure program efficiency. The New Entrant office will strive to have all safety audits completed within 9 months of the company's entry date. Investigators and the Staff Assistant II will work together to ensure all attempts are exhausted before the 12 month due date or the carrier will be placed out of service for non-compliance.

The three (3) New Entrant Investigators are required to complete a minimum of 32 level 1 inspections per fiscal year, which includes 16 hazardous material (HM) inspections with 8 being cargo/bulk and the remaining 8 non-bulk inspections.

The requirement is 32 per year – per investigator (3) plus half (1/2) of the New Entrant Sergeant's 32 which is 16 for a total of 112 Driver/Vehicle inspections per year.

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.

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.**

Narrative Overview for FY 2018

Enter your State's OOS Catch Rate percentage if below 85 percent: 50%

Project Goals for FY 2018: Enter a description of the State's performance goals.

The OOS Catch Rate report utilized for the FY 2018 eCVSP is reflective of only imminent hazard and unsat/unfit OOS carriers. The report supplied is for the time period of May 01, 2016 through December 31, 2016. The time period is not a full 12 months to avoid any data concerns observed in the second quarter of FY 2017. The OOS Catch Rate report utilized identified Nebraska to have conducted 2 inspections and identified 1 carrier on imminent hazard and unsat/unfit OOS orders. The goal of the Nebraska State Patrol (NSP) is to attain an OOS catch rate of at least 85% for the FY 2018 year.

Program Activities: Describe policies, procedures, and/or technology that will be utilized to identify OOS carriers at roadside. Include how you will conduct quality assurance oversight to ensure that inspectors are effectively identifying OOS carriers and preventing them from operating.

The NSP Carrier Enforcement Division deployed ASPEN 3.0 during the FY 2016 year. During the FY 2017 year, NSP deployed ASPEN 3.0 to all Troopers assigned to the Traffic Services Division. ASPEN 3.0 includes a Pre-Screen function which notifies the officer immediately of an out of service order through a real-time query of SAFER data when connected to the network.

In addition, NSP Communication can now check the OOS status via NLETS through an ACQ query when a Trooper calls in a stop roadside. This will allow for all uniform personnel another alternative to ensure the OOS status is checked.

If an NSP officer is identified through FMCSA reports (inspections on OOS Carriers) as conducting an inspection on an OOS carrier and the officer does not identify the OOS order or does not identify correctly, an email is sent by the Commander directly to the officer with a carbon copy through the officer's chain of command counseling the officer and conveying the importance of identifying these OOS carriers.

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

The MCSAP Manager will review reports generated by the Mid Western Service Center/FMCSA and monitor the number of OOS carriers discovered or missed. Training was provided to all Nebraska State Patrol sworn officers in the 2016 calendar year, as well as training for dispatchers on how to properly query a DOT number through NLETS. The MCSAP Manager will monitor and ensure officers are counseled on the issue in FY 2018.

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.

Utilize NSP website to educate Party Bus industry personnel of State and Federal regulations. The website has been shared in partnership with the Public Service Commission with regulatory applications, licenses, and authority.

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

Refer the NSP website video regarding State and Federal regulations to five (5) Party Bus industry personnel .

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

Program is completed and posted on the NE State Patrol website. Goal met.

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

Activity #2

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

Conduct compliance reviews of Party Bus companies based on collection of driver/vehicle inspections, CSA, and/or data collection reporting.

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

Conduct three compliance reviews on party bus companies based on driver/vehicle inspections, CSA, and/or data collection reporting.

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

Have conducted 2 compliance reviews on party bus companies which is 66.7% of our goal with 75% of fiscal year passed.

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

Activity #3

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

Work cooperatively with FMCSA by participating in the 2017 National Passenger Carrier Strike Force.

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

Work cooperatively with FMCSA by participating in the 2017 National Passenger Carrier Strike Force.

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

The New Entrant Sergeant worked with our State Partner to coordinate Nebraska State Patrol's participation in this event. As a result, two passenger carrier Compliance Reviews were conducted on passenger carriers.

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. 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.

Awareness and Enforcement Training for ELD

Narrative Overview for FY 2018

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

Fiscal Year 2018 Implementation of the ELD mandate requires road officers to understand the complexities of ELDs and how to properly document violations.

Projected Goals for FY 2018:

Enter performance goal.

Awareness and enforcement training for Carrier Enforcement and Traffic Services Troopers in FY18.

Program Activities: Describe the activities that will be implemented including level of effort.

The Nebraska State Patrol will provide training to Carrier Enforcement and Traffic Services Troopers utilizing resources provided by the FMCSA as well as internally produced documents and electronic training to reach all road operations Troopers. Training will be accomplished via in-person training utilizing the MCSAP Training Trooper as well as web-based training through the State's Electronic Learning Center which will document successful completion by all officers. The Nebraska State Patrol expects to train approximately 280 officers on ELD requirements and enforcement topics.

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.

All training is documented, either on a signed form for in-person training or electronically when using web-based training.

State Objective #2

Enter the title of your State-Identified Objective.

Trooper In a Truck Program

Narrative Overview for FY 2018

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

Accident statistics, as documented in the 2015 Large Truck and Bus Accident Report, indicate that distracted driving is a primary cause of accidents involving commercial vehicles. Statistics also tell us that a majority of the time, poor driving behaviors of passenger vehicle drivers are the root cause. Proactive enforcement of poor and distracted driving, conducted in areas prone to commercial vehicle accidents, will help alleviate the activities of drivers in both passenger and commercial vehicles. Troopers,

working from the vantage point of a commercial vehicle, will radio observed violations to waiting nearby troopers who can conduct a traffic stop and take enforcement action on the violations.

Projected Goals for FY 2018:

Enter performance goal.

The Trooper In a Truck program will conduct a selective, weather permitting, 6 times in FY2018 which will include multiple troopers, a trained and Certified observer as well as a vehicle and driver provided through a partnership with the Nebraska Trucking Association and member companies.

Program Activities: Describe the activities that will be implemented including level of effort.

A sworn officer serving as an observer riding in the passenger seat of a semi-truck will observe moving violations of both passenger vehicles (non-CMV) as well as CMVs. Information about the violation will be radioed to waiting troopers who will make a traffic stop based on the observation. Proper enforcement action will be taken and documented via a written warning or citation, as well as a NAS Level 3 inspection on commercial vehicles with appropriate notation of any observed violations.

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.

Statistics on the number of selective enforcements and associated "stops/contacts" on non-CMV TE in accordance with the MCP which will be reported quarterly and measured against the annual goal. All activity is coded to an activity grant that can be queried from citations/warnings as well as data extraction from Safetynet on inspections conducted during the selective.

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	\$3,675,734.00	\$648,659.00	\$4,324,393.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP award amount):	\$648,659.00
MOE Baseline:	\$24,416.75

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):	\$648,659.00

Personnel: Salary and Overtime Project Costs						
Salary Project Costs						
Position(s)	# of Staff	% of Time	Annual Salary	Total Project Costs	Federal Share	State Share
Division Commander	1	50.0000	\$103,929.28	\$51,964.64	\$44,169.94	\$7,794.70
District Lieutenants	3	25.0000	\$95,309.00	\$71,481.75	\$60,759.49	\$10,722.26
Area Sergeants	11	25.0000	\$72,519.20	\$199,427.80	\$169,513.63	\$29,914.17
Hazardous Materials Coordinator	1	100.0000	\$84,302.40	\$84,302.40	\$71,657.04	\$12,645.36
NE/CR Sergeant	1	100.0000	\$75,504.00	\$75,504.00	\$64,178.40	\$11,325.60
MCSAP Staff Sergeant	1	100.0000	\$61,817.60	\$61,817.60	\$52,544.96	\$9,272.64
Officers FTE	4	100.0000	\$58,509.27	\$234,037.08	\$198,931.52	\$35,105.56
MCSAP CR Troopers	3	100.0000	\$69,060.16	\$207,180.48	\$176,103.41	\$31,077.07
Training Specialist	1	50.0000	\$63,960.00	\$31,980.00	\$27,183.00	\$4,797.00
MCSAP CVE Team	6	100.0000	\$58,509.27	\$351,055.62	\$298,397.28	\$52,658.34
IT Infrastructure Analyst	1	100.0000	\$46,263.36	\$46,263.36	\$39,323.86	\$6,939.50
IT Infrastructure Analyst Lead	1	100.0000	\$58,722.56	\$58,722.56	\$49,914.18	\$8,808.38
MCSAP Staff Assistant II	1	100.0000	\$35,276.80	\$35,276.80	\$29,985.28	\$5,291.52
Accounting Clerk	1	50.0000	\$39,345.28	\$19,672.64	\$16,721.74	\$2,950.90
Office Supervisor	1	10.0000	\$32,664.32	\$3,266.43	\$2,776.47	\$489.96
Electronics Technician	1	100.0000	\$37,560.64	\$37,560.64	\$31,926.54	\$5,634.10
MCSAP Lieutenant	1	100.0000	\$95,309.00	\$95,309.00	\$81,012.65	\$14,296.35
NE/CR Lieutenant	1	100.0000	\$95,309.00	\$95,309.00	\$81,012.65	\$14,296.35
Administrative Assistant I	1	50.0000	\$37,606.40	\$18,803.20	\$15,982.72	\$2,820.48
Safety Audit Investigator	3	100.0000	\$69,060.16	\$207,180.48	\$176,103.41	\$31,077.07
Staff Assistant	1	100.0000	\$35,289.28	\$35,289.28	\$29,995.89	\$5,293.39
MCSAP Research Analyst II	1	100.0000	\$44,374.72	\$44,374.72	\$37,718.51	\$6,656.21
MCSAP Attorney	1	50.0000	\$70,353.92	\$35,176.96	\$29,900.42	\$5,276.54
Central Area Major	1	25.0000	\$114,653.00	\$28,663.25	\$24,363.76	\$4,299.49
Communication Specialist	3	100.0000	\$36,027.11	\$108,081.33	\$91,869.13	\$16,212.20
Subtotal: Salary				\$2,237,701.02	\$1,902,045.88	\$335,655.14
Overtime Project Costs						
Planned Overtime	56	100.0000	\$3,301.60	\$184,889.60	\$157,156.16	\$27,733.44
Hazardous Material Overtime	45	100.0000	\$2,556.40	\$115,038.00	\$97,782.30	\$17,255.70
Incidental Overtime	84	100.0000	\$766.92	\$64,421.28	\$54,758.09	\$9,663.19
Subtotal: Overtime				\$364,348.88	\$309,696.55	\$54,652.33
TOTAL: Personnel				\$2,602,049.90	\$2,211,742.43	\$390,307.47
Accounting Method:						
Planned MOE: Personnel	\$88,192.00					

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

Amended 2018 Nebraska eCVSP:

Justification: There are 39 Communication Specialists working part time on MCSAP eligible activities. The MCSAP eligible activities include but are not limited to checking registration, driver's license, warrants, and DOT credential checks. The total of their part time efforts equate to three (3) FTE's or 6,240 working hours per year. The Nebraska State Patrol is divided into 3 communication areas. Troop A and B is dispatched from Omaha with an authorized strength of 12, Troop H and C is dispatched from Lincoln with an authorized strength of 15 and Troop D and E is dispatched from North Platte with an authorized strength of 12. One Communication Specialist from each communication area will be designated as the MCSAP FTE.

The Nebraska State Patrol is collecting fringe benefits reimbursements at actual costs for the individuals who are paid for from MCSAP grant. Fringe benefits are a summation of the actual fringe benefits per employee, which includes mandatory retirement, health insurance, state provided life insurance, and unemployment. Approximately thirty-three (33) percent of the personnel costs are for fringe benefits.

Cost: Per Accounting the average salary for a Communication Specialist is \$36,027.11. The average fringe benefit for a Communication Specialist is \$11,888.946. The annual cost for a Communication Specialist is \$47,916.056 and the total cost for three Communication Specialists equates to \$143,748.16 annually.

Justification: The Nebraska State Patrol has four sworn personnel which hold the rank of Major. The rank of Central Major, oversees Troop H and Troop C Traffic Services, the Carrier Enforcement Division and the Training Academy. The Central Major works part time on MCSAP eligible activities. The MCSAP eligible activities include but not limited to ensuring the respective Troop Area Troopers within Troop H and C conduct 32 Level III NAS Inspections, provide administrative oversight of the Carrier Enforcement Division which administers the MCSAP, and provides administrative oversight of the Training Academy which provides basic, annual certification and specialized training for MCSAP related courses. The total part time effort equate to twenty-five percent or 520 working hours per year.

Cost: Per Accounting the average salary for the rank of Major is \$114,653.76. The annual salary cost for a Major based on twenty-five percent equates to \$28,663.44. The average fringe benefit for the rank of Major is \$37,835.74 and based on twenty-five percent equates to \$9,458.935. The annual cost for the rank of Major at twenty-five percent equates to \$38,122.375.

Note: Amendment also includes salary adjustment for Lieutenants and Administrative Assistant II. Note the MCSAP Attorney III has been adjusted to reflect actual salary.

One (1) Compliance Review (CR) Lieutenant and MCSAP Lieutenant are dedicated to MCSAP Administrative activities. Duties include the application, administration and monitoring of all MCSAP related grants and activities. Appropriate percentage of time is listed on the line item budget. The MCSAP Research Analyst II, Carrier Enforcement Records Technician, Administrative Assistant II, and Electronics Technician are dedicated to MCSAP support activities. These duties include but not limited to administrative, record keeping, reporting. The Electronics Technician is assigned to handle all MCSAP units for installation and maintenance of electronic computers and similar equipment. Appropriate percentage of time is listed on the line item budget. MCSAP Attorney is 50% assigned to MCSAP activities, these activities include CR hearings, legislative issues, FMCSR interpretations and other duties as assigned.

The MCSAP Hazardous Material Coordinator is dedicated one hundred (100) percent to MCSAP HM Activities (40 hours per week). These duties include the updating, instructing and coordination of the NSP Haz Mat program. Appropriate percentage of time is listed on the line item budget.

The MCSAP Staff Sergeant is dedicated one hundred (100) percent to MCSAP Staff duties such as DataQs, answering phone calls, serves as coordinator and supervisor of the Metropolitan Aggressive and Preventive Selectives (MAPS Team) (40 Hours per week), as listed on the line item budget.

The three (3) MCSAP CR Troopers are dedicated one hundred (100) percent to Compliance Reviews (40 hours per week each), as listed on the line item budget.

The one (1) IT Infrastructure Analyst Lead and one (1) IT Infrastructure Analyst are dedicated one hundred (100) percent to Information Systems (40 hours per week each) Information Systems support includes all MCSAP related issues for the Carrier Enforcement Division.

The sixty (60) Carrier Enforcement Troopers work part time on MCSAP eligible enforcement activities. The total of their part time efforts equates to four (4) FTEs (8,320) working hours per year, as listed on the line item budget.

The six (6) Carrier Enforcement Troopers designated as MCSAP Commercial Vehicle Enforcement (CVE) team, work full time on MCSAP eligible enforcement activities. The total full time efforts equates to (12,480) working hours per year.

Overtime is reimbursed to employees contained in the Fair Labor Standards Act for hours worked over 40 hours in a workweek, which is incidental to the individual's 40-hour workweek occurring merely by chance or without intention.

Overtime Explanation/Justification:

****Please note the Overtime Information only allows for whole numbers so therefore below is based on allowing for fractions. In addition overtime is listed only in line item for Personnel and not included in Fringe.****

NSP will continue planned overtime only if there is sufficient funding available. Supervisors will schedule and monitor overtime hours earned. Planned overtime allows NSP to conduct roadside MCSAP inspections to enhance our goal of reducing CMV crashes and fatalities. Overtime estimated in this portion of the budget is for Salaries and Benefits.

Grants (Incentive/Planned Inspection OT 0256, Hazardous Material OT 1397, and Incidental OT 9308) will continue from previous eCVSP's. The table does not allow calculation to be exact. The following is the NSP MCSAP Overtime Allocation Explanation/Justifications and is an estimate only.

Overtime expenditures will fall into 3 main categories for the Nebraska State Patrol related to the MCSAP Budget.

Incentive/Planned Inspection Overtime – 56 Officers x \$63.91 wage x 51.5 hours annually = \$184,316.44 (Grant 0256)

Hazardous Materials Inspections – 45 officers x \$63.91 wage x 40 hours annually = \$115,038 (Grant 1397)

Incidental Overtime - 84 officers x \$63.91 x 12 hours annually = \$64,421 (Grant 9308)

Total Overtime expenditure is \$363,775.44. In order calculate within the eCVSP overtime line item budget, the total expenditure (\$363,775.44) divided by number of anticipated participants (56). The salary needed to be used to calculate the overall overtime expenditure was \$2,236.85 salary (including fringe). The actual overtime rate is \$63.91 an hour for the average hourly rate by 56 Troopers participating (depending on project) and depending on hours available.

Incentive/Planned (0256) Overtime is only available to Carrier Enforcement Troopers and Sergeants who are current on their required number of inspections. Supervisors will monitor overtime hours earned. This is a planned overtime category which will enhance our goal of reducing CMV crashes and fatalities through the regular inspection of carriers in the state. Hours are estimated based on previous participation rates in these categories.

Hazardous Materials (1397) is only available to Carrier Enforcement Troopers and Sergeants who are current on their required number of inspections. Supervisors will monitor overtime hours earned. This category enhances our goal of reducing CMV crashes and fatalities and reducing HM incidents through the regular inspection of HM carriers in the state. Hours are estimated based on previous participation rates in these categories.

Incidental Overtime (9308) is reimbursed to employees contained in the Fair Labor Standards Act for hours worked over 40 hours in a workweek, which is incidental to the individual's 40 hour workweek occurring merely by chance and without intention. The estimated hours reflect 1 hour per month per employee in the Division.

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
Division Commander	33.0000	\$51,964.64	\$17,148.33	\$14,576.08	\$2,572.25
District Lieutenants	33.0000	\$71,481.75	\$23,588.97	\$20,050.63	\$3,538.34
Area Sergeants	33.0000	\$199,427.80	\$65,811.17	\$55,939.49	\$9,871.68
Hazardous Materials Coordinator	33.0000	\$84,302.40	\$27,819.79	\$23,646.82	\$4,172.97
NE/CR Sergeant	33.0000	\$75,504.00	\$24,916.32	\$21,178.87	\$3,737.45
MCSAP Sergeant	33.0000	\$61,817.60	\$20,399.80	\$17,339.83	\$3,059.97
Officers FTE	33.0000	\$234,037.08	\$77,232.23	\$65,647.40	\$11,584.83
MCSAP CR Troopers	33.0000	\$207,180.48	\$68,369.55	\$58,114.12	\$10,255.43
Training Specialist	33.0000	\$31,980.00	\$10,553.40	\$8,970.39	\$1,583.01
MCSAP CVE Team	33.0000	\$351,055.62	\$115,848.35	\$98,471.10	\$17,377.25
IT Infrastructure Analyst	33.0000	\$46,263.36	\$15,266.90	\$12,976.87	\$2,290.03
IT Infrastructure Analyst Lead	33.0000	\$58,722.56	\$19,378.44	\$16,471.67	\$2,906.77
MCSAP Staff Assistant II	33.0000	\$35,276.80	\$11,641.34	\$9,895.14	\$1,746.20
Accounting Clerk	33.0000	\$19,672.64	\$6,491.97	\$5,518.17	\$973.80
Office Supervisor	33.0000	\$3,266.43	\$1,077.92	\$916.23	\$161.69
Electronics Technician	33.0000	\$37,560.54	\$12,394.97	\$10,535.72	\$1,859.25
MCSAP Lieutenant	33.0000	\$95,309.00	\$31,451.97	\$26,734.17	\$4,717.80
NE/CR Lieutenant	33.0000	\$95,309.00	\$31,451.97	\$26,734.17	\$4,717.80
Administrative Assistant II	33.0000	\$16,252.08	\$5,363.18	\$4,558.70	\$804.48
Safety Audit Investigator	33.0000	\$207,180.48	\$68,369.55	\$58,114.12	\$10,255.43
Staff Assistant	33.0000	\$35,289.28	\$11,645.46	\$9,898.64	\$1,746.82
MCSAP Research Analyst	33.0000	\$44,374.72	\$14,643.65	\$12,447.10	\$2,196.55
MCSAP Attorney	33.0000	\$35,176.96	\$11,608.39	\$9,867.13	\$1,741.26
Communication Specialist	33.0000	\$108,081.33	\$35,666.83	\$30,316.81	\$5,350.02
Central Area Major	33.0000	\$28,663.25	\$9,458.87	\$8,040.04	\$1,418.83
TOTAL: Fringe Benefits			\$737,599.32	\$626,959.41	\$110,639.91
Planned MOE: Fringe Benefits	\$0.00				

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

The Nebraska State Patrol is collecting fringe benefit reimbursements at actual costs for the individuals who are paid for from the MCSAP grant. Fringe benefits are a summation of the actual fringe benefits per employee, which includes mandatory retirement, health insurance, state provided life insurance, and unemployment. Approximately thirty three (33) percent of the personnel costs are for fringe benefits. The State of Nebraska Department of Administrative Services utilizes the Labor and Distribution System where the system separates electronically the individual employee by percentage of how many hours worked in a labor unit, such as MCSAP, New Entrant etc. The Labor and Distribution Report, then calculates the percentage time to each benefit for each individual grant. If the employee works two different grants then the appropriate percentage is calculated to each grant. For an example if an employee works 70 hours (87.5%) in a 2-week time frame for MCSAP, and worked 10 hours (12.5%) for High Priority for a total of 80 hours. Then 87.5% of the 33% Fringe Benefit would be collected out of the MCSAP and 12.5% of the 33% Fringe Benefit would be collected out of the High Priority Grant. This is only an example since Nebraska did not receive a High Priority Grant this year.

When an employee codes their time to the grant, NSP establishes the actual hours worked to the grant, so the individual's salary would be paid correctly. Retirement is broken out by 16%, Medicare is broken out 1.456%, and if they have Social Security, 6.0% on the dollar amount is coded to the grant. Depending on the employee's health, Dental, Life and LTD the same percentage is used for salary to determine the benefit percentage. Sometimes we are over or under the percentage.

This is why we use 33% for budget purposes.

Fringe for Overtime has been included in the Personnel salary information.

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
CVSA Fall Conference	6	6	\$20,000.00	\$17,000.00	\$3,000.00
IT Systems Training	4	5	\$8,000.00	\$6,800.00	\$1,200.00
Haz Mat Training (Basic, Bulk/NonBulk, OBP	23	15	\$15,000.00	\$12,750.00	\$2,250.00
MCSAP Inservice	23	2	\$4,500.00	\$3,825.00	\$675.00
NAIC	2	6	\$5,200.00	\$4,420.00	\$780.00
CVSA COHMED Conference	3	6	\$6,000.00	\$5,100.00	\$900.00
CVSA Spring Conference	6	6	\$18,000.00	\$15,300.00	\$2,700.00
MCSAP Preplanning Conference	4	5	\$7,000.00	\$5,950.00	\$1,050.00
Routine Travel	38	15	\$67,000.00	\$56,950.00	\$10,050.00
FMCSA Conference	4	5	\$7,000.00	\$5,950.00	\$1,050.00
Passenger Carrier Safety Training	3	5	\$6,000.00	\$5,100.00	\$900.00
NAS Part A Training	20	5	\$4,700.00	\$3,995.00	\$705.00
NAS Part B Training	5	5	\$2,000.00	\$1,700.00	\$300.00
Advance ELD MCSAP	4	5	\$8,000.00	\$6,800.00	\$1,200.00
TOTAL: Travel			\$178,400.00	\$151,640.00	\$26,760.00
Planned MOE: Travel	\$0.00				

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

State of Nebraska Travel Policy states:

State Wide Overnight Travel - Pursuant to Section 81-1174, employees traveling on State business shall claim only actual amounts paid for food/meals. Employees should not submit claims based on any per diem amount. (The Federal maximum per diem rates are only a guideline and should NOT be claimed). When requesting or approving food/meal costs, compare the average cost per day for the entire trip with the appropriate daily GSA rate. Exceeding the GSA daily rate by a small amount fits the State definition of reasonableness. Reasonableness in very limited cases may exceed such rates by larger amounts; however, the reasons must be fully documented. No reimbursement may be made for alcoholic beverages. (GSA meal guidelines)

Agencies are responsible to see that all submitted claims for food/meals are adequately substantiated. Unsubstantiated food/meals should not be reimbursed. Receipts are required unless the cost of the food/meal is under \$5.00. Per diem type claims should always be questioned.

Maximum to be claimed per GSA guidelines are:

Per Diem meals / field work: \$51/day- Omaha only \$64

Per Diem lodging / field work: \$91/day-Omaha only \$107

Per Diem meals / Out of State conference: \$50/day

Per Diem lodging / conference: \$200/day

These expenses are inclusive of Airfare (if needed), Per Diem, and Lodging. Program travel encompasses costs associated with MCSAP Selective Enforcement activities, Public Relations, Public Education, Special Projects, Compliance Review Program, Monitoring of Inspections, North American Inspector Championships, MCSAP, CVSA Conferences and meetings, Information Systems, Hazardous Materials meetings, COHMED, IT workshop, HM Basic Training, HM Cargo Tank Training, North American Standard Part A Training, North American Standard Part B training, MCSAP In-Service and FMCSA's Phase III Training. The number of personnel listed on the line-item budget varies, which is reasonable and necessary based on the type of program travel attending the appropriate activities as listed on the line-item budget. We will follow the GSA maximum per Diem rates when possible.

Travel:

Routine travel for Selective Enforcement / Public Relations / Special Projects/Monitoring of Inspections:

Costs represent necessary travel funds for Carrier Enforcement personnel to provide adequate coverage within the state.

Travel is necessary to perform Compliance Reviews, Patrols, Selective Operations--including high crash corridors, MCSAP Programs, and Town Hall meetings within the state. These expenses are inclusive of per Diem and lodging. The number of personnel listed on the line item budget varies, depending on the activity; which is reasonable and necessary based on the typed of program travel. *NSP utilizes the GSA maximum per Diem rates when possible:*

FMCSA Pre-planning Conference:

Costs represent necessary travel for NSP Personnel attend the FMCSA Pre-planning conference. The MCSAP Lieutenant, MCSAP Sergeant, CR Sergeant, MCSAP Staff Assistant and or the Administrative Assistant / Accounting Clerk will attend this conference.

CVSA Spring Conference:

Costs represent necessary travel for NSP personnel to attend the Commercial Vehicle Safety Alliance(CVSA) spring conference. The MCSAP Lieutenant, MCSAP Hazardous Material Coordinator, MCSAP Sergeant, Commander and two of his representative(s) will attend these conferences. Please note the added personnel is in anticipation of succession planning.

CVSA Fall Conference:

Costs represent necessary travel for NSP Personnel to attend the Commercial Vehicle Safety Alliance(CVSA) fall conference. The MCSAP Lieutenant, MCSAP Hazardous Material Coordinator, MCSAP Sergeant and Commander and two of his representative(s) will attend these conferences. Please note the added personnel is in anticipation of succession planning. In addition, the conference is scheduled to be in Kansas which is adjacent to Nebraska

CVSA COHMED Conference:

Costs represents necessary travel for Carrier Enforcement personnel to attend the Commercial Vehicle Safety Alliance (CVSA) Cooperative Hazardous Materials Enforcement and Development (COHMED) Conference. COHMED is an outreach activity to foster coordination, corporations, and communication between federal, state, and local jurisdictions having regulatory and enforcement responsibilities for safety transportation of hazardous materials and the industry that they regulate. The MCSAP Hazardous Material Coordinator and two officers will attend this conference. The expenses are inclusive of airfare, per Diem meals, lodging, and miscellaneous costs (tips, ground travel, luggage fees, etc.)

North American Inspector Championships:

Costs represent necessary travel for Carrier Enforcement personnel to attend the CVSA North American Inspection Championships. The competition recognizes the roadside inspector for demonstrated excellence in the competition. One officer will be selected to attend the Championships based on state a competition that consists of a written test, hazardous material table top inspection. Cargo Tank Inspections, Motor Coach Inspections, and a Level I inspections. Various training modules are also included in the Championship. The state also sends 1 CE personnel to the Championship to assist in judging this competition. The expenses are inclusive of airfare, per Diem, and lodging. No registration fee is required.

Travel for Training:

Certification Training Basic Hazmat, Cargo Tank, and other Bulk Package Training:

Costs represent the necessary travel for Carrier Enforcement Troopers to attend the Hazardous Material Basic Training. Hazardous Material Cargo Tank Training, and the other Bulk Packaging Training. The number of staff to attend the training is based on retirement, transfers, and resignation from the CE Division. No registration fees are required for these courses, however a provision has been made for 1 Sergeant to attend training, out of cycle and out of state, due to promotion.

Certification Part A North American Standard Training:

Costs represent necessary travel for NSP Trooper (recruits)to attend the North American Standard Part A Inspection Course. All new recruits are required to attend the Part A Course. The number of staff to attend the training is based on retirement, transfers, and resignation of all NSP Troopers. The average number of recruits on an annual basis is 20. This training is held at the Nebraska Law enforcement Training Academy and all recruits are required to stay at the academy. Meals and lodging are very reasonable.

Certification Part B North American Standard Training:

Costs represent necessary travel for NSP Trooper (recruits)to attend the North American Standard Part B Inspection Course. All new recruits assigned to the Carrier Enforcement Division are required to attend the Part B Course. The number of staff to attend the training is based on retirement, transfers, and resignation within the Carrier Division. The average number of recruits for Part B on an annual basis is 5. This training is held at the Nebraska Law Enforcement Training Academy and all recruits are required to stay at the academy. Meals and lodging are below per diem rates.

Advanced ELD Training:

Costs represent the necessary travel for Carrier Enforcement Investigators to attend any future FMCSA Phase III Training and or Advanced ELD as identified

and or provided by the FMCSA. The number of staff to attend the training is based on three investigators and one sergeant from the CE Compliance Review Division.

Information System Training:

Cost represents registration fees for 2 IT personnel who are dedicated 100% to the MCSAP. This training is required to maintain updated information on IT operating systems to allow our Information System Analysts to keep abreast of information systems in relationship to FMCSA's operating Information Systems.

FMCSA Conference:

It is expected that FMCSA will be holding an annual national MCSAP conference but its location and related costs cannot be determined at this time. We are budgeting based on historical average cost inclusive of anticipated air fare costs.

Level VI Refresher and Certification Training:

The CVSA Level VI Re-Fresher Training is required by the Level VI program for our Level VI Inspectors. NSP will conduct this training for 7 Troopers certified to conduct Level VI inspectors. Please note NSP has 2 Troopers certified to Train the Trainer in the Level VI program (for a total of 9).

MCSAP in-service:

MCSAP in-service is conducted annually for all uniformed CE Troopers. The annual in-service training provides updates on FMCSA Regulations and Out-Of-Service Criteria. Training is one day and all officers are required to attend. However, since it is only 1 day training only a few officers (estimated at 20) will require meals and lodging due to travel distance.

Passenger Vehicle Inspector Training:

Costs represent travel and training costs associated with 3 NSP officers attend a Passenger Carrier Safety Training. Passenger carrier CMV safety and enforcement continues to be a major CMV safety focus. Training would be attended by current Passenger Carrier Vehicle Inspection Officers and would provide updated training when it is made available through either the FMCSA or the CVSA.

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
Marked Patrol Ford Pickups	5	\$35,290.00	50	\$88,225.00	\$74,991.25	\$13,233.75
Portable Scale Equipment Package	5	\$6,515.00	50	\$16,287.50	\$13,844.38	\$2,443.12
Unmarked Patrol Unit	2	\$26,506.00	100	\$53,012.00	\$45,060.20	\$7,951.80
HM MC-331 Training Aid	1	\$26,290.00	100	\$26,290.00	\$22,346.50	\$3,943.50
Portable Wheel Scale	36	\$4,895.00	100	\$176,220.00	\$149,787.00	\$26,433.00
IT Grand Caravan	1	\$24,000.00	100	\$24,000.00	\$20,400.00	\$3,600.00
FLIR E60 Thermal Camera	1	\$6,100.00	100	\$6,100.00	\$5,185.00	\$915.00
TOTAL: Equipment				\$390,134.50	\$331,614.33	\$58,520.17
Equipment threshold is greater than \$5,000.						
Planned MOE: Equipment	\$0.00					

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

Five Marked Patrol Ford Pickups are budgeted replacements for patrol units currently in service that are expected to come to the conclusion of their useful life based on mileage, age, and maintenance concerns. Patrol units are purchased under a State bid that is updated every year to assure the lowest cost for the features required. These units are 4 wheel drive pickups that are designed for police severe service and suited for the wide variety of weather and seasons in Nebraska. Each unit requires a Portable Scale Equipment Package, as outlined below, to be fully complemented for Patrol use. Five vehicles will be used fifty (50%) for MCSAP eligible purposes which will be assigned to portable unit activities. At this time, the units are to be assigned to Gans, Koch, Carey, Hadaway and Wilshusen but note this is subject to change due to unit mileage and unforeseen mechanical issues or personnel reassignment which will affect issuance. Once units are assigned, notice is provided on personnel being assigned a unit and tracked to ensure pro rated share is appropriate.

Portable Scale Equipment package for Portable units includes lights, console, push bumper, antennas, decals and Pickup Pack topper unit to completely outfit a new pickup for use as a marked patrol unit.

Unmarked patrol units are utilized by Investigators for daily travel requirements related to audits, compliance reviews and routine daily transportation needs. The budget reflects planned replacement for 2 units that are expected to come to the end of their useful life based on mileage, age, and maintenance concerns. Vehicles are purchased under the guidelines of a State bid which assures the lowest cost for vehicles that meet minimum performance and space requirements. Current vehicles meeting this bid are Dodge

Durangos and Ford Explorers. These units will be used for 100% MCSAP eligible purposes.

HM Training Aids are complementary to FY17 purchase. These are scale replicas of HM cargo vessels, and used for training purposes during annual HM training. Training in Nebraska is provided through NTC and routinely includes officers from outside of the state of Nebraska as well as our own officers. The cargo vessels are also used at Husker Harvest Days and the Nebraska State Fair.

Haenni Portable Wheel Scales:

The Nebraska State Patrol seeks to augment the equipment utilized by the MAPS team during enforcement activities in High Accident Corridors. Most of these personnel are assigned to permanent scale facilities and do not have portable wheel scales for enforcement of tire load ratings and verification of weight for brake requirements during NAS Level 1 and 2 inspections.

The Nebraska State Patrol will follow the FMCSA Comprehensive Policy which states: "To support these activities, States may request to purchase portable scales. To support the request for portable scales in a CVSP budget, the State must indicate that it has identified a CMV safety problem related to size and weight, that the portable scales will be used exclusively for MCSAP-eligible purposes, as described in this policy, and/or demonstrate that the cost of the scales are prorated according to the anticipated percentage of dedication to MCSAP activities."

The Nebraska State Patrol recognizes that size and weight regulations are an important element in highway safety. Overweight vehicles damage roads and reduce stopping distance. Overweight vehicles are often observed to have a higher likelihood of vehicle defects related to brakes and other vehicle elements. Additionally, size of vehicles (height, width and length) are important to ensure adherence to state and federal laws and or regulations. These scales will be issued to MAPS personnel which is a 100% MCSAP funded activity as outlined in the accident reduction plan of this CVSP.

FLIR camera are is designed to identify heat variances, which can be a very good indicator of equipment defects such as overloaded tires and improperly adjusted brakes on commercial vehicles. The budgeted camera will be assigned to one permanent scale facility to do preliminary safety checks on CMVs that might otherwise be difficult to check, such as superloads, low boy trailers, etc.

The Nebraska State Patrol seeks to purchase a replacement vehicle to be used by IT staff which is expected to reach the end of its useful life due to age, mileage and maintenance issues. The van is used by 100%MCSAP funded IT staff to travel and carry equipment needed throughout the state. Vehicles purchased by the State are subject to a low bid process to assure the lowest cost for vehicles meeting minimum performance and space requirements. Current vehicles included in the bid meeting these minimum standards are the Dodge Grand Caravan and Ford Transit Connect.

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
Rigid Combustible Gas Detector	42	Each	\$370.00	\$15,540.00	\$13,209.00	\$2,331.00
FlexStation Work Table	5	Each	\$218.00	\$1,090.00	\$926.50	\$163.50
GCR Chair	10	Each	\$194.00	\$1,940.00	\$1,649.00	\$291.00
Folding Creeper	30	Each	\$60.00	\$1,800.00	\$1,530.00	\$270.00
Welder rulers	10	Each	\$5.00	\$50.00	\$42.50	\$7.50
Brake Chamber Caliper	10	Each	\$40.00	\$400.00	\$340.00	\$60.00
Soap Stone Holders CVSA	10	Each	\$25.00	\$250.00	\$212.50	\$37.50
Chain Gauge CVSA	10	Each	\$20.00	\$200.00	\$170.00	\$30.00
Putty Knife	10	Each	\$7.00	\$70.00	\$59.50	\$10.50
Stinger Flashlights	10	Each	\$125.00	\$1,250.00	\$1,062.50	\$187.50
Stinger Flashlight battery for replacements	10	Each	\$25.00	\$250.00	\$212.50	\$37.50
Wire Brush	10	Each	\$7.00	\$70.00	\$59.50	\$10.50
Truck Tire Gauge	10	Each	\$28.00	\$280.00	\$238.00	\$42.00
Safety Glasses	10	Each	\$14.00	\$140.00	\$119.00	\$21.00
Chock Blocks	5	Pair	\$65.00	\$325.00	\$276.25	\$48.75
Uniform caps	150	Each	\$19.00	\$2,850.00	\$2,422.50	\$427.50
Glove pouch -web belt	15	Each	\$20.00	\$300.00	\$255.00	\$45.00
Flashlight holder - web belt	15	Each	\$25.00	\$375.00	\$318.75	\$56.25
Duty belt - web gear	15	Each	\$50.00	\$750.00	\$637.50	\$112.50
Belt keepers - web belt	15	Set of 4	\$12.00	\$180.00	\$153.00	\$27.00
Hand Cuff Case - web belt	15	Each	\$40.00	\$600.00	\$510.00	\$90.00
Baton Holder - web belt	15	Each	\$25.00	\$375.00	\$318.75	\$56.25
Radio Holster - web belt	15	Each	\$35.00	\$525.00	\$446.25	\$78.75
Magazine pouch - web belt	15	Each	\$45.00	\$675.00	\$573.75	\$101.25
Gun Holster - web belt	15	Each	\$135.00	\$2,025.00	\$1,721.25	\$303.75
Uniform boots - repair/resole	15	each	\$60.00	\$900.00	\$765.00	\$135.00
Uniform Boots	15	Pair	\$195.00	\$2,925.00	\$2,486.25	\$438.75
Regulation Books - full size spiral bound	125	Each	\$25.00	\$3,125.00	\$2,656.25	\$468.75
Pocket regulation book	250	Each	\$7.50	\$1,875.00	\$1,593.75	\$281.25
HM Reg Book - spiral bound	50	Each	\$75.00	\$3,750.00	\$3,187.50	\$562.50
Printing Costs	1	varies	\$2,000.00	\$2,000.00	\$1,700.00	\$300.00
Annual postage	1	Each	\$3,500.00	\$3,500.00	\$2,975.00	\$525.00
Misc Office supplies	1	varies	\$5,000.18	\$5,000.18	\$4,250.15	\$750.03
Inspection Creeper, non folding	5	Each	\$165.00	\$825.00	\$701.25	\$123.75
Toolbox replacement and tools	1	Each	\$400.00	\$400.00	\$340.00	\$60.00
Printer Toner Cartiges	25	Each	\$150.00	\$3,750.00	\$3,187.50	\$562.50
Warranties	1	Each	\$6,000.00	\$6,000.00	\$5,100.00	\$900.00
Computer maintenance/repairs	1	varies	\$2,500.00	\$2,500.00	\$2,125.00	\$375.00
Brother Label Tape	5	Cartridge	\$45.00	\$225.00	\$191.25	\$33.75

Printer supplies and parts	1	varies	\$350.00	\$350.00	\$297.50	\$52.50
Software/Updates /Maintenance	4	Each	\$1,500.00	\$6,000.00	\$5,100.00	\$900.00
Towel scrubs	100	bucket	\$8.50	\$850.00	\$722.50	\$127.50
Bump Cap Insert	10	Each	\$6.00	\$60.00	\$51.00	\$9.00
Ludlum 2241-2 Calibration Kit Level VI	10	each	\$225.00	\$2,250.00	\$1,912.50	\$337.50
Inspection gloves	178	pair	\$27.00	\$4,806.00	\$4,085.10	\$720.90
Tire tread depth gauge	10	each	\$15.00	\$150.00	\$127.50	\$22.50
MCSAP Printer with Toner - Scale	10	Each	\$900.00	\$9,000.00	\$7,650.00	\$1,350.00
MCSAP Scanner Copier Fax with toner	10	Each	\$900.00	\$9,000.00	\$7,650.00	\$1,350.00
Supplies for MCSAP Investigators	7	Each	\$1,500.00	\$10,500.00	\$8,925.00	\$1,575.00
2 pc BDU Uniform and Vest Carrier	210	Each	\$189.01	\$39,692.10	\$33,738.29	\$5,953.81
TOTAL: Supplies				\$151,743.28	\$128,981.79	\$22,761.49
Planned MOE: Supplies	\$0.00					

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

Rigid Combustible Gas detectors would be used to safely and positively identify combustible gas leaks in CNG and LPG powered vehicles during inspections. 42 units represents 1 unit for each Portable Scale unit, CVE unit, permanent scale as well as 1 each for HM and MAPS team.

Tables and chairs are to fully complement the training room used for MCSAP training at the Nebraska State Patrol Training Academy, and match existing furniture. Prices are from Cornhusker State Industries, the approved furniture vendor for the State of Nebraska.

Folding creepers will be for units with limited space and issued on an as-needed basis for officers using Ford Sedans and PUVs.

BDU uniforms include approximately 33% replacement plus equipping newly appointed officers.

Tools and equipment for inspections are based on 89 troopers, with an approximate 10-30% replacement rate depending on the type of equipment.

MCSAP Printers are for permanent scale locations, and are high speed Enterprise-level laser printers for high duty cycle use. Price includes first toner cartridge.

MCSAP Copier Scanner Fax are for permanent scale locations, utilized for electronic documentation and communication. Unit is capable of low volume color printing, if required. Price includes first set of toner cartridges.

Warranty includes costs associated with 10 MCSAP Printers purchase and 10 MCSAP Copier Scanner Fax purchase. Warranty also includes any MCSAP related purchase which requires warranty.

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	\$0.00					

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
MCSAP Fuel 100%	19	Unit	\$5,000.00	\$95,000.00	\$80,750.00	\$14,250.00
MCSAP Fuel 50%	10	Unit	\$5,000.00	\$50,000.00	\$42,500.00	\$7,500.00
Unit Maintenance MCSAP 100%	19	Unit	\$1,500.00	\$28,500.00	\$24,225.00	\$4,275.00
Unit Maintenance MCSAP 50%	10	Unit	\$1,500.00	\$15,000.00	\$12,750.00	\$2,250.00
Office Space/Utilities	1	annual	\$31,000.00	\$31,000.00	\$26,350.00	\$4,650.00
Cell Phone Lines	23	annual	\$567.00	\$13,041.00	\$11,084.85	\$1,956.15
MCSAP Telephone Charges (landline)	15	annual	\$634.00	\$9,510.00	\$8,083.50	\$1,426.50
Towing expense Drug Interdiction	1	varies	\$1,000.00	\$1,000.00	\$850.00	\$150.00
CVSA Decals	3625	decal	\$0.28	\$1,015.00	\$862.75	\$152.25
CVSA Annual Membership	1	membership	\$12,900.00	\$12,900.00	\$10,965.00	\$1,935.00
HELP Inc Dues	1	annual	\$7,500.00	\$7,500.00	\$6,375.00	\$1,125.00
TOTAL: Other Costs				\$264,466.00	\$224,796.10	\$39,669.90
Planned MOE: Other Costs	\$0.00					

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

MCSAP Fuel 100%-Cost represent necessary fuel costs associated with 19-100% MCSAP units.

MCSAP Fuel 50%-Cost represent necessary fuel costs associated with 10-50% MCSAP units.

Unit Maintenance MCSAP 100%-Cost represent necessary maintenance costs associated with 19-100% MCSAP units.

Unit Maintenance MCSAP 50%-Cost represent necessary maintenance costs associated with 10-50% MCSAP units.

****Please note fuel is purchased as needed through a Voyager Credit Card. Maintenance costs are purchased through Voyager or invoice.**

Office Space/ Utilities MCSAP-Cost represent office space for MCSAP personnel which includes rent, gas, electric, garbage cost, water, recycling and ect.. The building rent is derived from one journal entry invoice from the Airport Authority. This invoice combines Carrier Enforcement, MCSAP, Supply and Vehicle Installation Building. The rent is then divided into percentages according to square footage of these units.

MCSAP Cell phone lines/MCSAP telephone lines-Cost represent cell phone and office telephone lines used for MCSAP personnel.

Towing Expense Drug Interdiction-Cost represent towing expenses related from drug interdiction investigations on a case by case basis.

CVSA Decals/CVSA Annual Membership-Cost represent expenses for CVSA Decals and CVSA Annual Membership Dues. Note CVSA membership dues are expected to increase and this amount is subject to change.

HELP Inc. Dues-Cost represent expenses related to HELP Inc Dues. The FAST Act, beginning in FY2017 provides flexibility for Nebraska to utilize a portion of our MCSAP funding towards operation and maintenance costs. Operations and maintenance is defined as the combination of all technical and administrative actions intended to enable a CMV information system, communication network and or hardware and software application to perform its required functions and address necessary adaptation to changes in external conditions. This fee is for one representative from the Nebraska State Patrol.

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	\$3,675,734.00	\$648,659.00	\$4,324,393.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of Basic award amount):	\$648,659.00
MOE Baseline:	\$24,416.75

Estimated Expenditures			
Personnel			
	Federal Share	State Share	Total Project Costs
Division Commander	\$44,169.94	\$7,794.70	\$51,964.64
District Lieutenants	\$60,759.49	\$10,722.26	\$71,481.75
Area Sergeants	\$169,513.63	\$29,914.17	\$199,427.80
Hazardous Materials Coordinator	\$71,657.04	\$12,645.36	\$84,302.40
NE/CR Sergeant	\$64,178.40	\$11,325.60	\$75,504.00
MCSAP Staff Sergeant	\$52,544.96	\$9,272.64	\$61,817.60
Officers FTE	\$198,931.52	\$35,105.56	\$234,037.08
MCSAP CR Troopers	\$176,103.41	\$31,077.07	\$207,180.48
Training Specialist	\$27,183.00	\$4,797.00	\$31,980.00
MCSAP CVE Team	\$298,397.28	\$52,658.34	\$351,055.62
IT Infrastructure Analyst	\$39,323.86	\$6,939.50	\$46,263.36
IT Infrastructure Analyst Lead	\$49,914.18	\$8,808.38	\$58,722.56
MCSAP Staff Assistant II	\$29,985.28	\$5,291.52	\$35,276.80
Accounting Clerk	\$16,721.74	\$2,950.90	\$19,672.64
Office Supervisor	\$2,776.47	\$489.96	\$3,266.43
Electronics Technician	\$31,926.54	\$5,634.10	\$37,560.64
MCSAP Lieutenant	\$81,012.65	\$14,296.35	\$95,309.00
NE/CR Lieutenant	\$81,012.65	\$14,296.35	\$95,309.00
Administrative Assistant I	\$15,982.72	\$2,820.48	\$18,803.20
Safety Audit Investigator	\$176,103.41	\$31,077.07	\$207,180.48
Staff Assistant	\$29,995.89	\$5,293.39	\$35,289.28
MCSAP Research Analyst II	\$37,718.51	\$6,656.21	\$44,374.72
MCSAP Attorney	\$29,900.42	\$5,276.54	\$35,176.96
Central Area Major	\$24,363.76	\$4,299.49	\$28,663.25
Communication Specialist	\$91,869.13	\$16,212.20	\$108,081.33
Salary Subtotal	\$1,902,045.88	\$335,655.14	\$2,237,701.02
Planned Overtime	\$157,156.16	\$27,733.44	\$184,889.60
Hazardous Material Overtime	\$97,782.30	\$17,255.70	\$115,038.00
Incidental Overtime	\$54,758.09	\$9,663.19	\$64,421.28
Overtime subtotal	\$309,696.55	\$54,652.33	\$364,348.88
Personnel total	\$2,211,742.43	\$390,307.47	\$2,602,049.90
Planned MOE	\$88,192.00		

Fringe Benefits			
	Federal Share	State Share	Total Project Costs
Division Commander	\$14,576.08	\$2,572.25	\$17,148.33
District Lieutenants	\$20,050.63	\$3,538.34	\$23,588.97
Area Sergeants	\$55,939.49	\$9,871.68	\$65,811.17
Hazardous Materials Coordinator	\$23,646.82	\$4,172.97	\$27,819.79
NE/CR Sergeant	\$21,178.87	\$3,737.45	\$24,916.32
MCSAP Sergeant	\$17,339.83	\$3,059.97	\$20,399.80
Officers FTE	\$65,647.40	\$11,584.83	\$77,232.23
MCSAP CR Troopers	\$58,114.12	\$10,255.43	\$68,369.55
Training Specialist	\$8,970.39	\$1,583.01	\$10,553.40
MCSAP CVE Team	\$98,471.10	\$17,377.25	\$115,848.35
IT Infrastructure Analyst	\$12,976.87	\$2,290.03	\$15,266.90
IT Infrastructure Analyst Lead	\$16,471.67	\$2,906.77	\$19,378.44
MCSAP Staff Assistant II	\$9,895.14	\$1,746.20	\$11,641.34
Accounting Clerk	\$5,518.17	\$973.80	\$6,491.97
Office Supervisor	\$916.23	\$161.69	\$1,077.92
Electronics Technician	\$10,535.72	\$1,859.25	\$12,394.97
MCSAP Lieutenant	\$26,734.17	\$4,717.80	\$31,451.97
NE/CR Lieutenant	\$26,734.17	\$4,717.80	\$31,451.97
Administrative Assistant II	\$4,558.70	\$804.48	\$5,363.18
Safety Audit Investigator	\$58,114.12	\$10,255.43	\$68,369.55
Staff Assistant	\$9,898.64	\$1,746.82	\$11,645.46
MCSAP Research Analyst	\$12,447.10	\$2,196.55	\$14,643.65
MCSAP Attorney	\$9,867.13	\$1,741.26	\$11,608.39
Communication Specialist	\$30,316.81	\$5,350.02	\$35,666.83
Central Area Major	\$8,040.04	\$1,418.83	\$9,458.87
Fringe Benefits total	\$626,959.41	\$110,639.91	\$737,599.32
Planned MOE	\$0.00		

Travel			
	Federal Share	State Share	Total Project Costs
CVSA Fall Conference	\$17,000.00	\$3,000.00	\$20,000.00
IT Systems Training	\$6,800.00	\$1,200.00	\$8,000.00
Haz Mat Training (Basic, Bulk/NonBulk, OBP	\$12,750.00	\$2,250.00	\$15,000.00
MCSAP Inservice	\$3,825.00	\$675.00	\$4,500.00
NAIC	\$4,420.00	\$780.00	\$5,200.00
CVSA COHMED Conference	\$5,100.00	\$900.00	\$6,000.00
CVSA Spring Conference	\$15,300.00	\$2,700.00	\$18,000.00
MCSAP Preplanning Conference	\$5,950.00	\$1,050.00	\$7,000.00
Routine Travel	\$56,950.00	\$10,050.00	\$67,000.00
FMCSA Conference	\$5,950.00	\$1,050.00	\$7,000.00
Passenger Carrier Safety Training	\$5,100.00	\$900.00	\$6,000.00
NAS Part A Training	\$3,995.00	\$705.00	\$4,700.00
NAS Part B Training	\$1,700.00	\$300.00	\$2,000.00
Advance ELD MCSAP	\$6,800.00	\$1,200.00	\$8,000.00
Travel total	\$151,640.00	\$26,760.00	\$178,400.00
Planned MOE	\$0.00		

Equipment			
	Federal Share	State Share	Total Project Costs
Marked Patrol Ford Pickups	\$74,991.25	\$13,233.75	\$88,225.00
Portable Scale Equipment Package	\$13,844.38	\$2,443.12	\$16,287.50
Unmarked Patrol Unit	\$45,060.20	\$7,951.80	\$53,012.00
HM MC-331 Training Aid	\$22,346.50	\$3,943.50	\$26,290.00
Portable Wheel Scale	\$149,787.00	\$26,433.00	\$176,220.00
IT Grand Caravan	\$20,400.00	\$3,600.00	\$24,000.00
FLIR E60 Thermal Camera	\$5,185.00	\$915.00	\$6,100.00
Equipment total	\$331,614.33	\$58,520.17	\$390,134.50
Planned MOE	\$0.00		

Supplies			
	Federal Share	State Share	Total Project Costs
Rigid Combustible Gas Detector	\$13,209.00	\$2,331.00	\$15,540.00
FlexStation Work Table	\$926.50	\$163.50	\$1,090.00
GCR Chair	\$1,649.00	\$291.00	\$1,940.00
Folding Creeper	\$1,530.00	\$270.00	\$1,800.00
Welder rulers	\$42.50	\$7.50	\$50.00
Brake Chamber Caliper	\$340.00	\$60.00	\$400.00
Soap Stone Holders CVSA	\$212.50	\$37.50	\$250.00
Chain Gauge CVSA	\$170.00	\$30.00	\$200.00
Putty Knife	\$59.50	\$10.50	\$70.00
Stinger Flashlights	\$1,062.50	\$187.50	\$1,250.00
Stinger Flashlight battery for replacements	\$212.50	\$37.50	\$250.00
Wire Brush	\$59.50	\$10.50	\$70.00
Truck Tire Gauge	\$238.00	\$42.00	\$280.00
Safety Glasses	\$119.00	\$21.00	\$140.00
Chock Blocks	\$276.25	\$48.75	\$325.00
Uniform caps	\$2,422.50	\$427.50	\$2,850.00
Glove pouch -web belt	\$255.00	\$45.00	\$300.00
Flashlight holder - web belt	\$318.75	\$56.25	\$375.00
Duty belt - web gear	\$637.50	\$112.50	\$750.00
Belt keepers - web belt	\$153.00	\$27.00	\$180.00
Hand Cuff Case - web belt	\$510.00	\$90.00	\$600.00
Baton Holder - web belt	\$318.75	\$56.25	\$375.00
Radio Holster - web belt	\$446.25	\$78.75	\$525.00
Magazine pouch - web belt	\$573.75	\$101.25	\$675.00
Gun Holster - web belt	\$1,721.25	\$303.75	\$2,025.00
Uniform boots - repair/resole	\$765.00	\$135.00	\$900.00
Uniform Boots	\$2,486.25	\$438.75	\$2,925.00
Regulation Books - full size spiral bound	\$2,656.25	\$468.75	\$3,125.00
Pocket regulation book	\$1,593.75	\$281.25	\$1,875.00
HM Reg Book - spiral bound	\$3,187.50	\$562.50	\$3,750.00
Printing Costs	\$1,700.00	\$300.00	\$2,000.00
Annual postage	\$2,975.00	\$525.00	\$3,500.00
Misc Office supplies	\$4,250.15	\$750.03	\$5,000.18
Inspection Creeper, non folding	\$701.25	\$123.75	\$825.00
Toolbox replacement and tools	\$340.00	\$60.00	\$400.00
Printer Toner Cartiges	\$3,187.50	\$562.50	\$3,750.00
Warranties	\$5,100.00	\$900.00	\$6,000.00
Computer maintenance/repairs	\$2,125.00	\$375.00	\$2,500.00
Brother Label Tape	\$191.25	\$33.75	\$225.00
Printer supplies and parts	\$297.50	\$52.50	\$350.00
Software/Updates/Maintenance	\$5,100.00	\$900.00	\$6,000.00
Towel scrubs	\$722.50	\$127.50	\$850.00
Bump Cap Insert	\$51.00	\$9.00	\$60.00
Ludlum 2241-2 Calibration Kit Level VI	\$1,912.50	\$337.50	\$2,250.00
Inspection gloves	\$4,085.10	\$720.90	\$4,806.00
Tire tread depth gauge	\$127.50	\$22.50	\$150.00
MCSAP Printer with Toner - Scale	\$7,650.00	\$1,350.00	\$9,000.00
MCSAP Scanner Copier Fax with toner	\$7,650.00	\$1,350.00	\$9,000.00

Supplies for MCSAP Investigators	\$8,925.00	\$1,575.00	\$10,500.00
2 pc BDU Uniform and Vest Carrier	\$33,738.29	\$5,953.81	\$39,692.10
Supplies total	\$128,981.79	\$22,761.49	\$151,743.28
Planned MOE	\$0.00		

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

Other Costs			
	Federal Share	State Share	Total Project Costs
MCSAP Fuel 100%	\$80,750.00	\$14,250.00	\$95,000.00
MCSAP Fuel 50%	\$42,500.00	\$7,500.00	\$50,000.00
Unit Maintenance MCSAP 100%	\$24,225.00	\$4,275.00	\$28,500.00
Unit Maintenance MCSAP 50%	\$12,750.00	\$2,250.00	\$15,000.00
Office Space/Utilities	\$26,350.00	\$4,650.00	\$31,000.00
Cell Phone Lines	\$11,084.85	\$1,956.15	\$13,041.00
MCSAP Telephone Charges (landline)	\$8,083.50	\$1,426.50	\$9,510.00
Towing expense Drug Interdiction	\$850.00	\$150.00	\$1,000.00
CVSA Decals	\$862.75	\$152.25	\$1,015.00
CVSA Annual Membership	\$10,965.00	\$1,935.00	\$12,900.00
HELP Inc Dues	\$6,375.00	\$1,125.00	\$7,500.00
Other Costs total	\$224,796.10	\$39,669.90	\$264,466.00
Planned MOE	\$0.00		

Total Costs			
	Federal Share	State Share	Total Project Costs
Subtotal for Direct Costs	\$3,675,734.06	\$648,658.94	\$4,324,393.00
Total Costs Budgeted	\$3,675,734.06	\$648,658.94	\$4,324,393.00
Total Planned MOE	\$88,192.00		

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	\$3,675,734.00	\$648,659.00	\$4,324,393.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of Basic award amount):	\$648,659.00
MOE Baseline:	\$24,416.75

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs	Planned MOE Costs
Salary Subtotal	\$1,902,045.88	\$335,655.14	\$2,237,701.02	NA
Overtime Subtotal	\$309,696.55	\$54,652.33	\$364,348.88	NA
Personnel Total	\$2,211,742.43	\$390,307.47	\$2,602,049.90	\$88,192.00
Fringe Benefits Total	\$626,959.41	\$110,639.91	\$737,599.32	\$0.00
Travel Total	\$151,640.00	\$26,760.00	\$178,400.00	\$0.00
Equipment Total	\$331,614.33	\$58,520.17	\$390,134.50	\$0.00
Supplies Total	\$128,981.79	\$22,761.49	\$151,743.28	\$0.00
Contractual and Subaward Total	\$0.00	\$0.00	\$0.00	\$0.00
Other Costs Total	\$224,796.10	\$39,669.90	\$264,466.00	\$0.00
	85% Federal Share	15% State Share	Total Project Costs	Planned MOE Costs
Subtotal for Direct Costs	\$3,675,734.06	\$648,658.94	\$4,324,393.00	\$88,192.00
Indirect Costs	\$0.00	\$0.00	\$0.00	NA
Total Costs Budgeted	\$3,675,734.06	\$648,658.94	\$4,324,393.00	\$88,192.00

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? Russ Stanczyk
2. What is this person's title? Acting Colonel, Nebraska State Patrol
3. Who is your Governor's highway safety representative? Fred Zwonechek
4. What is this person's title? Nebraska Highway Safety Administrator

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

- ☒ Yes
- ☐ No

State Certification declaration:

I, Russ Stanczyk, Acting Colonel, Nebraska State Patrol, on behalf of the State of NEBRASKA, 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? Fred King
2. What is the title of your certifying State official? Attorney III, Legal Counsel, Nebraska State Patrol
3. What are the phone # and email address of your State official? 402-479-4983 fred.king@nebraska.gov

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

- ☒ Yes
- ☐ No

I, Fred King, 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.

49 CFR 390.3 – General Applicability – “The State’s limitation in Nebraska Revised Statute (Neb. Rev. Stat.) § 75-363 (2) (b) (iv) regarding intrastate drivers of commercial motor vehicles (CMVs) is incompatible with provisions of 49 Code of Federal Regulations (CFR) 390.3. In Neb. Rev. Stat. § 75-363 (2) (b) (iv), Nebraska makes only those intrastate drivers of CMVs, as that term is defined in Neb. Rev. Stat. § 60-465, who require a commercial drivers license (CDL) subject to its adoption of the FMCSRs.” 49 CFR § 350.341(c) provides that a state may retain those exemptions from its motor carrier safety laws and regulations that were in effect before April, 1988. In substance, the Nebraska MCSAP statutes are linked to the CDL requirement. The CDL requirement is the successor of a “Class CC license.” The Class CC license was established in Neb. Rev. Stat. §60-403.06 no later than 1975. The CDL exemptions of Neb. Rev. Stat. § 60-465 do not exceed the exemptions of the Class CC license which was required only to operate a truck-tractor which is registered for more than twenty-four thousand pounds gross vehicle weight. Neb. Rev. Stat. §60-403.06 to §60-403 were repealed by LB 285 which was adopted in 1989 and which established the successor CDL. The Nebraska State Patrol questions the finding of incompatibility on this issue and is seeking further review. 49 CFR 390.21 – Marking of Vehicles – “The State’s exemption of farm trucks in Neb. Rev. Stat. § 75-363 from the marking requirements is not compatible with the marking requirements contained in 49 CFR 390.21.” This finding is under review with FMCSA’s Office of Chief Counsel. 49 CFR 391.41 – 391.49 – Physical Qualifications and Examinations – “The State’s exemption in Neb. Rev. Stat. § 75-363 (4) of intrastate drivers holding a Nebraska CDL issued prior to July 30, 1996 from the Physical Qualifications and Examinations requirements contained in 49 CFR 391.41 – 391.49 (Subpart E) is not compatible with the FMCSRs.”

3 - New Laws/Legislation/Policy Impacting CMV Safety

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

☒ Yes ☐ No

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

Legislative Adoption			
Bill Number	Effective Date	Code Section Changed	Summary of Changes
LB263	01/01/2017	75-362 through 75-369.07	Annual update of State Law to incorporate FMCSRs

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

☐ Yes ☒ No

APPLICATION FOR FEDERAL ASSISTANCE SF-424 - MANDATORY			
1.a. Type of Submission: <input checked="" type="checkbox"/> Application <input type="checkbox"/> Plan <input type="checkbox"/> Funding Request <input type="checkbox"/> Other Other (specify): <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	1.b. Frequency: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Quarterly <input type="checkbox"/> Other Other (specify): <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	1.d. Version: <input checked="" type="checkbox"/> Initial <input type="checkbox"/> Resubmission <input type="checkbox"/> Revision <input type="checkbox"/> Update <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> 2. Date Received: <div style="border: 1px solid black; padding: 2px;">07/10/2017</div> </div> <div style="width: 50%;"> STATE USE ONLY: 5. Date Received by State: <div style="border: 1px solid black; height: 20px; width: 80%;"></div> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> 3. Applicant Identifier: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> </div> <div style="width: 50%;"> 6. State Application Identifier: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> 4a. Federal Entity Identifier: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> </div> <div style="width: 50%;"> 4b. Federal Award Identifier: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> </div> </div>	
1.c. Consolidated Application/Plan/Funding Request? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Explanation			
7. APPLICANT INFORMATION:			
a. Legal Name: <div style="border: 1px solid black; padding: 2px;">Nebraska State Patrol</div>			
b. Employer/Taxpayer Identification Number (EIN/TIN): <div style="border: 1px solid black; padding: 2px;">47-0491233</div>		c. Organizational DUNS: <div style="border: 1px solid black; padding: 2px;">8088816010000</div>	
d. Address:			
Street1: <div style="border: 1px solid black; padding: 2px;">1600 Highway 2</div>		Street2: <div style="border: 1px solid black; height: 30px; width: 100%;"></div>	
City: <div style="border: 1px solid black; padding: 2px;">Lincoln</div>		County / Parish: <div style="border: 1px solid black; padding: 2px;">Lancaster</div>	
State: <div style="border: 1px solid black; padding: 2px;">NE: Nebraska</div>		Province: <div style="border: 1px solid black; height: 30px; width: 100%;"></div>	
Country: <div style="border: 1px solid black; padding: 2px;">USA: UNITED STATES</div>		Zip / Postal Code: <div style="border: 1px solid black; padding: 2px;">68509-4907</div>	
e. Organizational Unit:			
Department Name: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>		Division Name: <div style="border: 1px solid black; padding: 2px;">Carrier Enforcement Division</div>	
f. Name and contact information of person to be contacted on matters involving this submission:			
Prefix: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	First Name: <div style="border: 1px solid black; padding: 2px;">Daniel</div>	Middle Name: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
Last Name: <div style="border: 1px solid black; padding: 2px;">Doggett</div>		Suffix: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
Title: Lieutenant			
Organizational Affiliation: <div style="border: 1px solid black; padding: 2px;">Nebraska State Patrol, Carrier Enforcement Division</div>			
Telephone Number: 402-471-0107		Fax Number: 402-471-3295	
Email: daniel.doggett@nebraska.gov			

APPLICATION FOR FEDERAL ASSISTANCE SF-424 - MANDATORY**8a. TYPE OF APPLICANT:**

A: State Government

Other (specify):

b. Additional Description:

9. Name of Federal Agency:

DOT/Federal Motor Carrier Safety Administration

10. Catalog of Federal Domestic Assistance Number:

20.128

CFDA Title:

20.218 National Motor Carrier Safety

11. Descriptive Title of Applicant's Project:

Motor Carrier Safety Assistance Program

12. Areas Affected by Funding:

State of Nebraska

13. CONGRESSIONAL DISTRICTS OF:

a. Applicant:

1

b. Program/Project:

MCSAP

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

14. FUNDING PERIOD:

a. Start Date:

10/01/2017

b. End Date:

09/30/2018

15. ESTIMATED FUNDING:

a. Federal (\$):

3,504,225.00

b. Match (\$):

618,398.00

16. IS SUBMISSION SUBJECT TO REVIEW BY STATE UNDER EXECUTIVE ORDER 12372 PROCESS?☐ a. This submission was made available to the State under the Executive Order 12372 Process for review on:☐ b. Program is subject to E.O. 12372 but has not been selected by State for review.☒ c. Program is not covered by E.O. 12372.

APPLICATION FOR FEDERAL ASSISTANCE SF-424 - MANDATORY**17. Is The Applicant Delinquent On Any Federal Debt?**Yes ☐ No ☒

18. By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

** I Agree ☒

** This list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:

First Name:

Middle Name:

Last Name:

Suffix:

Title:

Organizational Affiliation:

Telephone Number:

Fax Number:

Email:

Signature of Authorized Representative:



Date Signed:

Attach supporting documents as specified in agency instructions.

APPLICATION FOR FEDERAL ASSISTANCE SF-424 - MANDATORY

Consolidated Application/Plan/Funding Request Explanation:

APPLICATION FOR FEDERAL ASSISTANCE SF-424 - MANDATORY

Applicant Federal Debt Delinquency Explanation:

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NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE <u>Russ Stanczyk 187</u> Acting Superintendent 
APPLICANT ORGANIZATION Nebraska State Patrol	DATE SUBMITTED <u>9/1/2017</u>

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* APPLICANT'S ORGANIZATION

Nebraska State Patrol

* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Prefix: * First Name: Middle Name:
* Last Name: Suffix:
* Title:

* SIGNATURE:



* DATE:



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Nebraska State Patrol
Carrier Enforcement Division
Title VI Program Compliance Plan

June 13, 2016

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 Nebraska State Patrol Carrier Enforcement Division (NSP) program is referred to as the Title VI Compliance Program.

The policy of the NSP 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 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 Division, in accordance with the Title VI Program Assurances set forth in Part II.

To ensure compliance with Title VI, as Colonel of the Nebraska State Patrol, I have designated Jerry Lee Jensen as the NSP Title VI Program Coordinator. Contact information is as follows:

Jerry Lee Jensen
Human Resources Division
Nebraska State Patrol
P.O. Box 94907
1600 Highway 2
Lincoln, Nebraska 68509
Phone: 402-471-4545 Fax: 402-479-4002
Email: jerrylee.jensen@nebraska.gov

As, Colonel of the Nebraska State Patrol, I delegate the responsibility and authority to assure the implementation of the Title VI Program to the Division Directors, the Title VI Program Coordinator and to all other personnel involved with activities impacted by Title VI and related statutes and regulations.



Russ Stanczyk, Acting Colonel
Nebraska State Patrol


Date

June 13, 2016

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Nebraska State 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);

June 13, 2016

- 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 **Nebraska State 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.
11. The Recipient states that it does not provide motorist licensure or motor vehicle registration related services or activities to the public; as such, the Community Participation Process is not applicable.

By signing this ASSURANCE, the Nebraska State 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.

The Nebraska State 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

June 13, 2016

Program. This ASSURANCE is binding on Nebraska, 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.

NEBRASKA STATE PATROL

by 
(Signature of Authorized Official)

DATED 8/17/2017

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.

June 13, 2016

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 Nebraska State Patrol will accept title to the lands and maintain the project constructed thereon in accordance with the Nebraska Unicameral Legislature, 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 Nebraska State Patrol 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 Nebraska State Patrol 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 Nebraska State Patrol, its successors and assigns.

The Nebraska State Patrol, 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 Nebraska State Patrol 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.)

June 13, 2016

**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 Nebraska State Patrol 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, the Nebraska State Patrol 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 Nebraska State Patrol 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 Nebraska State Patrol 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 the Nebraska State Patrol 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 Nebraska State Patrol 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 Nebraska State Patrol will there upon revert to and vest in and become the absolute property of the Nebraska State Patrol 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*).

Part III. Description of Federal-Aid Programs

The Nebraska State Patrol (NSP) is the regulatory agency tasked with the enforcement of laws, rules, and regulations pertaining to intrastate and interstate motor carriers. The NSP 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.

NSP also receives federal funds under the New Entrant Safety Assurance program from FMCSA. This program reviews regulations with new motor carrier companies to assure future compliance with carrier management regulations. The NSP serves the general populace of Nebraska and the United States by virtue of regulating interstate motor carriers by providing public safety services. Since the NSP is a public safety provider, all majority and minority groups are beneficiaries of the program. There are no direct benefit programs administered by the NSP.

Part IV. Notification to Beneficiaries/Participants

Title VI information will be posted at all NSP facilities in public common areas on or before October 01, 2018. 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 English language proficiency. 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 Nondiscrimination obligations and identify procedures for the members of the public to file a complaint against the Agency.

The same information is available on the NSP website at <https://statepatrol.nebraska.gov>.

Reports regarding Title VI activities and complaints will be made available by request from the Title VI Program Coordinator.

Part V. Sub-Recipient Compliance Reports

The Nebraska State Patrol sub-awards funds received by the Federal Motor Carrier Safety Administration, Commercial Vehicle Information System Network (CVISN) program to the Nebraska Department of Motor Vehicles (DMV). As a State of Nebraska agency, the DMV is held to the same standards as the Nebraska State Patrol. By acceptance of the sub-award, the DMV certifies their compliance with the Title VI Program. Note, the 2018 DMV Title VI has been received and approved by the FMCSA.

Part VI. Training

The Title VI Program Coordinator of the Nebraska State Patrol will train necessary staff through continued annual in-service trainings and/or policy updates. Preventing Workplace Harassment – Employees v2 by PureSafety was provided to all employees within the Agency which (in part) covered the Title VI Program Compliance Plan.

Part VII. Access to Records

All records regarding Title VI activities will be collected and maintained at the State Headquarters of the Nebraska State Patrol. These records will be made available to FMCSA officials in person upon request or reports will be transmitted by computer file.

Part VIII. Complaint Disposition Process

1. The Title VI Program Coordinator will make himself/herself known to all office and program managers within the NSP and, with the assistance of these managers, will attempt to resolve all Civil Rights complaints arising from NSP 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.
 - A. The Nebraska State Patrol shall follow all written Policies and Procedures concerning the process in providing a formal process in which person(s) may communicate complaints and grievances against the Nebraska State Patrol and or its employees to the agency and receive a response to their concerns from the agency. (Nebraska State Patrol Policy 03-19 and 03-18). These policies are available upon request.
3. The NSP, 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 Division publications, NSP program activities, and individual personal contact with persons affected by NSP 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 IX. Status of Corrective Actions Implemented by Applicant to Address Deficiencies
Previously Identified During a Title VI Program Compliance Review**

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

Part X. Community Participation Process

The NSP does not conduct motorist licensure and/or motor vehicle registration activities/services. Therefore, this section does not apply to the NSP.

Public Notice of Title VI Program Rights

The Nebraska State Patrol gives public notice of its' policy to uphold and assure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and related Nondiscrimination authorities. Title VI and related Nondiscrimination authorities stipulate that no person in the United States of America shall on the grounds of race, color, national origin, sex, age, disability, income level or Limited English Proficiency be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.

Any person who desires more information regarding the Nebraska State Patrol's Title VI Program can contact its Title VI Coordinator – Jerry Lee Jensen – at the address noted below.

Any person who believes they have, individually or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, national origin, sex, age, disability, income level or Limited English Proficiency has the right to file a formal complaint. Any such complaint must be in writing and submitted within 180 days following the date of the alleged occurrence to:

Jerry Lee Jensen
Nebraska State Patrol
PO Box 94907
1600 Highway 2
Lincoln, NE 68509
Phone 402-471-4545 Fax 402-479-4002
E-mail Address: jerrylee.jensen@nebraska.gov

FY 2018 Certification of MCSAP Conformance (State Certification)

I Russ Stanczyk, Acting Superintendent of Law Enforcement, on behalf of the State (or Commonwealth) of Nebraska, as requested by the Administrator as a condition of approval of a grant under the authority of 49 U.S.C. § 31102, as amended, do hereby certify as follows:

1. The State has adopted commercial motor carrier and highway hazardous materials safety regulations, standards and orders that are compatible with the FMCSRs and the HMRs, and the standards and orders of the Federal Government.
2. The State has designated the Nebraska State Patrol as the Lead State Agency to administer the Commercial Vehicle Safety Plan throughout the State for the grant sought and the Nebraska State Patrol to perform defined functions under the CVSP. The Lead State Agency has the legal authority, resources, and qualified personnel necessary to enforce the State's commercial motor carrier, driver, and highway hazardous materials safety laws, regulations, standards, and orders.
3. The State will obligate the funds or resources necessary to provide a matching share to the Federal assistance provided in the grant to administer the plan submitted and to enforce the State's commercial motor carrier safety, driver, and hazardous materials laws, regulations, standards, and orders in a manner consistent with the approved plan.
4. The laws of the State provide the State's enforcement officials right of entry (or other method a State may use that is adequate to obtain the necessary information) and inspection sufficient to carry out the purposes of the CVSP, as approved, and provide that the State will grant maximum reciprocity for inspections conducted pursuant to the North American Standard Inspection procedure, through the use of a nationally accepted system allowing ready identification of previously inspected CMVs.
5. The State requires that all reports relating to the program be submitted to the appropriate State agency or agencies, and the State will make these reports available, in a timely manner, to the FMCSA on request.
6. The State has uniform reporting requirements and uses FMCSA designated forms for record keeping, inspection, and other enforcement activities.
7. The State has in effect a requirement that registrants of CMVs demonstrate their knowledge of the applicable Federal or State CMV safety laws or regulations.
8. The State must ensure that the total expenditure of amounts of the Lead State Agency will be maintained at a level of effort each fiscal year in accordance with 49 CFR 350.301.
9. The State will ensure that MCSAP funded enforcement of activities under 49 CFR 350.309 will not diminish the effectiveness of the development and implementation of the programs to improve motor carrier, CMV, and driver safety.

10. The State will ensure that CMV size and weight enforcement activities funded with MCSAP funds will not diminish the effectiveness of other CMV safety enforcement programs.
11. The State will ensure that violation sanctions imposed and collected by the State are consistent, effective, and equitable.
12. The State will (1) establish and dedicate sufficient resources to a program to provide FMCSA with accurate, complete, and timely reporting of motor carrier safety information that includes documenting the effects of the State's CMV safety programs; (2) participate in a national motor carrier safety data correction program (DataQs); (3) participate in appropriate FMCSA systems including information technology and data systems; and (4) ensure information is exchanged in a timely manner with other States.
13. The State will ensure that the CVSP, data collection, and information data systems are coordinated with the State highway safety improvement program under sec. 148(c) of title 23, U.S. Code. The name of the Governor's highway safety representative (or other authorized State official through whom coordination was accomplished) is Fred Zwonecheck.
14. The State has undertaken efforts to emphasize and improve enforcement of State and local traffic laws as they pertain to CMV safety.
15. The State will ensure that it has departmental policies stipulating that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel.
16. The State will ensure that MCSAP-funded personnel, including sub-grantees, meet the minimum Federal standards set forth in 49 CFR part 385, subpart C for training and experience of employees performing safety audits, compliance reviews, or driver/vehicle roadside inspections.
17. The State will enforce registration (i.e., operating authority) requirements under 49 U.S.C 13902, 31134, and 49 CFR § 392.9a by prohibiting the operation of any vehicle discovered to be operating without the required registration or beyond the scope of the motor carrier's registration.
18. The State will cooperate in the enforcement of financial responsibility requirements under 49 U.S.C. 13906, 31138, 31139 and 49 CFR part 387.
19. The State will include, in the training manual for the licensing examination to drive a non-CMV and the training manual for the licensing examination to drive a CMV, information on best practices for safe driving in the vicinity of noncommercial and commercial motor vehicles.
20. The State will conduct comprehensive and highly visible traffic enforcement and CMV safety inspection programs in high-risk locations and corridors.

21. The State will ensure that, except in the case of an imminent or obvious safety hazard, an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a bus station, terminal, border crossing, maintenance facility, destination, or other location where motor carriers may make planned stops (excluding a weigh station).
22. The State will transmit to its roadside inspectors the notice of each Federal exemption granted pursuant to 49 U.S.C. § 31315(b) and 49 CFR 390.32 and 390.25 as provided to the State by FMCSA, including the name of the person granted the exemption and any terms and conditions that apply to the exemption.
23. Except for a territory of the United States, the State will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under 49 U.S.C. § 31144(g). The State must verify the quality of the work conducted by a third party authorized to conduct safety audits under 49 U.S.C. § 31144(g) on its behalf, and the State remains solely responsible for the management and oversight of the activities.
24. The State will fully participate in the performance and registration information systems management program under 49 U.S.C. § 31106(b) not later than October 1, 2020, or demonstrates to FMCSA an alternative approach for identifying and immobilizing a motor carrier with serious safety deficiencies in a manner that provides an equivalent level of safety.
25. In the case of a State that shares a land border with another country, the State may conduct a border CMV safety program focusing on international commerce that includes enforcement and related projects or will forfeit all MCSAP funds based on border-related activities.
26. In the case that a State meets all MCSAP requirements and funds operation and maintenance costs associated with innovative technology deployment with MCSAP funds, the State agrees to comply with the requirements established in 49 CFR 350.203 and 350.310.

Date 9/1/2017

Signature R. T. S. 157

Russ Stanczyk 157